

"CONSOLIDATED VERSION"

THE CORPORATION OF THE VILLAGE OF FRASER LAKE

GOOD NEIGHBOUR BYLAW NO. 788, 2018



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Village of Fraser Lake
BYLAW NO. 788,2018

**BEING A BYLAW OF THE VILLAGE OF FRASER LAKE TO ENHANCE THE QUALITY OF LIFE
FOR THE CITIZENS OF THE VILLAGE OF FRASER LAKE – “GOOD NEIGHBOUR BYLAW”**

WHEREAS the Council for the Village of Fraser Lake desires to protect Quality of Life for its citizens, and endeavors to promote civic responsibility, and further, strives to encourage good relationships between neighbours.

AND WHEREAS the *Community Charter* authorizes officers, employees and agents of the municipality to enter at all reasonable times on any property to ascertain compliance with the municipality's bylaws;

AND WHEREAS Council deems it appropriate to require an owner of property to safeguard, secure and protect abandoned or unoccupied buildings from property damage, unauthorized entry or occupation for the protection of persons and property;

NOW THEREFORE the Council of the Village of Fraser Lake in open meeting assembled hereby enacts as follows:

1. INTERPRETATION:

- 1.1 This Bylaw may be cited as “The Village of Fraser Lake Good Neighbour Bylaw No. 788, 2018”.
- 1.2 Words or phrases defined in the British Columbia *Interpretation Act*, *Motor Vehicle Act* or *Local Government Act* or any successor legislation, shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.
- 1.3 Schedules “A” to “G” contain definitions of terms used in this Bylaw.
- 1.4 In this Bylaw, unless the context otherwise requires, the singular shall include the plural and the masculine includes the feminine gender.

- 1.5 The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.

2. SEVERABILITY

- 2.1 If any part of this Bylaw is for any reason held invalid by any court of competent jurisdiction, the invalid portion shall be severed and the severance shall not affect the validity of the remainder.

3. GENERAL REGULATIONS

- 3.1 No person shall obstruct or interfere with a bylaw enforcement officer in the exercise of his duties.
- 3.2 A Bylaw Enforcement Officer is hereby authorized to enter, at all reasonable times in a reasonable manner, on any property subject to the regulations of this Bylaw, to ascertain whether the regulations or directions contained herein are being observed.

4. ADMINISTRATION:

- 4.1 The Chief Administrative Officer or his Designate is hereby appointed to administer and carry out the provisions of this Bylaw.
- 4.2 Words defining responsibilities and authority shall be construed to be an internal administrative direction and not as creating a duty.

5. NOISE REGULATION:

- 5.1 Schedule "B" contains definitions of terms used in Part 5 of this Bylaw.
- 5.2 **Exemptions**
- 5.2.1 Notwithstanding anything contained herein, no person shall be guilty of an infraction of this Bylaw while:
- (a) Operating any vehicle or equipment of the Municipality, Fire Department, the RCMP or any other public body engaged in carrying out a public service or carrying out work in or on a highway, park or the Municipal Public Works Yard.

- (b) Performing works of an emergency nature for the preservation or protection of life, health or property, provided that the onus shall be on the person performing the work to show cause that the work was of an emergency nature.
- (c) Lawfully carrying on a trade or industry at a commercial, industrial or light industrial zoned area, provided that the sound or noise does not exceed the sound or noise common to such trade or industry where carried out in accordance with generally accepted industry standards using equipment and facilities in good operating order.
- (d) Farm operations conducted in accordance with normal farm practices under the *Farm Practices Protection (Right to Farm) Act*, if located in areas designated for that use in the Village's Zoning Bylaw, as amended from time to time.
- (e) Operating residential household equipment including, but not limited to, pool pump motors, air conditioning units, exhaust fans, hot tub pumps, provided that the sound or noise does not exceed the sound or noise common to such household equipment when in good operating order and being used in accordance with generally accepted industry standards.
- (f) Where a permit for a special event, which in the Village Council's opinion is in the public interest, in which case the requirements of this bylaw may be waived.
- (g) The use of a lawn mower between the hours of 7:00 am and 11:00 pm Monday to Friday and between the hours of 8:00 am and 11:00 pm on Saturday or Sunday, or a Statutory/Civic Holiday.

5.3 Special Exemptions

5.3.1 Construction Permits

- (a) Where the Chief Administrative Officer or the Regional District's Building Inspector considers that it is impossible or impractical for a person to comply with Section 6.2.1 (e) and (f), the Senior Building Inspector may grant an exemption to carry out work that is found to be necessary, at designated hours on designated days and on such other terms and conditions as the Senior Building Inspector considers reasonable under the circumstances.

5.3.2 Community Notification

- (a) Where an exemption to the noise bylaw is granted, the applicant will notify businesses and residents within 45 metres of the parcel property lines. The applicant will also send a copy of the community notification to the Village of

Fraser Lake and the RCMP. The notification will be in writing and forwarded at least 24 hours and no more than 7 days prior to the exempted noise. The notification shall include:

(i) ***The applicant's information:***

- a. The company and/or construction company name, address, and telephone number;
- b. The project name and address of the construction site;
- c. The 24-hour monitored contact phone number and contact name.

(ii) ***The details of the exempted work:***

- a. Potential disruptions and other relevant activity including lights, construction cranes, trucks, etc.;
- b. The reasons why the noise exempted work are necessary;
- c. Information about the exemption granted as well as any limitations or conditions imposed by the Village regarding the exemption as well as a description of any steps taken or planned to minimize the noise nuisance;
- d. Telephone numbers for the Village of Fraser Lake and the RCMP.

5.4 General Prohibitions

- 5.4.1 No person shall make or cause, or permit to be made or caused, any noise in or on a highway or other public place in the Village which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity of that place.
- 5.4.2 No person being the owner, occupier or tenant of Real Property shall allow or permit such Real Property to be used so that noise or sound which occurs thereon or emanates there from, disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons on the same property or in the neighbourhood or vicinity of that property.
- 5.4.3 No person being the owner, occupier or tenant of Real Property shall allow or permit such Real Property to be used so that noise or sound which occurs thereon or emanates there from, disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons on the same property or in the neighbourhood or vicinity of that property and is deemed to be an excessive noise or and excessive nuisance by a bylaw officer or member of the RCMP.

