

Bylaw for the Community of O'Leary - Bylaw # 10 - 2000

Pursuant to the Municipalities Act R.S.P.E.I. 1988  
Cap M13 Part VIII Sec 30; Sub. w AND  
Sec 64; Sub. i

Be it hereby enacted by the Community Council of the Community of O'Leary, P.E.I. as a Bylaw regulating PROPERTY STANDARDS AND UPKEEP within the community.

1. All persons owning property within the boundaries of the Community of O'Leary shall insure that all their property is maintained in a neat and orderly condition, in keeping with their own and adjacent legal zoning and in particular all property owners shall:
  - a) keep their property free of derelict and unsightly vehicles, buildings and in general shall maintain the appearance of their property in a neat and orderly condition.
  - b) keep all lawns and yard mowed and free of leaves, garbage, and litter, and other unsightly debris.
  - c) keep all buildings, barns, sheds and other structures in good repair, free of broken glass, doors or other unsightly fixtures.
  - d) remove all dead and/or diseased shrubs, limbs and trees from their property.
  
- 2)
  - a) On receipt of any written complaint from a resident of O'Leary or business owner/operator relating to the appearance or condition of any property within the boundaries of the Community of O'Leary, the Community Council by official resolution shall have its agent or employees inspect the property which is the subject of the complaint for compliance with this bylaw and that agent or employee shall report to the Community Council the condition of the property. On receipt and discussion by council of the inspection report, council shall then contact the property owner to discuss the complaint and reach a resolution. If the property owner declines to meet with council or no satisfactory resolution is reached, council shall continue with their proceedings to satisfy the complaint.
  
  - b) For the purposes of the inspection of properties which are the subject of a complaint under this bylaw in general, the agent or employees of the Community Council charged with inspecting a property which is the subject of a complaint, may enter upon that property but shall not enter into any private residence on that property without first obtaining the consent of the occupants of the residence.
  
- 3)
  - a) On a resolution by the Community Council that the property which is the subject of the complaint is not in compliance with the provisions of this bylaw, the Community Council shall serve, by hand delivery, by a court server or posted directly on the property building(s) if it cannot be personally served, the owner of that a property with a formal notice indicating that his/her property is deemed unsightly. This notice shall state the action required by the owner to bring the property into compliance with the terms and conditions of this bylaw; and that the property owner shall carry out the necessary work

within thirty (30) days of their receipt of the notice. The notice shall also state that if the repair work is not carried out within that thirty (30) day period, then the Community Council will have the necessary work completed at the owners expense.

- b) Where the property owner refuses or fails to carry out the required work to be in compliance with this bylaw, as stated in the notice provided, the Community Council may direct its agent or employees to enter upon the unsightly property and to carry out the specified work, or such portion of the work as the Community Council may direct. All expenses incurred by the Community in the performance of the work shall be billed by the Community to the property owner.
- 4) Any property owner who fails to comply with a work order issued pursuant to paragraph 3, subparagraph 'a', of this bylaw shall be guilty of an offence and liable, upon conviction, of a fine of not less than \$100.00 and not more than \$500.00, plus all costs incurred by the Community of O'Leary.

FIRST READING THE 6<sup>TH</sup> DAY OF JULY, 2000.

SECOND READING THE 11<sup>TH</sup> DAY OF AUGUST, 2000.

AUDREY THOMSON

Chairperson

BEV COUGHLIN (SHAW)

Administrator