



THE CORPORATION OF THE CITY OF NORTH VANCOUVER

**“Nuisance Abatement Bylaw, 1986, No. 5659”**

**CONSOLIDATED FOR CONVENIENCE – JUNE 15, 2026**

| <b>Amendment #</b> | <b>Adoption Date</b> | <b>Subject</b>                                             |
|--------------------|----------------------|------------------------------------------------------------|
| 6311               | July 27, 1992        | Feeding of Birds                                           |
| 6348               | December 7, 1992     | Fine Adjustment                                            |
| 7579               | February 9, 2004     | Construction Lighting                                      |
| 8028               | November 2, 2009     | Bylaw Notice Process                                       |
| 9176               | June 15, 2026        | Housekeeping Amendments and <i>Offence Act</i> Fine Limits |

# THE CORPORATION OF THE CITY OF NORTH VANCOUVER

## BYLAW NO. 5659

**A Bylaw in the exercise of, but not limited to, the City's various powers pursuant to Section 932 of the *Municipal Act*, R.S.B.C. 1979, Chapter 290 and amendments thereto.**

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, hereby enacts as follows:

1. Citation

This Bylaw may be cited for all purposes as **“City of North Vancouver Nuisance Abatement Bylaw, 1986, No. 5659”**.

2. Definitions

In this Bylaw unless the context otherwise requires:

"City" means the geographic area of land within the boundaries of the City of North Vancouver;

"Delegation Bylaw" means the "Delegation Bylaw, 2026, No. 9157" as amended or replaced from time to time; [Bylaw 9176, June 15, 2026]

"Financial Officer" means a person designated as a Financial Officer under section 149 of the *Community Charter* pursuant to Table 1 of the Delegation Bylaw; [Bylaw 9176, June 15, 2026]

"motor vehicle" means a vehicle, not run on rails, that is designed to be self propelled or propelled by electric power obtained from overhead trolley wires;

"Municipality" means The Corporation of the City of North Vancouver;

"nuisance construction lighting" without limiting this description, means lighting relating to a construction site associated with a building permit, which casts intrusive light onto an adjacent property or properties during times outside those during which construction is permitted; [Bylaw 7579, February 9, 2004]

"Nuisance Enforcement Officer" means a person with the delegated power of "Administration and Enforcement of the Nuisance Abatement Bylaw" in Table 8, Column A of the Delegation Bylaw; [Bylaw 9176, June 15, 2026]

"person" includes a corporation, partnership or party, and the personal or other legal representatives of a person to whom the context can apply according to law;

"real property" means land, with or without improvements so affixed to the lands as to make them in fact and law a part of it;

"rubbish" includes, without limiting the generality of the word, any derelict or partially dismantled motor vehicle or parts thereof;

### 3. Prohibitions

No person:

- (a) shall cause or permit water, rubbish or noxious or unwholesome matter to collect or accumulate around their premises;
- (b) shall deposit or throw bottles, broken glass or other rubbish in any open place;
- (c) being the owner or occupier of real property shall allow such property to become or to remain untidy or unsightly;
- (d) being the owner or occupier of buildings shall cause or permit pigeons or other birds to perch, roost or nest on them and shall not feed pigeons or other birds on the property. *[Bylaw 6311, July 27, 1992]*
- (e) being the owner, occupier, company or construction company, or sub-contractor, shall allow nuisance construction lighting to be used at a construction site unless it is associated with work specifically authorized by the City of North Vancouver or is work of an emergency nature which is done to preserve the life or health of people, or to protect property.

*[Bylaw 7579, February 9, 2004]*

### 4. Requirements

Every person:

- (a) who is the owner or occupier of real property shall remove from it any accumulation of filth, discarded materials or rubbish of any kind;
- (b) who is a manufacturer or processor shall dispose of waste containing metal and other waste from their plants not otherwise collected by or on behalf of the Municipality by its garbage collection services;
- (c) who is the owner or occupier of real property shall prevent the infestation of it by caterpillars;
- (d) who is the owner or occupier of real property shall clear such property of brush, and of grass in excess of 30 centimetres in length.

### 5. Enforcement

The Nuisance Enforcement Officer is hereby empowered to administer and enforce this Bylaw.

### 6. Order to Comply

- (a) Where a person has failed to perform the obligations pursuant to the provisions of this Bylaw, the Nuisance Enforcement Officer may, in accordance with this section, issue to such person an Order to Comply with the requirements of this Bylaw in respect of which that person is in default.

