

TOWN OF WATSON LAKE
BYLAW 2026-01

**A BYLAW TO REGULATE VACANT AND UNOCCUPIED
BUILDINGS IN THE TOWN OF WATSON LAKE**

WHEREAS Sections 265 and 266 of the Municipal Act provides that the Council of the Town of Watson Lake may by bylaw, regulate, prohibit, and impose requirements in relation to buildings and other structures; and,

WHEREAS the Council deems it appropriate to require property owners to safeguard, secure and protect vacant and unoccupied buildings from property damage, unauthorized entry or occupation for the protection of persons and property;

NOW THEREFORE the Council of the Town of Watson Lake in open meeting duly assembled hereby ENACTS AS FOLLOWS:

1.0 Short Title

This Bylaw may be cited as the “Vacant and Unoccupied Buildings Bylaw”.

2.0 Interpretation

In this Bylaw,

“Building” means any structure used or intended for supporting or sheltering any use or occupancy;

“Building Inspector” means individual(s) designated by the Town as a Building Inspector;

“Bylaw Enforcement Officer” means individual(s) appointed as a Bylaw Enforcement Officer for the Town of Watson Lake;

“Catastrophic Event” means a rare and unforeseeable ecological, environmental, or man-reasonable control of the Owner, but which does not include loss or unavailability of financial resources of the Owner;

“Council” means the Council of the Town of Watson Lake;

“Fire Chief” means the person who is appointed as head of the Watson Lake Fire Department, or their designate;

“Inspector” means and includes:

- a. Fire Chief;
- b. Deputy Fire Chief;
- c. Building Inspector;
- d. Members of the Royal Canadian Mounted Police;
- e. Bylaw Enforcement Officer;

- f. Any person acting under the direction and authority of an Inspector or the Chief Administrative Officer for the purposes of this bylaw;

“Owner” means and includes:

- a. The registered and/or beneficial owner of the real property on which the building is situated;
- b. The owner of a building;
- c. The person managing or receiving the rent of the land or the building, or who would receive the rent if the land and building were let, whether on the person’s own account or as agent or trustee or receiver of any other person;
- d. A vendor of the building under an agreement for sale who has paid any municipal taxes thereon after the effective date of the agreement;
- e. Any person receiving installments of the purchase price if the building were sold under an agreement for the sale; and
- f. A lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the building;

“Vacant or Unoccupied Building” means any building which may include vacant, abandoned, or derelict buildings that may have one or more of the following characteristics:

- a. A building for which the water and/or electricity service has been intentionally discontinued, other than for temporary maintenance, repair, or upgrading, so that the condition of the premises is not suitable for human habitation or other occupancy that is normally permitted;
- b. A building that is being inhabited by squatters or by persons not lawfully entitled to enter the property for the purpose of temporary shelter;
- c. A building where the Owner or person in care and control of the property has deemed it unoccupied;
- d. A building or any part of a building, which has remained unoccupied by the Owner or any occupant lawfully entitled to occupy the building, for a continuous period of over sixty (60) days; or,
- e. A building that is in such condition, by reason of want of repair, environmental damage, age, or dilapidated condition, as to pose a danger to public safety, health or welfare, or is a fire hazard.

3.0 Requirements for Vacant and Unoccupied Buildings

- 3.1 Every owner of a building in the Town of Watson Lake shall maintain the building in accordance with the requirements of this Bylaw.
- 3.2 No person shall allow a building to stand vacant and unoccupied for more than sixty (60) consecutive days unless the building complies with Section 3.3 of this Bylaw or the vacancy is otherwise authorized under Section 4 of this Bylaw.

3.3 Except as authorized under Section 4 of this Bylaw, every Owner of real property that contains a building that has been vacant and unoccupied for more than sixty (60) consecutive days must:

- a. Secure the building in compliance with the standards set out in Schedule "A", attached to and forming part of this Bylaw;
- b. Maintain the building in compliance with the standards set out in Schedule "B", attached to and forming part of this Bylaw; and
- c. Within 30 days of an Order by an Inspector, maintain \$2,000,000 in liability insurance and obtain a Vacant and Unoccupied Building Regulation Permit.

