



UNSIGHTLY PREMISES

A BYLAW TO REGULATE THE MAINTENANCE OF REAL PRPOERTY AND RELATED MATTERS

WHEREAS the *Community* Charter authorizes a Council to prohibit the owners or occupiers of real property from allowing the property to become or to remain untidy or unsightly;

AND WHEREAS Council may enact a variety of regulations governing the appearance and maintenance of real property;

AND WHEREAS Council may regulate the maintenance of boulevards by, or on behalf of, the owners of land fronting on them;

NOW THEREFORE the Council of the District of Ucluelet, in open meeting assembled, hereby enacts as follows:

1. **TITLE:**
This bylaw may be cited for all purposes as “*Unsightly Premises Regulation Bylaw No. 2017, 2026*”.

2. **DEFINITIONS:**

“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;
“Council”	Means the Council of the District of Ucluelet
“Discarded Materials”	means and includes all material not in use for the construction, maintenance, or as part of the equipment or furnishings of the building situated on the premises, and includes apparatuses, motor vehicles, or other chattels in a dismantled or partial dismantled state not in use for the purpose for which they were constructed or intended, and occupying a place open to public view.
“District”	means the District of Ucluelet

“Bylaw Enforcement Officer”	means the person appointed by Council to enforce the regulations of this bylaw.
“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.
“Occupier”	has the same meaning as defined in the <i>“Community Charter.”</i>
“Owner”	has the same meaning as defined in the <i>“Community Charter.”</i>
“Noxious Weed”	means any weed designated by the weed control regulation to be a noxious weed pursuant to the <i>Weed Control Act</i> .
“Person”	means a person pursuant to the <i>Interpretation Act</i> .
“Plantings”	means any tree, shrub, bush, or hedge installed as a natural or improved landscape treatment;
“Real Property”	means land, with or without improvements so affixed to the land as to make them, in fact and law, a part of it.
“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.
“Traffic Control Device”	means a sign, line, meter, marking space, barrier, or device; painted, placed, or erected to guide, regulate, warn direct, restrict, control, or prohibit traffic.

<p>“Unsightly”</p>	<p>includes but is not limited to:</p> <ul style="list-style-type: none"> i) 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; ii) an accumulation of 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, and appliances.
<p>“Zoning Bylaw”</p>	<p>Means “<i>District of Ucluelet Zoning Bylaw No. 1160, 2013</i>” as amended or replaced.</p>

3. **PROHIBITIONS:**

- 3.1 No person, being the occupier or owner of real property, shall allow, cause, or permit that property to become or remain unsightly, cause or permit rubbish, noxious, offensive, or unwholesome matter or substances, filth, or discarded materials to collect or to accumulate on or around such property.
- 3.2 No person shall deposit or throw bottles, broken glass, or other rubbish in any open place in the District of Ucluelet.
- 3.3 No person, being the owner or occupier of a parcel of land, shall write, draw, print, mark, place, suffer or maintain graffiti on a wall, fence or other place or thing in or upon a parcel of land so that the graffiti is visible from a highway, park or other public place.
- 3.4 No owner or occupier of real property shall cause, suffer, permit, or allow such real property to become overgrown with brush, noxious weeds, or other growth, or to become infested with caterpillars or other noxious or destructive insects.
- 3.5 No owner or occupier of real property having a fence adjacent to a road, street or highway, shall allow that fence to fall into disrepair.
- 3.6 It shall be unlawful for any person in any residential zone as defined by the Zoning Bylaw to store, keep, leave, or maintain on any real property, except in a building or structure lawfully erected or used as an enclosure, the following:

- (a) a motor vehicle or trailer which is unlicensed for the current year under the Motor Vehicle Act, unless a permit has been issued in the form prescribed in “Schedule A” attached hereto;
 - (b) any part of the motor vehicle or trailer;
 - (c) firewood, unless neatly piled or stacked against a wall or fence;
 - (d) lumber, bricks, or metal, with the exception of building materials being used for construction purposes upon real property pursuant to a current building permit, or except as may be permitted under provisions contained in the Zoning Bylaw.
- 3.7 No owner or occupier of real property shall wilfully damage any boulevard, trees, shrubs, plants, bushes or hedges adjacent to any road, street, or highway.
- 3.8 No owner or occupier of real property shall place, permit to be placed or grow any tree, shrub, plant, place a fence, or other structure adjacent to an intersection, road, street, highway that may be a hazard to the safety of any person, likely to damage public property, or seriously inconvenience the public.
- 3.9 No owner or occupier of real property shall place any landscape ties, rails, asphalt, bricks, concrete structure, or figurines on any boulevard immediately fronting such person’s property.

