

RURAL MUNICIPALITY OF ST. ANDREWS

BY-LAW NO. 4145

BEING THE BY-LAW OF THE RURAL MUNICIPALITY OF ST. ANDREWS TO ESTABLISH A MINIMUM STANDARD OF MAINTENANCE FOR DWELLINGS AND OTHER STRUCTURES, AND TO REGULATE YARDS, NUISANCES, LITTER, AND DERELICT VEHICLES.

WHEREAS The Municipal Act reads in part as follows:

232 (1) A council may pass by-laws for municipal purposes respecting the following matters:

- (a) The safety, health, protection and well-being of people, and the safety and protection of property;
- (b) Subject to Section 233, activities or things in or on private property;
- (c) The enforcement of by-laws.

233 A by-law under Clause 232 (1) (b) (*activities or things in or on private property*), may contain provisions only in respect of:

- (a) The requirement that land and improvements be kept and maintained in a safe and clean condition;
- (b) The parking and storing of vehicles, including the number and type of vehicles that may be kept or stored and the manner of parking and storing;
- (c) The removal of top soil; and
- (d) Activities or things that in the opinion of the council are or could become a nuisance, which may include noise, weeds, odors, unsightly property, fumes and vibrations.

236 (1) Without limiting the generality of clause 232 (1) (c) (*enforcement of by-laws*), a by-law passed under that clause may include provisions:

- (a) Providing for procedures, including inspections, for determining whether by-laws are being complied with; and
- (b) Remedying contraventions of by-laws, including:
 - (i) Creating offences;
 - (ii) Subject to regulations, providing for fines and penalties, including the imposition of a penalty for an offence that is in addition to a fine or imprisonment, so long as the penalty relates to a fee, rate, toll, charge, or cost that is associated with the conduct that gives rise to the offence, or related to enforcing the by-law;
 - (iii) Providing that an amount owing under subclause (ii) may be collected in any manner in which a tax may be collected or enforced under this Act;
 - (iv) Seizing, removing, impounding, confiscating and selling or otherwise disposing of plants, animals, vehicles, or other things related to a contravention;
 - (v) Charging and collecting costs incurred in respect of acting under subclause (iv);
 - (vi) Imposing a sentence of imprisonment for not more than six months for the commission of offenses or non-payment of fines.

242 (1) If a designated officer finds that a person is contravening a by-law or this or any other Act that the municipality is authorized to enforce, the designated officer may by written order require the person responsible for the contravention to remedy it if, in the opinion of the officer, the circumstances so require.

242 (2) The order may;

- (a) Direct a person to stop doing something, or to change the way in which the person is doing it;
- (b) Direct a person to take any action or measure necessary to remedy the contravention of the Act or by-law, including the removal or demolition of

a structure that has been erected or placed in contravention of a by-law and, if necessary, to prevent a reoccurrence of the contravention;

- (c) State a time within which the person must comply with the directions; and
- (d) State that if the person does not comply with the directions within a specified time, the municipality will take the action or measure at the expense of the person.

243 (1) If, in the opinion of a designated officer, a structure, excavation or hole is dangerous to public safety or property, or because its unsightly condition is detrimental to the surrounding area, the designated officer may by written order:

- (a) In the case of a structure, require the owner
 - (i) To eliminate the danger to public safety in the manner specified, or
 - (ii) Remove or demolish the structure and level the site;
- (b) In the case of land that contains the excavation or hole, require the owner
 - (i) To eliminate the danger to public safety in the manner specified, or
 - (ii) Fill in the excavation or hole and level the site;
- (c) In the case of property that is in an unsightly condition, require the owner
 - (i) To improve the appearance of the property in the manner specified,
 - (ii) If the property is a building or other structure, remove or demolish the structure and level the site.

243 (2) The order may:

- (a) State a time within which the person must comply with the order; and
- (b) State that if the person does not comply with the order within the specified time, the municipality will take the action or measure at the expense of the person.

AND WHEREAS it is deemed expedient to pass a by-law for the purpose of maintaining a standard of maintenance for dwelling and other structures, and regulating and abating nuisances, derelict vehicles, litter, and unsightly properties.

