

BY-LAW # 13

TOWN OF MULGRAVE

DANGEROUS & UNSIGHTLY PREMISES BY-LAW

BY-LAW # 13

DANGEROUS & UNSIGHTLY PREMISES BY-LAW

- 1) Sections 2, 3, 4, and 5 of Section 222 of Chapter 309 of the Revised Statutes of Nova Scotia, 1967, the Town's Act, apply to the Town of Mulgrave and are as outlined in Schedule "a" attached hereto and which Schedule forms a part of this By-Law.

- 2) The Unsightly Premises By-Law of the Town of Mulgrave as approved on the 2nd day of February, 1970, and the Unsightly Premises By-Law of the Town of Mulgrave as approved on the 29th day of November, 1971, and any other Unsightly Premises By-Law of the Town of Mulgrave are hereby repealed.

SCHEDULE "A"

- (2) (a) permit a building, fence, wharf, wall or other structure owned or occupied by him and being within an area mentioned in any such By-Law, to be or to become partly demolished, decayed or deteriorated so as to be dangerous, unsightly, offensive or unhealthful; or
- (b) permit to remain on any land owned or occupied by him and being in any such area any ashes, junk, rubbish, refuse, cleanings of yards, bodies, or parts of automobiles or other vehicles or machinery, or any other thing, so as to be dangerous, unsightly, unhealthful or offensive.

Notice to Remedy Condition:

- (3) Should a condition described in subsection (2) arise or exist, whether it arose before or after the passing of this Act or of the By-Law, the council may instruct the clerk to serve notice on the owner or occupier requiring him to remedy the condition described in the notice; such notice may be served by being posted in a conspicuous place upon the building, fence, wharf, wall, structure or land or may be personally served upon the person named therein.

Failure To Comply with Notice:

- (4) In event of the failure of the person so served with notice, to remedy the condition describes in the notice within thirty days after services, and person authorized by the council may enter upon the land upon which the condition exists, without writ, warrant or other legal process and remedy the condition which the council 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 town in any court of competent jurisdiction within sixty days after the cost incurred.

Penalty:

- (5) After notice has been served under subsection (3) any person who 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 less than one hundred dollars and not more than one thousand dollars, and in default of payment to imprisonment for a period of not less than fifteen days nor more than three months, and every day during which such condition is not remedied is a separate offence. R.S., c 309, s.222; 1978, c. 29, s. 4.

Resolution:

Resolved by the Town Council of the Town of Mulgrave that the attached Dangerous & Unsightly Premises By-Law be and the same is hereby enacted and that the Clerk be and is hereby instructed to forward same to the Minister of Municipal Affairs with a request for his approval thereof.

I, Debbie King, Acting Clerk Treasurer of the Town of Mulgrave do hereby certify that the foregoing is a true copy of a Resolution pertaining to a Repeal & Consolidation By-Law duly passed unanimously by the full Council of the Town of Mulgrave at a meeting duly held and convened on the 30th day of October, 1985.

DATED at Mulgrave, in the County of Guysborough, Nova Scotia, this 23rd day of December, A.D., 1985.

Debbie King
Acting Clerk-Treasurer for the Town of
Mulgrave