

Municipality of Trinity Bay North

Dilapidated and Unsightly Property By-Law

Enacted under the authority of the Towns and Local Service Districts Act, SNL 2023, c. T-6.2

1. Title

1.1 This by-law may be cited as the **Dilapidated and Unsightly Property By-Law**.

2. Authority

2.1 This by-law is enacted pursuant to **sections 7–12** of the *Towns and Local Service Districts Act*, which authorize Council to make by-laws respecting property maintenance, public safety, and the control of waste and unsightly conditions within the municipality.

3. Purpose

3.1 The purpose of this by-law is to:

- Maintain community appearance and safety.
- Ensure properties do not negatively impact neighbouring residents or the municipality.
- Prevent hazards caused by dilapidated structures, debris, and derelict vehicles.

4. Definitions

In this by-law:

- “**Act**” means the *Towns and Local Service Districts Act, SNL 2023, c. T-6.2*.
- “**Council**” means the Council of the Municipality of Trinity Bay North.
- “**Dilapidated structure**” means a building or part of a building that is unsafe, structurally unsound, partially collapsed, abandoned, or in significant disrepair.
- “**Unsightly property**” means land or structures that, due to neglect, debris, garbage, derelict vehicles, overgrowth, or deterioration, create a nuisance or negatively affect the community.
- “**Derelict vehicle**” means a vehicle that is unregistered, inoperable, dismantled, abandoned, or otherwise considered a wreck.
- “**Owner**” means the person assessed for the property under the Act.
- “**Order**” means a written order issued under this by-law.

5. General Prohibitions

5.1. No owner shall permit a building, structure, or property to become dilapidated, dangerous, unsightly, or hazardous to public safety.

5.2 Without limiting the generality of section 5.1, a property shall be deemed dilapidated or dangerous where it contains: (a) structural failure or partial collapse; (b) unsecured or broken doors, windows, or openings; (c) accumulations of garbage, debris, or abandoned materials; (d) conditions constituting a fire hazard; (e) conditions posing a risk to persons, neighbouring properties, or public infrastructure.

6. Property Maintenance Standards

6.1 Every owner shall maintain their property so that: (a) Buildings are kept in good repair, including roofs, siding, windows, doors, and foundations; (b) Yards are kept free of garbage, debris, and hazardous materials; (c) Grass and vegetation are maintained to a reasonable height; (d) Accessory structures such as sheds and fences are kept in safe condition; (e) Vacant buildings are secured against unauthorized entry.

6.2 Incorporation of Provincial Regulations

6.2 The Town Council hereby adopts and incorporates by reference the provisions of the **Occupancy and Maintenance Regulations, CNLR 1021/96**, as amended, for the purpose of establishing minimum property maintenance and occupancy standards under this Part. All requirements, duties, and obligations set out in the said Regulations shall apply with full force and effect within the Town as if fully set out herein.

7. Derelict and Abandoned Vehicles

7.1 Prohibition

No owner shall permit a derelict or abandoned vehicle to remain on any property within the Town in a condition that constitutes a nuisance, safety hazard, or contravention of this by-law.

7.2 Order to Remove

Where an employee of the municipality determines that a vehicle is derelict or abandoned, the council may issue an order to the owner directing that the vehicle be removed within **30 days** of service of the order.

7.3 Failure to Comply

If the owner fails to remove the derelict vehicle within **30 days** of receiving an order issued under this Part:

(a) Council may enter the property and remove the derelict vehicle, and such vehicle shall be impounded by the Town;

(b) The actual cost of removal, transportation, and impoundment shall be invoiced to the owner;

(c) Any unpaid amount may be added to the owner's tax account as a recoverable amount in accordance with the *Towns and Local Service Districts Act*;

(d) Any impounded vehicle not reclaimed by the owner within 30 days of impoundment may, at the Town's election, be sold at auction or disposed of as scrap, with any proceeds applied toward the costs incurred by the Town.

7.4 Disposal of Vehicles Removed from Public Property

Where a derelict or abandoned vehicle is removed from a public street, right-of-way, or Town-owned land, the Town may impound and dispose of the vehicle in accordance with subsection 7.3(d).

7.5 Recovery of Costs

All costs incurred by the Town under this Part, including removal, towing, storage, impoundment, auctioning, or disposal, constitute a debt owed to the Town and may be collected in the same manner as taxes.

7.6 No Liability

The Town, Council, and any employee or contractor acting under this Part shall not be liable for any damage to a derelict or abandoned vehicle arising from removal, towing, impoundment, storage, auction, or disposal, provided such actions are carried out in good faith and in accordance with this by-law.

8. Inspection and Entry

8.1 The person delegated by council may enter upon property at reasonable times to inspect for compliance, in accordance with the Act.

9. Orders to Comply

9.1 Upon identification of a violation of this by-law, the council may issue an order directing the owner to remedy the condition.

9.2 An Order may require the owner to (a) repair, secure, or maintain a building or structure; (b) remove debris, refuse, or hazardous materials; (c) demolish and remove a

structure deemed unsafe; (d) take any other action necessary to bring the property into compliance.

9.3 An Order shall specify: (a) the work required; (b) the time within which the work must be completed; (c) the consequences of non-compliance.

10. Failure to Comply and Remedial Action by the Town

10.1 Where an owner fails to comply with an Order within the time specified, Council may cause the required work to be carried out.

10.2 All costs incurred by the Town in carrying out remedial work shall be a **debt due to the Town** and may be: (a) collected in the same manner as taxes; and (b) added to the real property tax roll as a **lien** against the property.

11. Offences (Section 289 of the Act)

11.1 A person commits an offence under this by-law who: (a) contravenes any provision of this by-law; (b) fails to comply with an Order issued under this by-law; (c) obstructs or interferes with a member of staff acting under authority of this by-law or Act.

11.2 For the purposes of enforcement, section 289 of the Act applies to all offences under this by-law.

12. Penalties (Section 290 of the Act)

12.1 A person convicted of an offence under this by-law is liable to the penalties set out in section 290 of the Act, including: (a) fines; (b) daily fines for continuing offences; (c) additional penalties as authorized by the Act.

12.2 Nothing in this by-law limits Council's authority to recover costs associated with enforcement or remedial work.

13. Appeal

13.1 An owner who is subject to an Order may appeal in accordance with the appeal provisions of the Act.

14. Effective Date

This by-law comes into force on the date adopted by Council.

Adopted by the Council of the Municipality of Trinity Bay North on the 3rd day of August 2026.

Mayor:  Clerk: 