NOW THEREFORE THE COUNCIL OF THE RURAL MUNICIPALITY OF ST. ANDREWS, IN COUNCIL ASSEMBLED, HEREBY ENACTS AS A BY- LAW AS FOLLOWS:

PART ONE DEFINITIONS AND APPLICATION

1. DEFINITIONS

a. In this bylaw:

1. "Animal" means any creature not human.
2. "Animal and Agricultural Waste" means manure, crop residues and like material from agricultural pursuits, stables, kennels, veterinary establishments and other such premises.
3. "Ashes" means residue from the burning of wood, coal and other like material for the purpose of cooking, heating buildings and disposing of waste combustible materials.
4. "Building" means any structure used or intended for supporting or sheltering any use or occupancy.
5. "Bulky Waste" means large items of refuse including, but not limited to, appliances, furniture, large auto parts and large crates.
6. "Rural Municipality" means the Rural Municipality of St. Andrews.
7. "Council" means the Council of Rural Municipality of St. Andrews.
8. "Construction and Demolition Waste" means waste building materials and rubble resulting from construction, remodeling, repair, demolition, or fire in houses, commercial buildings, driveways, pavement and other structures.
9. "Derelict Vehicle" means any vehicle that is not in operating condition, or cannot meet safety standards as legislated by the Province of Manitoba from time to time and does not have attached thereto, and exposed

thereon, one or more license plates for the current registration year and is kept in the open.

10. "Designated Officer" means the By-law Enforcement Officer, Building Inspector, Fire Inspector, or any other person or agency employed by or acting for the Rural Municipality of St. Andrews and partially or wholly responsible for public safety, fire safety, building safety, and Property Standards within the Rural Municipality of St. Andrews.
11. "Dwelling" includes any building, part of a building, trailer or other covering or structure, the whole or any portion of which has been used, is used, or is capable of being used for the purposes of human habitation with the land and premises appurtenant thereto and all accessory buildings, fences or erections thereon or therein, and every dwelling unit within the building.
12. "Dwelling unit" means one or more rooms located within a dwelling and used or intended to be used for human habitation by one or more persons with cooking, eating, living and sleeping facilities and with separate sanitary facilities.
13. "Engineer" means the Rural Municipality of St. Andrews Municipal Engineer or any person duly appointed to act in his stead.
14. "Fence" means a railing, wall or other means of enclosing a yard and includes barriers and retaining walls.
15. "Garbage" means animal and vegetable waste, including food packaging material and residual food materials, resulting from the handling, preparation, cooking and serving of foods in households, institutions and commercial concerns; and market wastes resulting from the handling, storage and selling of foods in wholesale and retail stores and markets.
16. "Industrial Refuse" means waste arising from, or incidental to the manufacturing operations in factories, processing plants, industrial processes and manufacturing operations and includes wastes such as putrescent garbage from food processing plants and slaughterhouses, condemned foods and products, cinders and ashes from power plants and large factories, and miscellaneous manufacturing wastes.
17. "Unsanitary Condition" means a condition or circumstance that:
 - (i) Is an offence; or
 - (ii) Is, or may be, or might become injurious to health; or
 - (iii) Contaminates or pollutes, or may contaminate or pollute food, air or water; or
 - (iv) Might render food, air or water injurious to the health of any person, and includes nuisance and any circumstance or condition declared to be an unsanitary condition under this bylaw.
18. "Liquid Waste" means waste product in a liquid form.
19. "Litter" means animal and agricultural waste, ashes, construction and demolition waste, dead animals, garbage, industrial refuse, rubbish, solid waste or refuse, unattended shopping carts and special waste, including but not limited to street cleanings, containers, packages, bottles, cans or part thereof deserted or discarded articles, product or goods of manufacture and piles aggregate, fill, gravel, sand, clay or topsoil and snow.
20. "Litter Receptacle" means a container in which the public may deposit litter.
21. "Mechanical Refuse" means a container in which the public may deposit litter.
22. "Nuisance" means any condition, which is or may become injurious or prejudicial to health or hinder the suppression of disease, or which is offensive.
23. "Occupier" in the case of any property means any person in actual or constructive possession of the property pursuant to a lease, tenancy license or other right to occupy.
24. "Order" means a notice of non-compliance and order to demolish or repair a Building or clear yards of refuse and debris pursuant to this by-law.
25. "Owner" means the registered owner of the land and premises and include the person:

