



Village of Keremeos

Good Neighbour Bylaw No. 810

Consolidated April 19, 2023

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**VILLAGE OF KEREMEOS
GOOD NEIGHBOUR BYLAW
NO. 810**

Revised April 19, 2023

**CONSOLIDATED FOR CONVENIENCE WITH AMENDMENT BYLAW NO. 810-1,
2015 & 810-2, 2023**

A bylaw to regulate firearms and other weapons, nuisances, disturbances and other activities or things that may be considered a nuisance, disturbance or other objectionable situation or that do not protect or enhance the well-being of the community.

WHEREAS Council deems it desirable to regulate nuisances, disturbances, or other objectionable situations, on private or public property;

AND WHEREAS the *Community Charter* provides that Council may, by bylaw, regulate, prohibit and impose requirements in relation to public places; bows and arrows; the protection and enhancement of the well-being of its community in relation to nuisances, disturbances, and other objectionable situations; public health; and buildings and other structures;

AND WHEREAS the *Community Charter* provides that Council may, by bylaw, regulate or prohibit in relation to the discharge of firearms;

NOW THEREFORE the Council of the Village of Keremeos in open meeting assembled enacts as follows:

PART 1 GENERAL

CITATION

1.1 This Bylaw may be cited as "Good Neighbour Bylaw No.810."

DEFINITIONS

1.2 Definitions for this bylaw are included in Schedule "A" attached to and forming part of this Bylaw.

DESIGNATION

1.3 This Bylaw is designated as a bylaw that may be enforced by means of a municipal ticket information under the *Community Charter*.

PART 2 PROPERTY MAINTENANCE

PRIVATE PROPERTY

- 2.1 No owner of real property shall cause, suffer or permit:
- a) water, rubbish, noxious, offensive, or unwholesome matter to collect or accumulate on the real property;
 - b) rubbish to overflow from or accumulate around any container situated on the real property;
 - c) the real property to become or remain unsightly;
 - d) the accumulation of dead landscaping, vegetation, weeds, noxious weeds or other growths to occur or to remain on the real property;
 - e) graffiti to remain on the real property; or
 - f) the storage or accumulation of a derelict vehicle or derelict vehicles unless stored in an enclosed building or structure.

PRIVATE & PUBLIC PROPERTY

2.2 No person shall:

(Amended by Bylaw 810-2, 2023)

- a) place graffiti or allow graffiti to remain on private property, buildings, structures of any kind, including fences or streets on or adjacent to any public real property;
- b) deposit or throw bottles, broken glass or other rubbish in any open place upon private or public property;
- c) abandon a vehicle on a street or public right of way;

(Amended by Bylaw 810-2, 2023)

- d) cause, suffer, or permit rubbish to blow or otherwise be carried from the real property onto a public place, public area, or other private property;
- e) allow a flow of water from a hose, eave or similar devise on the premise to be directed towards an adjacent private or public property such that the water is accumulating on the adjacent properties; or
- f) allow surface water to drain towards or onto adjacent private or public property.

BOULEVARD & LANE MAINTENANCE

- 2.3 Every owner of real property shall maintain the entire width of the sidewalk or boulevard, and lane within one (1) metre of their property, adjacent to their real property and without limitation shall:
- a) remove accumulations of filth, leaves, rubbish, discarded materials, hazardous objects and materials that obstruct a drainage facility;
 - b) remove all filth leaves, rubbish, discarded materials, hazardous objects and materials from all boulevards and sidewalks;
 - c) in keeping with the reasonable standard of maintenance in the area, keep grassed areas trimmed and irrigated and reasonably free of weeds;
 - d) keep in good repair all driveway crossings;
 - e) trim and maintain all trees and plantings;
 - f) cut, trim or remove any tree, fence, hedge or other item that obstructs or could reasonably be expected to obstruct the vision or safety of all pedestrians, cyclists or vehicles using streets adjacent to the property; and
 - g) where the real property is in a commercial area, as defined in the Village's *Zoning*

Bylaw, every owner of real property shall sweep the sidewalks in front of and adjacent to the real property and remove all accumulations of filth, leaves, rubbish, discarded materials, and hazardous objects and materials from adjacent sidewalks no later than 10:00 AM each day.

