

**TOWN OF PILOT BUTTE**  
**BYLAW NO. 10-2022**

**BYLAW FOR THE TOWN OF PILOT BUTTE, IN THE PROVINCE OF  
SASKATCHEWAN, TO REGULATE 'PROPERTY MAINTENANCE AND NUISANCE  
ABATEMENT' IN THE TOWN OF PILOT BUTTE**

The COUNCIL OF THE TOWN OF PILOT BUTTE, in the PROVINCE OF  
SASKATCHEWAN, ENACTS as follows:

**PART 1: INTERPRETATION**

**1. Short Title**

This Bylaw may be cited as the "*The Property Maintenance and Nuisance Abatement Bylaw*".

**2. Purpose**

The purpose of this Bylaw is to provide for the proper maintenance of property and the abatement of nuisances, including property or things that adversely affect:

- (1) the safety, health, and/or welfare of people in the neighborhood; or
- (2) the amenity of a neighborhood.

**3. Definitions**

In this Bylaw:

- (1) "*Building*" means a building as defined in the *The Municipalities Act* as being any structure, used or occupied, or intended for supporting or sheltering any use or occupancy, and includes a trailer, mobile home or portable shack that is:
  - a. *not in storage;*
  - b. *situated within the Town for a period of more than 30 days;*
  - c. *travel trailer;*
  - d. *has at least four walls that support a roof;*
  - e. *has at least one lockable door;*

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- f. *has a floor and a foundation made of wood or concrete or a combination of both that is elevated to a level above the surrounding soil and/or terrain and is capable of discouraging vermin or other unwanted wildlife;*
- g. *is built according to building codes at the time of construction or renovation; and*
- h. *is not a sea container.*

- (2) "Town" means the Town of Pilot Butte.
- (3) "Town Administrator" means the administrator for the Town of Pilot Butte.
- (4) "Council" means the Council of the Town of Pilot Butte.
- (5) "Dwelling Unit" means a room or series of rooms of complimentary use operated as a house-keeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping, and sanitary facilities.
- (6) "Junked Vehicle" means any automobile, tractor, truck, trailer, or other vehicle that:
  - a. has no valid license plate attached to it, is not legally registered or insured; or
  - b. is in rusted, wrecked, partly wrecked, dismantled, partly dismantled, inoperative or abandoned condition; and
  - c. are located on private land, but are not within a structure erected in accordance with any law respecting the erection of buildings and structures in force within the Town; and does not form part of a business enterprise lawfully being operated on that land.
- (7) "Designated Officer" means an employee(s) or agent(s) of the Town appointed by Council and/or Town Administrator to act as a Bylaw Enforcement Agent for the purposes of this Bylaw or specific sections of this bylaw.
- (8) "Nuisance" means the condition of property or a thing that affects or may affect the amenity of a neighborhood or the safety, health and welfare of people in the neighborhood, and includes:
  - a. a building in a ruinous or dilapidated sate of repair;
  - b. a building (occupied or unoccupied) that is damaged and is in imminent danger to public safety;
  - c. land that is overgrown with grass, weeds or other vegetative growth;
  - d. untidy and unsightly property;
  - e. junked vehicles;

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- f. open excavation on property; or
  - g. noxious emissions of smoke or odour.
- (9) *“Occupant”* means an occupant as defined in *the Municipalities Act* as being:
- a. a person residing on land or in a building
  - b. a person entitled to the possession of land or a building if there is no person residing on the land or in the building; and
  - c. a leaseholder.
- (10) *“Owner”* means an owner as defined in *the Municipalities Act* as being *a person who has the right, title, estate, or interest in land or buildings other than that of a mere occupant, tenant, or mortgagee.*
- (11) *“Property”* means land or buildings or both.
- (12) *“Structure”* means anything erected or constructed, the use of, which requires temporary or permanent location on, or support of, the soil, or attached to something having permanent location on the ground or soil; but not including pavements, curbs, walks, or open air surfaced areas.

#### **4. Responsibility**

- (1) Unless otherwise specified, the registered owner of a property shall be responsible for compliance and carrying out the respective provisions of this Bylaw.
- (2) Compliance with the requirements of this bylaw does not exempt any person from compliance with the requirements of any federal, provincial, or municipal legislation, the requirements of any other bylaw in force within the Town or from complying with any other bylaw of the Town in force from time to time.