- (i) For the time being managing or receiving the rent of the land premises in connection with which the word "owner" is used, whether on his own account or as agent or trustee of any other person; or
 - (ii) Who would so receive the rent if such land and premise were let; or
 - (iii) Who is the vendor of such land under an agreement for sale who has paid any land taxes thereon after the effective date of the agreement; or
 - (iv) For the time being, receiving installments of the purchase price of the land or premise in connection with the word "owner" is used, sold under an agreement for sale whether on his own account or as an agent or trustee of any other person; or
 - (v) Who would so receive the installments of the purchase price if such land or premises were sold under an agreement for sale.
26. "Person" means any person, firm, partnership, association, corporation, company or organization, of any kind.
 27. "Premises" includes a building or accessory building and any lands on which the building is situated.
 28. "Property" means any land as defined in *The Municipal Act* within the Rural Municipality whether or not there is situated thereon a dwelling or any other building.
 29. "Protective Surface" includes any layer of material over the structural surface of a building intended or required to protect the structural surface against deterioration or to decorate the structural surface and without limiting the generality of the foregoing, includes paint, warmish, stucco, brick, or stone facing, wood or asphalt shingle and insulbric siding or any other kind of siding.
 30. "Public Area" means any area owned or operated by private or public interests, but excluding those areas referred to as a public place, that is used or held out for the use by the public, including but not limited to school grounds, parking lots, and the necessary passage ways thereon, roadways and pedestrian ways on private property.
 31. "Public Place" means any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds, and buildings which are owned by or under the control and jurisdiction of the Rural Municipality.
 32. "Repair" includes taking the necessary action to bring any building or other structure up to the standards required by this by-law.
 33. "Rubbish" means combustibles, consisting of miscellaneous flammable materials, such as paper, rags, cartons, boxes, wood, wood shavings, sawdust, bedding, rubber, leather, and plastics; non-combustibles consisting of miscellaneous materials that are not flammable, such as tin cans, metals, ceramics, metal foil and glass; and yard rubbish, consisting of pruning, grass clippings, weeds, leaves, general garden wastes and tree cuttings, exclusive of solid wastes otherwise classified herein and any other unsightly or discarded material which causes or is likely to cause public hazard or nuisance, or is unacceptably offensive in light of community standards of cleanliness or generally accepted neighborhood aesthetics.
 34. "Shopping Carts" is any wagon, cart or device designed to be either drawn or propelled by means of human power and intended principally for the conveyance of produce or merchandise in and about retail stores.
 35. "Solid Waste or Refuse" means the useless, unwanted or discarded solid materials resulting from normal community activities, including semi-liquid or wet wastes with insufficient moisture and other liquid content to be free flowing.
 36. "Special Waste" means the hazardous wastes consisting of any waste that may present a hazard to collection or disposal personnel, or others, and includes wastes of a pathological, explosive, highly flammable, radioactive or toxic nature.
 37. "Standards" means the standards prescribed in this by-law for the maintenance and improvement of the physical condition and of any

building or other structure or properties, or parts thereof, together with the surrounding lands.

38. "Street" means any public highway, boulevard, lane, park, square, subway, bridge, wharf, public easement or right-of-way, thoroughfare or way, or any part thereof.
39. "Structure" means anything constructed or erected with a fixed location on or below the ground, or attached to something having a fixed location on the ground and includes buildings, walls, fences, signs, billboards, poster panels, light standards and similar items.
40. "Tarpaulin" means a heavy waterproof canvas or synthetic fabric/material used for covering.
41. "Vehicle" means motor vehicle, all terrain vehicles, watercraft, trailer, wagon, flatbed or any other means of transportation.

2. LITTER ON PUBLIC PROPERTY

- (a) No person shall sweep, dump or otherwise deposit litter into any gutter, boulevard, street or other public place without permission of the designated officer.
- (b) Persons owning or occupying property shall keep the sidewalk and boulevard in front of and flanking, and the lane at the rear of their property, free of litter as well as the ditches and drains.

PART TWO STANDARDS

1. PROPERTY STANDARDS

- (a) No owner or occupier of Property shall permit on such property, and each owner and occupier of property shall keep such property free and clear of:
 - (i) Litter;
 - (ii) Rubbish;
 - (iii) The storage of household appliances, whether or not the same are capable of operation; and/or the storage of furnishings;
 - (iv) The growth of weeds as defined in *The Noxious Weeds Act* so that the same become a nuisance to adjoining properties;
 - (v) The growth of grass to a length which greatly exceeds the typical grass length within that particular neighbourhood;
 - (vi) Wrecked, dismantled, partially dismantled, inoperative, discarded abandoned or unused vehicles, trailers and other machinery or any part thereof.

