

VILLAGE OF ASHCROFT

UNSIGHTLY PREMISES BYLAW NO.505

A BYLAW TO PROHIBIT UNSIGHTLY PREMISES WITHIN THE LIMITS OF THE VILLAGE OF ASHCROFT

The Council of the Village of Ashcroft, in open meeting assembled pursuant to Section 932 of the Municipal Act enacts as follows:

Citation

1. This Bylaw may be cited for all purposes as "Unsightly Premises Bylaw No. 505, 1990.

Definitions

2. In this Bylaw:

 "Council" means the Council of the Village of Ashcroft.

 "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 include a sign for which a permit has been issued by the Municipality.

 "Highway" has the same meaning as in the Municipal Act.

 "Inspector" means a person appointed by the Council to administer this Bylaw.

 "Occupier" has the same meaning as in the Municipal Act.

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

 "Owner" has the same meaning as in the Municipal Act.

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

"Municipality" means the Village of Ashcroft .

Prohibitions

3. No Owner or Occupier of Real Property shall cause or permit water, rubbish, or noxious, offensive or unwholesome matter to collect or accumulate around his premises.
4. No person shall deposit or throw bottles, broken glass or other rubbish in any open space.
5. No Owner or Occupier of Real Property shall allow such property to become or to remain unsightly.
6. No person shall place graffiti on walls, fences or elsewhere on or adjacent to a public place.

Requirements

7. Owners or Occupiers of Real Property or their agents shall keep their property clear of brush and noxious weeds.
8. 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 caterpillars and other noxious or destructive insects.
9. Owners or Occupiers of Real Property, or their agents, shall remove from it any unsightly accumulation of filth, discarded materials, rubbish or graffiti.

Remedial

10. In default of the Owner or Occupier 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 infestation of caterpillars and other noxious or destructive insects, the Municipality, by its employees and others, may enter and effect the removal or clearance at the expense of the Owner or Occupier defaulting and the charges for doing so, if unpaid on December 31st in any year, shall be added to and form part of the taxes payable on that Real Property as taxes in arrear.

Inspection

11. 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.

Offence and Fine

12. 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.

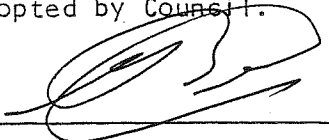
13. Bylaw No. 367 cited as "The Corporation of the Village of Ashcroft Nuisance Bylaw No. 367, 1980" be rescinded in its entirety.

READ A FIRST TIME on the 11th day of December, 1989.
READ A SECOND TIME on the 11th day of December, 1989.
READ A THIRD TIME on the 26th day of February, 1990.
RECONSIDERED AND FINALLY ADOPTED on the 2nd day of March, 1990.


MAYOR


CLERK

Certified to be a true and correct copy of By-law No. 505 as adopted by Council.


Clerk

A true copy of By-Law No. 505 registered in the office of the Inspector of Municipalities this 12 day of April 1990.


Deputy Inspector of Municipalities

VILLAGE OF ASHCROFT

DATE

Owner/Occupier
Address

Dear Sir:

Re: Lot , Section , Plan
Folio No.

As a result of complaints received in this office, our Building Inspector inspected your property legally described above and located at Street, B.C. and observed an accumulation of rubbish and/or discarded materials, to wit a derelict overturned car body (or what have you).

Under the provisions of the Village of Ashcroft Unsightly Premises Bylaw No. 505 , 1990. " it is an offence for owners or occupiers of real property within the village boundaries to permit any accumulation of filth, discarded materials or rubbish of any kind on their premises.

I therefore serve this notice and request that you remove and clear the accumulation of filth, discarded materials and rubbish and, in particular, the derelict car body (or what have you) from your property by (date).

In the event that you fail to comply with this notice within the specified time, I must forthwith file a report with Council for their attention and further action.

I trust that you will cooperate with the District in this regard and see that this matter is resolved to the satisfaction of all concerned.

Yours truly,

Clerk

VILLAGE OF ASHCROFT

MEMO

Date

TO: The Mayor and Council

FROM: Building Inspector

RE: Unsightly Premises Bylaw

This department has received complaints regarding the unsightly appearance of property situated at _____ Street, _____, B.C. legally described as Lot _____, Section _____, Plan _____, District; Folio No. _____ registered in the names of (owner/occupier, address).

A letter was forwarded to the owners of the property on _____ requesting that the premises be cleaned up of a derelict car body. Since that time, an empty oil tank has appeared on the property and the car body has not been removed.

I request therefore that Council proceed with notice to the owner or occupier giving him or her fourteen days to effect a clean up or the work will be done by the _____ or by its authorized agents.

