

VILLAGE OF ANMORE

BYLAW NO. 188-1996

A bylaw to establish standards for the
maintenance of real property

WHEREAS Section 932(b) of the Municipal Act, R.S.B.C. 1979 c. 290, as amended, permits Council to prohibit nuisances and provide for the recovery of the cost of abatement of nuisances from the person causing the nuisance;

AND WHEREAS Section 932(g) of the Municipal Act, R.S.B.C. 1979 c. 290, as amended, permits Council by bylaw to prohibit persons from causing or permitting water, rubbish or noxious, offensive or unwholesome matter to collect or accumulate around their premises, and from depositing or throwing bottles, broken glass or other rubbish in any open place;

AND WHEREAS Section 932(h) of the Municipal Act, R.S.B.C. 1979 c. 290, as amended, permits Council by bylaw to prohibit the owners or occupiers of real property from allowing property to become or to remain untidy or unsightly, and require the owners or occupiers of real property, or their agents, to remove from it any accumulation of filth, discarded materials or rubbish of any kind;

AND WHEREAS Section 932(h.1) of the Municipal Act, R.S.B.C. 1979 c. 290, as amended, permits Council by bylaw to require the owners or occupiers of real property to remove unsightly accumulations of filth, discarded materials, rubbish or graffiti;

AND WHEREAS Section 932(k) of the Municipal Act, R.S.B.C. 1979 c. 290, as amended, permits Council by bylaw to require the owners or occupiers of real property, or their agents, to clear the property of brush, trees, noxious weeds or other growths;

NOW THEREFORE the Council of the Village of Anmore, in open meeting assembled,
ENACTS AS FOLLOWS:

1. This bylaw may be cited for all purposes as "Anmore Property Maintenance Bylaw No. 188-1996".
2. In this bylaw:
 - (a) Building Licence Bylaw means the Anmore Business Licence Bylaw No. 14-1988, as it may be amended or replaced;
 - (b) Bylaw Enforcement Officer means the person or persons designated or appointed by Council to enforce this bylaw or bylaws generally;
 - (c) Untidy or Unsightly includes but is not limited to:
 - (a) the accumulation of building material on any property other, than premises licenced as a building material wholesaler or retailer under the "Village's Business Licence Bylaw, unless the owner or occupier of the property is in

possession of a valid building permit for that property or unless the accumulation is stored in a closed building.

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- (b) the accumulation of filth, discarded materials or rubbish of any kind, including but not limited to dead animals, paper, cardboard, tin cans, manure, crockery, glass, bags and appliances;
 - (c) the accumulation or deposit of discarded or fallen building materials, including the surface covering or coating material of a building or structure, or the building or structure itself or part thereof which is missing all or a portion of its surface, covering or coating material;
 - (e) the presence of graffiti, whether in the form of pictures or words, on real property or on the surface of premises or real property;
 - (f) the accumulation of garbage not contained in a covered container or that is in a receptacle which permits access by animals.
3. No person shall cause or permit rubbish or noxious, offensive or unwholesome matter to collect or accumulate around premises that they own or occupy.
 4. No person shall deposit or throw bottles, broken glass or other rubbish in any open place.
 5. No owner or occupier of real property shall cause or permit that property to become or to remain Untidy or Unsightly.
 6. Every owner and occupier of real property, or his agent, shall remove from the property all accumulations of filth, discarded materials and rubbish.
 7. Every owner of a building or structure on real property is required to remove from the real property all accumulations or deposits of fallen or discarded building materials from that real property.
 8. No owner or occupier of real property or a highway shall cause or permit any activity on that property or highway to create or cause a nuisance. For the purpose of this section, a nuisance means the unreasonable interference with the use and enjoyment of one or more parcels by an activity on another parcel or highway.
 9. A person who breaches a provision of this bylaw commits an offence.
 10. An person found guilty of a breach of this bylaw shall be liable upon summary conviction to a penalty not exceeding Two Thousand Dollars (\$2,000.00) for each offence, and every day during which there is a breach of this bylaw shall constitute a separate offence.

11. Where any person fails to comply with Sections 5, 8 and 10 of this bylaw, the Bylaw Enforcement Officer may give written notice to that person to comply within fourteen (14) days of delivery of a notice, with such delivery to be by personal delivery to that person or registered mail addressed to the address of the property or the last known address of the owner of the property. In the event of the failure of that person to comply with the notice within fourteen days of receipt of delivery, the Village may, by its employees or agents, enter the property and effect the removal of the subject matter of the notice at the expense of the owner.
12. The cost of effecting any removal or enforcement pursuant to Section 13 of this bylaw shall be due and payable by the person in default immediately upon removal or enforcement, as the case may be, and if such charge remains unpaid on December 31 in the year in which it was incurred, the charge will be added to and form part of the taxes payable on the subject property of the removal or enforcement as taxes in arrears.
13. The Bylaw Enforcement Officer may at all reasonable times enter upon any property in the Municipality in order to ascertain whether the regulations and requirements of this bylaw are being observed.
14. If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this bylaw.

READ a first time this 23rd day of September, 1996 A.D.

READ a second time this 23rd day of September, 1996 A.D.

READ a third time this 23rd day of September, 1996 A.D.

RECONSIDERED AND FINALLY PASSED AND ADOPTED this 16th day of October, 1996 A.D.

“H. Weinberg”

MAYOR

“H. Carley”

CLERK