2. BUILDING AND OCCUPANCY STANDARDS

- (a) **Pest Prevention** - Every building shall be maintained free of rodents, vermin and insects at all times and methods used for exterminating rodents, vermin or insects shall conform to a generally accepted practice in the R.M as determined by the designated officer.
- (b) **Exterior Surfaces and Openings in Dwellings and Structures** - All exterior surfaces and openings shall be of material, which provide adequate protection from the weather. The exterior of every building and structure shall be maintained so as not to cause a substantial depreciation in property values in the immediate neighborhood.
- (c) **Fences** - Fences shall be maintained in reasonable repair.

3. DERELICT VEHICLES

- (a) In no event shall the number of derelict vehicles per individual property exceed two (2) in a residential neighborhood. Lands within A40 or A80 shall be exempt from this clause at the discretion of the designated officer.
- (b) The derelict vehicle(s) shall be parked in an unobtrusive place in the back yard of the property and the vegetation around the vehicle shall be cut to ensure as much as possible the amenity of the neighborhood.
- (c) In no event shall any derelict vehicle be parked on any one premise for a period of more than two (2) years.

- (d) Any derelict vehicle, which is parked or left standing on private property in contravention of this by-law may, after the notice procedure having been followed pursuant to Part 4, and no appeal having been made, or if an appeal made, such appeal having been denied, may be removed from the property by the Rural Municipality and may be impounded and stored in such facilities as the Rural Municipality, by resolution of council may determine.
- (e) Unless a derelict vehicle(s) is soon taken out of the pound, the Rural Municipality may, upon the expiration of 14 days after the removal and impoundment, destroy or sell the derelict vehicle(s). The proceeds of a sale shall form part of the general revenue of the Rural Municipality.
- (f) Rural Municipality of St. Andrews shall be entitled to charge for costs and charges incurred for towing, impounding, storing, destroying or otherwise disposing of such derelict vehicle(s) in such amount as may from time to time be authorized and approved by council. Said costs and charges may be recovered in like manner as taxes or a debt, or both at the option of the Rural Municipality.
- (g) The owner, or the person entitled to possession of a derelict vehicle(s) removed and impounded under Subsection (e) may take the derelict vehicle out of the pound by first paying the Rural Municipality, within 14 days of the date of impoundment, the charges outlined in Subsection (f) should the owner be permitted to keep the vehicle within the Municipality.

PART THREE GENERAL REQUIREMENTS

1. GENERAL DUTIES AND OBLIGATIONS

- (a) The owner of every building shall:
 - (i) Repair and maintain the building in accordance with the standards; or
 - (ii) If the building is a dwelling, demolish the whole or the offending part thereof that is not in accordance with the standards.
- (b) Where a designated officer has placed or caused to be placed, a copy of an order upon any premises under the authority of this by-law, no person shall remove such copy of the order except with the consent of the designated officer.
- (c) All repairs to a building shall be made in a manner accepted as good workmanship in the trade concerned and with materials suitable and sufficient for the purpose and in compliance with the Manitoba Building Code.
- (d) The designated officer may condemn, close up and prevent the occupancy of any dwelling found by him or a health officer to be in an unsanitary and/or unsafe condition.
- (e) Where an owner of any dwelling fails to make the dwelling conform to standards or fails to demolish all or any part of a dwelling as directed by the designated officer, the Rural Municipality may make the dwelling conform or may demolish all or any part of the dwelling and may add the cost of the work to the tax roll as taxes for the current year, and collectable taxes.

PART FOUR ADMINISTRATIVE

1. INVESTIGATION/NOTICE/APPEAL

- (a) Investigations under this by-law shall be completed by the Designated Officer who shall investigate based on a complaint basis.
- (b) Upon inspection, if the Designated Officer determines that the premises do not comply with the Standards described herein, or in the Manitoba Building Code, the Designated Officer shall issue a "**NOTICE OF**

VIOLATION" respecting same and deliver a copy to the registered owner and/or the occupier, of the premises (Schedule "A").

