

BY-LAW 28

DANGEROUS OR UNSIGHTLY PREMISES

1. Section 204 of Chapter 192 of the Revised Statutes of Nova Scotia, 1967, "The Municipal Act" and amendments thereto, shall apply to the whole area of the Municipality.
2. The said Section 204 is shown in Schedule "A" attached hereto.

SCHEDULE "A"

204. (1) The Council may pass a By-Law providing that this Section applies to such area or areas as the By-Law prescribes.

(2) No person shall permit property in the area or areas mentioned in any such By-Law, owned or occupied by him, to be or to become partly demolished, decayed or deteriorated so as to be in a dangerous, unsightly or unhealthy condition, or shall permit to remain to any part of property in such area or areas, owned or occupied by him, any ashes, junk, cleanings of yards, bodies or parts of automobiles or other vehicles or machinery, or other rubbish or refuse, so as to cause such place to be dangerous, unsightly, unhealthful or offensive to all or any part of the public.

(3) Should such conditions arise or exist, whether it arose before or after the passing of this Act or of the By-Law, any standing committee of the Council may instruct the Clerk to serve notice on the owner or occupier requiring him to remedy the condition and specifying in such notice what is required to be done; such notice may be served by being posted in a conspicuous place upon the property or may be personally served upon the person named therein.

(4) In the event of the failure of the person so notified to comply with the requirements of such notice within thirty days after service any person authorized by the District Planning Commission or such committee may enter upon the said property without writ, warrant or other legal process and remedy the condition which the District Planning Commission or committee has required to be remedied; and the actual cost of so doing may be recovered as a debt from the person so served by action brought by the Clerk in the name of the Municipality in any court of competent jurisdiction, provided that the writ of summons be issued within sixty days after the cost is incurred.

(5) After notice has been served under subsection (3) if proceedings are not taken under subsection (4) the owner or occupier or other person who aids, assists, permits or causes a condition referred to in this section or who fails to comply with the terms of said notice, shall be liable on summary conviction to a penalty of not more than twenty dollars and in default of payment to imprisonment for a term of not more than thirty days; every day during which such condition is not remedied is a fresh offence.

AMENDMENT TO BY-LAW 28

DANGEROUS OR UNSIGHTLY PREMISES

BE IT RESOLVED that the following be adopted and enacted as an amendment to By-Law 28 - Dangerous or Unsightly Premises when and if the same has received the approval of the Minister of Municipal Affairs;

1. By-Law 28 is amended by deleting Section 5 thereof and adding thereto a new Section 5 as follows:
  - (5) After notice has been served under Subsection 3, any person who permits or causes a condition referred to in this Section or fails to comply with the terms of said notice, shall be liable on summary conviction to a penalty of not less than one hundred (\$100.00) dollars and not more than one thousand (\$1,000.00) dollars and in default of payment, to imprisonment for a period of not less than fifteen (15) days nor more than three (3) months, and every day during which such condition is not remedied is a separate offense.