5.5 Specific Prohibitions

5.5.1 Without limiting the generality of Sections 5.4.1 and 5.4.2 herein:

- (a) No person shall play or operate any radio, stereophonic equipment or other instrument or any apparatus for the production or amplification of sound either in or on private premises or on any highway or other public place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity of those premises or place.
- (b) No person being the owner, occupier or tenant of Real Property shall allow or permit his real property to be used by a person or persons for playing or operating any radio or stereophonic equipment or other instrument or other apparatus for the production or amplification of sound in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity of said real property.
- (c) Subject to Sub-Section 5.2.1 (d), no person shall own, keep or harbour any dog, cat, animal or bird, which by its barking, howling, cries or sounds unduly disturbs the peace, quiet, rest or tranquility of surrounding neighbourhood or of persons in the vicinity.
- (d) No person may operate, or cause, suffer or permit the operation of, any motorized lawn-grooming or garden equipment in the Village between the hours of 11:00 pm and 7:00 am Monday to Friday and between the hours of 11:00 pm and 8:00 am on Saturday or Sunday, or a Statutory/Civic Holiday.
- (e) Subject to Section 5.3.1, no person in the Village shall, on any day before 7:00 am or after 11:00 pm, construct erect, reconstruct, alter, repair or demolish any building, structure or thing, or excavate or fill in land in any manner which causes noise or sounds in or on a highway or elsewhere in the Village which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity.
- (f) Subject to Section 5.3.1, no owner of Real Property shall, on any day before 7:00 am or after 11:00 pm, cause, permit or allow a person to construct, erect, reconstruct, alter, repair or demolish any building, structure or thing, or excavate or fill in land in any manner which causes noise or sounds in or on any Real Property, a highway or elsewhere in the Village which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity.

6 PROPERTY MAINTENANCE:

6.1 The Owner of a property is ultimately responsible for all activities on their Property which may constitute contravention of this Bylaw.

6.2 Schedule "C" contains definitions of terms used in Part 6 of this Bylaw.

6.3 Exemptions

6.3.1 Part 6 of this Bylaw does not apply to farm operations conducted in accordance with normal farm practices under the *Farm Practices Protection (Right to Farm) Act*, if located in areas designated for the use in the Village's Bylaw, as amended from time to time.

6.3.2 Part 6 of this Bylaw does not apply to the orderly outdoor storage of goods and chattels when permitted by the Village of Fraser Lake Zoning Bylaw No. 683,2008

6.3.3 Part 6 (h) of this Bylaw does not apply to vehicles intended for seasonal use such as boats or recreational trailers; assuming they are insured at least three months each year for seasonal use.

6.3.4 Part 6 (g) of this Bylaw does not apply to hobby vehicles annually used in activities such as mud bog or drag racing. Operable unlicensed vehicles must be parked in the rear of the front face of the principle building.

6.4 Regulations

6.4.1 Except as permitted under Section 6.3.1 and 6.3.2 of this Bylaw, no owner or occupier of Real Property shall cause, suffer or permit:

(a) ***Rubbish, Garbage and Discarded Material:*** All Owners shall not permit the accumulation of Rubbish, Garbage or Discarded Material upon Real Property and shall remove any accumulations of Rubbish, Garbage or Discarded Material there from.

(b) ***Accumulation of Offensive or Unwholesome Matter:*** All Owners shall not permit offensive or unwholesome matter upon real Property in plain sight and shall remove the same there from. This shall include fecal matter from dogs or other animals.

(c) ***Accumulation of Water:*** No Owner shall permit water to collect or accumulate or otherwise hold water upon a Real Property that has become sufficiently stagnant as to permit the breeding of mosquitoes which may result in the spread of West Nile virus or other harmful disease-bearing insects.

- (d) ***Maintenance of Grass and Vegetation:***
- (i) No Owner of Premises shall allow grass or weeds on the Premises to become unsightly.
 - (ii) No Owner shall permit the accumulation of dead landscaping, vegetation, noxious weeds or other growths to occur or to remain on the Real Property.
 - (iii) No Owner or Occupier of Premises shall allow any Vegetation to:
 - a. Interfere or obstruct any work done by the Village or Utility;
 - b. Obstruct any Highway or Sidewalk;
 - c. Impair the visibility at any intersection adjacent to the Premises.
- (e) ***Accumulation of Firewood:*** Unless otherwise regulated, all Owners shall not permit the accumulation of firewood upon Real Property, unless stored in open stacked rows.
- (f) ***Accumulation of Motor Vehicle Parts or Other Mechanical Parts:*** Owners shall not permit the accumulation of motor vehicle parts or mechanical parts upon Real Property and shall remove accumulations of Motor Vehicle Parts or Other Mechanical Parts, except where the storage of motor vehicles is a permitted use pursuant to the Village of Fraser Lake Zoning Bylaw 683, 2008.
- (g) ***Motor Vehicles:*** In residential zones, with lot sizes under 1700 square meters (.42 acres), Owners shall not permit more than one (1) motor vehicle that is not registered, licensed and/or insured to operate on a public highway to remain on real property, unless those vehicles are entirely enclosed within a building meeting the regulations of the Building Code of BC.
- Owners with lot sizes over 1700 square metres (.42 acres) shall not permit more than two (2) motor vehicles that are not registered, licensed and/or insured to operate on a public highway to remain on real property, unless those vehicles are entirely enclosed within a building meeting the regulations of the Building Code of BC. The second vehicle must be stored in the rear of the front face of the principle building and must be in compliance with all ancillary requirements, setback requirements and sight lines.
- (h) ***Recreational Vehicles:*** In residential zones, no more than two recreation vehicles may be parked per dwelling unit. Additional recreation vehicles may be parked or stored on the property such that the vehicle is enclosed within a building meeting the regulations of the Building Code of BC. The second recreation vehicle must be stored in the rear of the front face of the principle building and

must be in compliance with all ancillary requirements, setback requirements and sight lines.

- (i) In making a determination with respect to an Offence under this part, a Bylaw Officer acting in a reasonable manner, may take into consideration
 - (a) the topography of the subject property
 - (b) existing structures on the property
 - (c) the type and condition of the recreation vehicles; e.g. holiday trailer, boat and trailer, ATV trailer.
 - (d) the effect of the thing on the surrounding area.

- (i) ***Village Infrastructure:*** No Owners shall permit trees or bushes or their root systems located on their property to become injurious to or interfere with the Village's roadways, sidewalks, electrical utilities or other utilities or works and shall remove the offending trees and or bushes or the offending portions of trees and or bushes there from.

- (j) ***Graffiti:*** No person shall place graffiti on a building, structure, wall, fence, or any other surface that is visible from a public place.

All Owners shall not permit graffiti to remain on Real Property for which they are the Owner thereof and shall remove the graffiti there from.

- (i) The Village shall give written notice to an owner of real property, stating that the Village will take the action if that person does not comply with Section 6.4.1 (j) within 14 days of service of the notice.
- (ii) The Village shall give written notice to an owner of real property stating that the Village will take action if that person does not comply with Section 6.4.1 (j) within the 48 hours of service of the notice, if the graffiti demeans a person or group or class of persons based on race, colour, ancestry, place of origin, religion, physical or mental disability, sex or sexual orientation or such person or group or class of persons, or is deemed by the RCMP and/or Bylaw Officer to be gang related and/or offensive.
- (iii) Where a property owner fails to comply with the notice issued by the Village under Sections 6.4.1 (j) (i) or 6.4.1 (j) (ii), the Village, by its workers or designate, at reasonable times and in a reasonable manner, may enter on the real property and effect such work as is deemed necessary and

appropriate by the Village, or its designate, to take action required by the notice.