- (c) Said notice shall be forwarded by regular mail and contain the following:
 - (i) The names of the registered owner and/or occupier, of the premises;
 - (ii) Description and location of premises;
 - (iii) A description of the situation in contravention of the by-law and which section of the by-law has been contravened;
 - (iv) Remedial work required;
 - (v) The length of time allowed to remedy the situation;
 - (vi) That if the required work is not completed then the cost will be charged to the owner as per section 2 of part 4.

- (d) In the event that the action specified in the NOTICE has not been taken by the specified date, an **ORDER TO COMPLY** (Schedule "B") shall be directed to the registered owner and occupier, if any, and contain:
 - (i) Action required to be taken in order to remedy the contravention, including, if applicable, an order to demolish all or part of the premises;
 - (ii) The final date specified for remedying contravention, being fourteen (14) days from the date of order;
 - (iii) The final date for the filing a notice of objection to the order by the registered owner and/or occupier (being fourteen (14) days from the date of order);
 - (iv) Notice that owner's non compliance would result in the Rural Municipality carrying out the terms of an order as issued by the designated officer and that any costs incurred the Rural Municipality to be an amount owing to the Rural Municipality and charges to the owner as per Section 2 Part 4 of this By-law;
 - (v) A copy of the notice objection (Schedule "C");
 - (vi) A copy of the penalty provision of this by-law;
 - (vii) Such other information or direction as the Rural Municipality of St. Andrews deems appropriate.

- (e) The Rural Municipality shall serve a true copy of any **ORDER TO COMPLY** (Schedule "B") issued under this part on the owner(s) and/or occupier(s) of the subject premises in one or more of the following matters:
 - (i) Personal services on the owner(s) and/or occupier(s) or any officer, director or attorney for service of the same;
 - (ii) Certified mail service on the owner(s) and/or occupier(s) or any officer, director or attorney at the last known address;
 - (iii) Registered mail service in the owner(s) and/or occupier(s) or on any officer, director or attorney at the last known address;
 - (iv) E-mail service on the owner(s) and/or occupier(s) or on any officer, director or attorney at the last known email address;
 - (v) Fax service on the owner(s) and/or occupier(s) or on any officer, director or attorney at the last known facsimile number;
 - (vi) Attaching same to a prominent place on the subject premises;
 - (vii) Personal service shall be deemed to have been effected on the date of service;
 - (viii) In all other manners of the service, whether inside or outside the Province of Manitoba, service shall be deemed to have been effected on the 5th day after the document has been mailed.
 - (ix) e-mailed, faxed or attached.

- (f) If for any reason written notice cannot be given, notice may instead be given by posting it in the Rural Municipality Office and on the property and/or vehicles in question for at least fifteen (15) days.

- (g) When a property owner files a Notice Of Objection - Schedule "C" with the Rural Municipality of St. Andrews, the following shall occur:
 - (i) An appeal of the order is deemed to be commenced;
 - (ii) The Rural Municipality shall set a date, time and place for the hearing of the appeal and serve notice of same on the appellant by registered mail;
 - (iii) The tribunal set to hear the appeal shall be the Council of the Rural Municipality of St. Andrews;
 - (iv) The hearing may be adjourned from time to time as Council may decide;
 - (v) If the appellant fails to appear at the hearing, the appeal shall be dismissed, the Order automatically affirmed and the enforcement reinstated retroactive to the dates specified therein;
 - (vi) After hearing the appeal, Council may:
 - 1. Affirm the Order;
 - 2. Rescind the Order if the appellant has since complied; or
 - 3. Vary the Order at its discretion.
- (h) Council's decision is final on the issue and not subject to further appeal.
- (i) Where the Designated Officer deems that any condition or situation existing in a public place or in a public area or on private property of another person may be a nuisance, emergency, immediate dangerous concern and or a health concern, the owner shall have no right to file a Notice of Objection.

