

## **PUBLISHED BY AUTHORITY**

Pursuant to the power conferred by Section 414(2) of the Municipalities Act, 1999, c. M-24, and all other powers enabling it, the Town Council of Paradise has made the following regulations, hereinafter known as the Town of Paradise Nuisance Regulations. These regulations shall come into effect as of the 24th day of October, A.D. 2008.

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**Ralph Wiseman, Mayor**

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**Joyce Moss, Town Clerk**

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## **NUISANCE REGULATIONS**

1. These regulations may be cited as the Town of Paradise Nuisance Regulations.
2. Any and all previous Nuisance Regulations for the Town of Paradise are hereby repealed and of no further force or effect.
3. In these regulations, unless the context otherwise requires:
  - (a) “Act” means the Municipalities Act, 1999 as amended;
  - (b) “Council” means the Town Council of the Town of Paradise;
  - (c) “Inspector” means any person authorized by Council to enforce the provisions of Municipal Regulations, including the officers of the Town or their delegates.
  - (d) “Town” means the Town of Paradise as defined in the Town of Paradise Order, 1999 under the Act (O.C. 99-529);
  - (e) “Person” means any firm, corporation, company, partnership, club, society, association or individual;

- (f) “Owner” means as owner or lessee of real property within the Town, and includes any agent, tenant or occupier.
  - (g) “Nuisance” means anything, in the opinion of Council or an Inspector, that endangers life or health, gives offence to the sense, violates the laws of decency or obstructs reasonable and comfortable use of property in any way.
4. No person shall at any time cause to occur or participate in raucous or unseemly behavior or create any other nuisance.
  5. No owner of any property in the Town shall knowingly permit or allow any nuisance or raucous or unseemly behavior to occur on the owner’s property.
  6. Pursuant to section 404(1)(j) of the Act, Council or an Inspector may issue and serve an Order to cease the nuisance to any person in breach of these Regulations.
  7. Notwithstanding section 6, Council may forego the issuance of an Order and levy a fine if in its discretion an Order is not appropriate in the circumstances.
  8. Pursuant to Section 419(1)(j) of the Act, any person who contravenes or fails to comply with any provision of these regulations is guilty of an offence and is liable on summary conviction as provided in Section 420(1) of the Act, which states:
    - (a) For a first offence to a fine of not less than \$100.00 and not more than \$500.00 or to a term of imprisonment of not more than one month or to both the fine and imprisonment.
    - (b) For a subsequent offence to a fine of not less than \$500.00 and not more than \$1,000.00 or to a term of imprisonment or not more than three months or to both the fine and imprisonment.
  9. Pursuant to Section 419(2), each day upon which the same offence is committed or continued is a separate offence.
  10. If a court of competent jurisdiction should declare any section or part of a section of these Regulations to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the Regulations and it is hereby declared that the remainder of the Regulations shall be valid and shall remain in force.