- (iv) Bylaw Officers are authorized to enter at all reasonable times and in a reasonable manner on all real property to determine whether the requirements of this Bylaw are being observed.

- (k) ***Accumulation of Building Materials:*** All Owners shall not permit the accumulation of building materials upon Real Property and shall remove the same there from except those building materials that are permitted upon Real Property where the Owner is in possession of a valid and existing building permit issued by the Village or otherwise in the process of construction or improvements upon the Real Property.

6.5 Compost Sites

- 6.5.1 No Owner or Occupier of Premises shall place or allow to be placed cat feces, dog feces, animal parts or meat on a Composting Pile or in a Composting container on the Premises.
- 6.5.2 No Owner or Occupier of Premises shall allow a composting pile, which is not fully enclosed in a container, on the Premises, within three (3) metres of an adjacent dwelling house, measured from the nearest part of the Composting pile to the nearest part of the adjacent dwelling house.
- 6.5.3 Every Owner or Occupier who allows a Composting container or Composting pile to remain on Premises must ensure that it is maintained in such a manner that it does not become a Nuisance by creating offensive odours or attracting Pests.

6.6 Nuisance Escaping Property

- 6.6.1 In making a determination with respect to an Offence under this part a Bylaw Officer acting in a reasonable manner will take into consideration any or all of the following factors:
 - (i) The frequency of the activity;
 - (ii) The intensity and duration of the activity;
 - (iii) The time and day of the season;
 - (iv) The nature of the surrounding area;
 - (v) The effect of the thing or activity on a complainant or complainant; and
 - (vi) The effect of the thing or activity on the surrounding area.

6.6.2 Water, Eaves Troughs and Downspouts

- (a) No Owner or Occupier of Premises shall allow a flow of water from a hose or similar device on the Premises to be directed towards adjacent Premises if it is likely that the water from the hose or similar device will enter the adjacent Premises.
- (b) An Owner or occupier of Premises shall direct any rainwater downspout or eaves trough on Premises towards the front or rear of the premises or a side yard which does not abut another Premise unless it is pre-existing, otherwise authorized or would be conserved unreasonable or impractical to change.
- (c) No Owner or Occupier of Premises shall allow a flow of water from a hose or similar device, rain, downspout or eaves trough to be directed over a public sidewalk so as to be a hazard to any Person.

6.6.3 *Dust and Airborne Matter*

- (a) No Person shall engage in any activity that is likely to allow dust or other airborne matter that may disturb any other Person to escape the Premises without taking reasonable precautions to ensure that the dust or other airborne matter does not escape the Premises.

6.6.4 *Outdoor Lighting*

- (a) No Owner or Occupier of Premises shall allow an outdoor light to point or shine directly into the living or sleeping areas of an adjacent dwelling house.
- (b) No Owner or Occupier of Premises shall allow an outdoor light to shine in a manner which will interfere with the effectiveness of a traffic control device, operation of a Motor Vehicle or the proper use of a Sidewalk or Highway.
- (c) An outdoor light shall not constitute a violation of Section 6.6.4 (a) if the Owner or Occupier of the Premises shields the light from pointing or shining directly at the living or sleeping areas of the adjacent dwelling house.
- (d) Where an outdoor light is permitted, or required pursuant to a development permit or a similar approval, the development permit or similar approval shall take precedence over this Bylaw, and the light shall not constitute a violation of Section 6.6.4 (a).

6.7 *Pests*

- 6.7.1 Every Owner or Occupier of Premises, unless authorized by the Village, shall not allow the formation, by Pests, of any hives, nests, or colonies on said Premises.

6.7.2 Every Owner or Occupier of Premises shall remove and destroy immediately any hives, nests, or colonies upon discovery of the same.

6.8 Fences

6.8.1 No Person shall allow a fence, located on property of which he is the owner or occupier, to fall into a state of disrepair.

6.8.2 Where, in the opinion of the Building Inspector, or designate, a fence has fallen into a state of disrepair, written notice shall be given to the owner or occupier of the real property involved giving thirty (30) days' notice to repair the fence to the satisfaction of the Building Inspector, or designate, or remove the fence.

6.9 Village Streets and Boulevards

6.9.1 No owner or occupier of Real Property adjacent to a boulevard or lane, or any other person, shall deposit or permit the deposit of any garden or vegetation waste materials containing weeds on or upon a boulevard or lane adjacent to the Real Property; and

- (a) Shall not allow grass or weeds on the boulevard to exceed fifteen (15) cm in length; and
- (b) No person shall park a Motor Vehicle, trailer or Recreational Vehicle on a Boulevard (unless a valid permit authorized under the authority of the Village of Fraser Lake has been issued to the property owner).

6.9.2 An owner or occupier that has:

- (i) curb and gutter, or
- (ii) curb and gutter and sidewalk, or
- (iii) curb and sidewalk,

Installed and completed, shall be responsible for the installation and maintenance of landscaping on the part of the boulevard between the owner's lot line and the curb.

6.10 Snow and Rubbish Removal/Sidewalk Maintenance

6.10.1 Every owner or occupier of any building or premises within the Village shall remove from the roofs, gutters, projections or cornices situated upon such buildings or premises, all accumulations of ice, icicles, snow, rubbish or dirt that could slip, slide, fall or be blown upon or across any sidewalk or street.

6.10.2 No person shall deposit snow or ice in an accumulation greater than one (1) metre in width and height at the curb line; such deposit shall not extend onto the road a distance

greater than one (1) metre from the curb bordering the person's property on any street allowance or other public place intended for vehicular traffic, and any such accumulation must be confined to the area within the perimeter of the person's property.

- 6.10.3 Any person who deposits snow pursuant to this Bylaw shall absolve the municipality from any and all claims.
- 6.10.4 No person shall deposit snow or ice on any public sidewalk or other public place intended for pedestrian traffic.
- 6.10.5 No person shall leave a vehicle parked in a position that causes it to interfere with the removal of snow from a highway.
- 6.10.6 The Chief Administrative Officer, or Director of Public Works, is hereby authorized to issue schedules as to when and where particular snow clearing operations are to take place, and to restrict parking in these areas while snow clearing is taking place.
- 6.10.7 Where a vehicle is found parked in a position that causes it to interfere with the removal of snow from a highway by a person authorized to do so by the Municipality, the person so authorized or a Peace Officer may cause the removal, detention or impoundment of such vehicle, chattel or obstruction.
- 6.10.8 Any vehicle chattel or obstruction removed, detained or impounded may be recovered from the tow truck company, by paying the contractor's fees for such removal and storage and upon providing proof of ownership to the contractor.

