

TOWN OF LAKE COWICHAN

Unsightly Premises Bylaw No. 727-2001

WHEREAS section 725(1) of the *Local Government Act*, RSBC, Chapter 323, provides that Council may by bylaw regulate and prohibit unsightliness on real property;

AND WHEREAS it is deemed appropriate to regulate and prohibit unsightliness on real property within the Town of Lake Cowichan;

NOW THEREFORE the Council of the Town of Lake Cowichan in open meeting assembled enacts as follows:

CITATION

1. This bylaw may be cited for all purposes as "Unsightly Premises Bylaw No. 727-2001".

DEFINITIONS

2. In this bylaw:

"Council" means the Municipal Council of the Town of Lake Cowichan.

"Filth, Discarded Materials or Rubbish" includes any and all manner of garbage, discarded or disused materials, filth, noxious, offensive or unwholesome matters, unused or stripped automobiles, trucks, trailers, boats, vessels, machinery, mechanical or metal parts, bottles, glass, brush, and noxious weeds or other weeds of any kind.

"Graffiti" means drawing, printing or writing scratched, sprayed, painted or scribbled on a wall or other surface, but does not a duly a duly authorized sign.

"Highway" has the same meaning as defined in the *Local Government Act*.

"Inspector" means a person appointed by Council resolution to administer this bylaw.

"Noxious Weeds" includes those listed in Schedule 'A' to this bylaw.

"Occupier" has the same meaning as defined in the *Local Government Act*.

"Open Place" means a highway or any Premises where there are no buildings or structures.

"Owner" has the same meaning as defined in the *Local Government Act*.

"Premises" means any lot, block or other area in which land is held or into which it is subdivided.

"Municipality" means the Town of Lake Cowichan.

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 their premises.

- .2 No person shall deposit or throw bottles, broken glass or other rubbish in any open space.

- .3 No person shall place graffiti on walls, fences or elsewhere on or adjacent to a public place.
- .4 No Owner or Occupier of Real Property shall allow such property to become or to remain unsightly.

4. **REQUIREMENTS**

- .1 Owners or Occupiers of Real Property or their agents shall keep their property clear of brush, 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 such insects.
- .3 Owners or Occupiers of Real Property or their agents shall remove from it any unsightly accumulations of filth, discarded materials, rubbish or Graffiti.

5. **REMEDIAL**

- .1 In default of the Owner or Occupiers of Real Property removing from the Real Property any unsightly accumulation of filth, discarded materials, rubbish or Graffiti, or clearing the property of brush or noxious weeds, or clearing the property of an infestation of caterpillars and other noxious or destructive insects, the Municipality, by its employees or other persons, at reasonable times and in a reasonable manner, may enter on the property and effect compliance at the expense of the Owner or Occupier who has failed to comply and the charges for doing so, if unpaid on December 31 in any year, shall be added to and form part of the taxes payable on that Real Property as taxes in arrear.

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**

- .1 A person who contravenes this bylaw by doing an act that it forbids or by omitting to do an act that it requires to be done commits an offence and is liable to the penalties prescribed in the *Offence Act*.

8. **REPEAL OF PREVIOUS BYLAWS**

- .1 "Unsightly Premises Bylaw No. 614-1995" and all amendments thereto is hereby repealed.

READ A FIRST TIME on the 26th day of June, 2001.

READ A SECOND TIME on the 26th day of June, 2001.

READ A THIRD TIME on the 26th day of June, 2001.

ADOPTED on the 24th day of July, 2001.

W. J. (Jack) Peake
Mayor

Ed Gilman
Clerk

SCHEDULE 'A'**NOXIOUS WEEDS**

Canada Thistle (*Cirsium arvense* (1) Scop.)
Dodder (*Cuscuta* spp.)
Knapweed spp.-
 Diffuse (*Centaurea diffusa* Lam.)
 Spotted (*Centaurea maculosa* L.)
 Russian (*Centaurea repens* L.)
Sow thistle, annual and perennial (*Sonchus* spp.)
Leafy spurge (*Euphorbia esula* L.)
Toadflax spp. –
 Common (*Linaria vulgaris* Hill)
 Dalmation (*Linaria dalmatica* L.)
Wild Oats (*Avena fatua* L.)
Tansy Ragwort (*Senecio jacobaea* L.)
Broom (*Cytisus scoparius*)
Any other Plant commonly known as a weed