

RURAL MUNICIPALITY OF GIMLI BY-LAW NO. 2026-0010

**BEING a By-Law of the Rural Municipality of Gimli to establish
Property maintenance standards for Dwellings, Structures,
Properties and Derelict Vehicles**

WHEREAS section 231 of *The Municipal Act* (the "Act") gives broad authority to Council and their right to govern the municipality in whatever way Council considers appropriate, within the jurisdiction under the Act and other Acts, and to enhance the ability of Council to respond to present and future issues in the Municipality;

AND WHEREAS section 232(1) the Act provides the spheres of jurisdiction in which a Council may pass by-laws for municipal purposes including but not limited to the safety, health and protections of people, the safety and protection of Property, activities or things on private Property, Property adjacent to highways and municipal roads, as well as enforcement;

AND WHEREAS section 232(2) of the Act provides, without limiting the generality of section 232(1), that Council may in a by-law, regulate and prohibit;

AND WHEREAS section 233 of the Act provides further direction for activities or things in or on private Property including, the requirement that land and improvements be kept and maintained in a safe and clean condition; the parking and storing of vehicles, including the number and type of vehicles that may be kept or stored and the manner of parking and storing; the removal of top soil; and activities or things that in the opinion of Council are or could become a nuisance, which may include noise, weeds, odors, unsightly Property, fumes and vibration;

AND WHEREAS Division 3 of the Act provides details for the enforcement of by-laws;

AND WHEREAS it is deemed expedient to pass a bylaw for the purpose of maintaining a standard of maintenance for dwellings and other structures, and regulating and abating nuisances, unused vehicles, litter, and unsightly properties.

NOW THEREFORE the Council of the Rural Municipality of Gimli in session assembled enacts as follows:

1. BY-LAW NAME

- 1.1 This By-law shall be cited as the "Property Maintenance Standards By-Law".

2. DEFINITIONS

- 2.1 **ANIMAL AND AGRICULTURAL WASTE** means manure, crop residues and like material from agricultural pursuits, stables, kennels, veterinary establishments and other such premises.



- 2.2 BOULEVARD means, that portion of a highway, on either side or in the centre thereof, that is adjacent to the traveled portion thereof or incorporates a ditch or a swale in a residential area which may be leveled and maintained for the purpose of improving the appearance of the highway
- (a) by the planting thereon of grass, flowers, trees, or shrubs, or all or any of those things, or
 - (b) by paving or otherwise surfacing it, or
 - (c) by treating part thereof as stated in clause (a), and part thereof as stated in clause (b), and by regularly cutting the grass thereon, if any, and trimming, pruning, or otherwise caring for the trees, shrubs, and flowers;
- 2.3 COUNCIL means, council duly elected in the Rural Municipality of Gimli.
- 2.4 DERELICT VEHICLE means, any vehicle that;
- (a) it is not in operating condition
 - (b) it does not have attached and exposed thereon, on or more permit plates issued under The Highway Traffic Act for the current registration year under
 - (c) it is kept in the open, and
 - (i) the owner thereof either has abandoned it; or
 - (ii) the owner is keeping primarily for the purposes of salvaging or selling parts there from, or the eventual sale thereof as scrap metal; and a derelict vehicle also includes the body or chassis of a used motor vehicle all or some of the parts of which have been removed, and to which clauses under the derelict vehicle apply
- 2.5 DESIGNATED OFFICER means a person prescribed by a By-Law of the Municipality as a Designated Officer and includes but is not limited to the By Law Enforcement Officer, Building Inspector, Fire Inspector, or any other person or agency employed by or acting for the Municipality and is partially or wholly responsible for public safety, fire safety, building safety and/or property standards within the Municipality.
- 2.6 DWELLING means a building or portion of a building designed for and intended to be used for residential occupancy.
- 2.7 FENCE means a railing, wall or other means of enclosing a yard and includes barriers and retaining walls.



