

## **VILLAGE OF SAYWARD**

### **BY-LAW NO. 33**

#### **Being a By-law to Regulate Untidy and Unsightly Premises within the Limits of the Village of Sayward.**

WHEREAS it is deemed necessary and expedient to regulate untidy and unsightly premises and require the owners or occupiers of real property or their agents, to remove therefrom any accumulation of filth, discarded materials or rubbish of any kind; and for providing that in default of such removal the Municipality by its expense of the person so defaulting.

NOW THEREFORE, the council of the Village of Sayward, in open meeting assembled, enacts as follows:-

1. No person or persons shall accumulate or permit or cause to accumulate filth, discarded materials, including disused or stripped automobiles and parts, or rubbish of any kind on his or their premises or the premises that he or they occupy.
2. The owners and occupiers of real property and their agents shall take every measure necessary to remove such accumulated filth, discarded materials and rubbish of every kind from their premises or the premises which they occupy or represent.
3. The Council shall appoint, by resolution, such of its officers and employees as it may deem necessary as inspectors to enter upon premises within the Municipality during reasonable hours to inspect the said premises and determine whether there is any accumulation of filth, discarded materials or rubbish on the said premises.
4. In the event that the inspector determines that there is a violation of this By-law, he shall notify the owner or occupier of the real property that in his opinion there is an accumulation of filth, discarded materials or rubbish on the said premises aforesaid to the owner or occupier, and forthwith file a report with the Village Clerk. He shall also advise the owner or occupier that in the event the said owner or occupier disputes the determination of the inspector he should do so by a written objection addressed to the Village Clerk specifying his objection and providing reasons why he disputes the determination that there is an accumulation of filth, discarded materials or rubbish on the said premises.
5. Upon receipt from the inspector, the Village Clerk shall give notice to the owner or occupier of real property to remove therefrom the said accumulation within fourteen days from the date of the said written notice and also stating that in the event that the said owner or occupier shall not remove the said accumulation, the Municipality may then enter upon the premises and effect such removal at the expense of the said owner or occupier, and in default of payment, that the said in charge shall be added to the taxes payable in respect to the real property aforesaid. In the event that the said owner or occupier files a notice of objection as above provided, the Village Clerk will refer that same to the inspector for further inspection. The inspector shall re-examine the premises and make a second report and should the inspector still designate that there is accumulation of filth, discarded materials or rubbish on the said premises, the Village

Clerk shall forward a second notice advising the owner or occupier of this determination and demanding the removal as aforesaid.

6. Upon expiration of the notice provided by the Village Clerk, the inspector shall again examine the premises and in the event that the accumulation has not been removed, he shall immediately report to the Village Clerk who may order the removal of the said accumulation under the supervision of the inspector and in such events the costs shall be charged to the occupier in possession of the premises by services of a bill on him by registered mail, and in the event that the occupier is not the owner of the said real property, the Village Clerk shall notify the owner of such charge advising that in the event it is not paid by December 31<sup>st</sup> of that year, it shall be added to and from part of the taxes in respect of the real payment or the said charge as aforesaid, the Village Clerk, by authority of this By-law, shall direct the Collector to add the charge to the taxes for that year.
7. Notwithstanding the right of the Municipality to remove the said accumulation of filth, discarded materials or rubbish of any kind, it shall be an offense against this By-law for an owner or occupier of real property to permit his premises to remain untidy or unsightly and upon conviction of accumulating filth, discarded materials or rubbish of any kind contrary to this By-law. Any justice of the Peace or other Court which convicts any person, pursuant to Section 232, Subsection 1 of the "Municipal Act", being Chapter 255 of the Statutes of British Columbia, 1960, as amended, of an offence against this By-law is hereby authorized to impose a fine or penalty not exceeding One Hundred (\$100.00) Dollars upon such person for each day or part of a day upon which such offence was committed; and any Justice of the Peace or other Court may, in default of payment of such fine or penalty, pursuant to Section 232, Sub-section 2 of the said Act, commit an offender to imprisonment for a term not exceeding thirty (30) days.
8. This By-law shall be known and cited for all purposes as "Regulation of Untidy and Unsightly Premises By-law No. 33, 1971" and shall come into force and take affect upon Victoria, British Columbia.

READ A FIRST TIME THIS 29<sup>TH</sup> DAY OF January 1971.

READ A SECOND TIME THIS 29<sup>TH</sup> DAY OF January 1971.

READ A THIRD TIME THIS 29<sup>TH</sup> DAY OF January 1971.

RECONSIDERED AND FINALLY ADOPTED THIS 11<sup>TH</sup> DAY OF February 1971.