- (b) An Order to Comply shall be given in Form 1 attached to this Bylaw and forming a part hereof.
- (c) An Order to Comply shall be sufficiently issued when the Nuisance Enforcement Officer:
  - (i) ascertains the registered owner in fee simple of the real property and his address from the last authenticated real property assessment roll in the possession of the Municipality and mailing a copy of the Order to Comply to such person at such address by prepaid registered or certified mail; and
  - (ii) delivers a copy of the Order to Comply to an occupier of the real property, to a mailbox or other receptacle for the receipt of mail or messages, if any, on the real property, or by posting a copy of it on the real property.
- (d) Upon receipt of an Order to Comply, a person may appeal its issuance to the Council of the Municipality who shall hear and determine the appeal and either confirm, amend or rescind the Order to Comply. Any such appeal shall be brought within 15 days of the date of the issuance of the Order to Comply by giving notice in writing to the City Clerk of the Municipality.
- (e) Any time period set out in the Order to Comply shall be deemed to commence immediately upon the completion of the last of the steps required to be completed under Section 6(c) of this Bylaw save in the case of an appeal under Section 6 (d), in which case the time period shall be deemed to commence immediately upon the issuance of Council's decision on the appeal.

## 7. Default

If the obligations imposed by the terms of an Order to Comply in respect of a default under subsections 4(a) and 4(c) of this Bylaw are not performed within the time period therein set out, the Municipality by its employees and others may enter the real property and perform the obligations at the expense of the owners and occupiers of the real property and the charges for so doing if unpaid on December 31 of the year in which the work was performed, shall be added to and form part of the taxes payable on that real property as taxes in arrears.

## 8. Costs

- (a) The designated Nuisance Enforcement Officer shall certify to the Financial Officer all costs incurred by the municipality in performing or causing to be performed any obligations under Section 6 of this Bylaw.
- (b) Upon receipt from the Nuisance Enforcement Officer of a certified record of the total costs incurred in any specific matter, the Financial Officer shall demand payment thereof by issuing an invoice therefor in the same manner as for an Order to Comply issued under Section 5 of this Bylaw.

9. Offences, Penalties and Enforcement

(a) Every person who:

- (i) violates a provision of this bylaw;
- (ii) permits, suffers or allows any act to be done in violation of any provision of this bylaw;
- (iii) neglects to do anything required to be done under any provision of this bylaw; or
- (iv) allows a violation of this bylaw to continue;

commits an offence and on summary conviction is liable to a fine of not more than \$50,000.00.

(b) Each day during which a violation, contravention or breach of this bylaw continues is deemed to be a separate offence.

(c) The provisions of this bylaw are severable. If, for any reason, any provision is held to be invalid by the decision of a court of competent jurisdiction, such a decision shall not affect the validity of the remaining provisions of this bylaw.

*[Bylaw 8028, November 2, 2009]*

*[Bylaw 9176, June 15, 2026]*

10. Repeal

Bylaw No. 4102, as amended, is hereby repealed.

READ a first time by the Council on the 7<sup>th</sup> day of April, 1986.

READ a second time by the Council on the 14<sup>th</sup> day of April, 1986.

READ a third time and passed by the Council on the 14<sup>th</sup> day of April, 1986.

RECONSIDERED and finally adopted by the Council, signed by the Mayor and City Clerk, and sealed with the Corporate Seal on the 21<sup>st</sup> day of April, 1986.

"Mayor John E. Loucks, Mayor"

"Bruce A. Hawkshaw, City Clerk"

**THE CORPORATION OF THE CITY OF NORTH VANCOUVER  
NUISANCE ABATEMENT BYLAW NO. 5659  
ORDER TO COMPLY**

TO:

RE:   Property at:  
      Legal Description:

Complaints have been received regarding:

Investigation discloses the following:

The above constitutes an offence under the Nuisance Abatement Bylaw No.5659  
Section\_\_\_\_\_.

You are hereby ordered to:

Failure to comply may result in:

- (a)    The Municipality proceeding in accordance with the default provisions of Section 7 of the said Bylaw.

and/or

- (b)    The Municipality proceeding in accordance with Section 9 of the said Bylaw, the offence section.

Questions regarding this order may be directed to:

Yours truly,

\_\_\_\_\_  
Bylaw Enforcement Officer

6. Order to Comply

- (d) Upon receipt of an Order to Comply, a person may appeal its issuance to the Council of the Municipality who shall hear and determine the appeal and either confirm, amend or rescind the Order to Comply. Any such appeal shall be brought within 15 days of the date of the issuance of the Order to Comply by giving notice in writing to the City Clerk of the Municipality.
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  - (iii) neglects to do anything required to be done under any provision of this bylaw; or
  - (iv) allows a violation of this bylaw to continue;commits an offence and on summary conviction is liable to a fine of not more than \$50,000.00.
- (b) Each day during which a violation, contravention or breach of this bylaw continues is deemed to be a separate offence.
- (c) The provisions of this bylaw are severable. If, for any reason, any provision is held to be invalid by the decision of a court of competent jurisdiction, such a decision shall not affect the validity of the remaining provisions of this bylaw.