



Unsightly Premises Bylaw No. 1129, 1993
adopted September 29, 1993

**CONSOLIDATED FOR
CONVENIENCE ONLY**

**Includes amendments adopted
up to February 28, 2022**

THE CORPORATION OF THE DISTRICT OF COLDSTREAM

BYLAW NO. 1129, 1993

A BYLAW TO PROHIBIT UNSIGHTLY PREMISES WITHIN
THE DISTRICT OF COLDSTREAM

The Council of The Corporation of the District of Coldstream, in open meeting assembled, ENACTS AS FOLLOWS:

1. **Citation**

This Bylaw may be cited for all purposes as “The District of Coldstream Unsightly Premises Bylaw No. 1129, 1993”.

The “District of Coldstream Rubbish Regulation Bylaw No. 402, 1963”, and amendments thereto, is hereby repealed.

2. **Definitions**

In this Bylaw:

Council means the Council of the District of Coldstream;

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 municipality;

Highway has the same meaning as in the *Municipal Act*;

Inspector means a person appointed by the Council to administer this Bylaw;

Municipality means the District of Coldstream;

Noxious Weed means any weed designed by regulation to be a noxious weed, and includes the seeds of the noxious weed;
(Bylaw No. 1242, 1997)

Occupier has the same meaning as in the *Municipal Act*;

Open Place means a highway or any premises where there are no buildings or structures;

Owners has the same meaning as in the *Municipal Act*;

Premises means a lot, block, or other area in which land is held or into which it is subdivided;

Unightly includes, but is not limited to, filth, discarded or disused materials or rubbish, any and all manner of garbage; noxious, offensive or unwholesome matters; unused or dismantled trailers, boats, vessels, machinery, mechanical or metal parts; bottles; glass; brush; the storage or accumulation of a wrecked vehicle;
(Bylaw No. 1242, 1997)

Wrecked Vehicle means a vehicle, which is a device in, on or by which a person or thing is or may be transported or drawn on a highway, except a device designed to be moved by human power or used exclusively on stationary rails or tracks that is:

- a. physically wrecked or disabled so it cannot be operated by its own mode of power;
- b. parts of a physically wrecked or disabled vehicle;
- c. a vehicle that appears to be physically wrecked, although it could be operated by its own mode of power, but is not displaying thereon, a lawful current licence for its operation on the highway.
(Bylaw No. 1242, 1997)

3. **Prohibitions**

- (1) No owner or occupier of real property shall cause or permit water, rubbish, or noxious, offensive or unwholesome matter to collect or accumulate around his premises.
- (2) No person shall deposit or throw bottles, broken glass or other rubbish in any open place.
- (3) No owner or occupier of real property shall allow such property to become or to remain unsightly.
- (4) No person shall place graffiti on walls, fences, or elsewhere on or adjacent to a public place.
- (5) No owner or occupier of real property, will allow or permit light from an exterior source to be placed or lit in such a way that:
 - (a) the light fixture casts light directly onto a window or other opening of residential structure located across a street, or adjacent to, the real property; and
 - (b) the light unreasonably disturbs the peace, rest, enjoyment, comfort or convenience of the owner or occupier of the neighbouring real property.

This section will not apply to exterior light emanating from streetlights, lights on playing fields and lights on school playgrounds, lights required for emergency purposes, or lights required by other legislation or safety enactment.
(Bylaw No. 1793, 2022)

4. **Requirements**

- (1) Owners or occupiers of real property, or their agents, shall keep their property clear of brush, trees, noxious weeds or other growths.

- (2) Owners or occupiers of real property, or their agents, shall prevent infestation of it by caterpillars and other noxious or destructive insects and shall clear the property of caterpillars and other noxious or destructive insects.
- (3) Owners or occupiers of real property, or their agents, shall remove from it any unsightly accumulation of filth, discarded materials, rubbish or graffiti.

5. **Remedial**

- (1) In default of the owner or occupier of real property removing from the real property any unsightly accumulation of filth, discarded materials, rubbish or graffiti, or clearing the property of brush, trees, noxious weeds or other growths, or clearing the property of infestation of caterpillars and other noxious or destructive insects, the municipality, by its employees or others, may enter and effect the removal at the expense of the owner or occupier defaulting, and the charge for doing so, if unpaid on December 31st in any year, shall be added to and form part of the taxes payable on that real property as taxes in arrears.
(Bylaw No. 1242, 1997)

6. **Inspection**

- (1) Every Inspector is hereby authorized to enter upon any lands and premises in the municipality at all reasonable times to ascertain whether this Bylaw is being observed.

7. **Offence and Fine**

- (2) Every person who violates any of the provisions of this Bylaw, or suffers or permits any act to be done in contravention of this Bylaw, or neglects or refrains from doing anything required by this Bylaw, commits an offence, and is liable upon summary conviction, to a fine not less than one hundred dollars (\$100), and not more than two thousand dollars (\$2000), for such violation of this Bylaw, together with costs of prosecution.
(Bylaw No. 1242, 1997)

READ A FIRST TIME this 27th day of September, 1993

READ A SECOND TIME this 27th day of September, 1993

READ A THIRD TIME this 27th day of September, 1993

RECONSIDERED, FINALLY PASSED AND ADOPTED this 29th day of September, 1993

Greg Betts
Clerk

Ernie Palfrey
Mayor