6.11 Sprinkling Regulations

- 6.11.1 Between May 1st and September 30th, inclusive, in each year, no person shall carry out, or permit to be carried out, landscape irrigation or outdoor cleaning on property, except as permitted under this Bylaw.
- 6.11.2 Outdoor water use is only permitted as follows:
 - (a) Lawn watering shall only be permitted during the hours 4:00 am to 9:00 am or 7:00 pm to 10:00 pm for:
 - (i) properties with even numbered addresses on even numbered days;
 - (ii) properties with odd numbered addresses on odd numbered days.

- (b) Persons with properties having automatic sprinkling systems are permitted to water daily between the hours of 12:00 am and 4:00 am in place the requirements set out in Section 6.11.2
 - (c) All outdoor hand use of hoses for other than filling swimming pools and/or hot tubs shall be equipped with a working spring-loaded shut off nozzle; and
 - (d) Persons may, at any time, hand-water plants using a hose with a working spring-loaded shut-off nozzle or a hand-held container.
- 6.11.3 A person who has installed a new lawn, whether by the placement of sod or by seeding, or who has installed new landscaping on a substantial part of the outdoor portion of real property, may, apply to the Village for a written permit to carry out lawn watering or landscape irrigation under the terms and conditions provided with the permit.
- 6.11.4 The Chief Administrative Officer or designate, may by public announcement, in the event of a water shortage, impose further temporary water conservation restrictions as required, for as long as necessary, to adequately conserve the water supply.
- 6.11.5 Where the fire hazard rating has been set at extreme for a minimum of three consecutive days, the Fire Chief for the Village may issue a notice to the public identifying some or all of those areas within the Village as areas where the lawn watering and garden watering requirements imposed under this Bylaw will be suspended for the period specified in the notice thereby allowing property owners and occupants to take measures to reduce the fire hazard to their property by watering their lawns and gardens and spraying buildings.

7 DERELICT BUILDINGS

- 7.1 Schedule "E" contains definitions of terms used in Part 7 of this Bylaw
- 7.2 **Regulations**
- 7.2.1 Every owner, occupier or agent of a property that contains a derelict building shall:
- (a) Maintain the building compliance with the standards set out in Schedule "F"
 - (b) Secure the building in compliance with the standards set out in Schedule "G"
- 7.3 **Exemptions**

No owner, occupier or agent of a real property shall allow a building or structure for human, industrial or commercial use or occupancy to stand vacant for more than sixty (60) days unless one of the following applies:

- (a) The building is subject to an active building permit for repair or rehabilitation, and the owner is progressing diligently to complete the repair, rehabilitation or demolition.
- (b) The building meets all applicable codes, does not contribute to blight, is ready for occupancy and is actively being offered for sale, lease, or rent. The building is to be supplied with minimum utilities to maintain property functioning of the facilities as well as to prevent damage to mechanical and plumbing facilities from freezing. Commercial buildings that are classified to have a fire alarm and/or fire suppression system must maintain electrical and heating systems to maintain these life safety components.
- (c) The building inspector determines that the building does not contribute a nuisance or hazardous condition requiring building permits for remedial work or demolition.

7.4 Orders and Inspections

Where a Bylaw Enforcement Officer reasonably believes the building(s) or structures on the property are considered a derelict building(s), the Bylaw Enforcement Officer shall notify the owner of the derelict building in writing to:

- (a) Apply for a building permit to renovate a building or structure to a state of safe occupancy as per Section 7.3.1. of this Bylaw; or
- (b) Demolish the structure(s) within ninety (90) days; and
- (c) The building inspector may require in addition to the above, a Professional Engineer licensed or registered to practice in British Columbia to perform a field evaluation of an existing structure and to identify any required remedial work to make the structure safe for occupation or further inspections.

7.5 Inspections of Exterior of Derelict Building without Notice

7.5.1 A Bylaw Enforcement Officer during daylight hours, may enter onto land without notice to and without the consent of the owner in order to monitor a building that is boarded or appears to be derelict in order to determine:

- (a) Whether the building is vacant;

- (b) Whether a derelict building is to be boarded; and
- (c) Whether the building complies with the Bylaw.

7.6 Monitoring Inspections

7.6.1 Every owner shall allow for entry of a Bylaw Enforcement Officer into a derelict building for the purpose of ensuring:

- (a) The building is maintained as per Schedule “E” of this bylaw; or
- (b) The building is secured against unauthorized entry as per Schedule “F” of this bylaw; and to ensure the following:
 - (i) That all combustible materials within the derelict building are removed to reduce any potential fire load; and
 - (ii) There is no illegal occupancy; and
 - (iii) There is not existence of rodents or other potential health or safety risks to the community.

7.7 Request for reconsideration

7.7.1 In determining whether to extend time or rescind orders made by the Bylaw Official, Council may take into account:

- (a) That the building(s) do not create a hazard or nuisance on adjacent buildings and the surrounding neighbourhood;
- (b) The viability and creditability of the owner’s plans to bring the building into compliance and maintain it thereafter in compliance with this Bylaw and other bylaws;
- (c) The likelihood that the building(s) will be re-occupied or demolished in the future; and
- (d) The owner’s record of compliance or non-compliance with the Bylaw and other bylaws of the Village and the subject property and elsewhere.

7.8 Conditions for Additional Time or Variance of Compliance Order

7.8.1 In approving the issuance of Additional Time or a Variance of a Compliance Order, Council may require any conditions it considers reasonable are imposed on the additional time or variance. The extension of time or variance may be cancelled by the

Building Inspector should he/she conclude that the conditions imposed on it have not been met or have been breached.

- 7.8.2 The Building Inspector may cancel the extension of time or variance of a compliance order if he/she feels those conditions pose a danger to public health and safety.

7.9 Demolition of Derelict Building by the Village

- 7.9.1 If the owner is unable to comply with requirements of this Bylaw, or Council determines that the derelict building is a nuisance or hazard to the community, then the Village may order the owner to remove the derelict building(s) on thirty (30) days' notice by the Village. If the owner does not remove the derelict building(s) within thirty (30) days, the Village or its contractors, employees or agents may enter on to the property and perform the required work to remove the derelict building(s) and the cost of such removal may be added to the property taxes for the property. The owner may seek reconsideration by Council of the Order requiring removal of the derelict building(s) within fourteen (14) days of receiving the order by delivering written notice to the Village Office at 210 Carrier Crescent, P.O. Box 430, Fraser Lake, B.C. V0J 1S0.