- 2.8 GARBAGE means Animal and Agricultural Waste, vegetable waste, including food packaging material and residual food materials, resulting from the handling, preparation, cooking and servicing of foods in the household, institutions and commercial concerns, and market waste resulting from the handling, storage and selling of foods in wholesale and retail stores and markets.
- 2.9 HAZARDOUS WASTE means a product, substance, or organism that
- (a) is prescribed, designated, or classified as hazardous waste in the regulations or
 - (b) by its nature conforms to the classification criteria for one or more classes of hazardous wastes as set out in the regulations (Dangerous Goods Handling and Transportation Act and Regulations)
- 2.10 HEALTH HAZARD means
- (a) a condition of a place or premises
 - (b) a plant, animal or other organism
 - (c) a substance or thing
 - (d) a solid, liquid, gas or any combination of them
 - (e) an activity, condition, or process
- that presents or might present a threat to public health (Provincial Health Act)
- 2.11 LITTER means waste products that have been disposed of improperly at an inappropriate location, usually unsightly, likely to cause a public health hazard or nuisance, unacceptable and/or offensive in light of community standards of cleanliness or generally accepted neighborhood aesthetics.
- 2.12 MUNICIPALITY means the Rural Municipality of Gimli.
- 2.13 NUISANCE means any condition which is or may become injurious or prejudicial to health or hinder the suppression of disease, or which is offensive.
- 2.14 OCCUPIER means a person who, with respect to a piece of land, is a lessee, licensee, invitee, permittee, purchaser, homesteader, pre-emption entrant or squatter and includes a party claiming through or under such person (Municipal Assessment Act);



2.15 OWNER or REGISTERER OWNER means

- (a) the owner of an estate in fee simple in land that is subject to the Real Property Act
- (b) the owner of an estate in fee simple in land that is not subject to the Real Property Act and who is the grantee named in a valid conveyance of land that is registered under the Registry Act; or
- (c) is registered under The Condominium Act as the owner, as defined in that Act, of a unit under that Act (Municipal Assessment Act)

2.16 PERSON means, an individual, firm, partnership, association, corporation, company or organization, of any kind.

2.17 PROPERTY means assessable property and includes both real Property and personal Property pursuant to The Municipal Assessment Act.

2.18 PUBLIC PLACE means any roadway, sidewalk, boulevard, alley, or other public way, and any public park, square, space, ground, or building that is owned by, or under the control and jurisdiction of, the Municipality and is intended for public use.

2.19 PUBLIC RESERVE means land that has vested in the Municipality and has been dedicated or designated for public purposes as a public reserve under applicable legislation, an approved development plan, subdivision approval, or other applicable planning instrument, and includes shore lands designated as public reserve.

2.20 REPAIR includes taking the necessary action to bring any building or other structure up to the standards required by this bylaw or any other municipal by-laws, as amended from time to time.

2.21 ROADWAY means, any place or way including any structure forming part thereof, which the public is ordinarily entitled or permitted to use for the passage of vehicles, with or without fee or charge therefore, but does not include a highway, or an area designed or intended and primarily used for the parking of vehicles.

2.22 SIDEWALK means, footpath, whether or not paved or improved, that is intended primarily for the use of pedestrians and that either

- (a) forms part of that portion of a highway that lies between the curb line or, if there is none, the lateral boundary line of the highway, and the adjacent Property lines; or
- (b) the straight production of the adjacent property lines to the curb line or if there is none, to the lateral boundary line, of an intersecting highway;

2.23 STRUCTURE means, anything constructed or erected with a fixed location on or below the ground, or attached to something having a fixed location on the ground and includes buildings, walls, light standards and similar items. Examples of structures include rails, coach bodies, storage containers, railcars, semi-trailers.

