

# **NUISANCE BYLAW**

## **DISTRICT OF LILLOOET**

### **BYLAW 2006, No. 273**

**Fourth & Final Readings**

**January 22, 2007**

**OFFICE CONSOLIDATION: February 5, 2026**

This document is an office consolidation of the District of Lillooet Nuisance Bylaw 2006, No. 273 (adopted January 22, 2007) and subsequent amendments adopted by District Council.

All persons making use of this consolidation are reminded that it has no Council sanction, that amendments have been incorporated only for convenience of reference, and that for all purposes of interpretation and application that original bylaw should be consulted.

The District of Lillooet will, in no event, be liable or responsible for damages of any kind arising out the use of this consolidation.

This is not the official version of the District of Lillooet Nuisance Bylaw 2006, No. 273, nor is it admissible in a court of law. For such purposes, official certified copies can be obtained from the District Office or by contacting us at: [info@lillooet.ca](mailto:info@lillooet.ca).

### List of Amending Bylaws

<b>BYLAW NO.</b>	<b>SECTION</b>	<b>DESCRIPTION</b>	<b>ADOPTED</b>
2008, No. 304	s. 7(3) s. 15	Replace s.7(3) Construction Adding s.15 maintain fencing	February 4, 2008
N/A	s. 9	The consolidated version had numbering errors in section 9 that were corrected. Numbering in section 9 want from 5 to 12,13, 14, 15 when the correct numbering is 5 to 6, 7, 8, 9. The format of the bylaw, and font, was also updated on this date.	February 6, 2025

## DISTRICT OF LILLOOET

### BYLAW NO.273

#### **A bylaw to provide for the Regulation of Miscellaneous Nuisances**

**WHEREAS** the *Community Charter* provides that Council may regulate, prohibit and impose requirements in relation to the protection and enhancement of the well-being of its community in relation to the matters referred to in section 64 of the *Community Charter* (nuisances, disturbances and other objectionable situations); and

**WHEREAS** the *Community Charter* provides the authority of a council to take Municipal action at the defaulter's expense; and

**WHEREAS** of the *Community Charter* provides that the authority of council may be exercised in relation to nuisances; noise, vibration, odour, dust, illumination or any other matter that is liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public; refuse, garbage or other material that is noxious, offensive or unwholesome; the use of waste disposal and recycling services; the accumulation of water on property; unsanitary conditions on property; drains; trees, weeds or other growths that a council considers should be removed, cut down or trimmed; graffiti and unsightly conditions on property;

NOW THEREFORE the Council of the District of Lillooet in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "**Nuisance Bylaw 2006, No. 273**".
2. The Village of Lillooet "Private Property Maintenance and Nuisance Removal By-Law No. 523, 1989", Village of Lillooet "Sidewalk Cleaning Bylaw No. 375, 1982" and the Village of Lillooet "Anti-Noise By-law No. 307, 1978", and any amendments thereto, are hereby repealed.

### **DEFINITIONS**

3. In this Bylaw, unless the context otherwise requires:

**Boulevard** means the area of a highway between the edge of pavement, sidewalk and/or curb of the roadway and the adjacent property line, and the shoulder of a roadway and the adjacent property line;

**Bylaw Enforcement Officer** means a person appointed by Council to enforce the District of Lillooet Bylaws.

**Council** means the Council of the District of Lillooet;

**District** means the District of Lillooet;

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

**Highway** includes a street, road, lane, bridge, viaduct, and any other way open to public use, but does not include a private right-of way on private property;

**Noise** means a sound, especially one that is loud, harsh, or confused or undesired.

**Noxious Insects** include bees and caterpillars;

**Noxious Weed** means any plant or weed designated under the *Weed Control Act*;

**Nuisance** means any act or omission which obstructs or causes inconvenience or damage to the public or to a segment of the public in the exercise of rights common to members of the public;

**Occupier** has the same meaning as defined in the "*Community Charter*"; **Owner** has the same meaning as defined in the "*Community Charter*"; **Person** means any corporation, partnership or party, and the heirs, executors, administrator, or other legal representatives of such person, to whom the context can apply according to law;

**Plantings** means any tree, shrub, bush or hedge installed as a natural or improved landscape treatment;

**Property** means real property and includes, land, other than a highway, together with all improvements which have been so affixed to the land as to make them in fact and in law a part thereof;

**Rubbish** includes any and all manner of garbage; discarded or disused material; filth, noxious, offensive or unwholesome matter, dirt, gravel, bark mulch or refuse and all discarded, broken or useless items;

**Sidewalk** means a structure for pedestrian use including a walkway, footpath, sidewalk, stairs, ramp and curb letdowns and or the area between the curb lines or lateral lines of a roadway and the adjacent property lines improved for use of pedestrians.

