

A BYLAW OF THE COUNTY OF WARNER, IN THE PROVINCE OF ALBERTA TO PROMOTE THE MAINTENANCE OF PROPERTY AND PROVIDE FOR THE REMEDY OF DANGEROUS AND UNSIGHTLY PROPERTY WITHIN THE COUNTY OF WARNER.

WHEREAS the Municipal Government Act, R.S.A. 2000, c. M-26, authorizes municipalities to deal with nuisances, including Dangerous and Unsightly Property within the County of Warner.

NOW THEREFORE, the Council of the County of Warner, in the Province of Alberta duly assembled, thereby enacts as follows:

1. NAME OF BYLAW

- a. This bylaw may be cited as the Dangerous and Unsightly Property Bylaw.

2. DEFINITIONS

For the purposes of this Bylaw, the following words mean:

- a. **Act** means the Municipal Government Act, R.S.A. 2000, c. M-26.
- b. **Administrator** means the Chief Administrative Officer of the County of Warner.
- c. **Council** means the Municipal Council of the County of Warner.
- d. **County** means the Municipal Corporation of the County of Warner No. 5
- e. **Designated Officer** means the Chief Administrative Officer, Community Peace Officer, RCMP Officer, County of Warner Fire Chief(s) or his duly authorized assistants, and any other person authorized by the County of Warner.
- f. **Dangerous and Unsightly Property** means property as described in Section 3 of this Bylaw.
- g. **Emergency** means a situation in which there is imminent danger to public safety or of serious harm to Property.
- h. **Improvement** means a structure, anything attached or secured to a structure, which would be transferred without special mention by a transfer or sale of the structure, a mobile unit, and machinery and equipment.
- i. **Nuisance** means any activity or condition within the limits of the County which, in the opinion of a Designated Officer or Council, detrimentally affects, interferes with, annoys, disturbs, injures or endangers the safety, comfort, peace, health, use value or enjoyment of surrounding Property.
- j. **Order** means a written order in accordance with subsection 546 of the Act.
- k. **Owner** means in respect of Property, the person who is registered under the Land Titles Act as the owner of the fee simple estate of the Property, and in respect of Property other than land, the person in lawful possession of it; the person who is recorded as the owner of the Property on the assessment roll of the County; a person who has purchased or otherwise acquired the Property, whether he has purchased or otherwise acquired the Property directly from the owner or from another purchaser, and has not become the registered owner thereof; a person holding himself out as the person having the powers and authority of ownership or who for the time being exercises the powers and authority of ownership; a person controlling the Property under construction; or a person who is the occupant of the Property under a lease, license or permit.
- l. **Person** includes a corporation, individual, and the heirs, executors, administrators or other legal representatives of an individual.
- m. **Property** means a parcel of land, an improvement, or a parcel of land and the improvements to it.
- n. **Structure** means a building or other thing erected or placed in, on, over or under Property, whether or not it is so affixed to the Property as to become transferred without special mention by a transfer or sale of Property.

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- c. the offence;
 - d. the appropriate penalty for the offence as specified in Schedule "A" of the Bylaw;
 - e. that the penalty shall be paid within 30 days of the issuance of the Violation Tag;
 - f. any other information as may be required by the Chief Administrative Officer.
- d. Where a contravention of this Bylaw is of a continuing nature, a further Violation Tag may be issued by a Designated Officer, provided however, that no more than one Violation Tag shall be issued for each day that the contravention continues.
- e. Where a Violation Tag is issued pursuant to subSection 15(a) or (d) of this Bylaw, the person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the County the penalty specified on the Violation Tag.

16. VIOLATION TICKET

- a. In those cases where a Violation Tag has been issued and if the penalty specified on a Violation Tag has not been paid within the prescribed time, then a Designated Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act, R.S.A. 2000, c. P-34*.
- b. Notwithstanding subsection 16(a) of this Bylaw, a Designated Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any Person who the Designated Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

17. SEVERABILITY

Should any provision of this Bylaw be invalid, then such invalid provision shall be severed and the remaining Bylaw shall be maintained


18. REPEAL

- a. Bylaw 818-02 is hereby repealed.

Read a first time this 7th day of April 2015.

Read a second time this 21st day of April, 2015.

Read a third time this 21st day of April, 2015.



REEVE



ADMINISTRATOR