

TOWN OF ARCOLA
BYLAW 2023-02

A BYLAW OF THE TOWN OF ARCOLA IN THE PROVINCE OF SASKATCHEWAN TO REGULATE OBSTRUCTIONS ON STREETS, ROADS AND PROPERTY ADJACENT TO STREETS AND ROADS

The Council of the Town of Arcola in the Province of Saskatchewan, enacts as follows,

PURPOSE

The purpose of this Bylaw is to regulate placement of obstructions on streets, roads, boulevards and property adjacent to streets and roads.

AUTHORITY

The authority for this Bylaw is Sections 8 (1) (b), 8 (1) (c), and 8 (1) (g) of *The Municipalities Act*.

SHORT TITLE

- 1.0 This Bylaw may be cited as “The Obstructions Bylaw” .

DEFINITIONS

- 2.0 In this Bylaw:
- 2.1 **Adjoining Property** – means a parcel of land next to a Road, Sidewalk or Boulevard.
- 2.2 **Administrator** – means the Chief Administrative Officer of the Town of Arcola.
- 2.3 **Boulevard** – means the portion of a street located between the street and the sidewalk, that is directly in front of an owner’s residence or business.
- 2.4 **Debris** – means snow, ice, trees, shrubs, weeds, grass, leaves, refuse and other materials likely to interfere with vehicular or pedestrian traffic.
- 2.5 **Designated Officer** – means any member of the Royal Canadian Mounted Police, the Administrator, and any employee of the Town to whom power and authority to enforce this Bylaw has been delegated by the Administrator.
- 2.6 **Occupant** – means an occupant as defined in *The Municipalities Act*.
- 2.7 **Owner** – means an owner as defined in *The Municipalities Act*.
- 2.8 **Public Place** – means any place within the corporate boundaries of the Town subject to the direction, control and management of the Town to which the public has access as of right or by invitation, express, or implied, including school grounds, parks, playgrounds and public reserves.
- 2.9 **Road** – means that portion of every highway, public road, street, avenue, alley, bridge, park drive or public place in the Town intended for use by vehicles.
- 3.0 **Sidewalk** – means that portion of a street intended primarily for use by pedestrians.
- 3.1 **Town** – means the Town of Arcola.

OBSTRUCTIONS PROHIBITED

- 3.0 No owner or occupant of any adjoining property shall permit Debris to be placed, deposited or moved on to any Road/Street, Sidewalk or Boulevard adjacent to the adjoining property without prior written permission from the Administrator.
- 3.1 No person shall place, plant, grow, deposit, or move onto any Road, municipal right of way, sidewalk, boulevard (trees and shrubs planted in the boulevard will be grandfathered in but when they die or are taken out no new tree or shrub can be placed there again as they are interfering with the Town owned Water and Sewer Systems) or public place, any debris, or damage any road, municipal right of way, sidewalk or public place or damage or remove anything placed, planted or installed by the Town on any Road, municipal right of way, sidewalk or public place.

TOWN REMEDYING CONTRAVENTION

- 4.0 The Town may take whatever actions or measures that are necessary to remedy a contravention of this Bylaw and may, pursuant to sections 366 and 368 of *The Municipalities Act*, issue an order to remedy and seek to collect amounts owing to the

Town by civil action for debt in a court of competent jurisdiction.

NOTICE OF VIOLATION OFFENCES

5.0 Every person who commits an offence:

- a) permits Debris to be placed, deposited or moved onto any Road or Sidewalk adjoining their property without prior written permission from the Administrator;
- b) places, plants, grows, deposits, or moves any debris onto any Road, Municipal right of way, sidewalk, Boulevard or Public Place;
- c) damages any Road, municipal right of way, sidewalk, or Public Place; or
- d) damages or removes anything placed, planted or installed y the Town on any road, Municipal right of way, sidewalk, boulevard or public place.

5.1 When a contravention of section 5.1 occurs, the person responsible for the contravention is guilty of an offence and liable on summary conviction to a fine of \$75.00 (Seventy-Five Dollars) and in the case of a continuing offence, to a further fine of \$75.00 (Seventy-Five Dollars) per day for each day during which the offence continues.

5.2 The following procedure shall apply to offences committed under section 5.0:

- a) a Designated Officer may, personally or by mail, issue a Notice of Violation in a form approved by the Administrator to any person who has committed an offence under section 5.0 requiring the person to pay to the Town the amount of the fine specified in subsection 5.1;
- b) the fine may be paid to the Town in person during regular office hours at the Town Office, in the drop box adjacent to the front door of the Town Office, or by post or courier.
- c) if payment of the fine specified in subsection 5.1 is received by the Town prior to the date the person contravening the Bylaw is required to appear in court to answer a charge, the person shall not be liable to prosecution for the offence.

This Bylaw shall come into force and take effect upon the final passing thereof.



Certified a true copy of Bylaw 2023-02
Passed by Council on the 12 day of

January, 2023.



CAO



Mayor,



CAO