Respectfully submitted,

Building Inspector

Enclosures

IN THE MATTER OF SECTION 932 OF THE MUNICIPAL ACT
R.S.B.C. 1979 CHAPTER 290 AND AMENDMENTS

AND

IN THE MATTER OF THAT PART OF PARCEL
D.L. , DISTRICT, PLAN

TO: Name and Address (send copies to mortgagee)
(owner/occupier)

NOTICE OF HEARING

TAKE NOTICE that the Municipal Council of the Village of Ashcroft pursuant to Section 932 of the Municipal Act and Unsightly Premises Bylaw No. 505, will at the hour of _____ in the _____ noon on _____, the _____ day of _____, A.D. 19__ in the Council Chambers at the Municipal Hall in _____, British Columbia hear representations by the Building Inspector as to whether, with respect to the lands more particularly described above, the owner/occupier shall be required to remove the accumulation thereon of _____.

AND FURTHER TAKE NOTICE that should Council require the owner/occupier to remove the described accumulation, and the owner/occupier defaults, the Council may direct its employees and others to enter and effect the removal at the expense of the person defaulting. The charges for doing so, if unpaid on December 31st in the year in which the _____ effects the removal, shall be added to and form part of the taxes payable in respect of the real property in question, as taxes in arrear.

AND FURTHER TAKE NOTICE that should you wish to make representation to the Council regarding the lands and premises listed above, you should appear at that time, date and place to make your presentation to Council.

THIS NOTICE is given by the Municipal Council of the _____ of _____ this _____ day of _____, A.D., 19__.

CLERK

VILLAGE OF ASHCROFT

Date

Owner/Occupier
Address

Double Registered

Dear :

Re: Village of Ashcroft- Unsightly Premises Bylaw No. 505

Take notice that the Village of Ashcroft has passed the Resolution, a copy of which is enclosed with this letter.

Pursuant to the Resolution of Council, we advise that unless you, the owner of Lot _____, Section _____, District, Plan _____, clean up that property by removing the derelict motor vehicle and empty oil tank and all other unsightly accumulation of material and debris, and leave the premises clean and tidy, within fourteen (14) days of receipt of this letter by you, the _____ shall, in default of such removal, enter upon the property and effect the removal by its workmen and others, at your expense. Receipt of this letter by you will be assumed to be four (4) days from the date of this letter.

The charges made by the _____ for the removal, if done by the _____ if unpaid by you on the 31st day of December in the year in which the _____ effects the removal, shall be added to and form part of the taxes payable in respect of the real property in question, as taxes in arrear.

This Notice is given by and on behalf of the Village of Ashcroft.

(Signed By) _____
Clerk

Encl.
pc: (registered mortgagees)

VILLAGE OF ASHCROFT

UNSIGHTLY PREMISES BYLAW 505 NO. 1990.

Pursuant to the provisions of the "UNSIGHTLY PREMISES BYLAW 505 NO. 1990" IT IS HEREBY RESOLVED that the owners and occupiers of the respective premises set forth below be notified to remove the accumulation thereon of the materials specified or take such remedial measures as are specified:

PROPERTY DESCRIPTION

Lot _____, Section _____, Plan _____, District _____
Folio No. _____

LOCATION

_____ Street, _____ of _____, B.C.

UNSIGHTLY ACCUMULATION

Derelict motor vehicle and empty oil tank

REMEDIAL MEASURES

Clean up the unsightly accumulation

AND BE IT FURTHER RESOLVED that the (_____ Official) of the _____ of _____ BE AND IS HEREBY AUTHORIZED in default of such removal or remedial measures being undertaken by the owners or occupiers, within (fourteen) 14 days of receipt of notice to do so, to carry out or have such work carried out and the expense charged to the owner or occupier. If unpaid on December 31st in the year in which the work is done, the expenses shall be added to and form part of the taxes payable on that real property as taxes in arrears.

MOVED BY ALDERMAN _____

SECONDED BY ALDERMAN _____

DATED at _____ of _____, B.C. this _____ day of _____, 19 _____.

Certified a true copy
this day of

, 199

Clerk

VILLAGE OF ASHCROFT

DATE

Owner/Occupier
Address

Dear Sir:

Re: Lot , Section , Plan
Folio No.

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I therefore serve this notice and request that you remove and clear the accumulation of filth, discarded materials and rubbish and, in particular, the derelict car body (or what have you) from your property by (date).

In the event that you fail to comply with this notice within the specified time, I must forthwith file a report with Council for their attention and further action.

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CLERK

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Date

Owner/Occupier
Address

Double Registered

Dear :

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(Signed By) _____
Clerk

Encl.
pc: (registered mortgagees)

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MOVED BY ALDERMAN _____

SECONDED BY ALDERMAN _____

DATED at _____ of _____, B.C. this _____ day of _____, 19 _____.

Certified a true copy
this day of

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Clerk