4.0 Exemptions

4.1 No person shall allow a building to stand vacant and unoccupied for more than sixty (60) days unless the person is in compliance with Section 3.3 of this Bylaw or one of the following applies:

- a. The building is the subject of an active building permit for repair, rehabilitation, or demolition, and the owner is progressing diligently to complete the repair, rehabilitation, or demolition; and the owner is complying with the Maintenance Standards required under Schedule "B" of this Bylaw while the building is being repaired, rehabilitated or demolished;
- b. The building is ready for occupancy and is actively being offered for sale, lease, or rent at fair market value. The building is to be supplied with minimum utilities to maintain the proper functioning of the facilities as well as to prevent damage to mechanical and plumbing facilities from freezing. In addition, the owner must also ensure:
 - i. that all combustible materials within a vacant and unoccupied building are removed to reduce any potential fire load;
 - ii. there is no illegal occupancy; and,
 - iii. there is no existence of rodents or any other potential health or safety risks to the municipality.
- c. The Inspector determines that the building does not constitute a nuisance or hazardous condition requiring building permits for remedial work or demolition.

5.0 Inspections of the Exterior of Vacant and Unoccupied Buildings Without Notice

5.1 An Inspector may enter onto land without notice and without the consent of the owner in order to monitor a building that is boarded or appears to be vacant and unoccupied in order to determine:

- a. whether the building is vacant and unoccupied;
- b. whether a vacant and unoccupied building is to be secured; and,
- c. whether the building complies with this Bylaw.

6.0 Other Inspections

6.1 Without limiting the authority set out in Section 5, an Inspector is authorized to enter at all reasonable times on any property subject to this Bylaw, to ascertain whether any regulations or directions contained herein are being observed.

7.0 Inspector May Issue Orders and Impose Requirements

7.1 Where an Inspector reasonably believes any building on a property is vacant and unoccupied for more than sixty (60) consecutive days, the Inspector will notify the owner in writing and order the owner to do one or more of the following:

- a. apply for a Vacant and Unoccupied Building Regulation Permit; or,
- b. apply for a Building Permit to demolish or to renovate a building so that it is in a state of safe occupancy in that it complies with the Town's General Maintenance Bylaw and territorial and federal building codes and standards.

7.2 The Inspector's powers under Section 7.1 are applicable notwithstanding the exemptions set out in Section 4 of this Bylaw where the Inspector reasonably believes any building on a property is vacant and unoccupied and constitutes a fire risk or a safety hazard.

8.0 Vacant and Unoccupied Building Regulation Permit

8.1 In order to obtain a Vacant and Unoccupied Building Regulation Permit, an owner of a building must:

- a. apply to the Inspector for an inspection within 30 days of receiving an Order by the Inspector;
- b. provide an address for service of notices and Orders during the period that the Permit is valid and thereafter, provide prompt notice of any change in the address given for service;
- c. pay the permit fee as established within the Fees and Charges Bylaw;
- d. provide the Inspector with a copy of the Certificate of Insurance required in Section 3.3; and,
- e. ensure that all combustible materials within the vacant and unoccupied building are removed to reduce any potential fire load.

8.2 Upon completion of the requirements in Section 8.1, the owner may obtain from the Town, a Vacant and Unoccupied Building Regulation Permit for a period of 12 months from the date it is issued. The Permit is automatically transferred to the next Owner of the property but for clarity, it retains its original expiry date.

8.3 An Owner must display a Vacant and Unoccupied Building Regulation Permit in a prominent location as determined by the Inspector.

9.0 Partial Refund of Fees

9.1 The owner holding a Vacant and Unoccupied Building Regulation Permit is entitled to a prorated refund of the permit fee, if the building, subject to the permit, is remediated or demolished within 6 months of registration. Any outstanding fees, utility charges or

penalties imposed on the Owner pursuant to this or another Bylaw shall be deducted from any refund paid.

10. Monitoring Inspections Following Issuance of a Vacant and Unoccupied Building Regulation Permit

10.1 Every owner with a Vacant and Unoccupied Building Regulation Permit shall allow for entry of an Inspector, at least every 90 days, into a vacant and unoccupied building for the purposes of ensuring:

- a. the building is secured against unauthorized entry as per Schedule "A" of this Bylaw;
- b. the building is maintained as per Schedule "B" of this Bylaw;
- c. that all combustible materials within a vacant and unoccupied building are removed to reduce any potential fire load;
- d. there is no illegal occupancy; and,
- e. there is no existence of rodents or any other potential health or safety risks to the Town.

10.2 Once a Vacant and Unoccupied Building Regulation Permit has been issued, no additional or subsequent Vacant and Unoccupied Building Regulation Permit may be issued in respect of the building until and unless the Inspector or their Delegate has approved an additional Permit to be issued under Section 11.

11.0 Inspector or Delegate May Order Additional Permit to be Issued

11.1 Upon application by an owner in possession of a valid Vacant and Unoccupied Building Regulation Permit and payment of any outstanding fees or penalties, an Inspector may direct an additional Vacant and Unoccupied Building Regulation Permit be issued in respect of the building, that is effective upon the expiry of the original Vacant and Unoccupied Building Regulation Permit.

