

Bylaw No. 04-23

**A BYLAW TO PROHIBIT OBSTRUCTIONS ON VILLAGE-CONTROLLED PROPERTY**

The Council of the Resort Village of Bird's Point, in the Province of Saskatchewan, enacts as follows:

**1. DEFINATIONS**

For the purpose of this bylaw the expression:

- (a) **"Camping"** – the activity of living in RV Campers; Tent Trailer or Tent;
- (b) **"Licensed Vehicles"** - a motor vehicle designed to carry people on highways and streets, and can carry a driver and no more than 8 passengers;
- (c) **"Municipality"** means the Resort Village of Bird's Point, Saskatchewan;
- (d) **"Obstruction"** means any type of object: stones, earth or gravel piles, portable structures, permanent structure, machinery or other objects;
- (e) **"Road"** means any registered public road allowance within the municipality but does not include private access roads or driveways;
- (f) **"RV Camper"** means a recreational vehicle, is a motor vehicle or trailer which included living quarter designed for accommodation;
- (g) **"Tent"** means a portable shelter made of cloth, supported by one or more poles and stretched tight by cords or loops attached to pegs driven into the ground;
- (h) **"Tent Trailer"** means a trailer drawn especially by an automobile and equipped for use as a dwelling; and
- (i) **"Village Property"** means property or land which the Resort Village of Bird's Point owns, leases or over which the Municipality has control
- (j) **"Utility Trailers"** means any wheeled vehicle weighing 2000 lbs. or less without motive power, which is designed to be drawn by a motor vehicle.

- 2. No person shall permit an obstruction to be placed or erected or to remain on Village property without the written consent of the Municipality (resolution of Council).
- 3. No person shall camp on Village Property with a RV Camper, Tent Trailer or Tent without the written consent of the Municipality (resolution of Council)
- 4. No RV's or any type of campers will be parked on the side of the municipal road longer than 72 hours in a 7-day period.

## Village of Birds Point

5. Licensed vehicles will be permitted on the road allowance between May 1 and October 1, inclusive. The Village of Birds Point does not assume responsibility for damage or theft to personal property left on village property. The licensed vehicles shall be placed on the northern portion of the road allowance and are to be parked parallel to the road, With the exception of Block H (between the low gravel road and high paved road), Where the licensed vehicles shall be placed near the southern portion of the road allowance and parallel to the road. The owner of the licensed vehicle must move the vehicle to ensure that the grass under and around is cut to a maximum height of 0.1m (3 inches).
6. Council may, by order, direct the owner of private property that is placed, parked, or erected on any Village Property in contravention to the provisions of this Bylaw, to remove the same within a time stated in such order. The provisions of Section 364 of *The Municipalities Act*, shall apply, if the owner fails to comply with the order.
7. As per section 387 of *The Municipalities Act*, any person who is in contravention to the provisions of this Bylaw, is guilty of an offence and may be liable on summary conviction.
8. A Notice of Violation will be issued to any person who is found to be in violation of this Bylaw. If a Notice of Violation is not voluntarily paid, a summary offence ticket will be issued and you will have the right to appeal in Provincial Court.
  1. for a first offence, to a fine of \$100.00; and
  2. for a second offence, to a fine of \$300.00; and
  3. for a third or subsequent offense, to a fine not less than \$700.00 and not more than \$10,000.00.
9. In the case of commercial, to a fine not exceeding \$5,000.00 and, in the case of a continuing offence, to a further fine of not more than \$25,000.00 for each day during which the offence continues

## 2. VOLUNTARY PAYMENT TO AVOID PROSECUTION

1. Any person who is in contravention of this Bylaw, and has been served with a Notice of Violation, may voluntarily pay the penalty.
2. For the purpose of determining the prescribed penalty required, the number of prior offences shall be determined by the number of Notices of Violation issued in relation to the specified contravention, with the exception of those which have been cancelled or dismissed by the Court.

**BYLAW 10-20 is HEREBY REPEALED**

**3. NOTICE OF VIOLATIONS**

1. The Notice of Violation, known as "Form A", is attached hereto and forms part of this Bylaw.



*Alvin Davis*

MAYOR

*Alvin Stevenson*

ADMINISTRATOR

Introduced and read a first time this 11 day of April, 2023

Read a second time this 9 day of May, 2023

Read a third time this 9 day of May, 2023



*Alvin Davis*

MAYOR

*Alvin Stevenson*

ADMINISTRATOR

Certified to be a true copy of Bylaw 04-23  
Passed by Resolution of Council of The  
Resort Village of Birds Point  
This 9 day of May, 2023

**Form A**

**Notice of Violation**

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**This ticket has been issued for breach of provision of**

Bylaw No. 04-23 A BYLAW TO PROHIBIT OBSTRUCTIONS ON VILLAGE CONTROLLED PROPERTY

**Owner's Name:** \_\_\_\_\_

**Owner's Address:** \_\_\_\_\_

**DETAILS OF OFFENCE**

**DATE:** \_\_\_\_\_

**TIME:** \_\_\_\_\_

**DESCRIPTION**

**LOCATION OF VIOLATION:**

\_\_\_\_\_  
\_\_\_\_\_

**SERVED BY:**

\_\_\_\_\_

(To be signed by the Bylaw Officer/or person appointed by Council

**You are charged with violation of Bylaw No. 04-23**

**Section (s)** \_\_\_\_\_

**The penalty for violation of Section (s)** \_\_\_\_\_ **is \$** \_\_\_\_\_

You may make voluntary payment of the above penalty at the Resort Village of Bird's Point (169 Currie Ave) or mail the find amount to Resort Village of Bird's Point, Box 1019 Whitewood, Sask. S0G 5C0 within (7) days from the date of the service of the Notice of Violation or otherwise prosecution proceedings may be commenced.