



CITY OF YELLOWKNIFE
BY-LAW NO. 5135

BG 85

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife in the Northwest Territories, to regulate vacant buildings.

PURSUANT TO sections 3, 4, 70, 72, 140, 141, 143-149, 151, and 152 of the *Cities, Towns and Villages Act*, SNWT 2003, c 22;

WHEREAS the Council of the Municipal Corporation of the City of Yellowknife deems it advisable to pass a by-law to regulate Vacant Buildings;

NOW, THEREFORE, THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE CITY OF YELLOWKNIFE, in regular sessions duly assembled, enacts as follows:

SHORT TITLE

1. This by-law may be cited as the “Vacant Buildings By-law”.

INTERPRETATION

2. In this By-law:

“Act”	means the <i>Cities, Towns and Villages Act</i> , S.N.W.T. 2003, c.22, as amended;
“Building”	means any structure having a roof supported by columns or walls and intended for shelter, housing or enclosure;
“Building Permit”	means a permit issued under the Building By-law to perform work regulated by the Building By-law;
“Officer”	means an individual who is appointed in accordance with the <i>Cities, Towns and Villages Act</i> as a by-law officer to enforce the by-laws of the City and any Peace Officer who is entitled by law to enforce the by-laws of the City;

“Catastrophic Event”	means a rare and unforeseeable ecological, environmental, or man-made incident which results in substantial damage or loss to real property, which was outside of the reasonable control of the Owner, but which does not include a loss, or the unavailability, of financial resources of the Owner;
“City”	means the Municipal Corporation of the City of Yellowknife, in the Northwest Territories;
“City Manager”	means the Senior Administrative Officer of the City of Yellowknife or their designate appointed pursuant to the Cities, Towns and Villages Act, S.N.W.T. 2003, c22 as amended from time to time;
“Deputy Fire Chief”	means the person who is appointed the City’s Deputy Fire Chief pursuant to the Emergency Response and Fire Protection Services By-law.
“Fire Chief”	means the person who is appointed the City’s Fire Chief pursuant to the Emergency Response and Fire Protection Services By-law.
“Inspector”	means: a) the Manager, Lands & Building Services; b) a building inspector within the Lands & Building Services Division c) the Fire Chief; d) the Deputy Fire Chief; e) an Officer; or f) any person acting under the direction and authority of an Inspector or the City Manager for the purposes of this Bylaw.
“Owner”	Includes but is not limited to: a) the registered 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 or is required under the agreement for sale to pay municipal taxes, after the effective date of the agreement;
- e) any person receiving installments of the purchase price if the Building or land is sold under an agreement for 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;

“Seasonal Basis”

means a Building which is occupied by an Owner or a lawful occupant as a part-time residence, and is occupied for at least six months per calendar year;

“Vacant Building”

means any Building that is vacant, abandoned, or derelict or which exhibits one or more of the following characteristics or conditions:

- a) a Building in respect of which the water and/or electricity service has been intentionally discontinued, other than for alteration, repair or demolition, so that the condition of the premises is not suitable for human habitation or other permitted occupancy;
- b) a Building that is being inhabited by squatters, or other persons not authorized by the Owner 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 notified the City that it is unoccupied, or otherwise intends that it be 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 more than sixty days without an active Building Permit; or

- e) a Building which poses a danger to public safety, health or welfare, or is a fire hazard, due to its physical condition, including but not limited to, want of repair, lack of utility services, environmental damage, contents, age or dilapidated condition;

“Vacant Building Permit”

Means a Vacant Building Permit issued in accordance with this By-law.

SCHEDULES

- 3. This By-law includes the Schedule annexed hereto, and the Schedule form part of this By-law.

REQUIREMENTS FOR VACANT AND UNOCCUPIED BUILDINGS

- 4. Every Owner of a Vacant Building in the City shall maintain a Vacant Building in accordance with the requirements of this By-law.