7.10 Recovery of Village Costs through Sale of Property

- 7.10.1 Under Section 80 of the Community Charter, if remedial action requirements have not been satisfied by the date specified for compliance, the Village may sell the matter or thing in relation to which the requirement was imposed or any part or material of it.

8 COMPLIANCE ORDERS

- 8.1 If, in the opinion of the Bylaw Enforcement Officer, the owner of real property or other responsible person fails to comply with a requirement of this Bylaw, the Bylaw Enforcement Officer may issue an order requiring that the owner or other responsible person bring the Real Property into compliance with the provisions of this Bylaw within such time as the Bylaw Enforcement Officer considers appropriate under the circumstances.

8.2 Service of an Order

- 8.2.1 Service of an Order referred to in Section 8.1 will be sufficient if a copy of the order is:
- (a) Served personally or mailed by prepaid registered mail to the owner of the Real Property as shown on the current year's real property assessment roll; and

- (b) Either posted on the Real Property or delivered or mailed by regular mail to the occupier of the Real Property.

8.2.2 Notice issued under Section 8.1 herein must state:

- (a) The civic address of the subject Real Property;
- (b) The legal description of the subject Real Property;
- (c) The particulars of the unsightly nature of the Real Property or other non-compliance with this Bylaw to be remedied;
- (d) That the unsightly nature of the property or other non-compliance with this Bylaw must be remedied within fourteen (14) days of the date of delivery of the notice, or, in the case of snow, ice or rubbish on a sidewalk or footpath, within 24 hours from the time the snow, ice or rubbish is deposited thereon;
- (e) That if the owner or occupant fails to comply with the notice, the Village may, without further notice, proceed to carry out the work required, and the cost of such work will be added to the taxes of the real property, and the owner or occupant or both may be subjected to prosecution for an offence under this Bylaw.

8.2.3 Notice issued under Section 8.1 herein may give specific instructions to remedy the unsightly nature of the real property or other non-compliance with this Bylaw, including, but not limited to, any one or more of the following directions:

- (a) Remove unsightly accumulations of materials or rubbish from the Real Property;
- (b) Remove snow, ice or rubbish from sidewalks and footpaths;
- (c) Clean, stack or cover any material;
- (d) Clear the real property of brush, trees, noxious weeds or other growths;
- (e) Cut grass or weeds present on the Real Property;
- (f) Prune trees or shrubs;
- (g) Remove rubbish, or cut grass, weeds or other growth from adjacent boulevards or laneways;
- (h) Obtain a Derelict Building Registration (DBR) Permit;
- (i) Maintain a building as outlined in Schedule "E";
- (j) Secure a building as outlined in Schedule "F"; and

- (k) Otherwise remediate, maintain or repair the Real Property or building as specified in the notice, so as to bring it into compliance with this Bylaw.
- 8.2.4 If the owner of Real Property or other responsible person fails to comply with the Bylaw Enforcement Officer's compliance order within the time period specified in such notice, the Village, by its workers or others, may at all reasonable times and in a reasonable manner, enter the Real Property and bring about such compliance at the cost of the defaulting owner or another responsible person. Such costs shall consist of all costs and expenses incurred by the Village to achieve compliance with this Bylaw including, without limitation, administrative costs, costs to attend property by Village employees or its contractors and the costs of removal, clean up and disposal.
- 8.2.5 If an owner of Real Property or other responsible person defaults in paying the cost referred to in Section 7.2.4 to the Village within thirty (30) days after receipt of a demand for payment from the Village, the Village may either recover from the owner or other responsible person, in any court of competent jurisdiction, the cost as a debt due to the Village, or direct that the amount of the cost be added to the real property tax roll as a charge imposed in respect of work or service provided to the real property of the owner, and be collected in the same manner as property taxes.
- 8.2.6 Service of a demand for payment referred to in Section 7.2.5 will be sufficient if a copy of the demand is served personally or mailed by regular mail to the owner of the real property as shown on the current year's real property assessment roll.

9 ENFORCEMENT AND PENALTY

9.1 Enforcement

- 9.1.1 Any person designated as a Bylaw Enforcement Officer pursuant to the Village of Fraser Lake's Bylaw Offence Notice Enforcement Bylaw, or any person named as the enforcement officer pursuant to the Village of Fraser Lakes Information Utilization Bylaw, is hereby authorized and empowered to enforce the provisions of this Bylaw by Bylaw Notice or Municipal Ticket Information, or as otherwise provided by this Bylaw.

9.2 Penalty

- 9.2.1 Every Person who contravenes or violates any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention or in violation 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, is guilty of an offence and is subject to the following enforcement provisions:

- (i) to the penalties imposed by the *Offence Act*, or
- (ii) to a fine as imposed by means of a Municipal Ticket Information under the *Community Charter* or a Bylaw Notice under the *Local Government Bylaw Notice Enforcement Act*.

9.2.2 All penalties relevant to contraventions of this Bylaw being addressed within the provisions of Section 8.2.1 (ii) are contained in Schedule ___ of the Village of Fraser Lakes Bylaw Notice Enforcement Bylaw No. 790, 2018

9.2.3 Where the offence is a continuing one, each day the offence continues shall be a separate offence.

9.3 Vicarious Liability

9.3.1 When upon reasonable grounds a Peace Officer/Bylaw Enforcement Officer believes that a contravention of this bylaw has been committed by:

- (i) an employee of a corporation, that corporation shall be deemed to have committed the offence for which its employee has committed;
- (ii) an Occupier has committed an offence pursuant to this Bylaw the Owner of the Property shall be deemed to have committed the contravention of this Bylaw; and
- (iii) a motor vehicle or trailer, notwithstanding it is registered or not, the registered Owner as shown on the registries database shall be deemed to have committed a contravention of this Bylaw.

10 REPEAT NUISANCE SERVICE CALLS:

10.1 Where a member of the RCMP, a Bylaw Enforcement Officer, or other Village Official is required to respond to a Real Property for:

- (i) More than one (1) nuisance service call within a twenty-four (24) hour period, or
- (ii) More than two (2) nuisance service calls within a twelve (12) month period,

The owner of the Real Property shall be liable to pay an Excessive Nuisance Abatement Fee in accordance with the amounts prescribed in Schedule "H" for each additional nuisance service call responded to at the same Real Property within the twelve (12) month period following the date of the notice referred to in Section 11.2.

10.2 Before imposing an Excessive Nuisance Abatement Fee, written notice shall first be provided to the owner of the Real Property, as per a form letter approved by the Village, as follows:

- (i) Describing in reasonable detail the nature of the nuisance conduct, activity or condition that occurred, or was maintained or permitted in, on or near the Real Property; and
- (ii) Advising the owner that excessive nuisance abatement fees will be imposed for each additional nuisance service call to the same Real Property and that the imposition of such fees is in addition to the Village's right to seek other legal remedies or actions for abatement of the nuisance.

