



BYLAW 63

INOPERABLE VEHICLES BYLAW

A By-law of the Hamlet of Fort Liard in the Northwest Territories to provide for the removal and disposal vehicles, pursuant to the provisions of the Hamlet Act. R.S.N.W.T., 1988, c. H-1, s. 125 and 173.

As it is desirable to remove useless and unsightly vehicles from public and private property,

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF FORT LIARD, in a meeting duly assembled, enacts as follows:

SHORT TITLE

1. This By-law may be cited as the "Inoperable Vehicles By-law"

INTERPRETATION

2. In this By-law,
 - (a) "Hamlet" means the Hamlet of Fort Liard in the Northwest Territories;
 - (b) "Council" means the Council of the Hamlet;
 - (c) "Mayor" means the Mayor of the Hamlet;
 - (d) "SAO" means the Senior Administrative Officer of the Hamlet;
 - (e) "By-law Officer" means a by-law officer of the Hamlet appointed by by-law;
 - (f) "Hearing" means a public hearing conducted by the Council pursuant to section 178 of the *Hamlets Act*;
 - (g) "Wrecked Vehicle" means an inoperable, wrecked or dismantled vehicle; and
 - (h) "Order" means a written or oral order issued by the Council, by the SAO or by a By-law officer.

GENERAL PROVISIONS

3. (1) Subject to subsection (2), where a complaint is made to the Council concerning the Location of a wrecked vehicle, the SAO shall prepare and submit to Council a report detailing,
 - (a) the actual location of the vehicle,
 - (b) the owner of the property on which the vehicle is located,
 - (c) the zoning of and permitted uses on the property,
 - (d) whether the vehicle is in a building,
 - (e) whether the vehicle appears to form part of a business lawfully operated on the highway,
 - (f) the apparent condition of the vehicle,
 - (g) whether there appears to be any imminent danger to public health or safety, and

(h) the names of any other persons who, in the opinion of the SAO, might be affected by any order issued or action taken regarding the vehicle.

2. Where, in the opinion of the SAO, a wrecked vehicle is not located in a building, does not form part of a business lawfully operated on the premises on which it is located and constitutes such a danger to public health or safety that immediately advise the Mayor and may

(a) Issue a written Order to the owner of the property on which the vehicle is located, setting out

- (i) the nature of the danger to public health or safety,
- (ii) the remedial action to be taken by the owner,
- (iii) the date and time by which the remedial action must be taken,

or

(b) take such immediate remedial action as the SAO considers necessary to remove or reduce the imminent danger to public health or safety.

4. Upon receipt or a report concerning a wrecked vehicle, the Council shall consider the report and, where Council determines that

- (i) the vehicle is inoperable, wrecked or dismantled,
- (ii) the vehicle is not located in a building, and
- (iii) the vehicle does not form part of a business lawfully operated on the premises,

the council may,

(a) subject to paragraph (b), instruct the SAO to serve at least three days notice on the owner of the property, on which the vehicle is located, and on any other person deemed by Council to be affected, of the time, place and purpose of a hearing and of the right of the owner or other person to attend and make representation, or

(b) where, in the opinion of Council, the vehicle constitutes such a danger to public health or safety that immediate remedial action is necessary,

(i) shorten the period of notice referred to in paragraph (a),
Or

(ii) issue a written Order to the owner of the vehicle, setting out
(a) the nature of the danger to public health or safety,
(b) the remedial action to be taken by the owner,
(c) the date and time by which the remedial action must be taken,
Or

(iii) instruct the SAO to take such immediate remedial action as Council considers necessary to remove or reduce the imminent danger to public health or safety.

5. In every circumstances in which the Council or the SAO orders remedial action to be taken or takes immediate remedial action to remove or reduce imminent danger to public health or safety, the SAO shall, as soon as possible, notify the owner of the property, on which the wrecked vehicle is located, and such other persons as the SAO considers may be affected by such action.

READ a First Time this 23 day of February 1995.

READ a Second Time this 23 day of February 1995.

READ a Third Time and Finally Passed this 2 day of March 1995.