

REGIONAL DISTRICT OF COMOX-STRATHCONA

BYLAW NO. 2052

A BYLAW FOR THE MAINTENANCE OF PROPERTY

WHEREAS the Regional District of Comox-Strathcona was granted the authority to exercise the Nuisance and Unsightly Premises function in accordance with Section 725(1)(a), (b), (c) and (d) of the Municipal Act (herein after referred to as the Act) by Supplementary Letters Patent dated September 28, 1978;

AND WHEREAS the Board may by Bylaw under Section 725(1)(b) of the Act, prohibit persons from causing or permitting water, rubbish, or noxious, offensive or unwholesome matter to collect or accumulate around their premises, or from depositing or throwing bottles, broken glass or other rubbish in any open space;

AND WHEREAS the Board may by Bylaw under Section 725 (1)(e) of the Act, prohibit the owners or occupiers of real property from allowing their property to become or remain unsightly;

AND WHEREAS the Board may by Bylaw under Section 725(1)(d) of the Act require the owners or occupiers of real property, or their agents, to remove from it any accumulations of filth, discarded material or rubbish;

AND WHEREAS the Board deems it desirable to establish regulations which may be imposed to require the clean up and restoration of property in the Regional District of Comox-Strathcona Electoral Areas "A", "B", and "C";

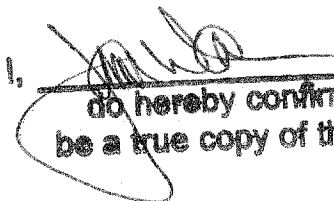
AND WHEREAS the consent of the Directors for Electoral Areas "A", "B" and "C" has been obtained;

AND WHEREAS the advertising provisions under Section 839 of the Act have been met;

NOW THEREFORE be it resolved, that the Board of the Regional District of Comox-Strathcona, in open meeting assembled, enacts as follows:

Title:

1. This Bylaw may be cited as "Regional District of Comox-Strathcona Property Maintenance Bylaw No. 2052, 1998".


do hereby confirm this to
be a true copy of the original.

Interpretation:

2. In this Bylaw unless the context otherwise requires:

"Board"	means the Board of Directors of the Regional District of Comox-Strathcona.
"Administration Officer"	means a person appointed by the Board to enforce the Bylaws.
"District"	means all those portions of the Regional District of Comox-Strathcona contained within Electoral Areas "A", "B", and "C":
Filth, Discarded Materials or Rubbish	includes any and all manner of garbage; discarded or disused materials; filth; noxious, offensive or unwholesome matter; unlicensed, unused or stripped automobiles; trucks, trailers, boats, vessels, machinery, mechanical or metal parts; bottles and glass.

Authority to Enter Upon Property:

3. An Administration Officer is hereby authorized to enter at all reasonable times upon property within the District, for the purpose of ascertaining whether the regulations contained in the Bylaw or directions made pursuant to this Bylaw are being observed.

Rubbish and Litter Control:

4. No person shall:

- (a) cause or permit rubbish or noxious, offensive or unwholesome matter to collect or accumulate around premises owned or occupied by that person;
- (b) deposit or throw bottles, broken glass or other rubbish in any open place.

Unightly Property:

- 5. (a) No owner or occupier of real property shall allow their property to become or remain unsightly by the accumulation of filth, discarded materials or rubbish;
- (b) Owners or occupiers of real property shall remove from their property unsightly accumulations of filth, discarded materials or rubbish.

Enforcement:

- 6. (a) Where an Administration Officer observes that real property does not comply with this Bylaw, the Administration Officer may notify and require the owner or occupier of the real property to comply with the Bylaw within a stated time period.

- (b) Where a person fails to comply with a notice under paragraph (a) in relation to a requirement under section 5(b), the District may, by its employees or other persons, at reasonable times and in a reasonable manner, enter on the property and effect the compliance at the expense of the person who failed to comply.
- (c) Where the person at whose expense removal is carried out under paragraph (b) does not pay the costs of the removal on or before December 31st in the year that the removal was done, the costs shall be added to and form part of the taxes payable on the property as taxes in arrears.

Penalty:

- 7. Every person who violates any of the provisions of this Bylaw, or who causes, suffers, or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw or who neglects or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who fails to comply with any order, direction or notice given under this Bylaw in addition to any other penalties provided for in this Bylaw, shall be liable on summary conviction to a fine not exceeding two thousand dollars (\$2,000.00).

Remainder of Bylaw to be Maintained Intact:


- 8. If any provision of this bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the bylaw and such invalidity shall not affect the validity of the remaining portions of this bylaw.

READ A FIRST AND SECOND TIME THIS	27 th	DAY OF	July	1998.
READ A THIRD TIME THIS	27 th	DAY OF	July	1998.
ADVERTISED PURSUANT TO SECTION 839 THIS	11 th , 12 th & 14 th	DAYS OF	August	1998.
ADOPTED THIS	24 th	DAY OF	August	1998.


Chairperson


Secretary

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2052, being "Regional District of Comox-Strathcona Property Maintenance Bylaw No. 2052, 1998" as adopted by the Board of the Regional District of Comox-Strathcona on the 24th day of August, 1998.


Secretary