VACANT BUILDING PERMIT

- 5. Subject to Section 19, an Owner of a Vacant Building shall apply for and maintain in force a valid Vacant Building Permit.
- 6. In order to obtain a Vacant Building Permit, an Owner of a Building shall submit a complete application, in the form approved by the City, which shall include:
 - (1) the Owner’s contact information;
 - (2) the legal description of the property;
 - (3) the municipal address of the property;
 - (4) a site plan, service plan, and photographs of the property;
 - (5) an inspection report prepared for the property by the Inspector or a contractor pre-approved by the Inspector in an inspection report form approved by the Inspector, if the report is prepared by the Inspector, the Owner shall also include proof that they have paid the Inspection fee set out in the Fees & Charges By-law;
 - (6) the application fee as set out in the Fees and Charges By-law;

- (7) proof of insurance for the Vacant Building of a minimum of \$3,000,000.00 in general liability insurance, or for such other amount or type of insurance the City may require; and
 - (8) any additional information deemed necessary by the Inspector.
- 7. Once the Inspector is satisfied that the City has received a complete application, the Inspector may:
 - (1) issue the Owner a Vacant Building Permit upon payment of the Vacant Building Permit fee; or
 - (2) refuse to issue the Vacant Building Permit and provide the Owner with written reasons as to why the Vacant Building permit was not issued.
- 8. The Inspector may place additional conditions on a Vacant Building Permit as the Inspector determines to be appropriate in the circumstances.
- 9. Despite section 7(1), a Vacant Building Permit may be issued without payment of the Vacant Permit Fee if the Building became a Vacant Building:
 - (1) due to a Catastrophic Event;
 - (2) as a result of the Owner being in full-time care in an accredited hospital, hospice, long-term care facility, assisted living residence, or home for special care; or
 - (3) as a result of the death of the Owner.

SUBSEQUENT PERMITS

- 10. An Owner who possesses a Vacant Building Permit for a Building which will remain a Vacant Building beyond the expiry of the Vacant Building Permit shall, no later than 60 days before the expiry of the current Vacant Building Permit, apply for a subsequent Vacant Building Permit for that same Building.
- 11. Despite section 10, an Owner who possesses a valid Vacant Building Permit may apply for a subsequent Vacant Building Permit less than 60 days before the expiry of that Vacant Building Permit, if they have paid the Expired Permit fee set out in the Fees and Charges By-law.
- 12. The Inspector may issue the Owner a subsequent Vacant Building Permit if, in the Inspector's opinion, it is appropriate to do so and the Inspector is satisfied that the Owner:
 - (1) has paid the proper Vacant Building Permit fee as set out in the Fees and Charges By-law;
 - (2) has no outstanding fees or penalties owing under this By-law; and

- (3) has provided the Inspector with any additional information deemed necessary by the Inspector in their application for a subsequent Vacant Building Permit.
13. The Inspector may place any new conditions on a subsequent Vacant Building Permit as the Inspector determines to be appropriate in the circumstances.
14. When deciding whether to approve a subsequent Vacant Building Permit, the Inspector may consider:
- (1) whether the Vacant Building creates a hazard or nuisance;
 - (2) the viability of the Owner's plans, if any, to remediate or demolish the Vacant Building;
 - (3) the Owner's record of compliance with this By-law and other by-laws;
 - (4) the number of Vacant Building Permits already issued to the Owner; and
 - (5) such further and other information as the Inspector determines to be appropriate in the circumstances.
15. If a subsequent Vacant Building Permit is not granted, the Inspector shall provide the Owner with a reasonable amount of time, as determined by the Inspector in their sole discretion based on the circumstances, to take the steps necessary to ensure the Building is no longer a Vacant Building.

COMPLIANCE WITH PERMIT

16. Every Owner of a Vacant Building that is the subject of a Vacant Building Permit shall:
- (1) secure the Vacant Building against unauthorized entry;
 - (2) cause the Vacant Building to be supplied with the utilities required to maintain the proper functioning of the facilities within the Building, including, but not limited to, the utilities required to prevent damage from freezing;
 - (3) keep the Vacant Building's fire alarm and/or fire suppression systems in operation and good repair;
 - (4) maintain the Vacant Building in accordance with all applicable law, including the Fire Prevention Act (NWT), by-laws, and any other public safety and fire prevention standards or requirements or as directed by an Inspector;
 - (5) remove all combustible materials stored within the Vacant Building from the Vacant Building;

- (6) ensure there is no unauthorized occupancy of the Vacant Building and take steps to remove unauthorized occupants from the Vacant Building;
- (7) take reasonable steps to prevent infestation by rodents, insects or other pests; and
- (8) provide the Inspector with written notice in advance of any change in ownership of the property or change in the address of the Owner.

