

Town of Raymond
Bylaw 968-10
Care of Boulevards and or Lanes

A BYLAW OF THE TOWN OF RAYMOND, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE CARE OF BOULEVARDS AND OR LANES.

WHEREAS Section 7 of the Municipal Government Act, Statutes of Alberta, provides that the Council of a Town may pass bylaws regulating the care of boulevards and or lanes.

NOW THEREFORE, the Council of the Town of Raymond, in the Province of Alberta duly assembled, thereby enact as follows:

NAME OF BYLAW

1. This bylaw may be cited as the Care of Boulevards and or Lanes Bylaw

DEFINITIONS

2. For the purposes of this Bylaw, the following words mean:
 - (1) "Act" means the MUNICIPAL GOVERNMENT ACT, RSA 2000, c, M-26.1, section 541, as amended.
 - (2) "Administrator" means the Chief Administrative Officer of the Town of Raymond.
 - (3) "Boulevard" means the strip of ground between the edge of a private property and the road
 - (4) "Council" means the Municipal Council of the Town of Raymond.
 - (5) "Designated Officer" means the Chief Administrative Officer, Bylaw Enforcement Officer, R.C.M.P. Officer, Community and Development Officer or a Peace Officer
 - (6) "Town" means the Municipal Corporation of the Town of Raymond.
 - (7) "Order" means a written order in accordance with subsection 545 of the Act.
 - (8) "Owner" means the person who is registered under the LAND TITLES ACT as the owner of the land
3. An Owner must maintain the Boulevard or lane in a neat and tidy manner by;
 - a) Controlling the dandelions and noxious weeds or plants
 - b) Cutting the grass according to Bylaw 908-04 Length of Grass and or Weeds
 - c) Trimming and pruning trees, shrubs or any other plant that in any way interferes with or endangers the lines, poles, conduit, pipes, sewer, sidewalk or any other work of a municipality or other public utility

- d) Providing adequate irrigation to newly seeded Boulevards and/or lanes to prevent the drying out of soils for a minimum period of thirty (30) days or until the grass has become firmly established
4. No Boulevard shall be used for the following;
- a) Storing of automobiles, trucks, buses or for any other equipment or structure
 - b) The storage or dumping of rubbish, garbage, leaves, lawn, trees or other plant refuse
 - c) Pedestrian, bicycle, motorbike, automobile, horse or other such traffic that could deface, destroy or otherwise damage the Boulevard
5. No Lane shall be used for the following;
- a) Parking or storing of automobiles, trucks, buses or for any other equipment or structure
 - b) The storage or dumping of rubbish, garbage, leaves, lawn, trees or other plant refuse
6. Any Owner with a Boulevard and or Lane may request the Town to repair, restore or level a Boulevard in order to maintain it as outlined in Section 3 with the cost, as outlined in Appendix A. being charged to the owner.
7. Any Owner who desires to improve the boulevard above the measures outlined in Section 3. must first be approved by the Town of Raymond Development Authority.
8. Any person who damages or causes to be damaged any Boulevard within the Town shall be subject to a fine as outlined in Appendix A or any other amount deemed necessary by the Designated Officer to re-establish the Boulevard(s) to its previous condition
9. The Designated Officer may:
- a) Require the Owner to remedy any condition of the Boulevard or lane if it is in contravention or fails to comply with this Bylaw
 - b) If the Owner fails, neglects, or refuses to remedy the conditions as directed by the Designated Officer, the Town may cause such work to be done as deemed necessary and charge the cost of the work to the Owner
 - c) If an Owner is in default of a payment the Town may
 - i. Recover the cost as a debt due to the Municipality, or
 - ii. Charge the cost against the land concerned as taxes due and owing in respect of the land and recover the cost as such, or
 - iii. Make any other provisions that the Designated Officer considers necessary to carry out the purposes of this Bylaw

10. An Owner, person, company or corporation who receives an Order under Section 8 of this Bylaw may request by written notice, within 14 days after the date the order is received, that Council review the order.
11. An Owner, person, company or corporation affected by the decision of a Council may appeal to the Court of Queen's Bench as outlined in section 548 of the Act if;
 - a) the procedure required to be followed by the Act is not followed, or
 - b) the decision is patently unreasonable
12. Bylaw 911-04 Care of Boulevards and or Lanes and Alleys is hereby repealed.
13. This Bylaw comes into force on the day it is passed.

Read for a first time this day the 20th of April, 2010

Read for a second time, as amended, this day the 4th of May, 2010

Read for a third time, as amended, this day the 1st of June, 2010

Mayor L. George Bohne

Chief Administrative Officer J. Scott Barton

Appendix A
Fees and Charges

1. Boulevard and Lane Violations for sections 3, 4, 5, 7 and 8 are:
 - a) First Offence \$100
 - b) Second Offence \$200
 - c) Third and subsequent offences \$500

2. Per square meter charge \$15.12 per square meter