

TOWN OF RADISSON – BYLAW 2022-6

A BYLAW OF THE TOWN OF RADISSON TO CONTROL THE MAINTENANCE OF YARDS, INCLUDING THE CUTTING OF GRASS ON PRIVATE PROPERTY AND BOULEVARDS.

The Council of the Town of Radisson in the Province of Saskatchewan enacts as follows:

INTRODUCTION

Short Title

This bylaw shall be known and may be cited as the Yard Maintenance Bylaw.

Purpose

The purpose of this Bylaw is to regulate the maintenance of yards and boulevards in the boundaries of the Town of Radisson and to prohibit the placement of such grass and tree clippings on or in public drainage ditches or public property.

DEFINITIONS

- a) "Adjoining boulevard" means a parcel of land next to a sidewalk which runs the length or width of the owner's or occupant's property;
- b) "Alley" means the roadway that runs behind the occupant's property, indicating the piece of the occupant's property that runs adjacent to said alley;
- c) "Council" means the Council of the Town of Radisson; and
- d) "Debris" includes grass, loose dirt, mud or organic material likely to interfere with pedestrian traffic;
- e) "Occupant" means an occupant as defined in The Municipalities Act;
- f) "Owner" means an owner as defined in The Municipalities Act;
- g) "Roadway" means that part of a street adapted to the use of or ordinarily used by vehicles;
- h) "Sidewalk" means that part of a street adapted to the use of or ordinarily used by the general public for pedestrian traffic;
- i) "Street" means a street as defined in The Municipalities Act;

RESPONSIBILITY

- a. The owner or occupant of the property shall be responsible for carrying out the provisions of this Bylaw.

DUTY TO MAINTAIN YARDS, BOULEVARDS, AND PROPERTY ADJACENT TO THE ALLEY

- b. The owner or occupant of a property shall cut, prune, trim, clear or remove or cause to be cut, pruned, trimmed, cleared or removed any overgrown tree branches, shrubs, or bushes; and further ensure that all grass or weeds higher than 15 centimeters (6 inches) on the property or on any boulevard adjoining the property and adjacent to the alley is cut.

IMPROPER CLEARING OR INTERFERENCE WITH PEDESTRIAN TRAFFIC

- c. No person using a power-driven device or manual device to cut, prune, trim, clear or remove any tree branches, shrubs, bushes, or grass from the property, adjoining boulevard or adjacent to the alley, shall cause injury to or unduly interfere with any person lawfully using the sidewalk, street or public place and shall refrain from causing damage to the sidewalk, curbs, streets, alleys or public places.

CLEARING ONTO ROADWAY RESTRICTION

- d. An owner or occupant shall not push grass, tree branches, shrubs, or bushes that have accumulated on private property onto any sidewalk, street, alley or public place.

ENFORCEMENT OF BYLAW

- e. The administration and enforcement of this bylaw is hereby delegated to the Town Administrator.

The Administrator of the Town of Radisson is hereby authorized to further delegate the administration and enforcement of this bylaw to the Town of Radisson's Bylaw Enforcement Officer, Public Works Manager or Assistant Administrator.

MUNICIPALITY REMEDYING CONTRAVENTIONS

- f. The Town may take whatever actions or measures are necessary to remedy a contravention of this Bylaw and in the case of overgrown grass, tree branches, shrubs, or bushes, the Town may complete the work and add to the tax roll of the adjoining property the unpaid expenses and costs incurred by the Town for completing the work.

NOTICE OF VIOLATION AND OFFENCES

(1) Every person commits an offence who:

- a. fails to ensure that the grass, overgrown tree branches, shrubs or bushes on their property, the adjoining boulevard, and their property that is adjacent to the alley are cut, pruned, trimmed, cleared or removed;
- b. uses a power-driven device or manual device to cut, prune, trim, clear or remove grass, overgrown tree branches, shrubs or bushes on their property, the adjoining boulevard or their property that is adjacent to the alley, and causes injury to or unduly interferes with any person lawfully using the sidewalk, or causes damage to the sidewalk or curbs; or
- c. creates a hazard or interferes with the use of the roadway, alley or sidewalk by cutting, pruning, trimming, clearing or removing grass, overgrown tree branches, shrubs or bushes from their property, the adjoining boulevard or the property that runs adjacent to the alley and placing it upon other private or public property or on the sidewalk or in the roadway adjacent to the sidewalk or in the alley.
- d. When a contravention of Subsection 1 occurs, the person responsible for the contravention is guilty of an offence and liable on summary conviction to a fine:
 - i. for a first offence, of \$ 100;
 - ii. for a second offence, of \$200;
 - iii. for a third and/or subsequent offence, of \$400.
- e. Where the Town of Radisson receives voluntary payment of the amount prescribed under Subsection 2, the person receiving the Notice of Violation shall not be liable to prosecution for the alleged contravention.
- f. Every person who contravenes any provision of Subsection 1 is guilty of an offence and liable on summary conviction:
 - i. in the case of an individual, to a fine not more than \$10,000;
 - ii. in the case of a corporation, to a fine not more than \$25,000; and
 - iii. in the case of a continuing offence, to a maximum daily fine of not more than \$2,500 per day.
- g. If an individual is convicted of an offence pursuant to this section, and if the individual fails to pay the fine with respect to the conviction within the prescribed time, the individual convicted may be imprisoned for a term of not more than one year, unless the fine is paid sooner.
- h. Where an enforcement officer believes that a person has contravened the provisions of this Bylaw, notice of violation may be made by personal service, served or caused to be served upon such person a notice in Form "A" as provided by this section.

The notice of violation in Form "A" shall be a form similar to that provided as Form "A" as per Schedule "A" of this Bylaw.

COMING INTO FORCE

1. This bylaw shall come into force and take effect on the date of third reading and final adoption by resolution the Council of the Town of Radisson.

REPEALED

Bylaw No. 483/11 is hereby repealed.

Read a third time and adopted this 26~~th~~ day of July, 2022


Mayor Pete Reddekopp




Administrator Connie Henning

Certified a true copy of Bylaw No. 2022-6 given third reading and adoption this

26~~th~~ day of July, 2022.


Administrator Connie Henning

SCHEDULE "A"

FORM "A"

Notice of Violation of Bylaw No. 2022-6

TOWN OF RADISSON

Voluntary Payment of Fine

DETAILS OF VIOLATION

Name of Owner _____
Address of _____

On the ___ day of _____, _____ at Radisson, Saskatchewan at
(time) _____ did unlawfully commit the following offence under the
Town of Radisson Property Maintenance, Bylaw No. 2022-6, Section No. _____.

Description of offence _____

Location of Violation: _____

Please pay as indicated:

Penalty for the above infraction- \$ _____

Issued By: _____

Date of Issue: _____

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

Voluntary Payment of the fine within seven (7) days after service of this Notice of Violation upon the owner 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 may result in issuance of a Summons.