### **PART 2: NUISANCES**

#### **5. Nuisances Prohibited Generally**

No person shall cause or permit a nuisance to occur on any property owned by that person.

#### **6. Dilapidated Buildings**

- (1) Notwithstanding the generality of Section 5, no person shall cause or permit a building or structure to become damaged or to deteriorate into a ruinous or dilapidated state of disrepair such that the building or structure:

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- a. is dangerous to the public health or safety; or
- b. substantially depreciates the value of other land or improvements in the neighborhood.

**7. Unoccupied Buildings**

- (1) Notwithstanding the generality of Section 5, no person shall cause or permit an unoccupied building to become damaged or to deteriorate into a state of disrepair such that the building is an imminent danger to public safety.
- (2) Unoccupied buildings shall be securely closed to prevent unauthorized entry.

**8. Overgrown Grass, Weeds, and Other Vegetative Growth**

- (1) Notwithstanding the generality of Section 5, no person shall cause or permit the land to be overgrown with grass or weeds.
- (2) For the purpose of this section, "overgrown" means in excess of 20 centimetres (8 inches) in height.
- (3) This section shall not apply to any growth which forms a natural garden that has been deliberately planted to produce ground cover, including one or more species of wild flowers, shrubs, perennials, grasses or combinations of them, whether native or non-native, consistent with a managed and natural landscape other than regularly mown grass.

**9. Untidy and Unsightly Properties**

- (1) Notwithstanding the generality of Section 5, no person shall cause or permit any land or building to become untidy and unsightly such as accumulation of used lumber, cardboard, paper, newspapers, appliances, tires, cans, bottles, barrels, scrap metal or other waste or recyclable materials, or junk.
- (2) No owner of land shall store any materials noted in Subsection (1) in the front yard of any residential property or on any adjoining boulevards or lanes.

**10. Junked Vehicles**

Notwithstanding the generality of Section 5, no person shall keep or store any junked vehicle on any property in the Town of Pilot Butte.

(1) A maximum of two unlicensed vehicles, including recreational vehicles, may be kept on a residential site, if stored:

- a. within a garage or carport
- b. fully covered; or
- c. completely screened by a solid wall or fence:
  - along a side or rear lot line, not to exceed 3 metres;

(2) No unlicensed vehicle shall be kept in the required front yard.

## **11. Open Excavations**

Notwithstanding the generality of Section 5, no person shall cause or permit any basement, excavation, drain, ditch, watercourse, pond, surface water, swimming pool or other structure to exist in or on any private property which is dangerous to the public safety or health.

## **12. Pet Wastes**

- (1) Pet wastes shall be promptly removed from properties, and disposed of in an acceptable fashion. Pet wastes shall not be allowed to accumulate in an unreasonable fashion.
- (2) Animal carcasses, animal remains etc. (re: bones, skulls, hides, parts of animals or raw meat of any sort), are strictly prohibited from the Town of Pilot Butte limits and shall be promptly removed and disposed of in a sanitary manner as not to cause a health hazard.

## **PART 3: PROPERTY MAINTENANCE**

### **13. Duty to Maintain**

- (1) All property shall be maintained in accordance with the minimum standards prescribed in this section and other applicable requirements/regulations of any other authorities having jurisdiction.
- (2) No person shall cause or permit the occupancy of any property that does not conform to the minimum standards and every dwelling unit shall provide a safe and sanitary environment for the occupants in accordance with this section.
- (3) Notwithstanding Section 4, every occupant of a property shall:
  - a. keep in a clean and sanitary condition that part of the property, which the occupant occupies, and controls;
  - b. maintain exits to the exterior of the building in a safe and

- unobstructed condition; and
- c. keep any supplied fixtures clean and sanitary and exercise reasonable care in their proper use and operation.

## **PROPERTY MAINTENANCE STANDARDS**

### **14. Yard Maintenance**

- (1) Yards shall be kept free from:
  - a. Garbage, debris and household junk;
  - b. junked vehicles;
  - c. excessive growth of weeds and grass;
  - d. holes and excavations deemed a danger to public safety;
  - e. infestations of rodents or vermin;
  - f. dead or hazardous trees or overgrown vegetation; or
  - g. dangerous or hazardous materials.
- (2) Yards shall be graded in such a manner so as to prevent excessive ponding of water and excessive dampness accumulating near building or structures.
- (3) Yards shall adhere to the Yard Maintenance Policy and Maintenance Inspection schedules enforced within the Town of Pilot Butte.