**Unightly** includes but is not limited to:

- a) An accumulation of building material on any property other than premises included in a business licence for building material sales or storage, unless the owner or occupier of the property is in possession of a valid building permit or unless the accumulation is stored in a covered building;
- b) An accumulation of household, commercial or industrial goods, discarded materials or rubbish of any kind including, but not limited to, vehicle bodies and parts, ashes, dead animals, paper, cardboard, tin cans, leaves, wood, bedding, crockery, glass, bags, furniture and appliances.

## NOISE

4. No person shall make or cause, or permit to be made or caused, in or on a highway or elsewhere in the Municipality, any noise or sound which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of two or more persons from separate residences in the vicinity.

5. No owner, tenant or occupier of real property shall allow that property to be used so that a noise or sound, which originates from that property, disturbs the quiet, peace, rest, enjoyment, comfort or convenience of residents in the vicinity.

6. No person shall keep any animal which by its calls, cries, barks, or other noises disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of residents in the vicinity.

7. Without limiting Sections 4 to 6 of this bylaw, the Council believes that the following noises or sounds are objectionable:

- (1) Any calls, cries, barks, or other noises made by an animal which are audible outside the property where the animal is kept, for a period in excess of 10 minutes;
- (2) Any amplified music or speech which is audible outside the property where it originates or is reproduced, between 10:00 p.m. and 9:00 a.m.;
- (3) ~~Any noise caused or emanating from construction activity, including alterations, demolitions, and excavating between the hours of 8:00 p.m. and 9:00 a.m.~~  
Any noise caused or emanating from construction activity, including alterations, demolitions, and excavating between the hours of 10:00 p.m. and 7:00 a.m. except for Saturday night to Sunday morning when the hours will be between 9:00 p.m. and 9:00 a.m.<sup>1</sup>
- (4) Any noise longer than 15 minutes caused or emanating from the operation of a parked or stopped vehicle, locomotive, or reefer between 10:00 p.m. and 9:00 a.m.

And no person shall cause or permit such noises or sounds to be made.

## EXEMPTION

8. This bylaw does not apply to:

- (1) Police, fire or other emergency vehicles proceeding upon an emergency;

---

<sup>1</sup> Nuisance Bylaw Amendment Bylaw 2008, No. 304

- (2) The excavation, construction, or infrastructure work, or repairing of bridges, streets, highways, or lands by the District or agents acting on its behalf;
- (3) The operation of maintenance equipment by the District or agents acting on its behalf;
- (4) Snow removal or highway cleaning operations;
- (5) The operation of a public address system or communications system required under a building code, fire code or Workers Compensation Board requirement;
- (6) A lawnmower, power gardening equipment or chainsaw operated between 7:00 a.m. to 10:00 p.m.;
- (7) A horn from a motor vehicle, boat or train where it is necessary to warn of danger or a hazard;
- (8) An event approved by resolution of Council provided it is within the terms of that approval - i.e.: hours of operation;
- (9) Hydro, telephone, communications or other Public utility company;
- (10) Activities exempted by the *Farm Practices Protection Act*;
- (11) Air traffic activities.

## **NUISANCES AND UNSIGHTLY PREMISES**

9. No owner shall cause, allow or permit a parcel to become or to remain unsightly, and, specifically:

- (1) No owner of a parcel shall cause, allow or permit the accumulation of building material on the parcel unless
  - (a) The owner or occupier of the parcel is in possession of a valid building permit in respect of the accumulation; or
  - (b) The accumulation is stored in a closed building or structure such that the accumulation is not visible from another parcel or highway;
- (2) No owner of a parcel shall cause, allow or permit the storage or accumulation on the parcel of all or part of a vehicle, as defined in the *Motor Vehicle Act*, which is  
-not:
  - (a) Validly registered or licensed in accordance with the *Motor Vehicle Act*; or
  - (b) Capable of movement under its own power unless it is stored in a closed building or structure such that the vehicle, or any

portion of a vehicle, is not visible from another parcel or a highway;

(3) No owner of a parcel shall cause, allow or permit the accumulation, of water, filth, discarded materials, rubbish, or noxious, offensive, or unwholesome matter or rubbish of any kind, whether or not for commercial purposes or as part of a trade or calling, including but not limited, vehicle bodies and parts, ashes, dead animals, paper, cardboard, tin cans; leaves, wood, bedding, crockery, glass, bags, furniture and appliances, and any other scrap or salvage.

(4) No owner of a parcel shall cause, allow or permit the accumulation on the parcel of garbage not contained in a covered receptacle.

(5) No owner or occupier of real property, or their agents, shall fail to clear such property of brush, trees, noxious weeds, or other growths when directed to do so by the District of Lillooet.

(6) No owner or occupier of real property, or their agents, shall permit infestations of caterpillars or other noxious or destructive insects to be on such property.