- 2.4 No person shall deposit filth, leaves, rubbish, discarded materials, or hazardous objects or materials removed from sidewalks, boulevards, lanes, or private property onto Village property or highways.

SNOW REMOVAL

- 2.5 Every owner of real property in a residential area, as defined in the Village's *Zoning Bylaw*, shall remove all snow or ice from all sidewalks bordering the real property before 6:00 PM each day.
- 2.6 Every owner of real property in a commercial area, as defined in the Village's *Zoning Bylaw*, shall remove all snow or ice from all sidewalks bordering the real property no later than 10:00 AM each day.
- 2.7 Every owner of real property is required to remove snow or ice from the roof or other part of any structure on the property within 24 hours of the cessation of any snowfall or storm event that cause the accumulation, where the location of that structure is such that it is reasonable to expect that the snow or ice on it may fall onto any street.
- 2.8 No person shall deposit snow, ice or other material removed from sidewalks, boulevards, lanes, or private property onto Village property or highways.

EXEMPTIONS (PROPERTY MAINTENANCE)

- 2.9 Where real property is assessed as farm land, it shall not be considered to be unsightly by reason of accumulation of stored materials if those materials are incidental to the operation of a farm.
- 2.10 Where real property is used for industrial or commercial purposes and zoned as such, and where the nature of the business carried on therein requires accumulation or materials that could be considered discarded, but which are necessary for the operation of said business, it shall not be considered to be unsightly by reason of such accumulation if such materials are stored within a screened area so as to not be visible from the outside of the real property.

NOTICE (PROPERTY MAINTENANCE)

- 2.11 If the Bylaw Enforcement Officer deems a property to be in violation of this Bylaw, he may:
- a) serve notice of the violation upon the owner of the real property; or
 - b) serve a Municipal Ticket Information upon the owner of the real property.
- 2.12 Service of a notice under section 2.11 a) must be:
- a) served personally or mailed by prepaid registered mail to the owner of the real property as shown on the current year's real property assessment roll; and

- b) either posted on the real property or delivered or mailed by regular mail to the occupier of the real property.
- 2.13 Notice issued under section 2.11 a) must state:
- a) the civic address of the subject real property;
 - b) the legal description of the subject real property;
 - c) the particulars of the unsightly nature of the real property or other non-compliance with the Bylaw to be remedied;
 - d) the time period in which the unsightly nature of the property or other non-compliance must be remedied; and
 - e) the Village's remedial action(s) if the property remains unsightly after the time period given for compliance.
- 2.14 All owners of real property shall comply within 7 days of the date of such notice for owners that reside within the Village and within 10 days of the date of such notice for those that reside outside of the Village. When a Notice is personally served, it will be deemed to have been served that day and when a Notice is not personally served it is deemed to have been served on the third day after mailing or posting.
- 2.15 Properties that become unsightly again within 15 days of compliance with this Bylaw are deemed to have remained unsightly.

FAILURE TO COMPLY (PROPERTY MAINTENANCE)

- 2.16 If within the time period specified in the Notice, the requirements in the Notice have not been complied with, then:

(Amended by Bylaw 810-2, 2023)

- a) If an owner or person to whom a notice has been issued fails to comply with such notice, the Village may do or cause to be done such acts and things as are necessary to fulfill the requirements of the notice (including entering on the real property, if required), at a cost of the defaulting owner or other responsible person. Such costs shall consist of all costs and expenses incurred by the Village to achieve compliance with this Bylaw including, without limitation, administrative costs, costs to attend the property by Village employees or its contractors and the costs of removal, clean up, storage and disposal. The CAO shall certify all costs incurred by the Village in performing any such obligations, and such costs shall constitute a debt due and owing.
- b) if the owner of real property defaults in paying to the Village the costs referred to in section 2.16 a) and the said account remains unpaid on the last day in the calendar year in which the remedial work was done, the cost shall be added to and form part of the municipal taxes payable in respect of the said real property as taxes in arrears.