### **15. Outdoor Storage of Materials**

Any building materials, lumber, scrap metals, boxes, straw, etc., or similar items stored in a yard shall be neatly stacked in piles and elevated off the ground so as not to constitute a nuisance or harbour for rodents, vermin, insects or to be allowed to decay. Materials so stored must be in a quantity and location deemed reasonable or acceptable in consideration of the zoning and the purpose of the property.

### **16. Refrigerators and Freezers**

Storing refrigerators or freezers in yards is prohibited, however if such appliances are being held temporarily to facilitate disposal, they shall first have the hinges, latches, lid or lids, door or doors removed in order to prevent entrapment within the appliance.

### **17. Accessory Buildings**

- (1) Accessory Buildings shall be kept:
  - a. in good repair;
  - b. free of infestation by rodents, vermin and insects; and
  - c. free of health, fire and safety hazards.

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- (2) Accessory buildings shall be equipped with doors and other adequate closures.

## **18. Fences**

- (1) Fences shall be maintained in a safe and reasonable state of repair, that are appropriate to incorporate into the neighborhood, as determined by the municipal inspector.
- (2) Excepting areas that are approved for the containment of livestock, fences that incorporate barbed wire shall not be permitted.

## ***BUILDING STANDARDS***

### **19. Building Components (Exterior)**

#### (1) Structural Standards

- i. The structural components of every building, including roofs, stairs, railings, porches, joists, rafters, beams, columns, foundations, walls, and ceilings shall be maintained in a safe condition, and shall be capable of performing the function that they were intended to perform.
- ii. Every part of a building foundation shall be maintained in a structurally sound condition so as to be capable of safely sustaining its own weight and any normal load to which it may be subjected.
- iii. Materials, which have deteriorated and/or become damaged shall be repaired or replaced.

#### (2) Exterior Walls

- a. All exterior structures shall be constructed of materials which provide adequate protection from the weather.
- b. Exterior wall shall be covered with an application of paint, satin, vinyl, stucco, brick, or other protective surface to protect the walls from deterioration due to moisture penetration.
- c. Exterior wall shall be free of holes, breaks, loose or rotting boards or timber, or any conditions which might admit rain or dampness to the interior walls or the interior spaces of the building.

#### (3) Roofs

- a. A roof, including the fascia board, soffit, cornice, and flashing shall be maintained in good repair so as to prevent deterioration or leakage or water into the building.
- b. Loose materials, including dangerous accumulations of snow and ice shall be removed from the roof of a building as soon as reasonably

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possible so as to prevent damage to the building or injury to persons in or near the buildings.

- c. Water running off the roof shall be carried away from the building so as not to cause dampness in the wall, ceilings, or floors in the building but it shall not be directed in such a manner so as to cause adverse impacts onto any adjacent property so as to damage that property.
- d. Eavestroughing and downspouts shall be maintained in good repair.

#### (4) Chimneys

- a. Chimneys, flue pipes and smokestacks shall be maintained in good repair so as to serve their intended purpose to and to prevent gases, water, or any other substance from leaking into the building.
- b. Chimneys, flue pipes and smokestacks shall be kept free of any defects.
- c. Chimneys, flue pipes, and smokestacks shall have all defective masonry or metal components repaired or replaced as needed.
- d. Chimneys, flue pipes and smokestacks shall be kept clear of obstructions.

#### (5) *Exterior Doors and Windows*

- a. Exterior doors and windows shall be kept in reasonable state of repair, so as to perform their intended function.
- b. Exterior doors shall have an acceptable locking mechanism.

#### (6) *Stairs, Porches, Decks, and Railings*

- a. Stairs, porches, decks, and railings shall be maintained in good repair so that no components are broken, loose, rotted or warped.
- b. Handrails are required on at least one side of all exterior steps having more than three (3) risers.

#### (7) *Egress*

- a. Every building shall have means of egress so as to provide a safe, continuous unobstructed exit from the interior of the building to the exterior at the street or grade level.
- b. Every means of egress shall be maintained in good repair and free of obstructions which constitute a fire hazard.

