

# **DISTRICT OF 100 MILE HOUSE**



**CONSOLIDATED VERSION OF  
Bylaw No. 1017**

**AND AMENDMENTS THERETO  
(Bylaw No. 1077)**

**(For Convenience Only)**

**Please refer to original Bylaws.**

DISTRICT OF 100 MILE HOUSE

BYLAW NO. 1017, 2006  
Unsightly Premises Bylaw

A bylaw relating to regulating unsightly premises within the limits of  
the District of 100 Mile House.

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WHEREAS under the provisions of Section 8(3)(h) of the Community Charter Council may by bylaw regulate, prohibit and impose requirements in relation to the protection and enhancement of the well-being of its community, and under the provisions of Section 64 regulate and prohibit unsightliness on real property;

AND WHEREAS it is deemed appropriate to regulate and prohibit unsightliness on real property within the District of 100 Mile House;

NOW THEREFORE, the Council of the District of 100 Mile House, in open meeting assembled, enacts as follows:

1) INTERPRETATION

In this bylaw, “unsightly” includes but is not limited to

- (a) the accumulation of building material on a parcel of real property unless
  - (i.) the owner or occupier of the parcel is in possession of a valid building permit in respect of the accumulation; or
  - (ii.) the accumulation is stored in a closed building or structure such that the accumulation is not visible from another parcel or highway;
- (b) the storage or accumulation on a parcel of real property of all or part of a vehicle, as defined in the Motor Vehicle Act which is not:
  - (i.) validly registered and licenced in accordance with the Motor Vehicle Act; or
  - (ii.) capable of movement under its own power

unless stored in a closed building or structure such that the vehicle, or any portion of a vehicle, is not visible from another parcel or a highway;

- (c) the accumulation on a parcel of real property of filth, discarded materials or rubbish of any kind, whether or not for commercial purposes or as part of a trade or calling, including but not limited to dead animals, paper products, crockery, glass, metal, plastics, plastic containers, wire, ropes, machinery, tires, appliances, and any other scrap or salvage;

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- (d) the accumulation or deposit on a parcel of real property of discarded or fallen building materials, including the surface, covering, or coating of a building or structure itself or part of it which is missing all or a portion of its surface, covering, or coating materials;
  - (e) the use of any parcel of real property used for residential premises, other than a parcel zoned for industrial uses under the applicable Zoning Bylaw of the District, for the storage, repair, cleaning, maintenance, collection, or servicing of mechanical equipment including bulldozers, graders, backhoes, or other similar heavy construction equipment;
  - (f) the presence of graffiti, whether in the form of pictures or words, on real property or on the surface of premises located on real property;
  - (g) the accumulation on a parcel or real property of garbage not contained in a covered receptacle.

## 2) DEFINITIONS

The use of words signifying the masculine shall include the feminine.

In this bylaw, unless the context otherwise requires:

“Council” shall mean the Council of the District of 100 Mile House.

“Derelict Vehicle” shall mean any vehicle or part thereof, which:

- a) is partly dismantled, wricked, dilapidated, or non-operative automobile or other motor vehicle, including but not limited to cars, trucks, recreational vehicles, campers, trailers, and boats, any disassembled automobile component or element thereof, or any other vehicle found lacking essential component parts which prevent it from being immediately operative, which is not housed in a completely enclosed building;
- b) is physically wrecked or disabled;
- c) is not capable of operating under its own power;
- d) does not have attached number plates for the current year pursuant to the regulations of the Motor Vehicle Act of the Province of British Columbia; but

does not include any vehicle deemed to be a collector’s item as outlined in the classes of care recognized by the Vintage Car Club of Canada.