17. Every Owner possessing a Vacant Building Permit must:

- (1) have the Vacant Building subject to that permit inspected by either the Inspector or a contractor pre-approved by the Inspector every 30 days to ensure the Vacant Building remains in compliance:
 - a. with this By-law; and
 - b. the conditions included in the Vacant Building Permit,

Such Inspection shall be recorded in an Inspection report form approved by the Inspector;

- (2) maintain a written record of the monthly inspections, including date, time and persons attending, which shall be maintained for the duration that the permit is in effect and for a period of one year after termination of the permit, and which shall be provided to the City for inspection upon demand; and
- (3) maintain, and upon request, provide proof, that the Owner and Vacant Building are insured for a minimum of \$3,000,000 in general liability insurance, or for such other amounts or types of insurance required by the Vacant Building Permit.

EXCEPTIONS

18. Despite section 5, an Owner of a Vacant Building is not required to obtain a Vacant Building Permit if the Vacant Building:

- (1) is the subject of an active and unexpired Building Permit for the construction, repair, rehabilitation, or demolition and in the opinion of the Inspector, is progressing diligently to complete that construction, repair, rehabilitation, or demolition;
- (2) has been approved for occupancy and is actively being offered for sale, lease, or rent at fair market price and has not been offered for sale, lease, or rent for more than 90 days within a calendar year; or

(3) is occupied on a Seasonal Basis.

INSPECTIONS OF VACANT BUILDINGS

19. An Inspector may, for the purposes of ensuring that the provisions of this By-law are being complied with, may, upon reasonable notice, or without notice in the case of an emergency, enter in or upon a property to carry out an inspection in accordance with:
- (1) section 140 of the *Act*; or
 - (2) if in the opinion there exists an imminent danger to public health or safety, section 144 of the *Act*.
20. Any person who Interferes with an Inspection under section 20 of this By-law has contravened this By-law.
21. In the event an Inspector is unable to complete an Inspection pursuant to section 20 of this By-law, the City may seek judicial relief pursuant to section 141 of the *Act*.

INSPECTOR MAY ISSUE NOTICES AND ORDERS

22. Where an Inspector reasonably believes a Building is a Vacant Building, the Inspector may issue the owner a notice in writing instructing the Owner to take steps necessary to ensure:
- (1) compliance with this By-Law; or
 - (2) that the Building is not a Vacant Building,
- within the time limit set out in the notice.
23. Where, in an Inspectors' sole discretion, a Vacant Building represents an imminent danger to public health or safety, the Inspector may, in accordance with section 144 of the *Act*, issue a written order directing the Owner to take any action or measure necessary to remedy the danger to public health and safety.

NOTICE BY THE CITY

24. Unless otherwise required by the *Act*, the Inspector may serve any notice or order under this By-law as follows:
- (1) by registered mail addressed to the Owner as recorded in the property records of the City;

- (2) by hand-delivering it to the Owner of Vacant Building that is subject to the notice, or by mailing a copy to the registered and records office of the Owner if the Owner is a registered company or society; or
- (3) if the Inspector is unable to effect notice pursuant to either (a) or (b) above, by posting to the Vacant Building that is the subject of the notice or order and the notice or order shall then be deemed to be validly and effectively served for the purposes of this By-law 5 calendar days immediately following the date the notice or order was posted.

25. Unless otherwise required by the *Act*, service of a notice or order under this By-law will be considered sufficient if a copy of the notice or order is provided as set out in Section 25 of this By-law and no liability or responsibility other than that set out in accordance with this By-law rests with the City to prove delivery of the notice or order.

CITY MAY CARRY-OUT REQUIRED WORK

26. If an Owner fails to comply with an Inspector's notice made pursuant to section 23 within the time period specified in the notice, the City, including any employee, agent or contractor of the City, may on reasonable notice to the Owner, or immediately in the case of an emergency, enter the real property and take all necessary steps to bring about such compliance in accordance with section 140 of the *Act*.
27. If an owner fails to comply with an order made pursuant to Section 144 of the *Act*, the City, including any employee, agent or contractor of the City, may on reasonable notice, to the Owner, or immediately in the case of an emergency, enter the real property and take all necessary steps to bring about such compliance in accordance with section 147 of the *Act*. The City may recover all costs incurred by the City to achieve compliance, including, but not limited to, administrative costs, costs to attend the property by City employees, agents or contractors, and the costs of any works conducted at the property to bring the property into compliance with this By-law, including all removal, clean-up and disposal costs in accordance with section 149 of the *Act*.

