

CITY OF COQUITLAM

BYLAW NO. 3213, 1998

Consolidated with amendments in Bylaws: (1) 3754, 2006; (2) 3772, 2006

NOTE: This is a consolidation for convenience purposes only and does not have the force of law.

A Bylaw to prevent unsightliness on real property in the City of Coquitlam

WHEREAS

A section 725 of the Municipal Act, R.S B C 1996, c 323, as amended (the "Municipal Act") provides that Council may, by bylaw, do one or more of the following

- (a) prohibit persons from
 - (i) causing or permitting water, rubbish or noxious, offensive or unwholesome matter to collect or accumulate around their premises
 - (ii) depositing or throwing bottles, broken glass or other rubbish in any open place,
 - (iii) placing graffiti on walls, fences or elsewhere on or adjacent to a public place,
 - (iv) allowing their property to become or remain unsightly,
- (b) require owners or occupiers of real property, or their agents, to
 - (i) remove unsightly accumulations of filth, discarded materials, rubbish or graffiti,
 - (ii) clear the property of brush, trees, noxious weeds or other growths;

B Council deems it necessary and desirable that it exercise the authority granted to it by section 725 of the Municipal Act to prevent unsightliness on real property within the City of Coquitlam (the "City"),

NOW THEREFORE, COUNCIL FOR THE CITY in open meeting assembled, HEREBY ENACTS AS FOLLOWS

1 Name of Bylaw

This Bylaw may be cited for all purposes as "City of Coquitlam Unsightly Premises Bylaw No 3213, 1998".

2 Repeal of Existing Bylaws

City of Coquitlam Regulation of Untidy and Unsightly Premises Bylaw No 1842, 1970 and City of Coquitlam Untidy and Unsightly Premises Amendment Bylaw No. 3055, 1996 and all amendments thereto are hereby repealed in their entirety and this Bylaw substituted therefore.

3 Accumulations on Premises

No person may cause or permit to be caused, water, rubbish or noxious, offensive or unwholesome matter to collect or accumulate around their premises

4 Rubbish in Open Places

No person may deposit or throw bottles, broken glass or other rubbish in any open place

5 Unsightly Real Property

5.1 No owner or occupier of real property will allow that property to become or remain unsightly

5.2 Without in any way restricting the generality of the word "unsightly", any one or more of the following conditions may render real property unsightly within the meaning of this Bylaw,

- (a) dilapidated, broken or leaning fences,
- (b) materials of any sort that are strewn about the real property rather than piled in a neat and appropriate manner,
- (c) one or more motor vehicles stored on the real property that are not capable of normal vehicular operation;
- (d) construction materials where there is no apparent or real construction occurring on the real property for which the materials are required,
- (e) old wood or paper piles,
- (f) furniture (other than furniture designed specifically for outdoor use), bedding or appliances stored outside the premises or in open carport areas,
- (g) exterior finishing of premises that has become excessively dirty or dilapidated through lack of maintenance,
- (h) unused landscaping materials such as dirt piles or discarded planting pots,
- (i) uncontained compost piles,
- (j) unmowed grass in excess of 15 centimetres in height,
- (k) overgrown vegetation or noxious weeds, as the latter is defined in the Weed Control Act of British Columbia,

- (l) accumulations of rubbish, trash, bottles, broken glass or other discarded or unwholesome materials,
- (m) graffiti on fences, buildings or structures on the real property or on patios, driveways or other finished ground surfaces,
- (n) for any real property zoned as residential property pursuant to Part 9 of the City of Coquitlam Zoning Bylaw No. 3000, 1996 as amended, outdoor storage of
 - (i) motor vehicles (other than motor vehicles defined as recreational vehicles in paragraph (ii) of this subsection) not displaying current year insurance, provided that no property shall be permitted outdoor storage of more than one such motor vehicle insured only for storage,
 - (ii) more than 2 recreational vehicles, which, for the purposes of this subsection, as defined to include, but is not limited to, motor homes, trailers, campers, boats, snowmobiles, seadoos, all terrain vehicles, golf carts and off-road motorbikes,
 - (iii) motor vehicles or recreational vehicle parts or supplies,
 - (iv) materials in the front of a residential dwelling,
 - (v) materials at the side of a residential dwelling unit where that side area is visible from the boulevard or street adjoining the front property line of the real property,
 - (vi) materials at the side of a residential dwelling that is not visible from the boulevard or street adjoining the front of the property or the rear of such dwelling unit, where such storage fails to meet one or more of the following criteria,
 - A. does not exceed more than 7% of the total outdoor side and rear areas,
 - B. is kept in a neat and tidy condition, and
 - C. is located so as to minimize the visual impact on adjoining property owners.

6. Graffiti

- 6.1 No owner or occupier of real property will allow graffiti to remain on walls, fences or elsewhere adjacent to any public and/or privately owned or held place
- 6.2 For purpose of this Bylaw, the word "graffiti" means an inscription, drawing, writing, pictorial representation, message, slogan, symbol or mark, made on a wall, fence, structure, or other surface by means of paint, chalk, ink or other substance, or by chisel, hammer, stone or other device, but does not include any of the following

- (a) a sign, public notice or traffic control mark authorized by the City,
- (b) a sign authorized pursuant to any bylaw of the City,
- (c) a public notice authorized by federal or provincial legislation or City bylaw

6.3 No person will do any act that results in graffiti appearing on any public or privately owned or held place

7 Right of Entry

Any officer, employee or agent of the City authorized by this or any other bylaw of the City to enforce this Bylaw (an "Authorized Person"), may enter at all reasonable times on any property in the City to ascertain whether the requirements of this Bylaw are being met or the regulations are being observed

8 Notice of Non-Compliance

An Authorized Person may by oral notice given to an occupier of the real property apparently over the age of 16 or by written notice sent by registered mail to the registered owner of the real property, the occupant, or their agent, for the purpose of remedying unsightliness on real property, require the owners or occupiers of the real property, or their agent, to

- (a) remove from the real property the unsightly materials,
- (b) clear the real property of brush, trees, noxious weeds or overgrown grass, or
- (c) remove the graffiti,

within the time specified in the notice

9 City Effects Compliance

9.1 If the owners or occupiers of real property, or their agent, fails to comply with a notice given pursuant to section 8 of this Bylaw, the City, by its employees or other persons, at reasonable times, may enter on the real property and effect the compliance specified in the notice at the expense of the person who failed to comply

9.2 If the person at whose expense the compliance is carried out under section 9.1, does not pay the costs incurred by the City to effect compliance on or before December 31st in the year that the compliance was effected, the costs will be added to and form part of the taxes payable on the real property as taxes in arrears

10. No Interference

No person shall interfere with:

- (a) an Authorized Person in the performance of his or her duties under this Bylaw, or

- (b) any employee or other person directed by the City to carry out the terms of any notice pursuant to section 9 of this Bylaw

11. Offences

11.1 Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done or omitted to be done in contravention of this Bylaw will be liable on summary conviction to a penalty not exceeding the maximum penalty specified in the Offence Act of British Columbia from time to time

11.2 For purposes of determining if a contravention or violation of or failure to perform any provision of this Bylaw has occurred, each day of such contravention, violation or failure will be deemed to be a separate offence.

READ A FIRST TIME this 01 day of June , 1998

READ A SECOND TIME this 01 day of June , 1998

READ A THIRD TIME this 01 day of June , 1998

RECONSIDERED AND FINALLY ADOPTED by Council for the City of Coquitlam this 06 day of July 1998