10.3 Service of the Notice referred to in Section 10.2 will be sufficient if the notice:

- (i) In the case of service on an individual, is served personally or mailed by prepaid registered mail to the address of the owner shown on the current year's real property assessment roll for the Real Property for which the notice is issued;
- (ii) In the case of service on a Corporation, is served personally on a director, officer or manager of the corporation or by leaving it at or mailing it by prepaid registered mail to the registered office of the corporation.

10.4 Excessive Nuisance Abatement Fees shall be paid by the owner on receipt of an invoice from the Village. If the amount of each invoice is not paid in full before the 31st day of December in the year received, on written notice to the Owner, the amount shall be added to and form part of the taxes on the Real Property, as taxes in arrears.

10.5 An owner may, within thirty (30) days of receipt of an invoice demanding payment of Excessive Nuisance Abatement Fees, require that Council reconsider the requirement to pay, or the amount of, the Excessive Nuisance Abatement Fees, at which time the owner of the Real Property shall have an opportunity to be heard by Council.

11 SCHEDULES:

- 11.1 The following schedules are attached to and form part of this bylaw and are enforceable in the same manner as this bylaw:

Schedule "A" – General Bylaw Definitions
Schedule "B" – Noise Regulation Definitions
Schedule "C" – Property Maintenance Definitions
Schedule "D" – Derelict Building Definitions
Schedule "E" – Derelict Building Regulations
Schedule "F" – Derelict Building Standards
Schedule "G" - Excessive Nuisance Fee Schedule

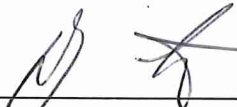
12 Repeal

Upon adoption of this Bylaw by the Council of the Village of Fraser Lake, Sprinkling Regulations Bylaw No. 707, 2009 and the Property Maintenance and Standards Bylaw No. 499, 1996 will be rescinded in their entirety.


13 ADOPTION

- 13.1 That this Bylaw shall come into force and take effect upon the date of final adoption by the Council of the Village of Fraser Lake.

READ A FIRST TIME THIS	25th Day of April 2018
READ A SECOND TIME THIS	25th Day of April 2018
READ A THIRD TIME THIS	25th Day of April 2018
RECONSIDERED AND ADOPTED THIS	2nd Day of May 2018



Dwayne Lindstrom, MAYOR



Rodney J. Holland, CORPORATE OFFICER

SCHEDULE "A" – BYLAW NO. 788, 2018
"GENERAL BYLAW DEFINITIONS"
(2 Pages)

In this Bylaw:

"BYLAW ENFORCEMENT OFFICER" means the persons duly appointed by Council as such, and shall include any peace officer.

"SENIOR BUILDING INSPECTOR" means the person appointed from time to time as the Senior Building Inspector by the Council of the Village of Fraser Lake.

"VILLAGE" means the Village of Fraser Lake or the area within the municipal boundaries as the context may require.

"COUNCIL" means the Council of the Village of Fraser Lake.

"EXCESSIVE NUISANCE ABATEMENT FEES" include, but are not limited to the following costs and expenses incurred while responding to a nuisance service call for the purpose of abating nuisance conduct, activity or condition:

1. The cost of the Village staff salaries, including all fringe benefits;
2. The cost of using Fire and Village equipment and vehicles;
3. The administration costs incurred by the Village in responding to a nuisance service call and abating a nuisance; and
4. The cost of repairs to damaged Village equipment, vehicles or property.

"HIGHWAY or OTHER PUBLIC PLACE" includes every street, road, land, boulevard, sidewalk, lane, bridge, viaduct and any other way open to public use and any park, building, conveyance, private place or passageway to which the public has, or is permitted to have access or is invited.

"LICENCE INSPECTOR" means the person from time to time duly appointed as a license inspector for the Village of Fraser Lake, any person acting in that capacity, and includes the Chief Administrative Officer, Building Official, and Bylaw Officer.

"MANAGER" means the Chief Administrative Officer and his or her designate.

"NOXIOUS WEED" means any weed designated by regulation to be a noxious weed pursuant to the *British Columbia Weed Control Act*.

"NUISANCE" means anything that annoys or gives trouble, or that which is offensive, irritating or a pest to anyone residing within the Village.

"NUISANCE SERVICE CALL" means a Village or police response to an abatement of any nuisance or other activity, conduct or condition occurring on or near real property which substantially and unreasonably interferes with another person's use and enjoyment of a public place or of real property occupied by

that person, or which causes injury to the health, comfort or convenience of an occupier of real property and which is caused by or arises from a person's failure to comply with the requirements of this Bylaw.

"OWNER" means the person(s) or organization listed as the title holder on a property's legal certificate of title.

"PEACE OFFICER" has the same meaning as in the *British Columbia Interpretation Act* and includes a Bylaw Enforcement Officer.

"PERSON" includes a natural person, a company, corporation, partnership, firm, association, society, or party and the personal or other legal representatives of a person to whom the context can apply according to law.

"REAL PROPERTY" means land, with or without improvement so affixed to the land as to make them in fact and in law a part of the real property, and includes, as the context requires, individual premises located on the real property.

"TRAFFIC CONTROL SIGNAL" means a traffic control signal as defined in the *British Columbia Motor Vehicle Act*.

SCHEDULE "B" – BYLAW NO. 788,2018
"NOISE REGULATION DEFINITIONS"

In part 6 of this Bylaw:

"EXCESSIVE NOISE/NUISANCE" means a degree of noise and/or nuisance that is beyond a normal disturbance of quiet, peace, rest, enjoyment comfort or convenience of any persons or persons in a neighborhood or vicinity of that place as to be determined by the attending bylaw officer or RCMP officer.

"MOBILE PUBLIC-ADDRESS SYSTEM" means a public-address system that can be used or is used while mounted on a motor vehicle, trailer or such other device transported or moved by human power.

"PUBLIC ADDRESS SYSTEM" means a sound amplification system, either by megaphone or electronically, used outdoors to disseminate the spoken word and/or music to the public in general, and includes outdoor sound amplification systems used for purposes of a performance, concert, exhibition or entertainment, but does not include systems used for internal communications in schools and businesses.

SCHEDULE "C" – BYLAW NO. 788,2018
"PROPERTY MAINTENANCE DEFINITIONS"
(3 Pages)

In Part 7 of this Bylaw:

"ACCUMULATION" means a buildup, growth or collection, either scattered amassed or piled, existing at the time of inspection.

"BOULEVARD" means that portion of the highway between the curb lines or the lateral boundary lines of a road way and the adjoining property or between the curbs on median strips or islands, but does not include curbs, sidewalks, ditches or driveways.