FIRE PREVENTION

28. The Owner of a Vacant Building shall:
- (1) Comply with all terms and conditions associated with the Vacant Building Permit intended to reduce or prevent a risk of fire where the structure is the subject of a Vacant Building Permit or subject to a permit exemption under this By-law; and
 - (2) Take all steps necessary to ensure that the Vacant Building does not pose a fire risk where the structure is not the subject of a Vacant Building Permit or a permit exemption under this By-law

REMEDIAL ACTION

29. Nothing in this By-law shall be read as limiting the City's ability to seek any of the remedies available to it under the *Act*.

OFFENCE

30. Every person who:

- (1) Being the Owner of a Vacant Building, does not possess a valid and subsisting Vacant Building Permit for that structure;
- (2) Being the Owner of a Vacant Building, does not maintain that Vacant Building in accordance with the terms and conditions of the Vacant Building Permit issued for that structure or the requirements of this By-law;
- (3) Interferes with any inspection or enforcement action taken pursuant to this By-law;
- (4) Fails to comply with the fire prevention obligations imposed by section 29 of this By-law;
- (5) Fails to comply with the requirements of a notice issued pursuant to section 23 or an order issued pursuant to section 24, within the time limit for compliance set out in that notice or order; or
- (6) Otherwise contravenes this By-law.

is guilty of an offence and is liable, on conviction, to the penalties imposed under this By-law for that offence.

31. Each day that a violation continues may be deemed to be a separate and continuing offence under this By-law.
32. Every Owner who commits an offence under this By-law is liable, on summary conviction, to a fine of up to:
- (1) \$2,000.00 for an individual; and
 - (2) \$10,000.00 for a corporation.
33. Under the *Summary Conviction Procedures Act*, RSNWT 1988, c S-15, an Officer may issue a summary offence ticket information to any person who violates any provision of this by-law. The person receiving the summary offence ticket information may pay the City a fine as outlined in Schedule "A" attached within the time limit provided in place of appearing in answer to the summons.

SEVERABILITY

34. If any section, subsection, clause, sub-clause or phrase of this By-law 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 By-law and its severance shall not affect the validity of the remaining portions of this By-law.

EFFECT

35. That this by-law shall come into effect on January 1, 2027 and otherwise meets the requirements of Section 75 of the *Cities, Towns and Villages Act*.

Read a First time this 24 day of June, A.D. 2026.

<Original Signed by the Mayor>

Mayor

<Original Signed by the City Manager>

City Manager

Read a Second Time this 22 day of July, A.D. 2026.

<Original Signed by the Mayor>

Mayor

<Original Signed by the City Manager>

City Manager

Read a Third Time and Finally Passed this 22 day of July, A.D. 2026.

<Original Signed by the Mayor>

Mayor

<Original Signed by the City Manager>

City Manager

I hereby certify that this by-law has been made in accordance with the requirements of the *Cities, Towns and Villages Act* and the by-laws of the Municipal Corporation of the City of Yellowknife.

<Original Signed by the City Manager>

City Manager

**CITY OF YELLOWKNIFE
BY-LAW NO. 5135
SCHEDULE A**

VOLUNTARY FINE AMOUNTS

Section	Offence	Penalty	
		Individual	Corporations
31(1)	Failure to possess a valid Vacant Building Permit	\$1,500	\$10,000
31(2)	Failure to maintain a Vacant Building in accordance with a Vacant Building Permit or in accordance with the Vacant Building By-law	\$1,000	\$5,000
31(3)	Interference with an Inspection or enforcement action taken pursuant to the Vacant Buildings By-law	\$1,000	\$5,000
31(4)	Failure to Comply with the fire prevention obligations imposed by the Vacant Buildings By-law	\$1,000	\$5,000
31(5)	Failure to comply with the requirements of a Notice or Order issued pursuant to the Vacant Buildings By-law within the required time frame	\$1,000	\$5,000
31(6)	Contravenes the Vacant Buildings By-Law	\$1,000	\$5,000