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## 20. Building Components (interior)

### (1) Water Supply & Sewage Disposal

- a. Every dwelling unit shall have an adequate supply of potable running water for washing and bathroom facilities.
- b. Sewage shall be properly drained into the municipal sewage system works.

### (2) Plumbing and Heating Facilities

- a. Every dwelling unit shall be equipped with adequate heating facilities properly installed and maintained in safe and good working condition.
- b. All plumbing facilities in a building, including fixtures, drains, water pipes, and all connections to the water and sewer system shall be protected from freezing, be maintained in good working order, and be free from leaks and defects.

### (3) Gas, Electrical and Mechanical Facilities

All gas, electrical and mechanical facilities and appliances shall be installed in accordance with manufacturer's instructions and applicable requirements/regulations of any other authority having jurisdiction.

## **PART 4: ENFORCEMENT, OFFENCES, AND PENALTIES**

### 21. Enforcement of Bylaw

- (1) The administration and enforcement of this bylaw is hereby delegated to the Town Administrator or Delegate of the Town of Pilot Butte.
- (2) The Town Administrator for the Town of Pilot Butte is hereby authorized to further delegate the administration and enforcement of the bylaw, or specific sections of the Bylaw to the municipal inspector assigned to such responsibilities.

### 22. Inspections

- (1) The inspection of property by the Town to determine if this bylaw is being complied with is hereby authorized.
- (2) Inspection under this Bylaw shall be carried out in accordance with Section 362 of *the Municipalities Act*.

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- (3) No persons shall obstruct a Municipal Inspector who is authorized to conduct inspections under this section, or a person who is assisting a municipal inspector.

**23. Order to Remedy Contravention**

- (1) If an inspector finds that a person is contravening this Bylaw, the inspector may, by written order, require the owner or occupant of the property, to which the contravention relates, to remedy the contravention.
- (2) Orders given under this Bylaw shall comply with Section 364 of *the Municipalities Act*.
- (3) Orders given under this Bylaw shall be served in accordance with Section 390 (1) (a), (b) or (c) of *the Municipalities Act*

**24. Registration of Notice of Order**

If an order is issued pursuant to Section 23, the Town may, in accordance with Section 364 of *the Municipalities Act*, give notice of the existence of the order by registering an interest against the title of the land that is the subject to the order.

**25. Appeal of Order to Remedy**

- (1) A person may appeal an order made pursuant to Section 23 in accordance with Section 365 of *the Municipalities Act*.
- (2) Appeals shall be made to Council.

**26. Town Remediating Contravention**

The Town may, in accordance with Section 366 of the *Municipalities Act*, take whatever acts or measures are necessary to remedy a contravention of the Bylaw.

**27. Civil Action to Recover Costs**

The Town may, in accordance with Section 368 of *the Municipalities Act*, collect any unpaid expenses and costs incurred in remediating a contravention of this Bylaw by civil action for debt in a court of competent jurisdiction.

**28. Adding Amounts to Tax Roll**

The Town may in accordance with Section 369 of *the Municipalities Act* add any unpaid expenses and costs incurred by the Town in remedying a contravention of this Bylaw to the taxes of the property on which the work was done.

**29. Emergencies**

- (1) In the event that it becomes an emergency to remedy a contravention of this Bylaw, the Town may take whatever action or measures are necessary to eliminate the emergency in accordance with the provisions of Section 367 of *The Municipalities Act*.

**30. Offences**

- (1) No person shall:
- a) fail to comply with an order made pursuant to this bylaw;
  - b) obstruct or interfere with any Designated Officer or any other person acting under the authority of this bylaw; or
  - c) fail to comply with any other provision of this bylaw.
- (2) A Designated Officer who has reason to believe that a person has contravened any provision of this bylaw may serve on that person a Notice of Violation, which Notice of Violation shall indicate that the Municipality will accept voluntary payment as per "Schedule A" within seven (7) days.
- (3) Where the Municipality receives voluntary payment of the amount prescribed as per Schedule A within the time specified, the person receiving the Notice of Violation shall not be liable to prosecution for the alleged contravention.
- (4) Payment of any Notice of Violation does not exempt the person from enforcement of an order pursuant to section 23 of this Bylaw.
- (5) Any person who does not comply with any part of an order made against him or her is guilty of an offence.
- (6) Every person, who contravenes any provision of this Bylaw where no other penalty is provided, is guilty of an offence and is liable on summary conviction to a fine not more than:
- a. \$10,000.00 in the case of an individual; or
  - b. \$25,000.00 in the case of a corporation.
- (7) All fines, penalties and forfeitures mentioned in the Bylaw may be

recovered and enforced with costs by summary conviction before a judge.