11.2 In determining whether to approve an additional Permit, the Inspector or their delegate must consider:

- a. whether the building creates a hazard or nuisance to adjacent buildings, the property, and the surrounding neighbourhood;
- b. the viability and credibility of the owner's plans to bring the building into compliance and maintain it thereafter in compliance with this Bylaw and other Bylaws;
- c. the likelihood that the building will be re-occupied or demolished in the future; and,
- d. the owner's record of compliance or non-compliance with this Bylaw and other Bylaws of the Town.

11.3 In approving the issuance of an additional Vacant and Unoccupied Building Regulation Permit, the Inspector or their Delegate may impose any terms and conditions it considers reasonable. The Permit will be valid for up to 12 months.

11.4 An additional permit issued under Section 11.2 is conditional upon payment as described in the Fees and Charges Bylaw.

12.0 Additional Compliance Orders

- 12.1 If, in the opinion of the Inspector, an owner of the building fails to comply with a requirement of this Bylaw, the Inspector may issue a written Order requiring that the owner bring the building into compliance with the provisions of this Bylaw within such time as the Inspector considers appropriate in the circumstances.
- 12.2 Notice of an Order issued under Section 12.1 of this Bylaw must state:
 - a. the civic address of the subject property;
 - b. the legal description of the subject property;
 - c. the particulars of the non-compliance with this Bylaw to be remedied;
 - d. that the non-compliance with this Bylaw must be remedied within thirty (30) days of the date of delivery of the Order, or a shorter time period if the Inspector determines it is reasonable and necessary; and,
 - e. that if the owner or occupant fails to comply with the Order, the Town may, without further notice, proceed to carry out the work required, and the cost of such work will be added to the taxes of the real property, and the owner or occupant or both may be subject to prosecution for an offence under this Bylaw.

13.0 Notice by the Town

- 13.1 The Inspector may serve any notice or Order under this Bylaw as follows:
 - a. by registered mail addressed to the owner as recorded in the property records of the Town; or,
 - b. by hand-delivering it to the owner of the real property that is subject to the notice; or,
 - c. if the Inspector is unable to effect notice pursuant to either (a) or (b) above, by posting it on a conspicuous place on the real property that is the subject of the notice and the notice shall then be deemed to be validly and effectively served for the purposes of this Bylaw at the expiration of 5 days immediately following the date the notice was posted.
- 13.2 Service of any notice or Order under this Bylaw will be considered sufficient if a copy of the notice or Order is provided as set out in Section 13.1 of this Bylaw and no liability or responsibility other than that set out in accordance with this Bylaw rests with the Town to prove delivery of the notice.

14.0 Town May Carry-Out Work Required

- 14.1 If an owner fails to comply with an Inspector's compliance Order within the time period specified in the notice, the Town, by its workers or others, may at all reasonable times and in a reasonable manner, enter the property and bring about such compliance at the cost of the defaulting owner. Costs by the Town to achieve compliance with the Bylaw may include, but are not limited to, administrative costs, costs to attend property by Town employees or its contractors, and the costs of removal, clean-up and disposal.
- 14.2 If an owner defaults in paying the cost referred to in Section 14.1 to the Town within ninety (90) days after receipt of a demand for payment from the Town, the Town may either recover

from the owner, in any court of competent jurisdiction, the cost as a debt due to the Town, or direct that the amount of the cost be added to the real property tax roll as a charge imposed in respect of work or service provided to the real property of the owner and be collected in the same manner as property taxes.

15.0 Remedial Action Requirements

15.1 Without limiting the foregoing, if at any time the Inspector determines that the vacant and unoccupied building is a nuisance or creates a hazard, an Inspector may impose a remedial action requirement in accordance with territorial or federal building standards, which may include, in part, a requirement that the owner demolish the vacant and unoccupied building. The Owner may seek reconsideration by Council of a remedial action requirement within thirty (30) days of receiving the Order by the appeal process set out in section 17 of this Bylaw.

16.0 Offence

16.1 Every person who violates a provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of or in violation of any provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by any provision of this Bylaw, is guilty of an offence against this Bylaw and is liable to the penalties imposed under this Bylaw.