APPEAL

- 2.17 A person upon whom a Notice has been served may, by giving notice in writing to the Chief Administrative Officer at least 72 hours prior to the expiry of the time given in the Notice to remedy the nuisance, appeal to the Council who must hear and determine the

appeal by confirming, amending or rescinding the Notice.

PART 3 LITTERING

- 3.1 No person shall:
- a) leave, scatter, dump or dispose of any rubbish, paper, litter, cigarette butt, glass or any other material either solid or liquid in any public place;
 - b) stamp, paint, post, affix or otherwise place or distribute any bill, poster, notice or advertisement on any public property without first having obtained written permission from the Village;
 - c) expectorate, spit saliva, spit tobacco, spit chewing gum, or any other substance in any public place; or
 - d) deface, injure or damage any property or equipment owned by or in the care of the Village in any public place.

PART 4 HEALTH REGULATIONS

- 4.1 No person shall urinate, defecate, deposit or void any urine or excrement in any location within the Village, whether public or private, other than directly into a toilet which is:
- a) connected to a municipal sanitary sewer system;
 - b) connected to a sewage treatment system constructed according to requirements of the Provincial Sewerage System Regulations;
 - c) a self-contained chemical toilet; or
 - d) a recreational vehicle toilet connected to a holding tank.
- 4.2 No owner shall permit or cause water to collect or accumulate in an open drain, watercourse, pond, swimming pool, hot tub or as surface water which could become sufficiently stagnant as to permit the breeding of mosquitoes that may result in the spread of the West Nile Virus or of other harmful disease bearing insects as deemed affecting public safety as determined by the Medical Health Officer.

(Amended by Bylaw 810-1, 2015)

(Amended by Bylaw 810-2, 2023)

PART 5 FIREARMS, BOWS & FIREWORKS

- 5.1 No person shall discharge any firearm or bow within the Village.

EXEMPTIONS (FIREARMS & BOWS)

- 5.2 The provisions in Section 5.1 do not apply to:
- a) peace officers required to discharge firearms in the line of duty; and
 - b) designated officials of the Ministry of Environment Conservation Officer Service, acting within their capacity to control and/or destroy wildlife within the Village.

(Amended by Bylaw 810-2, 2023)

- c) any person firing a bow when instructing, participating or assisting in a practice, program, event, or competition which is supervised by a competent adult and sanctioned by a recognized community group, school, municipal, provincial or federal association for the promotion of the sport, or cultural component, of archery.

- 5.3 Every person listed in section 5.2 above, when discharging a firearm or using a bow

within the limits of the Village, shall do so only with due regard for the safety and security of other residents, visitors and occupants of the Village.

(Amended by Bylaw 810-2, 2023)

- 5.4 No person shall sell, discharge or explode any fireworks within the Village of Keremeos without written notification to the Fire Chief provided 48 hours in advance of the discharge or exploding of fireworks. The Fire Chief may impose terms and conditions as deemed necessary.

PART 6- NOISE REGULATIONS

6.1 General Prohibitions:

- a) no person shall make or cause, or permit to be made or caused, any noise in or on a highway or other public place in the Village which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity of that place.
- b) no owner shall allow or permit such real property to be used so that noise or sound which occurs on it or emanates from it, disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person on the same property or in the neighbourhood or vicinity of that property.

