

CONSOLIDATED BYLAW

**(THIS BYLAW HAS BEEN CONSOLIDATED FOR CONVENIENCE ONLY AND
INCLUDES AMENDMENT BYLAW NO. 2163)**

CARIBOO REGIONAL DISTRICT

BYLAW NO. 1665

A bylaw prohibiting untidy and unsightly premises.

WHEREAS it is deemed necessary and expedient to regulate untidy and unsightly premises and to require the owners or occupiers of real property to remove therefrom any accumulation of filth, discarded, dilapidated or unroadworthy cars, truck bodies and other machinery, other worn-out or discarded material, scrap, trash, debris or rubbish of any kind;

AND WHEREAS Supplementary Letters Patent were granted to the Cariboo Regional District on December 30, 1969 so as to empower the said Regional District to prohibit owners or occupiers of real property from allowing property to become untidy or unsightly.

NOW THEREFORE the Board of the Cariboo Regional District in open meeting assembled enacts as follows:

1. DEFINITIONS for the purpose of this bylaw:
 - (a) "Accumulation" means a collection, either scattered, amassed or piled, existing at the time of inspection;
 - (b) "Fence" means a structure, that is maintained in good condition and appearance, which totally conceals all material stored behind same so that no such material is visible to an adult person standing at grade level on a public highway, or on properties neighbouring that on which the said fence is located;
 - (c) "Person" means and includes any corporation, partnership or party and the heirs, executors, administrators or other legal representatives of such person to whom the context can apply according to the law;
 - (d) "Regional District" means the Cariboo Regional District;
 - (e) "Rubbish" means all scrap, trash and debris and all discarded, dilapidated, broken or unused items and without restricting the generality of the foregoing shall include old glass, plastic, metal, paper and wood products

not presently in use and all dilapidated automobiles and trucks that are no longer roadworthy and other machinery and parts thereof;

- (f) “Unsightly” in addition to its common dictionary meaning, shall include:
- (i) the storage, location or accumulation visible to an adult person standing at grade level on a public highway or neighbouring property, of discarded or dilapidated automobiles and trucks that are no longer roadworthy, or of automobile parts and truck parts or other machinery and parts of any kind;
 - (ii) the storage, location, placement or deposit of any scrap, trash, debris, filth or rubbish;
 - (iii) the untidy storage, location of placement of building materials on a site where construction is not taking place, except where they cannot be seen from a public highway or neighbouring property.
- (g) “Bylaw Enforcement Officer” means an officer appointed by the Regional District.

2. UNTIDY AND UNSIGHTLY PREMISES

- (a) It shall be unlawful for any person(s) being the owner(s) or occupier(s) of real property to allow such property to become or to remain untidy or unsightly.
- (b) Owners or occupiers of real property, or their agents, shall remove therefrom any accumulation of filth, discarded materials or rubbish of any kind.
- (c) Owners or occupiers of real property, who are legally entitled in the course of the day-to-day operations of their businesses, to accumulate dilapidated and unroadworthy vehicles, or parts thereof, other machinery or scrap materials shall conceal such accumulations behind a fence, which where located in a rural or residential zone shall not exceed 2.45 metres in height.

3. RIGHT OF ENTRY

The Bylaw Enforcement Officer(s) of the Regional District may at all reasonable times enter upon any property in the Cariboo Regional District in order to ascertain whether the regulations contained in this bylaw are being obeyed.

4. NOTICES

The Bylaw Enforcement Officer may give written notice to the owner or occupier of real property or their agent by registered mail or by personal service requiring

such person to remove any accumulation of discarded material or rubbish of any kind within a period of thirty (30) days from receipt of this notice.

5. APPEALS

Where notice has been given pursuant to Section 4, the person receiving the notice shall have ten (10) days from the date of receipt of the notice to appeal in writing to the Regional Board of the Cariboo Regional District and the said person shall be entitled to appear at the meeting of the said Regional Board where the matter is discussed and to present evidence and call witnesses and at the conclusion of the appeal the Regional Board of the Cariboo Regional District shall rescind, vary, or confirm the notice.

6. RIGHT TO DO WORK

Where notice has been given pursuant to Section 4 of this bylaw and the notice has not been appealed or if appealed, the notice has been confirmed or varied the Cariboo Regional District may by its servants, workmen, employees, or contractors, upon expiration of the thirty (30) day period referred to in Section 4 of this bylaw or such further period as may have been allowed by the Board of the Cariboo Regional District further to Section 5 of this bylaw enter on the said premises and so such work as is specified in the notice as originally issued or as varied on appeal at the expense of the person in default and the Board of the Regional District may recover the expense thereof with interest at a rate prescribed by the Lieutenant Governor in Council further to Section 11(3) of the Taxation (Rural Area) Act with costs in the same manner as municipal taxes.

7. PENALTIES

Any person who violates any of the provisions of this bylaw shall upon summary conviction be liable to a fine not exceeding Two Thousand (\$2,000.00) Dollars or in default thereof to imprisonment for a period not exceeding thirty (30) days.

8. This bylaw shall be in full force and effect in all Electoral Areas of the Cariboo Regional District.

I hereby certify that this is a true and correct copy of Cariboo Regional District Untidy and Unsightly Premises Bylaw No. 1665 consolidated with amendments.

Corporate Secretary