



REGIONAL DISTRICT OF BULKLEY-NECHAKO UNSIGHTLY PREMISES BYLAW NO. 1649, 2012

A bylaw to prohibit unsightly premises.

WHEREAS the Board of the Regional District of Bulkley-Nechako has adopted the “Regional District of Bulkley-Nechako Unsightly Premises Regulatory Control Service Establishment By-law No. 1648, 2012”, to establish a service in Electoral Areas ‘A’, ‘B’, ‘C’, ‘D’, ‘F’ and ‘G’ of the Regional District for the regulation and control of untidy and unsightly premises, and unwholesome or noxious materials.

WHEREAS under Section 725 of the *Local Government Act*, a Board may, by bylaw, prohibit the owners or occupiers of real property from allowing their property to become or remain unsightly.

NOW THEREFORE the Board of the Regional District of Bulkley-Nechako in open meeting assembled enacts as follows:

1. CITATION

- 1.1. This bylaw may be cited as “Regional District of Bulkley Nechako Unsightly Premises Bylaw No. 1649, 2012”.

2. DEFINITIONS

- 2.1. In this bylaw:

“Automotive Wreck” means a motor vehicle that is:

- a. inoperative;
- b. not licensed and insured; and
- c. in a dilapidated state.

“Board” means the Board of Directors of the Regional District of Bulkley-Nechako;

“Bylaw Enforcement Officer” means the person appointed as such by the Board;

“Derelict Motor Vehicle” means a motor vehicle that is:

- a. inoperative; and
- b. not licensed and insured;

“Filth, Discarded Materials and Rubbish” includes, but is not limited to, any and all manner of refuse or garbage; discarded or disused items;



junk; filth; noxious, offensive, or unwholesome matter; unused or dismantled electronic equipment, aircraft, trailers, boats, vessels, automobiles, trucks, machinery, mechanical or metal parts; bottles, cans, or other containers; dilapidated furniture; and unused, inoperative or dismantled appliances.

“Regional District” means the Regional District of Bulkley-Nechako;

“Service Area” means the land within the boundaries of:

- a. Electoral Area “A” of the Regional District of Bulkley-Nechako;
- b. Electoral Area “B” of the Regional District of Bulkley-Nechako;
- c. Electoral Area “C” of the Regional District of Bulkley-Nechako;
- d. Electoral Area “D” of the Regional District of Bulkley-Nechako;
- e. Electoral Area “F” of the Regional District of Bulkley-Nechako; and
- f. Electoral Area “G” of the Regional District of Bulkley-Nechako.

“Zoning Bylaw” means *Regional District of Bulkley-Nechako Zoning Bylaw No. 700, 1993*, as amended or replaced from time to time.

3. APPLICATION

3.1 The regulations under this bylaw apply within the Service Area.

4. PROHIBITION

- 4.1. No owner or occupier of real property, shall allow, cause, or permit the storage, collection or accumulation on such real property (other than wholly within an enclosed building) of:
 - a. any Automobile Wreck or any part thereof; or
 - b. more than two (2) Derelict Motor Vehicles.
- 4.2. No owner or occupier of real property, shall allow, cause, or permit the storage, collection or accumulation on such real property of any Filth, Discarded Materials and Rubbish.
- 4.3. No owner or occupier of real property shall allow, cause, or permit such real property to become unsightly.
- 4.4. Sections 4.1, 4.2, and 4.3 do not apply where the real property is zoned Light Industrial, Heavy Industrial, or Agricultural Industry pursuant to the Zoning Bylaw and where the storage, collection, or accumulation is accessory to a permitted principal use in the applicable zone.



5. REQUIREMENTS

- 5.1.** Owners or occupiers of real property or their agents shall clear from such real property:
 - a. any Automobile Wreck or
 - b. any Derelict Motor Vehicles in excess of two (2).
- 5.2.** Owners or occupiers of real property or their agents shall remove from such real property all accumulations of Filth, Discarded Materials, and Rubbish.
- 5.3.** Owners or occupiers of real property or their agents shall remove from such real property all unsightly materials and conditions.

6. REMEDIATION

- 6.1.** Upon any failure by the owner or occupier of real property to undertake the work necessary to comply with Section 4 of this bylaw, and upon the owner or occupier of such real property having been given an opportunity to be heard by the Board in respect of such failure, the Regional District may, by its own forces or those of a contractor, carry out the work necessary to comply with Section 4 of this bylaw at the expense of the owner or occupier, and the Regional District may recover the costs of undertaking the work either as a debt against the person in default or in the same manner and with the same remedies as property taxes.
- 6.2.** The Bylaw Enforcement Officer may at any reasonable time enter on or into any real property to ascertain whether the regulations and requirements of this bylaw are being observed.
- 6.3.** No person shall obstruct or interfere with the Bylaw Enforcement Officer in the exercise of the powers conferred on the Bylaw Enforcement Officer under this bylaw.
- 6.4.** Where a Bylaw Enforcement Officer observes that real property does not comply with this bylaw, the Bylaw Enforcement Officer may notify and require the owner or occupier of the real property to comply within a stated time period.



7. OFFENCE AND PENALTY

- 7.1. Every person who violates any provision of this bylaw, or who permits any act or thing to be done in violation of any provision of this bylaw, is guilty of an offence against this bylaw that is punishable upon summary conviction by a fine of up to \$2,000.
- 7.2. Each day that a violation of any provision of this bylaw continues to exist is a separate offence against the bylaw.

8. SEVERABILITY

- 8.1. If any section, subsection, or other portion of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

9. REPEAL

- 9.1. "Regional District of Bulkley-Nechako Unsightly Premises Bylaw No. 571, 1988" and "Regional District of Bulkley Nechako Unsightly Premises Bylaw No. 1567, 2010" are hereby repealed.

READ A FIRST TIME this 16th day of August, 2012

READ A SECOND TIME this 16th day of August, 2012

READ A THIRD TIME this 16th day of August, 2012

I hereby certify that the foregoing is a true and correct copy of "Regional District of Bulkley Nechako Unsightly Premises Bylaw No. 1649, 2012".

Dated at Burns Lake, B.C. this day of , 2012

Corporate Administrator

ADOPTED this day of , 2012

Chairperson

Corporate Administrator