- 2.24 TRAILER means a vehicular portable structure designed to be used as a temporary accommodation for travel, recreational and vacation purposes and which:
- (a) is built on a chassis;
 - (b) is constructed as an integral part of a self-propelled vehicle;
 - (c) is designed to be independent of municipal sewer with its own onboard washroom facility and electrical services
- 2.25 UNSIGHTLY PROPERTY means, a Property which is detrimental to the surrounding area, including but not limited to the growth of weeds so that the same becomes a nuisance to adjoining properties.
- 2.26 VACANT PROPERTY means, any Property that does not have a Dwelling, or if there is situated upon said land a Dwelling to which there is no occupancy.
- 2.27 WRITTEN COMPLAINT means, any written report received by any municipal official, by-law enforcement officer/designated officer or Municipal Inspector; or a complaint filed in writing with the municipality or a complaint telephoned to the municipality and recorded in writing by an employee of the municipality in a manner which state the civic address at which the complaint is directed, the nature of the complaint, and the name, address and phone number of the person complaining.

3. APPLICATION

- 3.1 This By-Law applies to all Property and to all Persons, Owners and Occupiers of Property within the Municipality, except those properties exempt by another Act.

4. PROPERTY STANDARDS

ITEMS IN YARDS

- 4.1 No Owner or Occupier of Property shall permit on the Property, and each Owner and Occupier of Property shall keep such Property free and clear of:
- (a) Garbage and Litter including Hazardous Waste;
 - (b) Household appliances whether or not the same are capable of operation and/or furniture;
 - (c) Construction or renovation waste;
 - (d) Unsightly materials, including but not limited to, rusty machinery, parts, accessories, metal or plastic materials;
 - (e) Unsightly, unmaintained or dilapidated building(s) or structure(s) emitting odor and the like matter that may be detrimental to the health, safety and comfort of the residents of the Municipality;



- (f) The storage of Derelict Vehicles, wrecked, dismantled, partially dismantled, inoperative, discarded, or unused vehicles, trailers and other machinery, unless the said Property and/or structure(s) are lawfully used and licensed as a commercial automobile dealership, service center, or salvage operation or farming activity.
 - (g) Regular outdoor burning, the smoke of which causes a nuisance to adjoining properties.
- 4.2 No Person shall set up a tent, or similar shelter or encampment, on any Vacant Property or any Public Place.
- 4.3 Sections 4.2 and 4.4 do not apply to an Owner who owns adjacent lots with at least one lot containing an occupied Dwelling under the same ownership.
- 4.4 No Trailer is permitted to be located on a Property without any existing Dwelling.
- 4.5 A Property that applies for an Accessory Agreement and obtains permission from Council to locate a Trailer on a Property may place a Trailer on the Property for no longer than one (1) year.

TREES SHRUBS AND WEEDS

- 4.6 No Owner or Occupier of Property shall permit such Property, and each Owner and Occupier of Property shall keep such Property free and clear of:
- (a) the growth of weeds as defined in The Noxious Weeds Act so that the same becomes a nuisance;
 - (b) The growth of grass and/or dandelions to a length greater than 6 inches or to a point where dandelions turn to seed;
 - (c) Fallen branches, tree limbs or brush which is unsightly or a fire hazard;
 - (d) Tree limbs, branches, bush, shrubs or sapling, foliage or vegetation, including flowers, extending beyond the owner's Property line, to that of any Boulevard, municipal or public Property, roadway, laneway or public sidewalk;
- all of which shall be determined at the sole discretion of the Designated Officer.
- 4.7 The Municipality has the authority to trim and/or remove obstructions caused by the growth of trees/shrubs located on private Property which abuts Municipal Property. Obstructions shall include any impediment to street lighting, vehicular/pedestrian traffic, Sidewalks, signage, and intersection sight lines. This authority will also apply to those private tree/shrubs whose roots may damage Sidewalks, Boulevards, public Streets, and any infrastructure related to the provision of public utilities.

BOULEVARD MAINTENANCE

- 4.8 Every Owner of Property in the Municipality is required to cut the grass for any Boulevard, Ditch adjoining or adjacent to the Property. Where public reserves are not accessible unless private land needs to be accessed the adjacent Property Owner is responsible to cut the grass on the public reserve.

