

DISTRICT OF METCHOSIN

BYLAW 474

A B Y L A W

To prohibit unsightly premises within the Limits of the District of Metchosin

The Council of the District of Metchosin in open meeting assembled pursuant to Section 64 the *Community Charter* enacts as follows:

1. Citation

This bylaw may be cited as the “**Unsightly Premises Bylaw, 2004, No. 474**”.

2. Definitions in this Bylaw:

“Bylaw Enforcement Officer” means persons appointed by the Council as a Bylaw Enforcement Officer

“Council” means Council of the District of Metchosin

“Filth, Discarded Materials or Rubbish” means:

- any and all manner of garbage
- discarded or disused materials
- filth, noxious, offensive or unwholesome matters
- unused or stripped automobiles, trucks, trailers, boats, vessels, machinery, mechanical or metal parts not stored in a manner that denotes value
- bottles or glass.

“Graffiti” means drawing, printing or writing scratched, sprayed, painted or scribbled on a wall or other surface, but does not include a sign for which a permit has been issued by the District of Metchosin

“Premises” means any lot, block or other area in which land is held or in to which it is subdivided

“Public View” means visible from a highway or by occupants of adjacent property.

“Metchosin” means the District of Metchosin

3. Appearance of Real Property

- (1) No owner or occupier of a real property shall cause or permit filth, discarded materials or rubbish to collect or accumulate around their premises
- (2) No owner or occupier of a real property shall allow their premises to become or to remain unsightly from public view.

(3) No person shall place graffiti on walls, fences or elsewhere on or adjacent to a public place.

(4) No person shall deposit or throw bottles, broken glass or other rubbish in any open space.

4. Removal Requirements

Owners or occupiers of a real property, or their agents, shall remove from it any unsightly accumulation of filth, discarded materials, rubbish or graffiti. Removal is to be done at a reasonable time and in a reasonable manner.

5. Remedial

In default of the owner or occupier of a real property removing from the premises any unsightly accumulation of filth, discarded materials, rubbish or graffiti, Metchoshin, by its employees and agents may enter and effect the removal or clearance at the expense of the owner or occupier defaulting and the charges for doing so, if unpaid on December 31st in any year, shall be added to and form part of the taxes payable on that premises as taxes in arrears.

6. Inspection

Every bylaw enforcement officer is hereby authorized to enter, upon a complaint any premises in Metchoshin at all reasonable times to ascertain whether this Bylaw is being observed.

7. Offence and Fine

A person who contravenes this Bylaw by doing an act that it forbids, or by omitting to do an act that it requires to be done, commits an offence and may be liable to a fine of not less than \$100.00 and not more than a maximum of \$2,000.

8. Severability

If any section, subsection or paragraph of this bylaw is found invalid by a decision of a Court of competent jurisdiction the invalid section, subsection, or paragraph shall be severed without effect on the remainder of the bylaw.

Read a First time this 27th day of September, 2004.

Read a Second time this 27th day of September, 2004.

Read a Third time this 27th day of September, 2004.

Finally passed and adopted this 4th day of October, 2004.

Mayor

Clerk