

DISTRICT OF NEW HAZELTON

BY-LAW NO. 39

A by-law to provide for the maintenance
of private property and the prohibition
of nuisances.

WHEREAS the Council is empowered by the "Municipal Act", R.S.B.C., 1979, Chapter 290 and all amendments thereto, to provide for the preventing and abating of nuisances and the maintenance of private property;

NOW THEREFORE the Municipal Council of the District of New Hazelton, in open meeting assembled, enacts as follows:

1. This by-law may be cited as the "Private Property Maintenance and Nuisance Removal By-law No. 39, 1982".
2. No person, persons, corporation or other body shall cause any nuisance within the Municipality, and no owner or occupier of lands or premises within the Municipality shall cause, suffer or permit any nuisance in, about or upon the same lands and premises.
3. In the event there is any nuisance on any lands or premises within the Municipality, the Council may give notice to the owner or occupier of such lands and premises and/or to the person causing the nuisance requiring such nuisance to be abated and removed within a specified period of the date of such notice; and in the event that such nuisance shall not be abated or removed within the time limit specified in such notice, then the Council may cause such nuisance to be abated and the cost of such abatement shall constitute a debt owing to the District of New Hazelton by the person, persons, corporation or other body which was given the notice as herein described and if unpaid on the 31st day of December in any year, shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.
4. The owners or occupiers of any lands or premises shall not permit any water, rubbish or obnoxious, offensive or unwholesome matter or substances to collect or accumulate around their lands or premises.
5. No person shall deposit or throw bottles, broken glass or other rubbish in any open place or upon any property on which there is situate a building, structure or premises of any description.
6. All owners and occupiers of any real property within the Municipality shall maintain and keep the said real property in a reasonably tidy and sightly condition, and the accumulation of filth, discarded materials or rubbish of any kind on any lands or premise is hereby prohibited.

7. The Council may give notice to the owner or occupier of any lands and premises on which there is any accumulation of filth, discarded materials, or rubbish of any kind requiring such accumulation to be abated and removed within a specified time of the giving of the notice, and in default of such removal within the specified time limit, the Municipality by its workmen or other authorized agent or employee may enter upon such lands or premises and effect such removal of the accumulation at the expense of the owner or occupier so defaulting; provided however that all necessary and incidental expenses connected with the removal of such accumulation shall be charged to the owner of such land, plan or premises and if unpaid on the 31st day of December in any year shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.
8. No owner or occupier of any real property within the Municipality shall permit any infestation by caterpillars or other noxious or destructive insects.
9. The Council may give notice to the owner or occupier of such real property requiring that the said infestation be destroyed and cleared within a time period specified in the said notice; and in the event that such infestation shall not be destroyed and cleared within the time limit in such notice then the Municipality by its workmen and others may enter and effect such destruction and clearing at the expense of the person so defaulting; and may provide that the charges for so doing if unpaid on the 31st day of December in any year shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.
10. The Council may require the registered owner or the occupier of any real property or their agents to clear such property of brush, trees, obnoxious weeds or other growths; and that in default of such clearing, the Municipality by its workmen or others may enter and effect such clearing at the expense of the person so defaulting; provided however that the charges for so doing shall, if unpaid on the 31st day of December in any year, be added to and form part of the taxes payable in respect of that real property as taxes in arrears.
11. Any person who violates any provision of this by-law shall be guilty of an infraction of this by-law and liable to a fine or penalty not exceeding FIVE HUNDRED (\$500.00) DOLLARS for each offence; and in default of payment thereof forthwith or within such time as the presiding Provincial Court Judge or Justice of the Peace shall direct, the fine imposed shall be recoverable under the provisions of the Offence Act R.S.B.C. 1979, Chapter 305 and all amendments thereto; provided that if a nuisance, accumulation or infestation or anything else prohibited by this by-law is permitted to continue a new offence shall be deemed to have been committed after the

expiration of every ten (10) day period; and provided also that penalty herein contained shall be in addition to the costs of any abatement, removal, destruction or clearing where such has been done by the Municipality under the authority of any of the provisions of this by-law.

READ A FIRST TIME this 6 day of July, 1982.

READ A SECOND TIME this 5 day of July, 1982.

READ A THIRD TIME this 3 day of August, 1982.

RECONSIDERED AND ADOPTED THIS 17 day of Aug., 1982.

Mayor

Clerk

CERTIFIED A TRUE COPY OF BY-LAW NO. 39
AS RECONSIDERED AND ADOPTED.

Clerk