

BYLAW NO. 2, 2003

A BYLAW RELATING TO THE PLANTING OF TREES OR SHRUBS OR THE PLACING OF STONE PILES AND OTHER OBJECTS ADJACENT TO CERTAIN ROADWAYS

The Council of the Rural Municipality of Hillsdale No. 440 in the Province of Saskatchewan, enacts as follows:

1. For the purposes of this bylaw the expression:
 - (a) "Municipality" means the Rural Municipality of Hillsdale No. 440 of Saskatchewan;
 - (b) "road" means any road allowance within the municipality other than:
 - (i) a private road; or
 - (ii) a provincial highway; or
 - (iii) a road or highway within the following hamlets, to wit:
Hamlet of Baldwinton
Hamlet of Carruthers
2. No person shall hereafter plant trees or shrubs or place stone piles, permanent structures, portable structures, machinery or other objects on private property:
 - (a) within one hundred and fifty feet from the center line of any road;
 - (b) within three hundred feet from the intersection of two or more roads.
3. The Council may, by order, direct the owner of any private property upon which a tree or shrub has been planted, or a stone pile, permanent structure, portable structure, machinery or other object has been placed in contravention of the provisions of Section 2 hereof, to remove the same within a time to be stated in such order.
4. Where an owner of private property to whom an order for removal has been directed under the provisions of Section 3 hereof, fails to comply with the order within the time as therein specified, the provisions of Section 184 of the Rural Municipality Act, shall apply mutatis mutandis, and the council may by resolution direct that such removal be carried out at the owner's expense by the agents or servants of the municipality, and the municipality may recover the expense of such removal by action or in like manner as municipal taxes are recoverable.
5. (1) Subject to Section 6 hereof, the council may from time to time, by resolution, provide for the removal, at the expense of the municipality, of any brush, trees or shrubs growing on private property, or stone piles, permanent structures, portable structures, machinery or other objects placed on private property:
 - (a) within one hundred and fifty feet from the center line of any road; or
 - (b) within three hundred feet from the intersection of two or more roads.
- (2) Every resolution passed under subsection (1) hereof shall designate the private property to which it relates.

6. Nothing in Section 5 hereof shall apply with respect to brush trees or shrubs planted more than five years prior to the passing of this bylaw, where such brush, trees, or shrubs:
- (a) are used as a shelter belt; and
 - (b) are situated within one hundred and fifty feet, but more than seventy-five feet, from the centerline of a road at a place other than an intersection of roads.
7. Any agent or servant of the municipality appointed by the council to carry out the provisions of sections 4 or 5 hereof shall have power for that purpose to enter upon the private property involved. Any person who obstructs or interferes with an agent or servant of the municipality while engaged in carrying out the provisions of sections 4 or 5 hereof shall be liable on summary conviction to the penalties prescribed by section 407 of the Rural Municipality Act.
8. Any person who contravenes the provisions of section 2 hereof is guilty of an offence and liable on summary conviction to the penalties imposed in the general penalty bylaw of the municipality.
9. Bylaw number 1/67 is hereby repealed.


Reeve


Administrator

CERTIFIED a true copy
of Bylaw 2, 2003 adopted
by Council, this 6th day of
March, 2003.


Administrator