

BYLAW NO. 01-2020
A BYLAW OF THE VILLAGE OF MEATH PARK
TO REGULATE DRAINAGE

The Council of the Village of Meath Park, in the Province of Saskatchewan, enacts as follows:

PURPOSE:

- a) Regulate surface drainage on public and private land;
- b) Prevent damage or misuse of the Village drainage System;
- c) Prevent damage to public and private land.

DEFINITIONS:

- a) Act means the *Municipalities Act* of the Province of Saskatchewan;
- b) Bylaw Enforcement Officer means a person appointed by the Village of Meath Park or the Administrator;
- c) Drainage system means any facility or facilities associated with drainage or control of storm water and subsurface water;
- d) Foundation drainage means water collected beneath the surface of the ground by a foundation drain weeping tile, sump pump or other similar means,
- e) Order means an order written pursuant to the Act to pursue compliance with this Bylaw;
- f) Parcel means the aggregate of one or more areas of land described in a certificate of title;
- g) Person means any individual, legal entity, business entity, firm, association, partnership, society or corporation,
- h) Premises includes lands and buildings or both, or a part thereof;
- i) Side yard means that portion of a parcel extending from the front yard to the rear yard and between the side property line of the parcel and the closest side of the principal building;
- j) Storm water means runoff that is the result of rainfall and other natural precipitation or from the melting of snow or ice;
- k) Subsurface water means all water from under the surface of the ground;
- l) Street means any thoroughfare, highway, road, trail, avenue, parkway, alley, driveway, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage of parking of vehicles, and included:
 - i. a sidewalk;
 - ii. if a ditch lies adjacent to and parallel with the roadway, the ditch;
 - iii. if a street is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be.
- m) Village means the Village of Meath Park
- n) Administrator means the Administrator of the Village of Meath Park

GENERAL

- a) All eaves throughs and downspouts shall:
 - i. Be watertight and maintained in good repair;
 - ii. Be equipped with extensions to carry runoff to the Village drainage system;
 - iii. Be directed to the front or the rear of the property and shall not be directed to neighboring premises.
 - iv. No downspouts shall be directed or drained onto Village sidewalks.
- b) The owner of a premises must control the release of storm water and subsurface water including:
 - i. The rate of release of storm water and subsurface water to the drainage system or any surface drainage feature:

- ii. The location of the release of storm water and subsurface water from the premises;
 - iii. No person shall allow a flow of water from a premise to be directed towards an adjacent premise if it is likely that the storm water or subsurface water will enter the adjacent premises.
- c) All properties shall be graded and drained so as to prevent the following:
 - i. Excessive ponding of storm water and subsurface water;
 - ii. Excessive amounts of moisture accumulating near a building or structure;
 - iii. Any accumulation of moisture that may adversely affect any neighboring premises.
- d) No person shall permit storm water drainage or foundation drainage from a building on the premises to be discharged:
 - i. The stability of a slope;
 - ii. A ravine;
 - iii. A portion of the ground surface where there exists a risk of instability.
- e) No person shall, without authorization of the Administrator:
 - i. Obstruct, restrict, tamper with or damage the Village infrastructure including the drainage system;
 - ii. Alter, remove or change, either temporarily or permanently, any part of the Village infrastructure including the drainage system.
- f) The owner of a parcel shall comply with the terms and conditions of any easement, utility right of way, caveat, restrictive covenant, or any other document that has been registered on the title of the parcel to protect the Village drainage system, with any and all components.
- g) Subject to the Act, the bylaw enforcement officer may inspect, observe, measure, sample and test any storm water or subsurface water, foundation drainage or drainage system on any premises in order to determine whether or not this Bylaw is being complied with.
- h) Where the bylaw enforcement officer or Village Administrator believed a person has contravened any provisions of the Bylaw, he or she may issue to the person an order to remedy the infraction.
- i) Every order written with respect to this Bylaw shall follow the requirements of the Act.

ENFORCEMENT

- a) A person who contravenes this Bylaw is guilty of an offence, and will be issued a Notice of Violation respecting the offence;
- b) In the case of offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established in this Bylaw for each such day;

- c) A person who is guilty of an offence is liable to a fine in an amount not less than that established in this section, and not exceeding \$10,000:
 - i. \$500.00 for any offence under this Bylaw;
 - ii. \$500.00 for each subsequent day the offence continues.

- d) A person who commits an offence may:
 - i. If a Notice of Violation is issued in respect of the offence; and
 - ii. If the Notice of Violation specifies the fine amount established by the Bylaw for the offence;make a voluntary payment equal to the specified fine.

- e) A person who commits an offence may, if a Notice of Violation is issued, pay the fine amount established by this Bylaw for the offence and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.

This Bylaw shall come into force and take effect when adopted by Council.

SEAL

Mayor, Michael Hydamaacka

Acting Administrator, Rebecca Matthews

Read a third time and adopted
this 22nd day of September, 2020.

Acting Administrator