

# VILLAGE OF RYLEY

## BYLAW NO. 2015-912

### Community Standards

THIS BYLAW BEING BYLAW NO.2015-912 OF THE VILLAGE OF RYLEY, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING A COMMUNITY STANDARDS BYLAW FOR THE VILLAGE OF RYLEY.

WHEREAS, under the provisions of the Municipal Government Act; RSA 2000, Chapter M-26, the Council of the Village of Ryley may pass bylaws respecting the health and safety of the community and for controlling dangerous and untidy properties;

AND WHEREAS under the provisions of the Municipal Government Act, the Council of the Village of Ryley may pass bylaws and may make provisions that it deems necessary to carry out the purposes of the bylaw;

AND WHEREAS the Council of the Village of Ryley deems it desirable and necessary to promote the maintenance of properties, within the corporate limits of the Village of Ryley;

NOW THEREFORE, the Council of the Village of Ryley, in the Province of Alberta, duly assembled enacts as follows:

#### 1. SHORT TITLE

1.1 This bylaw may be cited as the “Community Standards Bylaw”.

#### 2. DEFINITIONS

2.1 “Building Material” means all construction and demolition material accumulated on a premises while storing, constructing, altering, repairing or demolishing any structure and includes, but is not limited to, earth, vegetation or rock displaced during such storing, construction, alteration or repair.


2.2 “Council” means the Municipal Council of the Village of Ryley.

2.3 “Corporate Limits” shall mean all the lands within the Corporate Limits of the Village of Ryley.

2.4 “Chief Administrative Officer” shall mean the Chief Administrative Officer of the Village of Ryley.

2.5 “Detrimental to the Surrounding Area” means causing the decline of the market value of property to the surrounding area.

2.6 “Dismantled Vehicle” means a motor vehicle or trailer that has become dilapidated or disassembled which may include but is not limited to flat tires, missing tires and rims, fenders, doors, windows, hoods, trunks and boxes.

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- 2.7 “Emergency” shall mean any situation in which there is imminent danger to the general public or a potential danger to the property or surrounding properties.
- 2.8 “Garbage” means any rubbish, refuse, papers, packages, containers, bottles, cans, manure, animal or human excrement or sewage or the whole or a part of an animal carcass, dirt, soil, gravel, rocks, sod, petroleum products, hazardous materials, disassembled equipment or machinery, broken household furnishings or appliances, boxes, cartons, discarded fabrics, any materials composed or organic matter which is or may become decomposed, including the by-products from the preparation, consumption or storage of food.
- 2.9 “Inspector” means any person(s) designated by the Village of Ryley to enter and inspect property in accordance with the provisions of this bylaw.
- 2.10 “Motor Vehicle” shall mean a vehicle propelled by any power other than muscular power, or a moped but does not include a bicycle, an aircraft, an implement of husbandry or a motor vehicle that runs only on rails.
- 2.11 “Peace Officer” means
- (a) any member of the Royal Canadian Mounted Police;
  - (b) any member of a Municipal Police Service;
  - (c) any Community Peace Officer;
  - (d) any bylaw Enforcement Officer;
- 2.12 “Property Owner” means a person or persons, a firm, company or corporation that is registered on the Tax Roll of the Village of Ryley and Alberta Land Titles office.
- 2.13 “Property” are any lands, buildings or premises in the Village of Ryley.
- 2.14 “Recreational Vehicle” means a vehicle or trailer that is designed, constructed and equipped, either temporary or permanently as a temporary accommodation for travel, vacation, or recreational use, and includes duly licensed travel trailers, motorized homes, slide-in campers, chassis mounted campers, tent trailers, boats and all-terrain vehicles.
- 2.15 “State of Disrepair” means
- (a) the significant deterioration of buildings, structures or improvements, or portions of buildings, structures or improvements;
  - (b) broken or missing windows, siding, shingles, shutters, eaves or other building material, or;
  - (c) significant fading, chipping or peeling of painted areas of buildings, structures or improvements on property;

2.16 “Village” or “Village of Ryley” means the Municipal Corporation of the Village of Ryley.