(Amended by Bylaw 810-2, 2023)

6.2 Specific Prohibitions:

Without limiting the generality of Section 6.1 (general prohibitions):

- a) no owner or person shall play or operate, or permit any other person to play or operate, any radio, stereophonic equipment or other instrument or any apparatus for the production or amplification of sound either in or on private premises or on any street or other public place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any persons in the neighbourhood or vicinity of the real property;
- b) subject to subsection 6.3 e), no person shall own, keep or harbor any animal or bird, which by its cries or sounds, unduly disturbs the peace, quiet, rest or tranquility of the surrounding neighbourhood or of persons in the vicinity;
- c) no person may operate, or cause, suffer or permit the operation of any motorized lawn-grooming or garden equipment in the Village before 7:00 AM or after 10:00 PM daily;
- d) no owner or person shall before 6:00 AM or after 10:00 PM construct, erect, reconstruct, alter, repair or demolish, or permit any other person to construct, erect, reconstruct, alter, repair or demolish, any building, structure or thing, or excavate or fill in land in any manner which causes noise or sounds in or on any real property, a street or elsewhere in the Village which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any persons in the neighbourhood or vicinity;
- e) no person being the owner, occupant or tenant of property shall allow or permit or be a party to vice, drunkenness, profane swearing or indecency which disturbs, threatens or intends to disturb or threaten the quiet, peace, rest, security or tranquility of the neighbourhood or of persons in the vicinity.

EXEMPTIONS – NOISE REGULATIONS

- 6.3 Despite anything contained in this Bylaw, no person shall be guilty of an infraction of this Part while:
- a) operating Fire Department, Police, or Ambulance vehicles while in the execution of their duties;
 - b) operating any motor vehicle, generator, machinery or other apparatus or thing during an emergency or for a public purpose or in furtherance of the public interest including snow removal, water main and sewer main repairs and civil defense exercises;
 - c) performing works of an emergency nature for the preservation or protection of life, health or property, provided that the onus shall be on the person performing the work to show cause that the work was of an emergency nature;
 - d) lawfully carrying on a trade or industry at a commercial, industrial or light industrial zoned area, provided that the sound or noise does not exceed the sound or noise common to such trade or industry when carried out in accordance with generally accepted industry standards using equipment and facilities in good operating order;
 - e) carrying out farm operations conducted in accordance with normal farm practices under the *Farm Practices Protection (Right to Farm) Act*;
 - f) operating residential household equipment including, but not limited to, pool pump motors, air conditioning units, exhaust fans, hot tub pumps, provided that the sound or noise does not exceed the sound or noise generally common to such household equipment when in good operating order and being used in accordance with generally accepted standards;
 - g) participating in a parade that is proceeding lawfully with the permission of the Village;
 - h) performing regular highway maintenance, construction, re-construction and rehabilitation activities, authorized by the Ministry of Transportation & Infrastructure conducted by its employees, authorized representatives, agents, contractors and sub-contractors; or
 - i) performing regular maintenance, construction, repairs, sanding, street washing by the employees or contractors of the Village.

SPECIAL PROVISIONS AND EXEMPTIONS

6.4 Mobile Public Address Systems:

No person may operate a mobile public address system without first obtaining permission from the Village.

(Amended by Bylaw 810-2, 2023)

PART 7 REPEAT NUISANCE SERVICE CALLS

- 7.1 Without limitation, no owner or occupier of real property shall cause, allow or permit a nuisance on or from the real property.
- 7.2 Where a member of the RCMP, a Bylaw Enforcement Officer, or other Village of Keremeos official is required to respond to a real property for three or more nuisance service calls within a twelve (12) month period, the owner of the real property shall be liable to pay an

excessive nuisance abatement fee in accordance with the amounts prescribed in the *Fees and Charges Bylaw # 795, 2012*.

