

BE IT RESOLVED that the following be and the same is hereby adopted and enacted as a by-law of the Town of Mahone Bay when and if the same has received the approval of the Minister of Municipal Affairs and that the Town Clerk be and he is hereby instructed to forward the same to the Minister and request his approval hereof.

BY-LAW NO.

A BY-LAW RESPECTING DANGEROUS/UNSIGHTLY
BUILDINGS

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| 1.1 | This by-law shall be known as and may be cited as the "Dangerous/Unsightly Buildings By-Law." | Short title |
| 2.1 | Section 222 of the Towns Act, Chapter 309 of the Revised Statutes of Nova Scotia, 1967, attached as Schedule "A", shall apply to the Town and shall be part of the by-laws of the Town. | Section 222
Towns Act
to apply |
| 3.1 | All former Dangerous Buildings By-Laws of the Town are hereby repealed and this by-law substituted therefor. | Repeal |

SCHEDULE "A"

THE TOWNS ACT

Chapter 309, R.S.N.S. 1967

Subsections (2), (3), (4) and (5) of Section 222 of the Towns Act, as set out below, shall apply to the whole area of the Town.

(2) No person shall

(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 as 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.

(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.

(4) In event of the failure of the person so served with notice, to remedy the condition described in the notice within thirty days after service, any 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 on the town in any court of competent jurisdiction within sixty days after the cost is incurred.

(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 term of not less than fifteen days or more than three months, and every day during which such condition is not remedied is a separate offence.

This is to certify that the foregoing Dangerous/
Unsightly Buildings By-Law, Number _____ is a
true copy of a By-Law passed by the Council of the Town of
Mahone Bay at a duly called meeting held on the thirteenth
day of October, 1981.

Shirley L. Nixon
TOWN CLERK

Dated at Mahone Bay, this ninth day of
November 1981

DEPARTMENT OF MUNICIPAL AFFAIRS
Recommended for approval of the Minister
<u>M. H. H. H.</u> Departmental Solicitor
APPROVED this <u>16th</u> day of <u>December</u> 1981
<u>J. J. J.</u> Minister of Municipal Affairs