2. **REMEDIAL WORK**

- (j) **Remedial work carried out by Rural Municipality on Private Property** - Where any owner, agent, lessee or occupier who has been given a notice, order or direction by the Designated Officer to do any act or thing to remedy any situation or condition existing on his or her property contrary to any part of this By-law, and who neglects or refuses to comply with such notice, order to comply with such notice, order or direction within the time specified, the Designated Officer may order the work carried out and charge the cost of the work done and any other costs incurred for the enforcement of this By-law to the owner, agent, lessee or occupier, and in default of payment:
 - (i) Recover the cost and any other incurred for the enforcement of this by-law as a debt due to the Rural Municipality; or
 - (ii) Charge the cost and any other costs incurred for the enforcement of this by-law against the land concerned on the same manner as a tax may be collected or enforced under this by-law; or
 - (iii) Both (i) and (ii)
- (k) **Remedial Work Carried Out by Rural Municipality in Public Places, Public Areas and on Private Property** - Where any person who has been given a notice, order or direction by the Designated Officer to do any act or thing to remedy any situation or conditions existing in a public place or in a public area or on private property of another person, contrary to any part of this by-law, and who neglects or refuses to comply with such notice, order or direction within the time specified, the Designated Officer may order the work carried out including demolition, if necessary and charge the cost of the work done to the person in receipt of such notice, order or direction, and in default of payment:
 - (i) Recover the cost and any other costs incurred for the enforcement of this by-law as a debt to the Rural Municipality; or
 - (ii) Charge the cost and any other costs incurred for the enforcement of this by-law against the land concerned in the same manner as a tax may be collected or enforced under this by-law; or
 - (iii) Both (i) and (ii).
- (l) **Emergency, Nuisance and/or Health Concern** - Where the designated Officer deemed that any situation or condition existing in a public place or in a public area or on private property of another person may be a

nuisance, emergency, immediate dangerous concern and/or health concern, the Designated Officer *may waive the 14 day appeal procedure and order the Rural Municipality to carry out the remedial work and charge the cost of the work done as per Section k (i) & (ii) above.*

- (m) The Rural Municipality and its employees and agents may enter upon any property whether private or public, to remedy a contravention of this by-law.
- (n) The Rural Municipality may order the evacuation of all Persons from the premises and close the premises until conformance is achieved, and incidental thereto, the Rural Municipality has the right to enter upon the premises and use reasonable force to remove all occupants there from.

PART FIVE PENALTIES

1. Notwithstanding any other remedies available to the Rural Municipality under this bylaw, any person who contravenes or disobeys, or refuses or neglects to obey any provision of this by-law is guilty of an offence and is liable to a fine not exceeding Two Thousand Dollars (\$2000) and costs, to imprisonment for a term not exceeding six (6) months, and to both such a fine and such an imprisonment, and costs.

Minimum fines hereunder shall be:

- 1st Offence - \$100 + administrative and legal costs
- 2nd Offence - \$300 + administrative and legal costs
- 3rd Offence - \$500 + administrative and legal costs

2. Where the contravention, refusal, neglect, omission or failure continues for more than one week, the person is guilty of a separate offence for each day that it continues.

PART SIX REPEALS

1. This Bylaw shall come in full force and effect on the 27th day of February, A.D. 2008 and that By-Law No. 4133 be hereby repealed.

DONE AND PASSED by the Council of the Rural Municipality of St. Andrews in regular session assembled at the Rural Municipality of St. Andrews, in Manitoba, this 26th day of February, A.D. 2008.

RURAL MUNICIPALITY OF ST. ANDREWS



Reeve



Chief Administrative Officer

Read a first time this 12th day of February, A.D., 2008.

Read a second time this 26th day of February, A.D., 2008.

Read a third time this 26th day of February, A.D., 2008.

SCHEDULE "A"



NOTICE OF VIOLATION

Under the Rural Municipality of St. Andrews Minimum Standards of Maintenance for Dwelling And Other Structures, And To Regulate Yards, Nuisances, Litter, And Derelict Vehicles By-Law No. 4145.
[Section 239 Municipal Act]

On Property located at:

Date of Notice:

Roll No.:

Registered Owner:

Occupier (Tenant), if any:

Address (*If different from above*):

Date of Inspection made by Designated Officer in response to a complaint:

Description of Non- Compliance(s):

WE REQUEST THAT YOU RECTIFY THE SITUATION IN THE FOLLOWING MATTER:

TO BE COMPLETED BY:

In ACCORDANCE WITH Section 239(1) of The Municipal Act, the Rural Municipality will enter onto the property to conduct a second inspection. If there has been no compliance with this notice, an Order may be issued authorizing the Rural Municipality to take actions or measures necessary to bring the property into compliance with the By-law. The costs of such actions or measures are an amount owing to the Rural Municipality by the owner of the property. In addition to all other rights of collection, which the Rural Municipality may have at law, such amounts may be collected by the

Rural Municipality in the same manner as a tax may be collected or enforced under The Municipal Act and added to the owner's taxes. Your co-operation and assistance in this matter is appreciated.