BUILDING AND OCCUPANCY

- 4.9 No Owner or Occupier shall permit Property, Buildings or structures to remain in a condition which may cause Health Hazards or be a danger to occupiers or other persons.
- 4.10 No Owner or Occupier shall permit Property to drain inadequately to a public drain or permit the pooling of standing water. No surface drainage shall be discharged on stairs or neighboring Property.
- 4.11 No Person shall cause ruts on Property, whether vehicle related or otherwise, which causes drainage concerns.
- 4.12 No Owner or Occupier or Person shall permit any deposit of any materials or matter on his Property which may cause an odor which is offensive to surrounding Property owners.
- 4.13 No Owner or Occupier of Property shall permit the dumping of earth, snow or any other matter from their Property onto any approach, Sidewalk, roadway, or neighboring Property, any public or municipal owned Property. Snow removal by a private contractor for the sole purpose of clearing of private Property must be removed from the property and taken to an approved municipal dump site by the private contractor at the time of clearing.
- 4.14 Every Property and Building shall be maintained free of rodents, vermin and insects.
- 4.15 Every foundation wall forming part of a Building shall be maintained in good repair and structurally sound so as to prevent entrance of moisture, insects or rodents.
- 4.16 Every part of a Building shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and load.
- 4.17 Every structure, porch, shed, stairway and Fence, in or on any premises, shall be maintained in good repair so that no component thereof is broken, loose, rotted, warped, or out of alignment, so as to prevent danger to neighbors and other persons.
- 4.18 Roofs for all structures must be kept in good repair, loose or unsecured objects, including dangerous accumulations of snow or ice or both, must be removed from the roof of a building.
- 4.19 All eavestroughing and rain water piping shall be water-tight and be kept by the Owner

of the premises in good repair.

- 4.20 All rain water from the roof of any building shall be properly disposed of in a such aa manner as to prevent dampness or damage that, in the opinion of a medical officer or inspector may be injurious to health.
- 4.21 A walk way must be provided from the principle entrance of every building to a public street or driveway ensuring access to a public street for emergency personal.
- 4.22 No owner or occupier shall permit any excavation, depression, or watercourse on their Property to hold standing water.

5. LITTER ON PUBLIC PROPERTY

- 5.1 No Person shall sweep, dump or otherwise deposit Litter or Garbage into any gutter, Boulevard, roadway or other Public Place without the written permission of the Designated Officer.
- 5.2 Persons owning or occupying Property shall keep the sidewalk and Boulevard in front of and flanking, and the land at the rear or the Property, free of Litter and Garbage.

6. COMPLAINT

- 6.1 Any Person may allege a violation of this By-Law by filing a Written Complaint with the Municipality, in such form and with such particulars as the Municipality may from time to time require.

7. ENFORCEMENT

- 7.1 Upon receipt of a complaint, a Designated Officer shall inspect the Property alleged to be in violation, in such a manner as reasonably necessary in order to determine whether or not there has been a violation of this By-Law.
- 7.2 The Designated Officer for the Municipality is authorized to enter any land or Property during reasonable hours to inspect for conditions that may be in contravention to this by-law.
- 7.3 Any Designated Officer may determine a violation of this By-Law.
- 7.4 This By-Law shall be enforced by the Municipality's General Enforcement By-Law, as amended from time to time.

8. REPEALS AND COMING INTO EFFECT

- 8.1 That By-Law No. 18-0005 of the Rural Municipality of Gimli is hereby repealed.



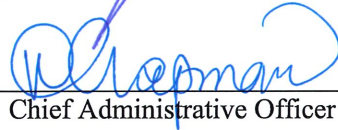
8.2 This By-Law comes into effect on the day it is passed.

DONE AND PASSED by the Council of the Rural Municipality of Gimli, assembled in Gimli, in the Province of Manitoba, this 11th day of September A.D., 2026

THE RURAL MUNICIPALITY OF GIMLI



Mayor Kevin Chudd



Chief Administrative Officer Diana Chapman

Read a first time this 12th day of August, A.D., 2026

Read a second time this 9th day of September, A.D., 2026

Read a third time this 11th day of September, A.D., 2026