



**Unsightly Premises Regulation Bylaw No. 7162,
Amendment Bylaw No. 9819**

The Council of the City of Richmond enacts as follows:

1. *Unsightly Premises Regulation Bylaw No. 7162*, as amended, is further amended by deleting Sections 1.1 and 1.2 and replacing them with the following:

“1.1 Property Owner or Occupier Prohibitions

1.1.1 An owner or occupier of real property must not:

- (a) allow such property to become or remain **unsightly**; or,
- (b) cause or permit **rubbish**, filth, **discarded materials**, or noxious, offensive or unwholesome matter or substances to collect or to accumulate on or around such property.

1.2 Property Owner or Occupier Obligations

1.2.1 The owner or occupier of real property, or their agents, must:

- (a) remove or cause to be removed from the real property, any **rubbish**, or noxious, offensive or unwholesome matter or substance, or any **unsightly** accumulation of **rubbish**, filth, **discarded materials**, or **graffiti**;
- (b) clear or cause such property to be cleared of **unsightly** brush, trees, weeds, or other growth;
- (c) clear or cause such property to be cleared of **noxious weeds**; and
- (d) keep grass trimmed to a height of not more than 20 centimetres.”

2. *Unsightly Premises Regulation Bylaw No. 7162*, as amended, is further amended by inserting the following as new section 1.4:

“1.4 Public Property Prohibition

- 1.4.1 A person must not cause or permit **rubbish**, filth, **discarded materials**, or noxious, offensive or unwholesome matter or substance to collect or to accumulate on or around **public property**.”

3. *Unsightly Premises Regulation Bylaw No. 7162*, as amended, is further amended at Sections 2.1.1 and 2.1.2 by deleting the words and numbers “14 days” and replacing them with “10 days”.
4. *Unsightly Premises Regulation Bylaw No. 7162*, as amended, is further amended at Section 3.1 by inserting the following as new definitions in alphabetical order:

“**Abandoned Construction Materials**” means an accumulation of construction materials, including but not limited to lumber, siding, insulation, windows, doors, and piping, where there is no apparent or actual construction activity occurring on or in the real property.

“**Derelict Fence**” means any fence characterized by significant holes, breaks, rot, crumbling, crackling or peeling finish, or rust or any other condition indicating physical decay, neglect, or lack of reasonable maintenance;

“**Derelict Vehicle**” means any **vehicle** which:

- (a) is not validly insured and/or licenced, if such **vehicle** would be required to be insured, and/or licenced with current validation, to be operated on public roads and/or waterways; or
- (b) is not capable of being moved by its own motive power or is missing parts, including, but not limited to engines, doors, hood, trunk, tires, lights, or windows,

but excludes one such **vehicle** on a piece of real property, which **vehicle** may only be parked or stored on hard surfacing on such property

For the purposes of this definition, a **vehicle** that is not validly insured and/or licensed, as described above, shall be deemed to be not capable of operating under its own motive power unless the owner or occupier of the real property on which it is located is able to demonstrate to the **Manager of Community Bylaws** or a **Bylaw Enforcement Officer** that the **vehicle** is capable of operating under its own motive power.

“**Discarded Materials**” means discarded materials and substances, including but not limited to **abandoned construction materials**, deteriorated lumber, furniture (not specifically designed for outdoor use), furniture parts, bedding, mattresses, sinks, cabinets, household fixtures, small or large appliances (including but not limited to stoves, refrigerators, and freezers), old newspapers, discarded bottles, **vehicle** parts, tires, wire, rope, abandoned, broken or neglected equipment, and the scattered remains of any such items.

- “Noxious Weed”** means a weed designated to be a noxious weed under the *Weed Control Regulation* BC. Reg. 66/85, as may be amended or replaced from time to time, and includes the seeds of the **noxious weed**.
- “Public Property”** means any real property owned or lease by the **City** and ordinarily accessible to the public, including but not limited to parks, roads, boulevards, sidewalks, and dikes.
- “Unightly”** means, in addition to its common dictionary meaning and regardless of the condition of other properties in the neighbourhood, real property having any one or more of the following characteristics:
- (a) the accumulation of junk, filth, litter, brush, **discarded materials**, refuse, **rubbish**, garbage, graffiti, and/or **derelict vehicles**;
 - (b) **derelict fence(s)**;
 - (c) landscaping that is dead, characterized by uncontrolled growth or significant lack of maintenance, or is significantly damaged;
 - (d) uncontrolled growth of **noxious weeds**;
 - (e) the condition or appearance of a structure, building, or of real property, or parts thereof, that is characterized by graffiti, holes, breaks, rot, crumbling, cracking, peeling, rusting, or any other evidence of physical decay or neglect or excessive use, or excessive lack of maintenance; or
 - (f) any other similar conditions of disrepair, dilapidation, and deterioration.
- “Vehicle”** means any vehicle propelled otherwise than by muscle power and includes an automobile, truck or other motor vehicle, including a farm implement or equipment, motor home, motorized construction equipment, motorcycle, snowmobile, boat, recreational vehicle, aeroplane, trailer, and any other device which is capable of being driven or drawn.
- “Waste”** means decaying or non-decaying solid and semi-solid wastes, including but not limited to both combustible and non-combustible wastes, such as paper, trash, refuse, cardboard, waste material, cans, wood, glass, broken glass, crates, rags, barrels, boxes, plastic containers, scrap wire, scrap iron, tin and other metal, scrap paving material, discarded appliances, dead animals, yard clippings, dry vegetation, weeds, dead trees, accumulated branches, overgrown vegetation and trees which may harbor insect or rodent infestations

or may become a fire hazard, and piles of earth mixed with any of the above.”.

- 5. *Unsightly Premises Regulation Bylaw No. 7162*, as amended, is further amended at section 3.1 by deleting the definition of Rubbish and replacing it with the following:

“**Rubbish**” includes, but is not limited to, **waste**, any **derelict fence**, and any **derelict vehicle**.”.

- 6. *Unsightly Premises Regulation Bylaw No. 7162*, as amended, is further amended by deleting the last paragraph from Section 4.1 and replacing it with the following:

commits an offence and upon conviction shall be liable to a fine of not less than one thousand dollars (\$1,000.00) and not more than Ten Thousand Dollars (\$10,000.00), in addition to the costs of the prosecution, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

- 7. *Unsightly Premises Regulation Bylaw No. 7162*, as amended, is further amended by inserting the following as new section 4.2:

“4.2(a) A violation of any of the provisions identified in this bylaw shall result in liability for penalties and late payment amounts established in Schedule A of the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*, as amended and replaced from time to time; and

(b) A violation of any of the provisions identified in this bylaw shall be subject to the procedures, restrictions, limits, obligations and rights established in the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*, as amended and replaced from time to time, in accordance with the *Local Government Bylaw Notice Enforcement Act*, SBC 2003, c. 60, as amended and replaced from time to time.”.

- 8. This Bylaw is cited as “**Unsightly Premises Regulation Bylaw No. 7162, Amendment Bylaw No. 9819**”.

FIRST READING

MAY 13 2019

SECOND READING

MAY 13 2019

THIRD READING

MAY 13 2019

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
<i>[Signature]</i>
APPROVED for legality by Solicitor
<i>[Signature]</i>

MAYOR

CORPORATE OFFICER