

**VILLAGE OF CHASE
BYLAW NO. 731-2010**

PROPERTY MAINTENANCE BYLAW

A Bylaw to establish provisions to regulate the maintenance of property

WHEREAS, the Municipal Council may by Bylaw, establish maintenance of real property regulations for the purposes of preventing unsightliness on real property;

NOW THEREFORE the Council of the Village of Chase, in the Province of British Columbia, hereby **ENACTS AS FOLLOWS:**

1. Title

This Bylaw may be cited as “*PROPERTY MAINTENANCE BYLAW NO. 731 - 2010*”.

2. Repeal

Property Maintenance Bylaw No. 705 -2007 is hereby repealed in its entirety.

3. Definitions

In this bylaw:

BYLAW ENFORCEMENT OFFICER means a Peace Officer, Bylaw Enforcement Officer or designate and any other person duly authorized by the Council.

CONTAINER means a dumpster, garbage can, garbage bin or other receptacle designed, intended or used to hold rubbish, discarded materials and debris.

COUNCIL means the Council of the Village of Chase.

GRAFFITI means writing or pictorial representation scratched, scribbled, painted or otherwise applied to walls, roofs, fences or windows.

REAL PROPERTY means any parcel of private land within the boundaries of the Village of Chase.

RECREATIONAL VEHICLES includes but is not limited to, motor homes, trailers, campers, boats, snowmobiles, seadoos, all terrain vehicles, golf carts and off-road motor bikes.

REFUSE means and includes, but is not limited to, food wastes, market wastes, paper, cardboard, plastics, yard trimmings and brush, stumps, metal cans, glass containers, bulky wastes such as furniture, appliances, mattresses, tires, construction and demolition waste, unlicensed, unused or stripped automobiles, trucks, trailers, boats, vessels, machinery, tools, equipment, mechanical or metal parts.

RUBBISH means refuse.

UNSIGHTLY means an untidy or otherwise non-aesthetic accumulation of brush, trees, noxious weeds and other unsightly growths, filth, discarded materials, junk, refuse or clutter and includes the storage of any type of vehicle(s) in contravention of this Bylaw or Zoning Bylaw No. 683 - 2006.

4. Application

- (1) All real property within the Village of Chase must be maintained by the property owner or their designate so as to prevent the property from becoming unsightly.

5. Control of Refuse

- (1) No person may:
 - (a) cause or permit rubbish or noxious, offensive or unwholesome matter to collect or accumulate on lands or around buildings owned or occupied by them;
 - (b) discard or throw bottles, broken glass or other rubbish in any public place, other than into a garbage container;
 - (c) cause or permit rubbish to overflow from or accumulate around any container;
 - (d) without limiting the generality of the foregoing, no person may, in relation to construction or demolition, cause or permit demolition waste, construction waste or trade waste to accumulate on any property.

6. Unsightly Property

- (1) No person may:
 - (a) allow property to become or remain unsightly by the accumulation of filth, discarded materials, rubbish or the storage of anything in a manner that is not permitted by Zoning Bylaw No. 683 - 2006 and all amendments thereto;
 - (b) cause or permit the storage of construction materials and equipment, solid fuels, lumber and building materials, monuments and stone products, public services and utility equipment, or other materials, goods, products, vehicles, equipment, machinery or refuse in the front of a residential dwelling unit;
 - (b) cause or permit the storage of construction materials and equipment, solid fuels, lumber and building materials, monuments and stone products, public services and utility equipment, or other materials, goods, products, vehicles, equipment, machinery or refuse at the side of a residential dwelling unit where that side area is visible from the boulevard, street or other public area;

- (d) place graffiti on walls, fences or elsewhere on private property or anywhere adjacent to a public place.

7. Unsightly Growth

- (1) Every owner or occupier of real property must clear the property of unsightly brush, trees, noxious weeds and other unsightly growths and at no time allow the height of grass to exceed 30 centimetres except on lands designated by the Agricultural Land Commission as Agricultural Land Reserve.

8. Vehicle Storage

- (1) No person may:
 - (a) cause or permit motor vehicles to be placed as outdoor storage on real property unless done in accordance with Zoning Bylaw No. 683 - 2006 and all amendments thereto.
 - (b) cause or permit on real property storage of more than 2 recreational vehicles unless in accordance with Zoning Bylaw No. 683 - 2006 and all amendments thereto.
 - (c) cause or permit on real property storage of motor vehicle or recreational vehicle parts or supplies unless in accordance with Zoning Bylaw No. 683 - 2006 and all amendments thereto.

9. Enforcement

- (1) A Peace Officer, Bylaw Enforcement Officer or designate and any other person duly authorized by the Municipality may enter onto any property at any reasonable time to ascertain whether the provisions of this Bylaw are being observed and may take whatever action deemed necessary in accordance with section 10.

10. Offences and Penalties

- (1) Any person who contravenes any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence against this Bylaw and is subject to:
 - (a) a fine in accordance with Village of Chase Municipal Ticket Information Bylaw if an information respecting the infraction is laid by means of a ticket; or

- (b) upon summary conviction, a fine not exceeding \$2,000.00 and the costs of prosecution; or
- (c) upon expiration of two weeks written notice to remove accumulations of filth, discarded materials, rubbish, graffiti, brush, vehicles or any unsightly matter, the Village may by its employees or other persons, at reasonable times and in a reasonable manner, enter on the property and effect the removal at the expense of the property owner.

Where the property owner at whose expense removal is carried out under section this section does not pay the costs of the removal on or before December 31st in the year that the removal was done, the costs shall be added to and form part of the taxes payable on the property as taxes in arrears.

11. Severability

- (1) If any portion of this Bylaw is held to be invalid by a Court of competent jurisdiction, such invalidity does not affect the remaining portions of the Bylaw.

READ A FIRST TIME THE 9th DAY OF FEBRUARY, 2010.

READ A SECOND TIME THE 9th DAY OF FEBRUARY, 2010.

READ A THIRD TIME THE 9th DAY OF FEBRUARY, 2010.

ADOPTED THE 23rd DAY OF FEBRUARY, 2010.

x
Mayor
Certified a true copy of Bylaw No. 731 -2010.

x
Corporate Officer

x
Corporate Officer