4. **OBLIGATIONS:**

- 4.1 Every owner or occupier of real property shall:
- (a) remove or cause to be removed from the real property any rubbish, or noxious, offensive, or unwholesome matter or substance, or any unsightly accumulation of rubbish, filth, discarded materials, or graffiti;
 - (b) clear or cause to be cleared on any real property all brush, noxious weeds, or other vegetation which, because of their condition, are likely to spread to or become a nuisance to other real property in the vicinity or which are so unkempt as to be unsightly to nearby residents;
 - (c) prevent infestation of caterpillars and other noxious or destructive insects and shall clear the property of such caterpillars and insects;
 - (d) keep boulevards free of noxious weeds, accumulation of filth, leaves, rubbish, discarded materials, hazardous objects and materials which obstruct a drainage facility;
 - (e) prune and trim hedges, trees, and shrubs in the boulevard, except for those planted by the District, so there is no encroachment of overhanging growth so as not to interfere with pedestrian and vehicular traffic.

- (f) Ensure that sight lines to intersections, driveways, sidewalk, walkways, travel lanes, and visibility to all traffic control devices is not restricted by modifications to the boulevard which the property owner may undertake.
- 4.2 If, in the opinion of Council, any trees, hedges, bushes or shrubs growing or standing on any real property are a hazard to the safety of persons or likely to damage public property, or seriously inconvenience the public, Council may order such trees, hedges, bushes or shrubs to be trimmed, removed or cut down at the expense of the owners or occupiers of real property on which they row or stand, if the owner or occupier does not take the required action within the time period referred to in the given Notice.

5. **ENFORCEMENT:**

- 5.1 A Bylaw Enforcement Officer may enter, at all reasonable times, upon any real property to determine whether the provisions of this bylaw or the directions of a notice are being complied with.
- 5.2 Where the owner or occupier or their agents fail to comply with any provision of this bylaw, the Bylaw Enforcement Officer shall serve Notice to the owner or occupier of the lands or premises on which the violation exists, requiring removal of the offending material from the real property or boulevard within 14 days of service of such notice.

The Bylaw Enforcement Officer must serve the Notice on the owner, or occupier of the real property on which the offending material is located by:

- (a) personal service;
- (b) registered mail with acknowledgement of receipt, to the address of the owner shown on the last real property assessment rolls;
- (c) delivering to a mailbox or receptacle for messages on the real property; or,
- (d) posting on the real property;

provided that where the owner is a registered company, service may be accomplished according to the provisions of the Company Act.

- 5.3 A person upon whom a Notice has been served may, by giving notice in writing to the Municipal Clerk at least 72 hours prior to the expiration of the time given in the Notice to remove or clear the offending material, appeal to Council, who must hear and determine the appeal by confirming, amending or rescinding the Notice order.
- 5.4 If the owner or the occupier of such property or their agents, fail to remove or clear the offending material from the real property or boulevard within

the time specified as directed in the Notice, the District, by its workmen or a contractor engaged by the District, may enter on the real property at reasonable times and in a reasonable manner, to remove or clear the offending material at the expense of the defaulting owner or occupier of the real property.

- 5.5 The District of Ucluelet Finance Department shall keep an accurate account of the charges incurred and, when the clearing is completed, shall mail a statement of such charges to the owner of real property upon whom the Notice was served, with a demand for payment of same.
- 5.6 In the event of the charges not being paid by the thirty-first day of December in any year, the charges shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.
- 5.7 Where the Bylaw Enforcement Officer has confirmed that a violation of this Bylaw is of a continuing nature, he shall immediately proceed with legal action without notice.

6. BYLAW ENFORCEMENT OFFICER

- 6.1 For the purposes of this bylaw, the designated Bylaw Enforcement Officer means any of the following:
 - (a) Chief Administrative Officer
 - (b) Bylaw Enforcement Officer
 - (c) Engineer/Superintendent.
 - (d) R.C.M.P. Officers and Auxiliary members
- 6.2 Bylaw Enforcement Officers are authorized and empowered to inspect, compel, and require that all the regulations and provisions prescribed in this bylaw are carried out.

7. VIOLATION AND PENALTY:

- 7.1 No person shall prevent or obstruct, or attempt to prevent or obstruct, a Bylaw Enforcement Officer in the enforcement of the provisions of this bylaw.
- 7.2 Any Person who causes, permits or allows anything to be done in contravention or violation of this Bylaw, or who neglects or fails to do anything required to be done pursuant to this Bylaw, commits an offence against this Bylaw and is liable upon summary conviction to pay a fine of not more than \$50,000, plus the costs of prosecution, and any other penalty or remedy available under the *Community Charter and Offence Act*.
- 7.3 This Bylaw may be enforced by bylaw notice pursuant to the “*Bylaw Notice Enforcement Bylaw No. 2000, 2026*” as amended or replaced.

7.4 Where an offence under this Bylaw is of a continuing nature, each day that an offence continues, or is permitted to exist, constitutes a separate offence.

8. **SEVERABILITY:**

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.

9. **ADMINISTRATIVE PROVISIONS:**

This bylaw hereby repeals "*Unsightly Premises Bylaw No. 969, 2004*".

READ A FIRST TIME this 28th day of **April, 2026.**

READ A SECOND TIME this 28th day of **April, 2026.**

READ A THIRD TIME this 28th day of **April, 2026.**

ADOPTED this 26th day of **May, 2026.**

Marilyn McEwen
Mayor

Ed Chow
Corporate Officer

THE CORPORATE SEAL of the District of Ucluelet was hereto affixed in the presence of:

Ed Chow, Corporate Officer