"BUILDING MATERIALS" means material or debris which may result from construction, renovation, or demolition of any building or other Structure and includes but is not limited to wood, Gypsum board, roofing, vinyl siding, metal, packing material and containers of Building Materials, gravel, concrete and asphalt and any earth, rocks and Vegetation displaced during construction, renovation or demolition of any building or other Structure.

"COMPOSTING" means the managed practice of recycling organic material, including food and yard waste, through biological degradation in a container or pile, to create a usable soil conditioner.

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

"DERELICT" (dilapidated) shall mean a building or structure deserted by an owner or keeper, abandoned.

"DERELICT VEHICLE" means any vehicle or part thereof, propelled otherwise than by muscle power which:

- Is physically wrecked or disabled; and
- Is not capable of operating under its' own power.

"DISCARDED MATERIALS" includes the accumulation of wood, appliances, furniture, mattresses, motor vehicle parts or tires, construction materials, toys, recreational or sporting equipment carpeting or any other materials or equipment whereby its placement upon the Real Property is not consistent with its intended normal use or due to its condition and or state of disrepair is not usable for its normal intended use.

"FILTH" means foul or putrid matter.

"FIREWOOD" includes pieces of logs, split logs, tree limbs or branches, pruning's, lumber, scrap wood, manufactured logs or any other wood based materials which are "Permitted Wood burning Appliance Fuels", intended to be used for burning in a solid fuel burning appliance or fireplace.

"FRONT LOT LINE" means the property boundary line which abuts a highway, and in the case of a corner lot it shall be the shorter of the property lines which abut two or more highways.

"GARDEN WATERING" means the application of water to flower beds or vegetable gardens.

"GRAFFITI" means any unauthorized drawing, mural, printing or writing which is scribbled, scratched, sprayed, painted, or similarly placed directly on any surface by means of paint, ink, or other substance or by chisel, hammer, stone or other device, but does not include any of the following:

- (a) Signs, notices and traffic control devices authorized by any City Bylaw or provincial or federal legislation;
- (b) Murals approved by Council in accordance with the Mural Approval Policy

"GRASS" shall include plants that are commonly referred to as grass.

"LANE" means a public thoroughfare or way which affords only a secondary means of access to a lot at the side or rear.

"NOXIOUS WEEDS" means a weed designated by the *Weed Control Act, Chapter/Regulation 487*, and the *Weed Control Regulation* to be a noxious weed, and includes the seeds of a noxious weed.

"NUISANCE" includes any use of or activity upon any Property which is offensive to any Person, or has or may have a detrimental impact upon any Person or other Property in the neighbourhood.

"OCCUPANT" includes:

- A person residing on or in the property;
- The person entitled to the possession of property if there is no person residing on or in the property; and
- A leaseholder, and shall include the agent of any such person.

"OFFENSIVE MATTER" means physical objects which are objectionable to the public.

"OPEN COMPOSTING PILE" means a Composting site which is not fully contained in a Structure.

"PEST" means any animal, bird, reptile, or insect which causes, or could reasonably be expected to cause annoyance, damage, or injury to any Person, animal or plant.

"REAR LOT LINE" means the lot line or lines opposite to and most distant from the front lot line or, where the rear portion from the lot is bound by intersection lot lines, the point of such intersection;

"RECREATIONAL VEHICLE" means a Vehicle used or intended for use as a shelter, and without restricting the generality of the foregoing, includes any motor-home, holiday Trailer, camper, tent Trailer and any bus or truck converted for use as a Recreational Vehicle.

"RUBBISH", in addition to its common dictionary meaning, shall include 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, glass, bedding, mattresses, crates, rags, barrels, boxes, lumber not neatly piled, scrap iron, tin and other metal, scrap paving material,

construction or demolition waste, derelict vehicles, tires, machinery, mechanical or metal parts, discarded or dilapidated appliances, discarded or dilapidated furniture, ashes from fireplaces and on sit incinerators, yard clippings and brush, wood, dry vegetation, dirt, weeds, dead trees and branches, stumps, and piles of earth mixed with any of the above.

“OUTDOOR CLEANING” means any and all use of running water for the purpose of outdoor cleaning of surfaces and structures, including without limitation, the washing or rinsing of vehicles, driveways, sidewalks, patios and buildings.

“STORED VEHICLE” means a motor vehicle that is store or parked upon a Real Property and is not licensed and insured for operation on public highways.

“STREET” means any highway, roadway, sidewalk, boulevard, place or right of way which the public is ordinarily entitled or may be permitted to use for the passage of vehicles or pedestrians and includes a structure located in any of those areas.

“UNWHOLESOME MATTER” means physical objects which are detrimental to the physical or mental well-being of persons.

“UNSIGHTLY” means any Property which, because of deposits of rubbish, litter, garbage, weeds, or lack of general maintenance to a structure or property, whether or not the condition of the property impacts the property values of the property or other properties on the area; and

- (i) In respect of a structure, a structure whose exterior shows signs of significant physical deterioration, relative to adjacent lands and the land uses or relative to other lands and land uses that could reasonably be considered to be in the neighbourhood.
- (ii) In respect to land, land that shows signs of serious disregard for general maintenance and upkeep, relative to adjacent lands and the land uses or relative to other lands and land uses that could reasonably be considered to be in the neighbourhood.

“VEGETATION” means the collective plant cover over an area including but not limited to; trees, shrubs, brushes and the total plant communities of a region;

“YARD MATERIAL” means any waste material of an organic nature formed as a result of gardening, horticultural pursuits, or agricultural activities including grass, tree and hedge cuttings, waste sod and decomposing plants, leaves and weeds.

“WATER” means water supplied by the Village’s water distribution system.

“WEED” means any unplanned or uncultivated plant growth or bush and shall include any landscaping that is damaged, excessively overgrown or characterized by a lack or maintenance, but does not include any tree.

SCHEDULE "D" – BYLAW NO. 788,2018
"DERELICT BUILDING DEFINITIONS"
(2 Pages)

In Part 8 of this Bylaw:

"BOARD" shall mean a building whose doors and windows have been covered with plywood or other material for the purpose of preventing entry into the building by persons or animals. The boarding requirements are outlined in Schedule "E".

"CERTIFIED PROFESSIONAL" means a person who is a member, in good standing, of the Association of Professional Engineers and Geoscientists of the Province of British Columbia.

"DERELICT BUILDING" shall mean a building or structure, which is without lawful resident or occupant or which is not being put to a lawful commercial, residential, or industrial use for a continuous period of sixty (60) days or which, may be unoccupied and unsecured; occupied and secured by boarding or other similar means; unoccupied and unsecured; occupied and secured by boarding or other similar means; unoccupied and deemed a nuisance or hazardous building or structure or no longer hold a valid building permit.

"FIRE CHIEF" means the person appointed from time to time as the Chief of the Fire Department by the Council of the Village.