(7) No owner or occupier of a parcel shall cause, allow or permit the presence of graffiti, whether in the form of pictures or words.

(8) No owner or occupier of a parcel shall make pictures or drawings which are indecent, on the parcel or on the surface of a structure on the parcel.

(9) No owner or occupier of a parcel shall foul, obstruct or impede the flow of any waterway within the boundaries of the District of Lillooet.

10. Where an owner or occupier of real property, or their agents, fails to comply with the provisions outlined in Section 9:

(1) The District of Lillooet, by its employees or other persons, at reasonable times and in a reasonable manner, may enter on the property and effect a remedy; and

(2) Where that owner or occupier or their agents fail to pay the costs of the remedy on or before December 31 in the year that the remedy was done, the unpaid costs shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.

## **SNOW AND ICE REMOVAL**

11. Every owner or occupier of real property is required to:

(1) Remove any snow or ice or both from any sidewalk bordering the real property within 10 hours of the cessation of any snowfall or ice storm that caused any accumulation of snow or ice on any sidewalk;

(2) Remove snow or ice from the roof or other part of any structure on the property, 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 sidewalk or highway, within 10 hours of the cessation of any snowfall or ice storm that caused any accumulation of snow or ice on any roof or other part of any structure.

## **DAMAGE TO SIDEWALKS**

12. No person shall use any snow removal equipment such as any shovel, pick, crowbar or any other metal instrument in a manner that will damage any sidewalk whether such person is engaged in removing snow or ice from such sidewalk or not.

13. No person shall damage any sidewalk in the municipality with the use of sodium chloride, calcium chloride or any harmful substance for the removal of snow and ice.

## **SIDEWALK CLEANING**

14. Every owner or occupier of real property is required to remove dirt, sand, gravel and other debris from any sidewalk bordering the real property.

15. Every owner or occupier of real property adjacent to any sidewalk or public area is required to maintain any fencing, hedging, trees, or structures on their property in a safe and hazard-free condition.<sup>2</sup>

## **INSPECTIONS**

16. A Bylaw Enforcement Officer may enter on any property at any reasonable time for the purposes of ascertaining whether the regulations and requirements of this Bylaw are being observed.

17. No person shall obstruct a Bylaw Enforcement Officer from entering property.

## **MUNICIPAL TICKET INFORMATION PROVISIONS**

18. This Bylaw is designated pursuant to Section 264 of the *Community Charter*, as a bylaw that may be enforced by means of a ticket in the form prescribed.

19. Animal Control Officers, Bylaw Enforcement Officers and members of the RCMP are designated to enforce this bylaw by means of a ticket pursuant to Section 264 of the *Community Charter*.

---

<sup>2</sup> Nuisance Bylaw Amendment Bylaw 2008, No. 304

20. The words or expressions listed in Schedule "B" of this bylaw in the "Offence" column are authorized to be used on a ticket pursuant to section 264(1)(c) of the *Community Charter* to designate an offence against the respective section of this bylaw appearing opposite in the "Section" column. The amounts appearing in the "Fine" column are the fines set pursuant to section 265 of the *Community Charter* for contravention of the respective section of this Bylaw appearing opposite in the section column.

21. The Bylaw Enforcement Officer shall refer every disputed ticket to the Provincial Court for hearing.

## **PENALTIES**

22. Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw is liable on summary conviction to a fine of not more than ten thousand dollars (\$10,000.00) and costs (including the cost of committal and conveyance to the place of imprisonment) for each offence, and in default of payment therefore, to imprisonment of a term not exceeding six months in jail. Each day that such violation is permitted to continue shall be a separate offence.

23. If action is taken pursuant to this bylaw, expenses may be recovered, together with costs and interest, in the same manner as municipal taxes.

## **SEVERABILITY**

24. If any provision of this Bylaw is determined by a court of competent jurisdiction to be unlawful or unenforceable, that provision shall be severed from this Bylaw and shall not affect the validity of any remaining provision of this Bylaw.

READ A FIRST TIME on the 5th day of September, 2006.

READ A SECOND TIME on the 5<sup>th</sup> day of September, 2006.

AMENDED AND READ A THIRD TIME on the 18<sup>th</sup> day of December, 2006.

THIRD READING RESCINDED AND BYLAW FURTHER AMENDED on the 8<sup>th</sup> day of January, 2007.

THIRD READING AS FURTHER AMENDED on the 8<sup>th</sup> day of January, 2007

RECONSIDERED AND FINALLY ADOPTED on the 22<sup>nd</sup> day of January, 2007.

"C. Roshard"

Mayor

"G. Loyer"

Corporate Officer

SCHEDULE  
"A"

**Fines and  
Penalties**

See: Bylaw Notice  
Enforcement  
Bylaw 2021-002  
as amended