

RURAL MUNICIPALITY OF WHISKA CREEK NO. 106
BYLAW NO. 177 - 2019

Setback Distance Bylaw

**A BYLAW RESPECTING THE DISTANCE FOR THE SITUATING OF BUILDINGS
AND THINGS FROM MUNICIPAL ROADS AND INTERSECTIONS IN THE
RURAL MUNICIPALITY OF WHISKA CREEK NO. 106**

The Council of the Rural Municipality of Whiska Creek No. 106 in the Province of Saskatchewan enacts as follows:

1. Title

1.1 This bylaw may be cited as the “Setback Distance Bylaw”.

2. Purpose

2.1 The purpose of this bylaw is to provide for the setback distance for buildings and things from the municipal road allowance in the *Rural Municipality of Whiska Creek No. 106*

3. Definitions

3.1 In this bylaw the expression:

- a) “**administrator**” means the administrator for the *Rural Municipality of Whiska Creek No. 106*;
- b) “**road**” shall mean any road allowance within the *Rural Municipality of Whiska Creek No. 106* other than:
 - i. a private road;
 - ii. a provincial highway;
 - iii. a road or highway within the following hamlets; namely Pambrun

4. Administration of this Bylaw

4.1 The administrator shall be responsible for the administration of this bylaw.

5. Setback from Municipal Road Allowance

5.1 All buildings shall be setback a minimum of one hundred and fifty feet (150 ft.) or 45.72 metres from the centre line of any municipal road.

6. Setback from an Intersection of a Municipal Road

6.1 All buildings shall be setback a minimum of one hundred and fifty feet (150 ft.) or 45.72 metres from the intersection of any municipal roads.

7. Setback Distance for Other Things

7.1 Trees, shrubs, stone piles, portable structures, machinery or other objects, such as wells, dugouts or reservoirs on private property shall also adhere to the setback distance as stated in this bylaw.

8. Discretionary Consideration

8.1 Notwithstanding the minimum setback requirements in Sections 5(5.1), 6(6.1), and 7(7.1), the setback distance may be decreased at Councils discretion if there is a need for the decrease, such as natural features.

9. Existing Structures

9.1 Where a building or thing has been erected on or before the effective date of this bylaw having less than the minimum setback required by this bylaw, the building may be enlarged, reconstructed, repaired or renovated provided that:

- i. the enlargement, reconstruction, repair or renovation does not further reduce the setback distance that does not conform to this bylaw; and

- ii. all other applicable provisions of this bylaw are satisfied; and
- iii. such changes must be approved by Council

10. Offences and Penalties

10.1 Any person guilty of any infraction to any of the provisions of this bylaw shall upon summary conviction, be liable to a fine:

- *as per the General Penalty Bylaw of the Rural Municipality of Whiska Creek No. 106*

11. Severability

11.1 Each section of this bylaw shall be severable. If any provision of this bylaw is held to be illegal or invalid by a court of competent jurisdiction, the provision may be severed and the illegality or invalidity shall not affect the validity of the remainder of the bylaw.

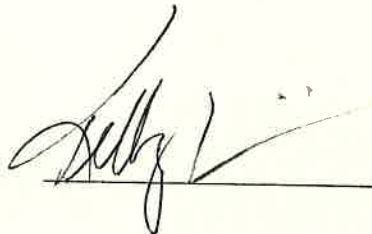
12. Repeal Previous Bylaw

12.1 That Bylaw #37 is hereby repealed.

13. Effective

13.1 This bylaw shall come into force and effect upon the day of its final passing.





Reeve



Administrator

Read a third time and adopted this 15th day of January 2019



Certified to be a true copy of Bylaw 177 – 2019
Adopted by the Rural Municipality of Whiska Creek
No. 106 on this 15th day of January 2019.



Administrator