16.2 An Officer of the Town shall enforce the provisions of this bylaw.

16.3 Each day that a violation continues to exist may be deemed to be a separate offence against this Bylaw.

16.4 Any person who commits an offence under this bylaw is, in addition to any other punishment, liable on summary conviction to:

- a. a voluntary fine under section 20 of the *Summary Convictions Act*, issued in respect of any offence specified in Schedule "A" attached hereto and forming part of this bylaw.
- b. a fine not exceeding five hundred dollars (\$500.00) where proceedings are commenced pursuant to the *Summary Convictions Act* of the Yukon.
- c. A fine not exceeding ten thousand dollars (\$10,000.00) where proceedings are commenced pursuant to the summary conviction provisions of the *Criminal Code of Canada*, as amended.

16.5 Should any person refuse or neglect to pay any fees or penalties that have been levied pursuant to this bylaw, by the thirty-first (31st) day in December on the same year, such fees or penalties shall be added to and form part of taxes for the property for which the business is registered.

17.0 Appeal

17.1 Any person may appeal an order in writing to Council within thirty (30) days after the decision was rendered.

17.2 The right of appeal shall be barred and extinguished if not received in writing by Council within the thirty (30) day period set out in this bylaw.

18.0 Severability

18.1 If any section, subsection, clause, sub-clause or phrase of this Bylaw is for any reason held to be invalid, unlawful or unenforceable by the decision of any Court of competent jurisdiction, that section, subsection, clause, sub-clause or phrase shall be struck from the Bylaw and its severance shall not affect the validity of the remaining portions of this Bylaw.

Read a First time this 20th day of January, 2026

Read a Second time this ____ day of _____, 2026

Read a Third time and Finally Passed this ____ day of _____, 2026

Lauren Hanchar – Mayor

Tiffany Lund – Municipal Clerk

DRAFT

SCHEDULE "A"
Vacant and Unoccupied Buildings Bylaw

The owner of a vacant and unoccupied building must comply with either Part 1 or Part 2 of this Schedule "A" as follows:

Part 1:

In order to comply with Part 1 of Schedule "A", the owner of a vacant and unoccupied building must ensure that:

- a. all exterior doors to the vacant and abandoned building are operational, fit tightly within their frames when closed, and are locked so as to prevent entry;
- b. all windows are either permanently sealed or locked so as to prevent entry;
- c. all windows, doors, basement and attic hatchways and their frames are so constructed and maintained to completely exclude rain and substantially exclude wind from entering the building; and,
- d. all windows are in good repair.

Part 2:

In order to comply with Part 2 of Schedule "A", the owner of a vacant and abandoned building must ensure that the following requirements are met:

- a. all doors, windows and other openings, other than the principal entrance at the basement and main (first) floor levels must be covered with a solid piece of plywood, at least 11 millimeters thick;
- b. the principal entrance must be covered with a solid piece of plywood, at least 11 millimeters thick, adequately secured with screws at least 50 millimeters in length, spaced not more than 150 millimeters on centre;
- c. windows, doors and other openings at the second or third floor level must be covered with a solid piece of plywood, at least 9.5 millimeters thick and secured with screws at least 50 millimeters in length, spaced not more than 150 millimeters on centre;
- d. plywood applied to openings must be installed and maintained in a way that is weather-tight and must be protected from the elements; and,
- e. all floors above the first floor must be rendered inaccessible to entry by raising fire escapes and ladders to a height of at least four meters or guarding them in some other manner acceptable to an Inspector.

SCHEDULE “B”
Vacant and Unoccupied Buildings Bylaw

The Owner of a vacant and abandoned building must comply with the Town of Watson Lake General Maintenance Bylaw and the following maintenance standards of this Schedule “B” as follows:

1. The exterior of every building must be constructed, repaired and maintained in a manner that:
 - a. ensures the integrity of the building envelope to safeguard, secure and protect the building from unauthorized entry or occupation, property damage, the weather, and from infestations of insects, rodents and other pests;
 - b. prevents a substantial depreciation in property values in the immediate neighbourhood.
2. All exterior surfaces must consist of materials that provide adequate protection from the weather.
3. All exterior walls must be free of holes, breaks, loose or rotting boards or timbers and any other condition which might permit the entry of unauthorized persons, insects, rodents or other pests to the interior of the wall or the interior of the building.
4. The exterior of every building must be free of graffiti;
5. Loose material must be removed from exterior walls, doors, and window openings.
6. Roof drainage must be controlled in order to eliminate or minimize runoff to neighbouring properties that:
 - a. accumulates or causes ground erosion;
 - b. causes dampness in the walls, ceilings or floors of any portion of any neighbouring building; and,
 - b. accumulates on sidewalks or stairs in a manner so as to create a hazardous condition.
7. Loose or unsecured objects and materials, including accumulations of snow or ice or both that are likely to fall on passerby or are likely to result in the collapse of the roof, must be removed from the roof of a building or an accessory building.