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| Amended by Bylaw<br>No. 1077 |
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| “District”                              | shall mean the District of 100 Mile House.   |
| “Filth, Discarded Materials or Rubbish” | shall include any and all manner of garbage, discarded or disused materials, filth, foul, noxious, offensive or unwholesome matters, unused or stripped automobiles, trucks, trailers, boats, vessels, machinery, mechanical or metal parts, bottles, glass, brush, and noxious weeds or other weeds of any kind.  |
| “Graffiti”                              | shall mean drawing, printing or writing, scratched, sprayed, or scribbled on a wall or other surface, but does not constitute a duly authorized sign.  |
| “Inspector”                             | shall mean a person appointed by Council resolution to administer this bylaw.  |
| “Noxious Weeds”                         | shall mean plants that are highly injurious, destructive, or difficult to control as classified by the British Columbia Weed Control Act.  |
| “Open Place”                            | shall mean a highway or any Premises where there are no buildings or structures.   |
| “Owner”                                 | shall mean an owner or occupier of a parcel of land, or both.  |
| “Premises”                              | shall mean any lot, block or other area in which land is held or into which it is subdivided.  |
| “Unsightly”                             | shall include, but is not limited to:<br>a) the accumulation of building material on a parcel of real property unless<br>(i) the owner or occupier of the parcel is in possession of a valid building permit in respect of the accumulation; or<br>(ii) the accumulation is stored in a closed building or structure such that the accumulation is not visible from another parcel or highway. |

3) PROHIBITIONS

- (a) No Owner or Occupier of Real Property shall allow such property to become or to remain unsightly.
- (b) No Owner or Occupier of Real Property shall cause or permit water, rubbish or noxious, offensive or unwholesome matter to collect or accumulate around their premises.

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- (c) No person shall deposit or throw bottles, broken glass or other rubbish in any open space.
  - (d) No person shall graffiti on walls, fences or elsewhere on or adjacent to a public place.
  - (e) No Owner or Occupier of Real Property shall permit the storage or accumulation of Derelict Vehicles on the parcel.

4) REQUIREMENTS

- (a) Notwithstanding the current District of 100 Mile House Noxious Weeds Bylaw, Owners or Occupiers of Real Property or their agents shall keep their property clear of brush, noxious weeds or other growths.
- (b) Owners or Occupiers of Real Property or their agents shall remove from it any unsightly accumulations of filth, discarded materials, rubbish or graffiti.

5) REMEDIAL

- (a) Any Owner or Occupier of Real Property who fails to remove unsightly accumulation of filth, discarded materials, rubbish or graffiti, or fails to clear the property of brush or noxious weeds, shall be in default of this Bylaw. Failure to comply with the regulations within this Bylaw, shall entitle the Municipality, at reasonable times and in a reasonable manner, to enter on the property and effect compliance at the expense of the Owner or Occupier. If charges for failure to comply are unpaid on December 31 in any year, they shall be added to and form part of the taxes payable on that Real Property, as taxes in arrears.

6) INSPECTION

- (a) Every Inspector is hereby authorized to enter upon any lands and premises in the Municipality at all reasonable times to ascertain whether this bylaw is being observed.

7) OFFENCE AND FINE

- (a) A person who contravenes this bylaw by doing an act that it forbids or by omitting to do an act that it requires to be done commits an offence and is liable to the penalties imposed under this bylaw.
- (b) Every person who commits an offence against this bylaw is liable upon conviction, to a fine not exceeding \$100.00 for each day the offence continues.

8) GENERAL PROVISIONS

- (a) This bylaw may be cited for all purposes as the **District of 100 Mile House Unsightly Premises Bylaw No. 1017, 2006.**
- (b) Regulation of Untidy and Unsightly Premises By-Law, No. 42, 1967 is hereby repealed in its entirety.

READ A FIRST TIME THIS        13 DAY OF June, 2006.

READ A SECOND TIME THIS     13 DAY OF June, 2006.

READ A THIRD TIME THIS      13 DAY OF June, 2006.

PASSED AND ADOPTED THIS    27 DAY OF June, 2006.

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Mayor

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Corporate Officer