- 7.3 Despite section 7.2 of this bylaw, where legal title to the real property is transferred, nuisance service calls occurring before the date the new owner obtains legal title to the real property shall not apply to the determination under section 7.2 of this bylaw whether excessive nuisance abatement fees are payable or with respect to the amount that is payable.
- 7.4 Before imposing an excessive nuisance abatement fee, written notice shall first be provided to the owner of the real property; and
- a) Describing in reasonable detail the nature of the nuisance conduct, activity or condition that occurred, or was maintained or permitted in, on or near the real property; and
 - b) Advising the owner that excessive nuisance abatement fees will be imposed for each additional nuisance service call response to the same real property within the twelve (12) month period following the date of the notice; and
 - c) Advising the owner that the imposition of such fees is in addition to the Village's right to seek other legal remedies or actions for abatement of the nuisance.
- 7.5 Serving of the Notice referred to in Section 7.4 will be sufficient if the notice:
- a) In the case of service on an individual, is served personally or mailed by registered mail to an address of the owner; or
 - b) In the case of service on a corporation, is served personally on a director, officer or manager of the corporation or by leaving it at or mailing it by registered mail to the registered office of the corporation.
- 7.6 Excessive nuisance abatement fees shall be paid by the owner on receipt of an invoice from the Village. If the amount of each invoice is not paid in full before the 31st day of December in the year received, on written notice to the owner, the amount shall be added to and form part of the taxes on the real property, as taxes in arrears.
- 7.7 An owner may, within 30 days of receipt of an invoice demanding payment of excessive nuisance abatement fees, require that Council reconsider the requirement to pay, or the amount of, the excessive nuisance abatement fees, at which time the owner of the real property shall have an opportunity to be heard by Council.

PART 8 ENFORCEMENT AND OFFENCE

(Amended by Bylaw 810-2, 2023)

- 8.1 The following sections of this Bylaw are enforceable by the Village as they relate to the Highway 3 corridor within the Village:
- a) Sections 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10, 3.1, 4.1, 4.2, 5.1, 5.2, 5.3, 6.1, 6.2, 6.3, 6.4, 7.1, 7.2 and 7.3.
- 8.2 Any person who:
- a) violates any provision of this Bylaw, or does any act or thing which violates any

- provision of this Bylaw, or suffers or allows any other person to do any act or thing which violates any provision of this Bylaw;
- b) neglects to do or refrains from doing anything required to be done by any provision of this Bylaw; or
 - c) fails to comply with an order, direction, or notice given under any provision of this Bylaw, or suffers or allows any other person to fail to comply with an order, direction, or notice given under any provision of this Bylaw, is guilty of an offence, which may be enforced by means of a ticket in the form prescribed in the *Community Charter*.
- 8.3 The Bylaw Enforcement Officer may, to the extent necessary to give effect to this bylaw, enter, at all reasonable times, on any property subject to the regulations of Council, to ascertain whether the regulations or directions of this Bylaw are being observed.
- 8.4 No person shall obstruct or interfere with a Bylaw Enforcement Officer in the exercise of his duties.

PART 9 PENALTY

- 9.1 Every person who contravenes a provision of this Bylaw is guilty of an offence and is liable upon summary conviction to a fine not more than ten thousand (\$10,000.00) dollars.
- 9.2 Each day that a contravention of the provisions of this Bylaw exists or is permitted to exist shall constitute a separate offence.

PART 10 INTERPRETATION AND REPEAL

- 10.1 If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed section, subsequent paragraph, subparagraph, clause or phrase.

Repeal

- 10.2 Firearms Control Bylaw 369, 1987 as amended is repealed.
- 10.3 Property Maintenance Bylaw No. 635, 2002 as amended is repealed.
- 10.4 Noise Control Bylaw 636, 2003 as amended is repealed.
- 10.5 Snow Clearing Bylaw No. 605, 2000 as amended is repealed.

Read a first and second time on the 17th day of February, 2014.

Read a third time on the 17th day of February, 2014.

Rescinded third reading on the 3rd day of March, 2014.

Amended at second reading on the 3rd day of March, 2014.

Read a third time as amended on the 3rd day of March, 2014.

Approved pursuant to section 124(13) of the Motor Vehicle Act
this 5th day of August, 2014

Signed by Greg Gilks, Executive Director Transportation Policy and
Norm Parkes, Executive Director Highway Department
for Minister of Transportation & Infrastructure

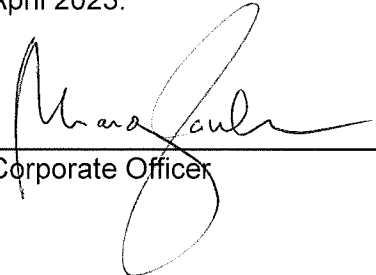
Deposited with the Minister of Health Services pursuant to the *Public Health Act, Community Charter and Local Government Act*.