Notwithstanding the foregoing, the Rural Municipality may also choose at its sole discretion, to prosecute any breach of this by-law.

DATE OF YOUR INSPECTION WILL BE:	If you have any questions, please call: 738-2264
Date: By-law Enforcement Officer (Designated Officer)	

SCHEDULE "C"



NOTICE OF OBJECTION

IN THE MATTER OF the Minimum Standard of Maintenance For Dwellings and Other Structures, and to Regulate Yards, Nuisances, Litter, Derelict Vehicles and Abandoned Properties By-law No. 4145 of the Rural Municipality of St. Andrews.

To: The Rural Municipality of St. Andrews

PLEASE TAKE NOTICE that the undersigned appellant hereby appeals to the council of the Rural Municipality of St. Andrews regarding the Order to Comply.

Made by _____ on the _____ day
of _____, 20____, respecting the premises known as

Date at the Rural Municipality of St. Andrews:
_____ day of _____, 20____

Name of Appellant (Please Print)

Signature of Appellant
Address

SCHEDULE "B"



ORDER TO COMPLY

Under the Rural Municipality of St. Andrews Minimum Standards Of
Maintenance For Dwellings And Other Structures, And To Regulate Yards,
Nuisances, Litter, and Derelict Vehicles By-Law No. 4145
[Section 242 The Municipal Act]

(to be delivered by Registered Mail or Personal Service)

On Property Located At:

Reference #:

Legal Description:

Roll No:

Registered Owner:

Occupier(Tenant) if any:

Address (If different from above)

Further to the Notice sent to you on _____ a second inspection of your property found that it continues to be a violation of the Rural Municipality of St. Andrews Dwelling Maintenance, Litter and Unsightly By-Law.

Description of Contravention:

Order to Comply:

Under the authority of Section 242(1) of The Municipal Act, you are hereby ordered to make the following changes to bring your property into compliance with the Rural Municipality of St. Andrews Minimum Standard Of Maintenance for Dwellings and Other Structures, and To Regulate Yards, Nuisances, Litter, Derelict Vehicles and Abandoned Properties By-law No. 4145.

Action required to remedy contraventions:

Date of Order: Type of non- compliance Immediately

Dangerous other:

TO BE COMPLETED BY:**Non Compliance with this order:**

In the event that you do not comply with this Order, please note that the costs of the actions or measures taken by the Rural Municipality to carry out the terms of an order issued by the Designated Officer are an amount owing to the Rural Municipality by the Owners of the property. In addition to all other rights of collection, which the Rural Municipality may have at law, such amounts may be collected by the Rural Municipality in the same manner as a tax may be collected or enforced under The Municipal Act and added to the owner's taxes.

Notwithstanding the foregoing, the Rural Municipality may also choose at their discretion, to prosecute you in addition to the above.

Appeal:

You may appeal this order in writing by filing with the Chief Administrative Officer of the Rural Municipality of St. Andrews **within fourteen (14) days**, an objection substantially in the form attached to the Bylaw as Schedule "C", a copy of which is attached.

If you have any questions, please call: 1-866-738-2264

Date

By-law Enforcement Officer
(Designated Officer)

FOR OFFICE USE ONLY:

NOTICE OF CORRECTION OF NON-COMPLIANCE:

Completed by Owner/occupier on: _____

Not completed and objection filed on: _____

Result of objection and action taken:

Date

Signature (By-Law Enforcement officer)

Attachments:

- Copy of previous notice, if served
- Copy of NOTICE OF OBJECTION for
- Copy of the penalty provisions

SCHEDULE "C"



NOTICE OF OBJECTION

IN THE MATTER OF the Minimum Standard of Maintenance For Dwellings and Other Structures, and to Regulate Yards, Nuisances, Litter, Derelict Vehicles and Abandoned Properties By-law No. 4145 of the Rural Municipality of St. Andrews.

To: The Rural Municipality of St. Andrews

PLEASE TAKE NOTICE that the undersigned appellant hereby appeals to the council of the Rural Municipality of St. Andrews regarding the Order to Comply.

Made by _____ on the _____ day
of _____, 20____, respecting the premises known as

Date at the Rural Municipality of St. Andrews:
_____ day of _____, 20____

Name of Appellant (Please Print)

Signature of Appellant
Address