

VILLAGE OF NOBLEFORD  
BYLAW NO 571

**THIS BEING A BYLAW OF THE VILLAGE OF NOBLEFORD, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE REGULATION AND CONTROL OF WEEDS, GRASS, UNSIGHTLY PROPERTIES AND OTHER NUISANCES.**

**WHEREAS**, Section 7 of the Municipal Government Act, being Chapter M-26.1, 1994, as amended provides that Council may pass bylaws for municipal purposes respecting nuisances, including unsightly property.

**NOW THEREFORE**, The Council of the Village of Nobleford, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. **Title** – This bylaw may be cited as the "**Nuisance Bylaw**"

2. **Definitions:**

- a) "Enforcement Officer" – means the Bylaw Enforcement Officer, Weed Inspector, Building Inspector, Fire Chief, C.A.O. or designate so authorised to act on behalf of the Council of the Village of Nobleford.
- b) "Nuisance" for the purpose of this bylaw means any use of or activity upon any property, which is offensive to any person, or has or may have a detrimental impact upon any person or other property in the neighbourhood, and without limiting the generality of the foregoing, includes the following:
- i) the failure to cut grass or weeds;
  - ii) the growth of trees or shrubs in such a manner that they interfere with or endanger visibility to street signage or sidewalk and/or roadway clearance;
  - iii) the storage or accumulation of dilapidated vehicles
  - iv) the storage or accumulation of or failure to dispose of discarded or dilapidated furniture or household appliances, scrap metals, scrap lumber, tires, and motor vehicle parts;
  - v) the failure to dispose of any rubbish or garbage accumulated upon any property
- c) "Highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, lane, alley, causeway or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and, includes the sidewalk and boulevard and any ditch adjacent to and parallel with the property.
- d) "Noxious Weeds" means those weeds as designated in the Weed Control Act, C. W-6, Revised Statutes of Alberta 1980, and under the Weed Designation Regulation 138/80, as amended.
- e) "Occupant" means any person being the registered owner of the property, whether such person does or does not reside thereon or conducts a business thereon.
- f) "Property" means any land and/or buildings, whether occupied or not.

3. **Application**

This bylaw applies to all lots, developments, boulevards, properties and yards within the boundaries of the Village of Nobleford.

#### **4. Boundaries and Responsibilities**

- a) The occupant or owner of any land within the boundaries of the Village of Nobleford, shall for the purpose of this bylaw, be considered to be the occupant of that portion of any highway that lies between the boundary of their land and the centre line of the highway.
- b) No person, being the owner, agent, lessee or occupier of any property within the Village of Nobleford shall permit such property or the activities upon such property to be or remain a nuisance.

#### **5. Duties of Occupant and/or Owner**

- 5.1 Every occupant and/or owner of any property within the Village of Nobleford shall:
  - a) Eradicate or control any weeds growing on such property to prevent propagation and the spreading from such plants or weeds of any seeds, roots, rhizomes or spores, to the property of other persons.
  - b) Cut or mow the grass on any boulevard or highway situated on Village owned land adjoining, abutting or adjacent to the property owned or occupied by said person to prevent such grass from growing to such a height as to be untidy or unsightly.
  - c) Control dandelions and noxious weeds on the said property.
  - d) Remove from said property any dead grass, brush or rubbish which may be untidy or unsightly or may harbour vermin or pests thereon.
  - e) Prune or remove any shrubs, trees or like plants which would be a nuisance to any person using any publicly owned or maintained sidewalk or street, and shall not obstruct flow of traffic through these thoroughfares.
  - f) Ensure that clippings from lawns, shrubs and trees are gathered and disposed of. Clippings shall not be deposited loose in alleys or elsewhere in the Village.

#### **6. Enforcement**

- 6.1 Appointed Enforcement Officers are hereby authorised to enter at any reasonable hour, upon any lands within the Village of Nobleford for the inspection of conditions that may contravene, or fail to comply with the provisions of this bylaw.
- 6.2 When in the opinion of the Enforcement Officer a condition exists which contravenes any of the provisions of this bylaw, the Officer or Inspector may issue a written warning notice to the owner/occupier of the land or premises in question, advising them of the condition and directing that the condition be rectified within a specific length of time. Except in extraordinary situations the maximum time allowed shall be fourteen (14) days.
- 6.3 A notice issued pursuant to this bylaw shall be served on the owner/occupant; in person, by mail sent to the last known address shown on the tax roll, or by posting the notice in a conspicuous place on the property of the person who is intended to be served.
- 6.4 Any person entering onto property to remedy a condition as directed by the Enforcement Officer shall be deemed to have the authorisation of Council and shall not incur any liability therefore.

**7. APPEAL PROCEDURES**

- 7.1 A person who receives a written order under this bylaw may request a review of the order, by stating in writing the reason for the appeal, within 14 days of the date the order is received.
- 7.2 After reviewing the order, Council may confirm, amend or cancel the order.

**8. FEES AND PENALTIES**

- 8.1 In the event that a person fails, neglects or refuses to remedy the conditions as directed by the Enforcement Officer, the Village of Nobleford, through its appointed officials may enter the said land and cause the remedy of the said nuisance and the cost thereof shall be charged to the owner. These costs may include any or all costs as detailed in schedule "A", which may be amended from time to time by resolution of Council.
- 8.2 In the event of default of the payment; the Village of Nobleford may recover the cost as a debt due to the Village: causing the amount owing to be added to the tax roll as a charge against the property of the said owner in the same manner as taxes and with the same priority as to lien and to payment thereof as is the case of ordinary municipal taxes.
- 8.3 A person who wilfully obstructs or delays the work of the Enforcement Officer is guilty of an offence under this bylaw and may be subject to a fine of not less than \$50.00 and not more than \$150.00.
- 8.4 Monies paid for fines or fees shall belong to the general revenue of the Village of Nobleford.


**THIS BYLAW COMES INTO EFFECT UPON THIRD AND FINAL READING THEREOF.**

Read a first time this 24th day of July, 2000.

Read a second time this 24th day of July, 2000.

Read a third and final time this 24th day of July, 2000.

  
Mayor

  
Administrator

FEEES

1. Administration fees – per property requiring enforcement of Bylaw 571  
\$40.00

2. Labour and Equipment fees - \$45.00 per hour (\$20.00 minimum)  
**or the invoiced cost of contract**

*Moey 30, 2006 \$80 hr*