Adopted on the 18th day of August, 2014.

"Manfred Bauer"
MAYOR

"Laurie Taylor"
CHIEF ADMINISTRATIVE OFFICER

Consolidated under the provisions of the Community Charter to include Bylaw 810-2, 2023.
Printed under the authority of the Corporate Officer of the Village of Keremeos this 19th day of
April 2023.



Corporate Officer

SCHEDULE A

In this bylaw a word importing the masculine gender includes the feminine or neutral, a word importing the singular includes the plural, and in each case, vice versa.

Accumulation means a buildup, growth or collection, either scattered, amassed or piled, existing at the time of inspection;

Boulevard means that portion of highway between the curb or shoulder lines of the lateral boundary lines of a roadway and the adjoining property or between the curbs on median strips or islands, but does not include curbs, sidewalks, ditches or driveways;

Bow includes a long bow, recurve bow, composite bow, compound bow, or cross bow and any arrow used with the bow;

Bylaw Enforcement Officer means the persons duly appointed by Council as such, and shall include any peace officer;

CAO means the Chief Administrative Officer or designate, for the Village of Keremeos;

Container includes a dumpster, rubbish can, rubbish bin or other receptacle designed, intended or used to hold rubbish, discarded materials and debris;

Council means the Council of the Village of Keremeos;

Derelict vehicle means a vehicle or part thereof, propelled otherwise than by muscle power, which:

- (a) is physically wrecked or disabled;
- (b) is not capable of operation under its own power; or
- (c) does not have attached number plates for the current year pursuant to the *Motor Vehicle Act Regulations*;

(Amended by Bylaw 810-2, 2023)

Excessive nuisance abatement fee includes the excessive nuisance abatement fees as prescribed in *Fees and Charges Bylaw No. 795, 2012*;

Filth means foul or putrid matter;

Firearms means any gun, pistol, or any lethal firearm or other weapon using gunpowder or other explosive substance, or discharged by compressed air, or by spring, or combined spring and air, and loaded with ball, shot, slugs, or other destructive material, and capable of inflicting injury or causing damage and includes rifles, pistols, shotguns, air guns, air rifles, air pistols and spring guns;

(Amended by Bylaw 810-1, 2015)

Fire Chief means the Fire Chief of the Keremeos Volunteer Fire Department;

(Amended by Bylaw 810-2, 2023)

Fireworks includes cannon crackers, fireballs, firecrackers, mines, roman candles, skyrockets, squibs, torpedoes and any other explosive designated as consumer or display fireworks by the *Explosive Act, Chapter E-17, RSC 1985* and its amendments and regulations;

Graffiti means writing or pictures scratched, painted or drawn by any means on a wall, fence, building, structures of any kind, sidewalk or road but does not include public art murals that may be approved by resolution of Council from time to time;

Grass shall include plants that are commonly known or referred to as grass and includes clusters of very small, usually wind-pollinated flowers;

Highway includes every street, road, land, boulevard, sidewalk, lane, bridge, viaduct and any other area open to public use and any park, building, private place or passageway to which the public has, or is permitted to have access and includes Highway 3 corridors within the Village of Keremeos;

Lane means a public thoroughfare or way which affords a secondary means of access to a lot at the side or rear;

Mobile public address system means a public address system that can be used or is used while mounted on a motor vehicle, trailer, or other such vehicle;

Noxious weed means any weed designated by regulation to be a noxious weed pursuant to the *Weed Control Act*;

(Amended by Bylaw 810-2, 2023)

Nuisance means any conduct, activity, or condition that unreasonably interferes with a person's use and enjoyment of a public area or land he or she owns or occupies, or which annoys or gives trouble, or is offensive, irritating, or a pest to anyone within the Village, including, but not limited to smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia;

