

TOWN OF PEACE RIVER

BYLAW NO. 1426

A BYLAW OF THE TOWN OF PEACE RIVER IN THE PROVINCE OF ALBERTA TO  
REGULATE UNTIDY AND UNSIGHTLY PREMISES

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*Amended by  
# 1558  
June 27/94  
# 1703  
Apr. 9/07.*

WHEREAS Section 160 of the Municipal Government Act, being Chapter M-26 R.S.A. 1980, and amendments thereto, authorizes a Council to regulate untidy and unsightly premises;

NOW THEREFORE, the Council of the Town of Peace River in the Province of Alberta enacts as follows:

1. That this Bylaw be cited as the "Untidy and Unsightly Premises Bylaw".
2. In this bylaw the term:
  - (a) "Owner" means the registered owner of the lands and premises for which an order or direction has been served pursuant to the bylaw and includes the occupant of such lands and premises. For the purposes of this Bylaw the occupant or owner of land shall be deemed to be the occupant of that portion of any highway within the Town and subject to the direction, management and control of Town Council and which adjoins his land and lies between the boundary of his land and the middle line of the highway;
  - (b) "Town" means the Council of the Town of Peace River or the corporate limits of the Town of Peace River as the context may require.
  - (c) "Committee" means the Director of Operations, the Bylaw Enforcement Officer, the Fire Chief and one member appointed from Town Council.
  - (d) "Land" includes the land down to the low water mark of a stream, lake or other body of water that is contiguous to or located on land.
3. Owners of property in the Town of Peace River shall:
  - (a) Keep such property in a presentable condition which shall include the removal of litter as it accumulates, the cuttings of grass and the control of dandelions and other weeds or plants (see Schedule "B").
  - (b) Ensure that clippings from lawns, shrubs and trees are not deposited loose in alleys or elsewhere within the Town.
4. The Committee shall have authority to direct the Owner of any property that is not in a presentable condition:
  - (a) to fence that property with a light six foot high board fence suitably painted, or
  - (b) to clear and improve that property as the Committee may direct.
5. The Bylaw Enforcement Officer shall have the authority to order:
  - (a) that the Owner of any property cut or remove grass, dandelions or other weeds or plants from such property; and
  - (b) that the Owner of any property remove litter or debris from such property.
6. The Bylaw Enforcement Officer or his designate shall personally serve the order referred to in paragraph 5. In the event the owner is an absentee landlord, the order shall be served by double registered mail.

7. If an order of the Committee or a Bylaw Enforcement Officer is not complied with within ten (10) days after proof of service of the order has been obtained, the Committee or the Bylaw Enforcement Officer shall have the right to direct any person to do the work required by the order and the cost of doing that work may be recovered from the Owner of the property as a debt due to the Town o such cost may be charged against the property as taxes due and owing (see Schedule A).
8. An Owner who considers himself aggrieved by an order or direction hereunder may, within ten (10) days of the date upon which service of the order or direction was made, appeal from that order or direction to Town Council by written notice personally delivered to the Municipal Secretary or sent certified mail to the Municipal Secretary.
9. If an Owner considers himself aggrieved by the decision under paragraph 7 hereof, he may, within ten (10) days of the date upon which service of the decision was made, appeal by Originating Notice of Motion to the Court of Queen's Bench.
10. Any Owner who fails to remove litter as it accumulates, or fails to cut and control grass, dandelions and other weeds or fails to comply with a direction or order of a Bylaw Enforcement Officer or the Committee is liable to pay a voluntary penalty of \$50.00 and upon summary conviction shall be liable to pay a fine of not less than \$50.00 nor more than \$500.00 and in default of payment, judgement.
11. Any Owner who fails to comply with Section 3 of this Bylaw is liable to pay a voluntary penalty of \$50.00 and upon summary conviction shall be liable to pay a fine of not less than \$50.00 nor more than \$500.00 and in default of payment, judgement.
12. The Bylaw Enforcement Officer shall prosecute for offenses under this Bylaw.
13. Bylaw Number 954 is hereby repealed.

READ a first and second time this 14th day of May, A.D. 1990.

M.C. P. [Signature]  
Mayor

[Signature] Howe  
Secretary-Treasurer

READ a third time and finally passed this 28<sup>th</sup> day of May,  
A.D. 1990.

M.C. P. [Signature]  
Mayor

[Signature] Howe  
Secretary-Treasurer

SCHEDULE "A"

L E G A L   N O T I C E

TO: \_\_\_\_\_  
\_\_\_\_\_

According to the Assessment Roll, you are the owner of:

LOT \_\_\_\_\_, BLOCK \_\_\_\_\_, PLAN \_\_\_\_\_

municipally known as \_\_\_\_\_

Pursuant to the provisions of the Municipal Government Act of Alberta and the Town of Peace River Bylaw governing unsightly premises:

YOU ARE HEREBY ORDERED AND DIRECTED TO: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ on or before \_\_\_\_\_.

- (a) Any person who fails to comply with an order of a Bylaw Enforcement Officer or the Committee of the Town of Peace River shall be guilty of an offence and liable to a voluntary penalty of Fifty (\$50.00) Dollars, and upon summary conviction to a fine of not more than Five Hundred (\$500.00) Dollars.
- (b) An owner who considers himself aggrieved by an order or direction hereunder may, within ten (10) days of the date upon which service of the order or direction was made, appeal from that order or direction to the Town Council by written notice personally delivered to the municipal secretary or sent certified mail to the municipal secretary.
- (c) If an owner considers himself aggrieved by the decision of Council, he may, within ten (10) days of the date upon which service of the decision was made, appeal by Originating Notice of Motion to the Court of Queen's Bench, who may set aside, vary or modify the notice, order or direction.

DATED at Peace River, Alberta, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
BYLAW ENFORCEMENT OFFICER

N.B.: Failure to comply with this order may result in the Town undertaking the work with all costs charged back to the property owner.

SCHEDULE "B"

THE WEED CONTROL ACT

Grass Policy

1. GRASS/WEED CONDITIONS

Having regard to the height of the grass on adjacent or surrounding parcels, the following grass conditions shall exist on all lots, yards, developments and vacant properties within the Corporate Limits of the Town of Peace River and shall be maintained at respectable levels such as:

a) Vacant Parcels

- grass shall be maintained at a height not to exceed six inches (6").
- weeds and weed seeds are to be controlled or destroyed by any means consistent with good agricultural practice.

b) Occupied Parcels

- grass shall be maintained at a height not to exceed four inches (4").
- weeds and weed seeds controlled or destroyed immediately.

This policy is the acceptable standard that the Town of Peace River property owners and/or occupants shall strive to maintain.

In the event a person exceeds the policy standard, then for the consistency of the neighborhood, the adjoining neighbors properties shall adhere to the higher standard.