

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 1341

A bylaw to control House Numbering,
Unsightly Premises and Graffiti

WHEREAS the Letters Patent of the CVRD as amended by Supplementary Letters Patent and the Municipal Act RSBC 1979, authorize in Sections 579 and 932 the regulation of house numbering, unsightly premises and graffiti and whereas the Regional District is desirous of exerting such control, the following is hereby enacted;

NOW THEREFORE, the Regional Board in open meeting assembled enacts as follows:

1. Definitions

In this bylaw, unless the context otherwise requires:

"authorized person" shall include the following:

- (i) a Bylaw Enforcement Officer;
- (ii) a Planner;
- (iii) a Building Inspector.

"Regional District" means the Cowichan Valley Regional District.

"person" shall include any corporation, partnership or party and the heirs, executors, administrators or other legal representatives of such person to whom the context can apply according to law and also includes the owner, his agent or the occupier of or the holder of a purchaser's interest in any agreement for sale of any real or personal property or premises within the Regional District.

"property" shall include real property and includes land together with all improvements which have been so affixed to the land to make them in fact and in law a part thereof;

"roadworthy", when applied to any motor vehicle, means capable of normal operation on a highway;

"rubbish" shall include all discarded, broken or useless items or garbage, and without restricting the generality of the foregoing shall include old paper or wood, metal or plastic products no longer in use or motor vehicles that are no longer roadworthy or parts of motor vehicles and shall include noxious, offensive or unwholesome matter including bottles, glass and construction debris.

"unsightly" shall, in addition to its plain meaning, include repulsive to the sight or ugly and without restricting the generality of the foregoing shall include any accumulation of any rubbish.

2. Housing Numbering

An owner or occupier of any building shall cause the building number assigned by the Regional District to the building to be displayed in a conspicuous place on the property on which the building is located so that the number is clearly readable from the highway.

3. Unightly Premises

- 3.1 No owner or occupier of real property shall cause or allow or permit such property to become or to remain unsightly by the accumulation thereon of any filth, discarded material or rubbish of any kind.
- 3.2 No owner or occupier of real property shall cause or allow or permit water, rubbish, or noxious or unwholesome matter to collect or accumulate on such property.
- 3.3 No person shall place graffiti on walls, fences or elsewhere on or adjacent to a public place.
- 4. Owners or occupiers of real property shall remove or cause to be removed from such property any accumulation of filth, discarded materials, rubbish, graffiti or other unsightly material.
- 5. In default of the owner or occupier of real property removing from such property any accumulation of filth, discarded materials, rubbish, graffiti or unsightly material, the Regional District by its employees or others may enter upon the property and effect the removal or clearance at the expense of the owner or occupier defaulting and the charges for doing so, if unpaid shall be added to and form part of the taxes payable on that real property as taxes in arrears.

6. Inspection

Any authorized person may enter upon real property at all reasonable times to ascertain whether this bylaw is being observed, to gather evidence of any violation or to serve any notice related to any violation of this bylaw.

7. Notice

Where any notice is given pursuant to this bylaw such notice may be given

- (i) orally; or
- (ii) in writing.

Such notice shall be deemed to be sufficiently delivered if:

- (i) personally served upon a person apparently aged 16 years or more and apparently occupying the property affected by such notice; or
- (ii) sent to the owner of the property by double registered or certified mail to his address appearing on the last revised assessment roll; or
- (iii) deposited in a place normally used for the reception of mail for the affected property; or
- (iv) if affixed to the property in a prominent place.

8. Offence

- (i) Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of or in violation of any of the provisions of this bylaw or who neglects to do or refrain from doing anything required to be done by any of the provisions of this bylaw is guilty of an offence against this bylaw and is liable to the penalties hereby imposed.
- (ii) Each day that a violation continues to exist may be deemed to be a separate offence against this bylaw.

9. Penalty

Every person who commits an offence against this bylaw is liable to a fine of not more than \$2,000. and not less than \$25.

10. Repealed

The following bylaws are hereby repealed: Nos. 156, 157, 223, 224.

11. Application

This bylaw shall apply to Electoral Areas A, B, C, D, E, F, G, H and I of the Cowichan Valley Regional District.

12. Severability

If at any time, any provision of this bylaw is declared or held to be illegal, invalid, or ultra vires, in whole or in part, then such provision shall not apply and shall be construed so as not to apply to the extent that it is illegal, invalid or ultra vires and this bylaw shall continue in full force and effect and be construed as if it had been passed without such illegal, invalid or ultra vires provision.

13. Short Title

This bylaw shall be cited for all purposes as the "Cowichan Valley Regional District House Numbering, Unsightly Premises and Graffiti Bylaw No. 1341 , 1991".

14. This bylaw shall take effect upon its adoption by the Regional Board.

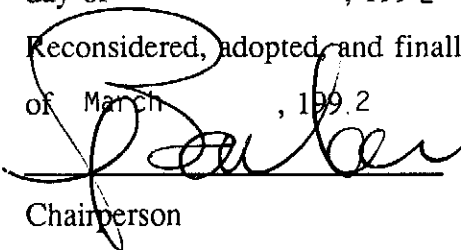
Read a first time this 13th day of March , 1991

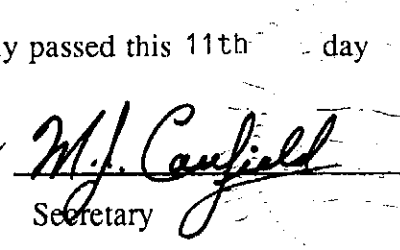
Read a second time this 13th day of March , 1991

Read a third time this 12th day of February , 1992

Received the approval of the Minister of Municipal Affairs this 11th day of March , 1992

Reconsidered, adopted, and finally passed this 11th day of March , 1992


 Chairperson


 Secretary

Province of British Columbia



No. 920120

Statutory Approval

Under the provisions of section 203

of the Municipalities Enabling and Validating Act

I hereby approve Bylaw No. 1341

of the Cowichan Valley Regional District, *a copy*

of which is attached hereto.

Dated this 11th day

of March, 1992

A handwritten signature in black ink, appearing to read "D. C. Stewart".

Minister of Municipal Affairs,
Recreation and Housing



Province of
British Columbia

Ministry of
Municipal Affairs,
Recreation and ~~Culture~~
Housing

Parliament Buildings
Victoria
British Columbia
V8V 1X4

March 16, 1992

File No. RD10-29.13

Mr. M.J. Caufield
Secretary
Cowichan Valley Regional District
137 Evans Street
Duncan, B.C.
V9L 1P5

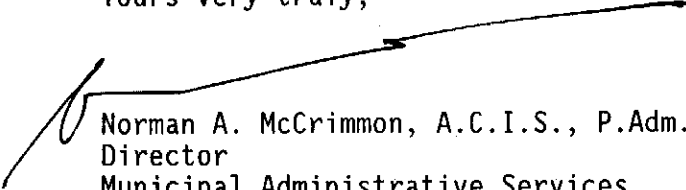
Dear Mr. Caufield:

Re: Cowichan Valley Regional District
House Numbering, Unsightly Premises
and Graffiti Bylaw No. 1341, 1991

Enclosed is one copy of Bylaw No. 1341 as approved by the Minister of Municipal Affairs, Recreation and Housing (Approval No. 920120) pursuant to the provisions of the Section 203 of the Municipalities Enabling and Validating Act.

Once adoption of Bylaw No. 1341 has been completed, kindly forward one certified true copy to this office so as to complete our records.

Yours very truly,


Norman A. McCrimmon, A.C.I.S., P.Adm.
Director
Municipal Administrative Services

BMS/bw
Encl.