2.17 “Unightly Premises” shall mean any structure or property located within the Village that in the opinion of the Inspector, Peace Officer or Chief Administrative Officer, is unsightly to such an extent as to detrimentally affect the amenities, use, value or enjoyment of the surrounding lands in reasonable proximity to the unsightly premises, or is otherwise detrimental to the surrounding area or in an unsightly condition as defined in the Municipal Government Act;

### 3. GENERAL

3.1 The property owner of any real property, is ultimately responsible for all activities on the property which may constitute prohibition of this bylaw.

3.2 Nothing in this bylaw relieves a person from complying with any Federal or Provincial law or regulation, other bylaw or any requirements of any lawful permit.

3.3 Where this bylaw refers to another act, bylaw, regulation or agency, it includes reference to any act, bylaw, regular or agency that may be substituted therefore.

3.4 Every provision of this bylaw is independent of all other provisions and if any provision of this bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this bylaw shall remain valid and enforceable.

3.5 All schedules attached to this bylaw shall form part of this bylaw.

### 4. NUISANCE

4.1 A nuisance, for the purpose of this bylaw, is any condition on or around a property that is untidy, unsightly, offensive, and dangerous to health and safety to any person, or has or may have a detrimental impact upon any person or other property in the neighborhood, or which interferes with the use and enjoyment of other adjacent property, and without limiting the generality of the foregoing includes the following:

(a) trees or shrubs that interfere with driver visibility, civic works or any public utilities;

(b) dense or opaque dust emitted into the atmosphere;

(c) compost heaps that emit foul odors or attract pests or vermin;

(d) without a permit, the storage or accumulation of dilapidated or derelict vehicles or the storage of more than two (2) unregistered motor vehicles on any property regardless of their condition or how neatly they might be stored. A permit may be issued at the discretion of the Chief Administrative Officer or delegate.

(e) wrecked, inoperable or dismantled vehicles, or those that are unsightly and abandoned;

- (f) a vehicle or recreational vehicle that is parked on private property within one (1) meter of a sidewalk;
- (g) a motor vehicle or recreational vehicle that is parked in the front portion of the living space of a residential property. Failure to comply with this section shall result in the motor vehicle or recreational vehicle being towed at the Registered Owners expense;
- (h) any loose materials including garbage and building materials.

4.2 The following sets out the standards by which grass and weeds must be kept:

- a) uncut grass or weeds on any parcel of land shall be maintained at a height not to exceed 15cm (6 inches) in length;
- b) property owners are required to maintain the front, rear or side portions or boulevards adjacent to their property.

4.3 No property owner shall cause or allow any building, and/or structure, or fence to become an unsightly premise or in a condition where its appearance and/or condition is a safety hazard or is detrimental to the surrounding area.

4.4 No property owner shall permit the accumulation of piles of dirt, stone, garden waste, turf, trees, shrubbery, old implements, disassembled or broken vehicles, inoperable off highway vehicles, scrap iron, lumber, glass, furniture, appliances, bicycles, lawn mowers, food containers, waste paper or cardboard on his or her property.

4.5 No property owner shall dump or cause to be dumped any rubbish, garbage, waste petroleum products (either liquid or solid), or dispose of any material in an area within the Village except at locations specifically designated by the Chief Administrative Officer.

4.6 All existing natural gas, electrical, water, sewer or other services to the site of an abandoned building, structure, or excavation shall be shut off. All external natural gas, electrical, water, sewer lines shall be capped. Cleanout caps shall be properly secured, caulked, or soldered into place.

4.7 Property owners, tenants and agents must prevent the occurrence of, or immediately remedy, any nuisance.

## 5. DANGEROUS BUILDINGS AND STRUCTURES

5.1 The property owner(s) of properties in the Village, shall ensure that any building(s) in a state of disrepair shall be demolished and removed from the property.

5.2 If any building(s) are in a state of disrepair they shall be restored to a useable and safe condition in accordance with the Building Standards and Codes and with the required demolition or building permits.

5.3 No property owner shall cause or allow his or her property to be a danger to public

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safety through the presence of excavations, structures, materials or any other hazard or condition posing a risk to public safety.

## 6. INSPECTION AND DIRECTION

6.1 Any Inspector may enter any public or private property to conduct an inspection within the Village and may inspect for nuisances.

6.2 After inspection, the Inspector may issue a Notice to Maintain Property (Schedule A) which shall specify a deadline for compliance and shall outline specific instructions to remedy the nuisance.

