

**RURAL MUNICIPALITY OF SUTTON NO. 103**

**BYLAW NO. 5/16**

**A BYLAW TO PROVIDE FOR THE PLACEMENT OF  
STRUCTURES OR FENCES ADJACENT TO ROADWAYS**


The Council of the Rural Municipality of Sutton No. 103 (the Municipality), in the Province of Saskatchewan, enacts as follows:

1. For the purposes of this bylaw:
  - a. "road" means any road or highway within the municipality other than:
    - i. a private road;
    - ii. a provincial highway; or
    - iii. a road or highway within the following Hamlets:  
Ettington, Mazenod, Palmer and Vantage.
  - b. "owner" means the owner of any private property upon which a tree or shrub has been planted, or on which a stone, stone pile, portable structure, machinery, fence, or other object has been placed.
2. No person shall hereafter plant trees or shrubs or place stones or stone piles, portable structures, machinery, or other objects on private property:
  - a. within one hundred and fifty (150) feet from the centre line of any road;  
or
  - b. within three hundred (300) feet from the intersection of two or more roads.
3. No person shall hereafter construct or erect any type of fence:
  - a. within thirty-three (33) feet from the centre line of any sixty-six (66) foot road allowance;
  - b. within fifty (50) feet from the centre line of any one hundred (100) foot road allowance;
  - c. within seventy-five (75) feet from the centre line of any one hundred and fifty (150) foot road allowance;
4. No building shall be situated a distance of less than one hundred and fifty (150) feet from the centre line of any road. No building shall be situated a distance of less than three hundred (300) feet from the intersection of any roads. This section does not apply with respect to buildings situated prior to the passing of this bylaw.
5. Pursuant to Section 364 of *The Municipalities Act*, Council may direct the owner to remove the offending structure or fence within a time stated in a written order.
6. Pursuant to Section 365 of *The Municipalities Act*, the owner may appeal an order made pursuant to section 5.
7. Where an owner to whom an order has been directed under the provisions of Section 5 hereof fails to comply with the order within the time specified therein, the provisions of Section 366 of *The Municipalities Act* shall apply, and Council may, by resolution, direct such removal to be carried out at the owner's expense by the agents or employees of the Municipality, and the Municipality may recover the expense of such removal by action or by adding it to the taxes of the parcel on which the order has been made.
8. Subject to section 7 hereof, Council may by resolution, provide for the removal, at the expense of the Municipality, of any brush, trees, or shrubs growing on private property; or stones, stone piles, portable structures, machinery, fences, or other objects placed on private property;
  - a. within one hundred and fifty (150) feet from the centre line of any road;  
or
  - b. within three hundred (300) feet from the intersection of two or more roads

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9. Every resolution passed under Sections 7 and/or 8 hereof shall designate the private property to which it relates.
10. Nothing in Section 8 hereof shall apply with respect to brush, trees, or shrubs planted more than five (5) years prior to the passing of this bylaw, where such brush, trees, or shrubs are:
  - a. used as a shelterbelt; and
  - b. are situated within one hundred and fifty (150) feet but more than seventy-five (75) feet from the centre line of a road at a place other than an intersection of roads.
11. Any agent or employee of the Municipality appointed by Council to carry out the provisions of Sections 7 and/or 8 hereof shall have power for that purpose only, to enter upon the private property involved.
12. Any person who obstructs or interferes with an agent or employee of the Municipality while said agent or employee is engaged in carrying out the provisions of Sections 7 and/or 8 hereof, or who interferes with any work carried out by or for the municipality, shall be liable on summary conviction to the penalties imposed in the General Penalty Bylaw of the Municipality, being Bylaw No. 3/14.
13. Any person who contravenes the provisions of this bylaw is guilty of an offense and liable on summary conviction to the penalties imposed in the General Penalty Bylaw of the Municipality, being Bylaw No. 3/14.
14. Bylaw No. 2/65 is hereby repealed.
15. This bylaw shall come into effect pending all required approvals.



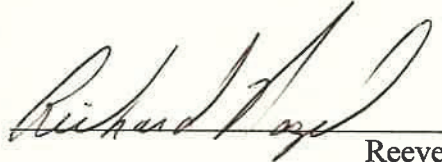
  
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 Reeve

  
 \_\_\_\_\_  
 Administrator

Read a third time and adopted  
 this 13<sup>th</sup> day of October, 2016.

Certified a true copy of Bylaw No. 5/16  
 adopted by Resolution of Council on  
 the 13<sup>th</sup> day of October, 2016.



  
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 Reeve

  
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 R.M. Administrator