

Abandoned Vehicles

VILLAGE OF LIPTON BYLAW NO 4, 2009 A BYLAW TO PROVIDE FOR THE REMOVAL AND DISPOSAL OF ABANDONED VEHICLES

The Council of the Village of Lipton in the Province of Saskatchewan enacts as follows:

1. This bylaw shall be referred to as the Abandoned Vehicles Bylaw.
2. In this bylaw:
 - a) “Administrator/Clerk” shall mean the administrator/clerk of the municipality;
 - b) “Council” shall mean the council of the municipality;
 - c) “Municipality” shall mean the Village of Lipton;
 - d) “Vehicle” shall mean a vehicle as described in *The Traffic Safety Act*;
3. The council of the municipality may declare a vehicle to be an abandoned vehicle if:
 - a) the vehicle has been left or placed on a street, public place or land or building owned or controlled by the municipality for **10** days or more; and
 - b) after reasonable inquiry, the owner of the vehicle cannot be ascertained.
4. Upon declaration that a vehicle is an abandoned vehicle, the council may order:
 - a) that the said abandoned vehicle removed to a place which shall be determined by the council; and
 - b) that the said abandoned vehicle shall, subject to Sections 6, 7 and 8 of this bylaw, be:
 - i) sold;
 - ii) destroyed; or
 - iii) otherwise disposed of as the council may decide.
5. If, pursuant to Section 4 of this bylaw, the council decides to sell, destroy or otherwise dispose of an abandoned vehicle, it shall undertake reasonable efforts to determine if a security interest is registered against the vehicle.
6. The council shall provide notice to the holder of a security interest by registered mail of the fact that the vehicle is abandoned and:
 - a) after the expiration of **30** days, the municipality intends to sell the abandoned vehicle; or
 - b) after the expiration of **14** days, the municipality intends to destroy or otherwise dispose of the abandoned vehicle.
7. The holder of the security interest in an abandoned vehicle may, within the time described above, redeem the vehicle by reimbursing the municipality for the costs incurred to:
 - a) remove and impound the vehicle;
 - b) discover the security interest; and
 - c) notify the holder of the security interest.
8. The municipality shall publish a notice in a newspaper circulating in the municipality describing the abandoned vehicle and council’s decision with respect to the sale, destruction, or other disposal of the vehicle at least 15 days before the sale, destruction or other disposal of the vehicle if:
 - a) the municipality determines that no security interest is registered against the abandoned vehicle; or

- b) the holder of a security interest in the abandoned vehicle does not redeem the vehicle as provided within Section 7 of this bylaw.
- 9. When an abandoned vehicle is sold pursuant to this bylaw, the proceeds of the sale are to be applied against the costs incurred pursuant to this bylaw and any balance remaining forms part of the general funds of the municipality, subject to any lawful claim.
- 10. Bylaw # 5, 1996 is hereby repealed.

[SEAL]

Mayor

Administrator/Clerk

Clauses 8(1)(b), (c), (d) and (g) *The Municipalities Act*

Read a third time and adopted
this 9th. day of July, 2009

Clerk