

## BYLAW NO. 4762, 2017

### A Bylaw to Prevent Littering and Damage to Public Places

#### WHEREAS:

- A. Section 8 of the *Community Charter*, SBC 2003, c. 26 authorizes Council, by bylaw, to regulate, prohibit and impose requirements in relation to public places and trees;
- B. Section 46(1) of the *Community Charter* authorizes Council, by bylaw, to provide for the seizure and disposal of things unlawfully occupying a portion of a highway or public place and to establish fees for such seizure that are payable by the owner of the thing;
- C. Public places that are subject to littering, dumping, soiling or damage diminish or prevent their use or enjoyment by the public; and
- D. It is desirable to prohibit littering, dumping, soiling and damage of public places;

NOW THEREFORE, the Council of the City of Coquitlam, in open meeting lawfully assembled, ENACTS AS FOLLOWS:

#### Part 1: Interpretation

##### 1. Name of Bylaw

This Bylaw may be cited for all purposes as the "*Litter and Desecration Prohibition Bylaw No. 4762, 2017.*"

##### 2. Definitions

In this Bylaw, the following words have the following meanings:

"Dispose" or "Disposal" means to place, leave, scatter, throw, dump or otherwise discard;

"Hazardous Waste" has the same meaning as defined in the *Hazardous Waste Regulation*, B.C. Reg. 63/88;

"Public Place" includes every street, boulevard, sidewalk, square, lane, bridge, highway, park or other place to which the public has access as of right or by invitation, whether express or implied;

## **Part 2: General Regulations**

### **3. Littering, Dumping and Soiling**

**3.1** No person shall cause, permit or allow the

- 3.1.1** disposal of any litter or any other item or material, either solid or liquid, in any public place;
- 3.1.2** removal to, or accumulation in, any public place from adjacent lands, any waste material including grass cuttings, leaves, snow or other rubbish;
- 3.1.3** disposal of any circular, pamphlet, handbill or any other piece of paper or material in any public place, whether or not the paper material had been previously placed upon any motor vehicle or any other vehicle in the public place without the consent of the vehicle's owner or driver;
- 3.1.4** disposal of any large item or material, including but not limited to furniture, mattresses or appliances in any public place;
- 3.1.5** disposal of any construction materials, including but not limited to drywall, tile, wood, paint containers or cement in any public place;
- 3.1.6** disposal of any hazardous waste in any public place.

**3.2** No person shall expectorate, urinate or defecate in any public place.

### **4. Damage to Public Places**

**4.1** No person shall

- 4.1.1** dig up, remove, cut down, prune or otherwise damage any shrub, hedge, bush, plant or other vegetation in any public place;
- 4.1.2** dig up, remove, cut down, prune or otherwise damage any tree in any public place;
- 4.1.3** deface, injure, tamper with or otherwise damage any property or equipment owned by or in the care of the City in any public place;
- 4.1.4** apply graffiti to any property or equipment owned by or in the care of the City in any public place or to any private property adjacent to any public place.

### **5. Authorization to Seize**

**5.1** If any item, material, waste or thing is unlawfully occupying any public place, the City may take such item, material, waste or thing into custody and cause it to be removed,

impounded, disposed of or destroyed and the City may recover its actual expenses for such removal, impoundment, disposal or destruction from the owner of the item, material, waste or thing.

## 6. Offences and Penalties

**6.1** Every person who violates any provision of this Bylaw, or who causes, permits or allows any act or thing to be done in violation of this Bylaw, or who neglects to or refrains from doing anything required to be done by any provision of this Bylaw, is guilty of an offence against this Bylaw and each day that a violation continues is deemed to be a separate offence against this Bylaw.

**6.2** Every person who violates a provision of this Bylaw, or who causes, permits, or allows an act or thing to be done in violation of a provision of this Bylaw, or who neglects or refrains from doing anything required by a provision of this Bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding the maximum set out in the *Offence Act*, as amended.

## 7. Repeal

**7.1** *Litter and Desecration Prohibition By-Law No. 1483, 1967* is hereby repealed.

**7.2** *The Corporation of the District of Coquitlam Health By-law, 1950, No.553* is hereby repealed.

## 8. Severability

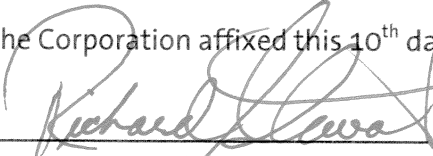
If any section, subsection, clause or phrase of this Bylaw is, for any reason, held to be invalid by a court of competent jurisdiction, it will be deemed to be severed and the remainder of the Bylaw will remain valid and enforceable in accordance with its terms.

READ A FIRST TIME this 19<sup>th</sup> day of June, 2017.

READ A SECOND TIME this 19<sup>th</sup> day of June, 2017.

READ A THIRD TIME this 19<sup>th</sup> day of June, 2017.

GIVEN FOURTH AND FINAL READING and the Seal of the Corporation affixed this 10<sup>th</sup> day of July, 2017.

  
Richard Lewis MAYOR

  
J. P. Smith CLERK