6.3 The Village must serve the Notice to Maintain Property by delivering it or sending it by mail to the property owner(s) by way of:

(a) delivering it in person to the owner(s);

(b) posting it to the door of a building or in any other conspicuous place on the property, and is effective on the day of posting;

(c) hand deliver;

(d) regular mail.

## 7. PENALTIES

7.1 If the property owner has not complied with the Notice to Maintain Property by a specified deadline the Inspector, Peace Officer or Chief Administrative Officer may direct any work to be done to remedy the nuisance, including the disposition of any materials, and will charge the owner, for all the costs associated with maintaining the property.

7.2 The Inspector, Peace Officer or Chief Administrative Officer will post a Notice of Entry (Schedule B) advising the land owner that remedial action will be taken.

7.3 The cost of doing the work required, plus an administration fee (as per Schedule C), may be recovered from the property owner as debt due to the Village of Ryley or such costs may be charged against the property taxes due and owing, pursuant to the Municipal Government Act, R.S.A. 2000, M 26, Section 553.

7.4 The Village, or any Inspector who inspects any property under this bylaw, or any person who performs any work on behalf of the Village to remedy a nuisance, is not liable for any damages caused by the inspection, the work, or disposition of any material in order to complete the work set out in the Notice to Maintain Property.

8. RESCIND

8.1 Bylaw No 2015-910 Community Standards is hereby rescinded.

9. EFFECTIVE DATE

9.1 This bylaw shall come into full force and effect upon the date of the third and final reading.

READ for a first time this 8<sup>th</sup> day of October, 2015 A.D.

READ for a second time this 8<sup>th</sup> day of October, 2015 A.D.

READ for a third time this 8<sup>th</sup> day of October, 2015 A.D.



Brian Ducherer  
Mayor



Janet Winsnes  
Chief Administrative Officer



Schedule A  
VILLAGE OF RYLEY  
"LIVE THE LIFE OF RYLEY"

5016-53<sup>RD</sup> Avenue  
POSTAL BOX 230  
RYLEY, ALBERTA  
T0B 4A0  
TELEPHONE (780) 663-3653  
FAX (780) 663-3541  
WEB SITE <http://www.ryley.ca>  
E-MAIL [info@ryley.ca](mailto:info@ryley.ca)

NOTICE TO MAINTAIN PROPERTY

To: [Name of Owner]  
[Civic Address/ Property Roll]

File#:  
Date:

Re: Those premises located at \_\_\_\_\_ (the "Premises") in the Village of Ryley.

Dear Sir/Madam:

As Designated Officer for the Village of Ryley, I am hereby issuing this Notice to Maintain Property pursuant to s. 545 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended (the "Act"), with respect to the Premises.

Section 545(1) of the Act states that:

"If a designated officer finds that a person is contravening this or any other enactment that the municipality is authorized to enforce or a bylaw, the designated officer may, by written order, require the person responsible for the contravention to remedy it if the circumstances so require."

A complaint has been received in respect to the Premises with respect to the following:

[details of the problem with the Premises].

[Section 4.3 of the Village of Ryley Community Standards Bylaw 2015-912 provides:

4.3 No property owner shall cause or allow any building, and/or structure, or fence to become an unsightly premises or in a condition where its appearance and/or condition is a safety hazard or is detrimental to the surrounding area

Section 2.17 thereof defines "unsightly premises" shall mean any structure or property located within the Village that in the opinion of the Inspector, Peace Officer or Chief

Administrative Officer, is unsightly to such an extent as to detrimentally affect the amenities, use, value or enjoyment of the surrounding lands in reasonable proximity to the unsightly premises, or is otherwise detrimental to the surrounding area or in an unsightly condition as defined in the Municipal Government Act.] [or details of whatever section of the Community Standards Bylaw 2015-912 or other Bylaw the Premises are in breach of]

Accordingly, the Premises are in contravention of the Village of Ryley Community Standards Bylaw 2015-912 [or other Bylaw] in the following ways: [details of the contravention]

You are hereby ordered to bring the Premises into compliance by [describe what needs to be done to bring the Premises into compliance] on or before \_\_\_\_\_.

You are hereby advised that you may, by written notice, request that the Municipal Council of the Village of Ryley review this Notice within fourteen (14) days after the date the Notice is received, in which case, Council may confirm, vary, substitute or cancel the Notice.

You are also advised that if you do not comply with this Notice, within the time specified, the Village of Ryley may take any action required by this Order, including [required action] at your expense, and add those expenses to the tax roll of the Premises pursuant to s. 549 of the Act.