- (8) This Bylaw may be enforced, and the contravention of any provision of the Bylaw restrained, by any court or action brought by the Town of Pilot Butte, whether or not any penalty is imposed for the contravention.
- (9) Conviction of a person for a contravention of any provision of this bylaw, and the convicting Judge or Justice of the Peace shall, in addition to any fine imposed, order the person to perform, within a specified period, any act or work necessary for the proper observance of the Bylaw or to remedy the contravention of Bylaw.
- (10) A person, who fails to comply with an order made pursuant to Subsection 5 hereof within the period specified in the order, is guilty of an offence and is liable on summary conviction to a fine of not more than \$2500.00 for each day.
- (11) Where a bylaw enforcement officer or peace officer believes that a person has contravened the provisions of this Bylaw, that may be a personal service, served or caused to be served upon such person a notice of violation in Form "A" as provided by this section.
- (12) The notice of violation in Form "A" shall be in a form similar to that provided as Form "A" of this Bylaw and shall indicate thereon the section of the bylaw which was contravened and the amount of penalty to be paid as provided in Schedule "A" of this Bylaw.

### **31. Repeal Bylaw**

Bylaw No. 14-2005 is hereby repealed.

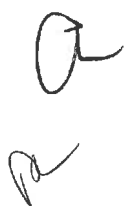
### **32. Effective**

This Bylaw shall come into force once it is approved and given third reading by the Council of the Town of Pilot Butte.

First Reading: August 22, 2022

Second Reading: August 22, 2022

Third Reading: September 12, 2022



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Mayor

    *Allen Mall*    

Administrator

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**FORM "A"**  
**Notice of Violation of Bylaw**  
**TOWN OF PILOT BUTTE**  
**Voluntary Payment of Fine**

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**DETAILS OF VIOLATION**

Name of Owner \_\_\_\_\_

Address of \_\_\_\_\_

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On the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at Pilot Butte, Saskatchewan at  
(time) \_\_\_\_\_ did unlawfully commit the following offence under the  
Town of Pilot Butte Property Maintenance and Nuisance Abatement Bylaw  
No., Section No. \_\_\_\_\_.

Description of offence \_\_\_\_\_

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Location of Violation: \_\_\_\_\_

Description of Appliances: \_\_\_\_\_

Please pay as indicated:

Penalty for the above infraction- \$ \_\_\_\_\_

Issued By: \_\_\_\_\_

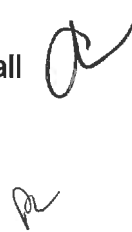
Date of Issue: \_\_\_\_\_

The Voluntary Penalty may be paid at the Town Office, Pilot Butte, Saskatchewan.

- a. in person, during regular office hours, to the Municipality at the Municipal Office,  
222 Diamond Place, Pilot Butte, Saskatchewan, OR
- b. by mail addressed to the Town of Pilot Butte, Box 253, Pilot Butte,  
Saskatchewan S0G 3Z0.

Voluntary Payment of the fine within seven (7) days after service of this Notice of  
Violation upon the owner will result in the owner not being liable for prosecution for the  
offence.

Failure to remit the fine within seven (7) days after service of this Notice of Violation shall  
result in issuance of a Summons.



**SCHEDULE "A" TO BYLAW**

<b>Bylaw section</b>	<b>Contravention</b>	<b>1st Notice of Violation</b>	<b>2nd Notice of Violation</b>	<b>3rd and Subsequent Notices of Violation</b>
8	Overgrown grass vegetation	\$200	\$550	\$750
9	Untidy and unsightly	\$500	\$1,000	\$1,500
10.	Junked vehicle	\$500	\$1,000	\$2,500
11	Open excavation	\$500	\$1,000	\$2,500
12	Pet Wastes	\$100	\$150	\$200
18	Fences	\$175	\$250	\$400
30 (6)	Failure to comply with an order	\$500	\$1,000	\$2,500

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