(Amended by Bylaw 810-2, 2023)

Nuisance service calls means a RCMP, Bylaw Enforcement Officer, or other Village of Keremeos official response to and abatement of any nuisance or other activity, conduct or condition occurring on or near real property which substantially and unreasonably interferes with another person's use and enjoyment of a public place or real property occupied by that person, or which causes injury to the health, comfort, or convenience of an occupier of real property and which is caused by or arises from a person's failure to comply with the requirements of this Bylaw;

Offensive matter means physical objects which are objectionable to the public;

Owner means any person who is the registered owner, or owner under agreement, of real property, and includes any person in actual or apparent possession of real property under a lease, licence or other agreement with another owner;

Peace officer has the same meaning as in the *Interpretation Act* and includes a Bylaw Enforcement Officer;

Person includes a natural person, a company, corporation, partnership, firm, association, society, or party and the personal or other legal representatives of a person to whom the context can apply according to law;

Public address system means a sound amplification system, either by megaphone or electronically, used outdoors to disseminate the spoken word and/or music to the public in

general, and includes outdoor sound amplification systems used for purposes of a performance, concert, exhibition or entertainment, but does not include systems used for internal communications in schools and businesses;

Public place includes a highway;

Real property means land, with or without improvements so affixed to the land as to make them in fact and in law a part of the real property, and includes individual premises located on the real property;

Rubbish in addition to its common dictionary meaning and without limiting the generality of that meaning, includes decaying or non-decaying solid and semi-solid wastes, including, but not limited to, both combustible and non-combustible wastes, such as paper, trash, refuse, cardboard, waste material, cans, glass, bedding, mattresses, crates, rags, barrels, boxes, lumber not neatly piled, scrap iron, tin and other metal scrap, paving material, construction and demolition waste, derelict vehicles and other vessels, tires, machinery, mechanical or metal parts, discarded or dilapidated appliances, discarded or dilapidated furniture, ashes from fireplaces and on-site incinerators, yard clippings and brush, wood, dry vegetation, dirt, weeds, dead trees and branches, stumps, and piles of earth mixed with any of the above;

Street means any highway, roadway, sidewalk, boulevard, lane, place, parking lot or entrance way or right of way which the public is ordinarily entitled or may be permitted to use for the passage of vehicles or pedestrians and includes a structure located in any of those areas;

Trees includes shrubs;

Village means the Village of Keremeos;

Unightly in addition to its common dictionary meaning and regardless of the condition of other properties in the neighbourhood, includes property having any one or more of the following characteristics:

- a) the storage, location or accumulation visible to a person standing on a public highway or on nearby property, or in a building or structure, situate on a public highway or nearby property, of filth, rubbish, graffiti or any other discarded materials;
- b) the untidy storage, location or placement of building materials on a site where construction is not taking place, except where they cannot be seen from a public highway or from nearby property, or from a building or structure situated on a public highway or nearby property;
- c) an accumulation of motor vehicle parts or all or part of any motor vehicle which is not:
 - (i) registered and licensed in accordance with the Motor Vehicle Act; or
 - (ii) capable of movement under its own power;
- d) weeds, landscaping or vegetation that is dead or characterized by uncontrolled growth or lack of maintenance, or is damaged; or
- e) any other similar conditions of disrepair, dilapidation, or deterioration.

Unwholesome matter means physical objects which are detrimental to the physical or mental well-being of persons;

Vehicle means a device in, on or by which a person or thing is or may be transported or drawn on a highway, but does not include a device designed to be moved by human power, a device used exclusively on stationary rails or tracks or a motor assisted cycle;

Weed includes brush, trees, noxious weeds and other plant growth that is allowed to come to a state of causing, or about to cause a nuisance and includes any vegetation where its root system, limbs, or shoots intrude into a lane, street or highway in a manner that may impact travel, construction, maintenance levels, safety, longevity or esthetics of the said lane, street or highway.