

A BYLAW RELATING TO THE PLANTING OF BRUSH, TREES OR SHRUBS OR THE PLACING OF STONE, EARTH OR GRAVEL PILES, PORTABLE STRUCTURES, MACHINERY OR OTHER OBJECTS ADJACENT TO MUNICIPAL ROADS

The Council of the Rural Municipality of Blucher, #343, in the Province of Saskatchewan hereby enacts as follows:

1. For the purpose of this bylaw the expression:
 - a) "municipality" means the Rural Municipality of Blucher, No. 343 of Saskatchewan;
 - b) "Council" means the Council of the Rural Municipality of Blucher No. 343;
 - c) "Designated Officer" means an employee or agent of the Municipality appointed by Council to act as a municipal inspector for the purposes of this Bylaw;
 - d) "occupant" means an occupant as defined in The Municipalities Act;
 - e) "owner" means an owner as defined in The Municipalities Act;
 - f) "road" means any road allowance within the municipality other than:
 - i) a private road; or
 - ii) a provincial highway; or
 - iii) a road within the Hamlet of Blucher; or
 - iv) any internal collection road within a Medium Country Residential District (MCR); or.
 - v) any internal collection road within an Intensive Country Residential District (ICR).
2. No person shall hereafter plant brush, trees or shrubs or place stone, earth or gravel piles, portable structures, machinery or other objects on private property:
 - a) within 22.87 meters (75 feet) from the center line of any road; or
 - b) within 90 meters (295.29 feet) from the intersection of two or more roads.
3. No person shall hereafter plant brush, trees or shrubs or place stone, earth or gravel piles, portable structures, machinery or other objects on private property:
 - a) within 15 meters (49.2 feet) from the center line of any internal collection road within a Medium Country Residential District (MCR); or
 - b) within 15 meters (49.2 feet) from the center line of any internal collection road within a Intensive Country Residential District (ICR)
4. The council may, from time to time by resolution, provide for the removal, at the expense of the municipality, of any native brush, trees or shrubs growing on private property, or stone, earth or gravel piles, portable structures, machinery or other objects placed on private property:
 - a) within 22.87 meters (75 feet) from the center line of any road; or
 - b) within 90 meters (295.29 feet) from the intersection of two or more roads.
5. The administration and enforcement of this Bylaw is hereby delegated to the Administrator for the Rural Municipality of Blucher No. 343.
6. The Administrator of the Rural Municipality of Blucher No. 343 is hereby authorized to further delegate the administration and enforcement of this Bylaw to the Municipality's Bylaw Enforcement Officer.
7. The inspection of property by the Municipality to determine if this Bylaw is being complied with is hereby authorized.
8. Inspections under this Bylaw shall be carried out in accordance with Section 362 of The Municipalities Act.
9. No person shall obstruct a Designated Officer who is authorized to conduct an inspection under this section, or a person who is assisting a Designated Officer.

10. If a Designated Officer finds that a person is contravening this Bylaw, the Designated Officer may, by written order, require the owner or occupant of the property to which the contravention relates to remedy the contravention.
11. Orders given under this Bylaw shall comply with Section 364 of The Municipalities Act.
12. Orders given under Bylaw shall be served in accordance with Section 390(1)(a), (b) or (c) of The Municipalities Act.
13. If an order is issued pursuant to Section 10, the Municipality may, in accordance with Section 364 of The Municipalities Act, give notice of the existence of the order by registering an interest against the title to the land that is the subject of the order.
14. A person may appeal an order made pursuant to Section 10 in accordance with Section 365 of The Municipalities Act.
15. The Municipality may, in accordance with Section 366 of The Municipalities Act, take whatever actions or measures are necessary to remedy a contravention of this Bylaw.
16. In an emergency, the Municipality may take whatever actions or measures are necessary to eliminate the emergency in accordance with the provisions of Section 367 of The Municipalities Act.
17. Any unpaid expenses and costs incurred by the Municipality in remedying a contravention of this Bylaw may be recovered either:
 - a) by civil action for debt in a court of competent jurisdiction in accordance with Section 368 of The Municipalities Act; or
 - b) by adding the amount to the taxes on the property on which the work is done in accordance with Section 369 of The Municipalities Act.
18. No person shall:
 - a) fail to comply with an order made pursuant to this Bylaw;
 - b) obstruct or interfere with any Designated Officer or any other person acting under the authority of this Bylaw; or
 - c) fail to comply with any other provision of this Bylaw.
19. Bylaw No. 3-75 adopted September 8, 1975 is hereby repealed.
20. This Bylaw shall come into force on the day of its final passing.

Reeve

SEAL

Administrator

Certified a true copy of the bylaw
adopted by resolution of the Council
on the ____ day of _____, 2006.

Administrator