

OF THE RURAL MUNICIPALITY OF LAKEVIEW

Being a by-law with respect to the storage of vehicles.

Whereas The Municipal Act provides authority to regulate the storage of vehicles,

Now therefore, the Council of the Rural Municipality of Lakeview, duly assembled, enacts as follows:

Definitions:

1. In this by-law

“person” includes a corporation

“property” means land, and “one property” means all the lands described in a Certificate of Title, even if more than one lot or parcel is shown on the Certificate of Title,

“store” means to keep or allow to be kept,

“unregistered vehicle” means a motor vehicle or trailer which in order to be lawfully driven on a highway must be registered under the Highway Traffic Act, but which motor vehicle or trailer has not been validly registered under that Act within the immediately preceding 30 days, and includes motors, transmissions, assembly systems, chassis, and body or any other parts longer than one foot in any dimension.

Application:

2. This by-law applies to owners and tenants of a property within the Village of Langruth or within 100 metres of the boundaries of the Village of Langruth.

What is permitted:

3. A person may only store an unregistered vehicle on his or her property, or allow another person to store an unregistered vehicle on that property, under the following conditions:

The unregistered vehicle must be stored:

- a. at the rear of any dwelling on the property;
- b. in a manner that is safe;
- c. entirely screened from public view in a tidy, well-maintained manner;
- d. free from tall grass and weeds;
- e. in an environmentally safe manner.

Vehicles permitted:

4. No more than two (2) unregistered vehicles will be allowed on one property, excluding vehicles stored entirely within an enclosed building.

Entry to determine compliance:

5. A person designated by the chief administrative officer of the municipality may enter any property upon which a vehicle is located to determine if the vehicle is being stored on the property in compliance with this by-law. The entry onto the property may only be made between the hours of 8:00 a.m. and 8:00 p.m.

Offense:

6. A person who stores an unregistered vehicle on their property contrary to this by-law or who has allowed or permitted an unregistered vehicle to be stored on their property is guilty of an offense, even if the person is not and never has been the owner of the vehicle. The offender will be given a period of seven days after notification of an infraction to comply to the by-law.

Every vehicle is a separate offense:

7. Each unregistered vehicle stored or permitted or allowed to be stored by a person contrary to this by-law shall constitute a separate offense.

Every day is a separate offense:

8. Each day an unregistered vehicle is stored or permitted or allowed to be stored by a person contrary to this by-law is a separate offense, and is a continuing offense.

Fines:

9. A person who is found guilty of an offense under this by-law is subject to a fine of not less than \$50.00 and not more than \$200.00 for each offense. An initial fine of \$50.00 will be applied to each unregistered vehicle with an additional \$10.00 fine for each subsequent day up to a maximum of 14 days, at which time the vehicle will be removed in accordance with section 10. below.

Removal and disposal of vehicle:

10. A person designated by the chief administrative officer may enter property on which an unregistered vehicle is being stored contrary to this by-law and remove the vehicle to a place to be designated by the chief administrative officer. If the owner does not claim the vehicle and pay the costs of removal and storage set out in Schedule A within 30 days of removal, the chief administrative officer may direct that the vehicle be sold or otherwise disposed of.

Costs to be paid by person:

11. In addition to the costs of removal and storage, the costs of disposal are to be paid by the person. If unpaid, the costs are a debt owed by the person to the municipality which may collect the amount by any means available to the municipality.

Application of proceeds of sale or disposal:

12. Any proceeds of sale or disposal shall be applied firstly to the costs of removal, storage and disposal. Any excess becomes the property of the municipality. If the proceeds of sale or disposal are less than the costs, the amount of costs that remain outstanding continue to be a debt owed by the person to the municipality and may be collected in any manner available to the municipality.

Notice:

13. A notice of the removal of the vehicle, the requirement to claim the vehicle and pay the costs within the 30 days, and the liability for payment of the costs must be left at the property from which the vehicle is removed, at the time of removal.

DONE AND PASSED as a by-law of The Rural Municipality of Lakeview at Langruth in the Province of Manitoba this 25th day of November, 1997.

Isaac Wiebe, Reeve

Ron Brown, Chief Administrative Officer

Read a first time this 10th day of November, 1997

Read a second time this 25th day of November, 1997

Read a third time this 25th day of November, 1997

SCHEDULE A TO BY-LAW NUMBER 15-97 OF

THE RURAL MUNICIPALITY OF LAKEVIEW

REMOVAL AND STORAGE FEES

1. Removal.....\$100.00 per vehicle
2. Storage\$ 10.00 per day
3. Destruction if required\$ 200.00 per vehicle