

BY-LAW 406

A BY-LAW RESPECTING DANGEROUS OR UNSIGHTLY PREMISES IN THE TOWN OF OROMOCTO

The Council of the Town of Oromocto under the authority invested in it by Section 190 of the **Municipalities Act** being Chapter M-22 of the Revised Statutes of New Brunswick, 1996 and the amendments thereto, enacts as follows:

1. In this By-Law:
 - (1) "Town" means the Town of Oromocto
 - (2) "By-Law Enforcement Officer" means the person appointed by the Council to be the Technical Officer and/or Assistant Technical Officer of the town.
 - (3) "Owner or Occupier" means the legal owner, and may be the lessee, occupant or person having the management of the property;
2. This By-Law applies to all properties within the Town.
3. No person:
 - 1) Shall permit property owned or occupied by him to become dilapidated or deteriorated so as to be in a dangerous, unsightly, or unhealthful condition,
 - 2) Shall permit to be or to remain on such property owned or occupied by him any ashes, junk, cleanings of yards, bodies or parts of automobiles or of other vehicles or machinery, rubbish or refuse.
4. If an owner causes a building, structure or property to become dilapidated, dangerous, unsightly or unhealthful to all or any part of the public, Council may:
 - 1) Require the improvement, removal or demolition of such building, structure or property at the expense of the owner thereof: or
 - 2) Acquire the parcel of land on which such building or structure is located.
5. Where such conditions arise or exist, whether it arose before or after the passing of this By-Law, the By-Law Enforcement Officer(s) appointed by Council may serve notice on the owner or occupier requiring him to remedy the condition and specifying in such notice a full description of the property and what is required to be done and the time in which to do it.
6. The cost of remedying the condition may be recovered by the municipality in a action for debt against the owner or occupier of the premises.
7. a copy of the notice to be served under the Section (5) may be registered in the registry office for the country in which the lands referred to in the notice are suitable an upon such registration of the notice;
 - 1) binds the land, and
 - 2) is deemed for the purpose of this section to be a notice made to all

10. A person who has been served with a notice suitable under the subsection (3) and who fails to comply with the terms thereof commits an offence punishable under Part II of the *Provincial Offences Procedure Act* as a category E offence.

By-Law 211 "A By-Law Respecting Dangerous or Unsightly Premises" is hereby repealed.

READ FIRST TIME: 15 March 2001

READ SECOND TIME: 19 April 2001

**READ THIRD TIME
AND ENACTED:** 24 May 2001