Sincerely,

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Municipal Enforcement Officer





Schedule B  
VILLAGE OF RYLEY  
"LIVE THE LIFE OF RYLEY"

5016-53<sup>rd</sup> Avenue  
POSTAL BOX 230  
RYLEY, ALBERTA  
T0B 4A0  
TELEPHONE (780) 663-3653  
FAX (780) 663-3541  
WEB SITE <http://www.ryley.ca>  
E-MAIL [info@ryley.ca](mailto:info@ryley.ca)

NOTICE OF ENTRY

(Pursuant to s. 542(1) of the Municipal Government Act, RSA 2000, c. M-26)

To: [Name of Owner] File#:  
[Civic Address/ Property Roll] Date:

Dear Sir/Madam:

Re: Those premises located at \_\_\_\_\_ (the "Premises") in the Village of Ryley.

In accordance with Section 542(1) of the *Municipal Government Act*, you are hereby given notice that designated officers will be inspecting your property. The inspection will occur on \_\_\_\_\_, or such other date and time as you consent to by making arrangements directly with our office prior to that date. If you wish to accompany the designated officer(s) during this inspection, please contact the officer directly at the telephone number below to set up an appointment on the date indicated.

Please be advised that if access to any structures is not provided either due to locks or absence of the landowner the officer may access an order pursuant to Section 543 of the *Municipal Government Act* or other steps to obtain entry.

**Reason for Inspection:**

[Section 6.1 of the Village of Ryley Community Standards Bylaw 2015-912 authorizes the Municipal Enforcement Officer for the Village of Ryley to inspect for nuisances and a complaint was received with respect to [details]

Or

[The Municipal Enforcement Officer for the Village of Ryley has determined that the Premises are in contravention of the Village of Ryley Community Standards Bylaw 2015-912 and a Notice to Maintain Property has been issued and entry is required in order to inspect for compliance]

Or

[The Municipal Enforcement Officer for the Village of Ryley has determined that the Premises are in contravention of Municipal Government Act and a Sec. 546 Order to Remedy Dangerous and Unsightly Property has been issued and entry is required in order to inspect for compliance]

Sincerely,

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Municipal Enforcement Officer

SCHEDULE "C"  
Administration Fee

SECTION:	AMOUNT
7.3 Administration fee for every lot requiring enforcement of Bylaw No. 2015-912	\$82.00
<ul style="list-style-type: none"><li>• a 3% increase shall be applied to the administration fee effective January 1<sup>st</sup> of each year</li></ul>	

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# VILLAGE OF RYLEY

"LIVE THE LIFE OF RYLEY"

5005-50 Street  
POSTAL BOX 230  
RYLEY, ALBERTA  
T0B 4A0  
TELEPHONE (780) 663-3653  
FAX (780) 663-3541  
WEB SITE <http://www.ryley.ca>  
E-MAIL [info@ryley.ca](mailto:info@ryley.ca)

[Insert Date]

**Hand Delivered**

[Name and Address]

## ORDER TO REMEDY UNSIGHTLY PREMISES

Dear Sir:

The Village of Ryley has been made aware that \_\_\_\_\_ are being stored upon those premises located at \_\_\_\_\_ (the "Premises") in the Village of Ryley.

Section 546(1)(c) of the *Municipal Government Act* states:

"If, in the opinion of the designated officer, a property because of its unsightly condition, is detrimental to the surrounding area, the designated officer may by written order require the owner of the property that is in an unsightly condition to improve the appearance of the property in the manner specified."

As Designated Officer for the Village of Ryley, I am of the opinion that the Premises are in an unsightly condition due to the storing of the said \_\_\_\_\_ on the Premises. This condition is detrimental to the surrounding area.

You are hereby required to immediately remove the \_\_\_\_\_ from the Premises.

If you do not comply with this Order on or before \_\_\_\_\_, the Village of Ryley will take the steps to remove the said \_\_\_\_\_ at your expense, and will add the costs incurred in doing so to the tax roll of the Premises.

You have a right of appeal with regard to this Order. That right of appeal is pursuant to s. 547 of the *Municipal Government Act*. Any appeal must be made in writing and must be received by Council for the Village of Ryley within seven (7) days of the date this Order is received by you.

Yours truly,