"HAZARD OR HAZARDOUS" shall mean a physical condition created by neglect, a controlled substance property, and fire or flood damage and is considered unsafe for habitation or storage without remedial action. Hazardous conditions may arise in violations to Village and Provincial Health and Safety regulations or Bylaws. Hazardous conditions may arise from:

- Substantial mold growth;
- Water damage which could contribute to mold or structural failure;
- Subsiding of foundations which could lead to water damage and structural failure;
- Incomplete construction (expired permit) which could deteriorate and lead to structural failure or hazards to adjacent properties and or general public;
- Incomplete demolition of standing water in excess of 24" in depth; and
- Electrical, plumbing, mechanical or a combination of which could adversely affect structural integrity.

"MONITORING" shall mean a periodic site review to ascertain whether the:

- Buildings that are subject to complaints;
- Buildings that are dilapidated;
- Buildings that are eyesores (nuisance);
- Buildings that are dangerous (hazard);
- Boarded buildings; and
- Buildings that have been vacant for extended periods of time.

“NUISANCE” shall mean any building, structure or property that does not meet the standards set forth under Schedule F of this Bylaw:

- Exterior not up to Code;
- Windows and/or doors are boarded, not ready for occupancy;
- Structure is a neighbourhood blight and may include debris or broken windows;
- Structure attracts transients, pests or crime;
- Structure is neglected by owner;
- Paint is peeling throughout structure; and
- Standing water.

“SENIOR BUILDING INSPECTOR” includes the Regional District Bulkley Nechako and other districts designated by the Corporation of the Village of Fraser Lake.

“SPECIAL SAFETY INSPECTION” means a specific on-site review to ascertain the status of health, structural and life safety conditions of a building and may include the building Official, the Fire Chief of the Village, a member of the Royal Canadian Mounted Police, a Provincial Health Inspector, BC Safety Authority Inspector or the deputy or designate of such a person.

SCHEDULE "E" – BYLAW NO. 788,2018
"DERELICT BUILDING REGULATIONS"
(2 Pages)

The owner of a derelict building must comply with the following maintenance standards of this Schedule.

EXTERIOR WALLS

- 1(1) The exterior of every building must be constructed, repaired, and maintained in a manner that;
- a) Ensures the integrity of the building envelope to protect the building from the weather and from infestations of insects, rodents and other pests; and
 - b) Prevents a substantial depreciation in property values in the immediate neighbourhood.
- 1(2) Without restricting the general obligation set out in subsection (1):
- a) All exterior surfaces must consist of materials that provide adequate protection from the weather;
 - b) All exterior walls and their components, including coping and flashing, must be maintained in good repair;
 - c) All exterior walls must be free of holes, breaks, loose or rotting boards or timbers and any other condition which might permit the entry of insects, rodents or other pests to the interior of the wall or the interior of the building;
 - d) Exterior wood surfaces must be adequately protected against deterioration by the periodic application of paint, stain or other protective coating;
 - e) No more than 25% percent of any painted area of any exterior wall may be blistered, cracked, flaked, scaled, or chalked away;
 - f) The mortar of any masonry or stone exterior wall may not be loose or dislodged.
 - g) The exterior of every building must be free of graffiti; and
 - h) Loose material must be removed from exterior walls, doors and window openings.

ROOFS

- 2(1) Roofs must be constructed and maintained so as to prevent:
- a) Rainwater or melting snow falling on the roof from entering the building;

- b) Rainwater or melting snow falling on the roof from negatively affecting neighboring buildings or properties; and
- c) Objects and materials from falling from the roof.

2(2) Without restricting the general obligation set out in subsection (1):

- a) Roofs, including fascia boards, soffits, cornices, flashing, eaves troughs, and downspouts must be maintained in a water tight condition.
- b) Roof drainage must be controlled in order to eliminate or minimize runoff to neighboring properties that:
 - i. Accumulates or causes ground erosion;
 - ii. Causes dampness in the walls, ceilings or floors of any portion of any neighboring building; and
 - iii. Accumulates on sidewalks or stairs in a manner so as to create a hazardous condition.
- c) Loose or unsecured objects and materials, including accumulations of snow or ice or both that are likely to fall on passersby or are likely to result in the collapse of the roof, must be removed from the roof of a building or an accessory building.

I, RODNEY J HOLLAND, CORPORATE OFFICER FOR
THIS VILLAGE OF FRASER LAKE, DO HEREBY

SCHEDULE "F" – BYLAW NO. 788,2018
"DERELICT BUILDING STANDARDS"
(2 Pages)

The owner of a derelict building must comply with either **Part I** or **Part II** of this Schedule, prior to being issued a Derelict Building Permit.

PART I

In order to comply with Part I of this Schedule, the owner of a derelict building must ensure that:

- a) All exterior doors to the dwelling are operational, fit tightly within their frames when closed and are locked so as to prevent entry;
- b) All windows are either permanently sealed or locked so as to prevent entry;
- c) All windows, doors, basement and attic hatchways and their frames are so constructed and maintained to completely exclude rain and substantially exclude wind from entering the building; and
- d) All windows are in good repair, and properly glazed.

PART II

In order to comply with Part II of this Schedule, the owner of a derelict building must ensure that the following requirements are met:

- a) All doors, windows and other openings, other than the principal entrance, at the basement and main (first) floor levels must be covered in compliance with this Part with a solid piece of plywood, at least 11 millimetres thick and secured with coated spikes at least 75 millimetres in length, spaced not more than 150 millimetres on centre.
- b) The principal entrance must be covered in compliance with this Part with a solid piece of plywood, at least 11 millimetres thick, adequately secured with screws at least 50 millimetres in length, spaced not more than 150 millimetres on center.
- c) Windows, doors and other openings at the second-floor level must be covered in compliance with this Part with a solid piece of plywood, at least 8 millimetres thick and secured with coated spikes at least 75 millimetres in length, spaced not more than 150 millimetres on center.
- d) Windows, doors and other openings at the third-floor level or higher must be either:
 - i. Secured in accordance with Part 1 of this Schedule; or
 - ii. Covered in compliance with this Part with a solid piece of plywood, at least 8 millimetres thick and secured with coated spikes at least 75 millimetres in length, spaced not more than 10 millimetres on center.
- e) Windows, doors and other openings at the third-floor level or higher may be secured from inside the building; plywood applied to all other openings must be secured from the exterior.
- f) Plywood applied to openings must be installed and maintained in a way that is weather-tight and must be protected from the elements with at least two coats of white paint. A hole must be cut in the plywood just large enough for the door hardware to protrude.

- g) All floors above the first floor must be rendered inaccessible to entry by raising fire escapes and ladders to a height of at least four metres or guarding them in some manner acceptable to an Enforcement Officer.
- h) All areaways must be adequately secured either by:
 - i. Filling them with concrete or unshrinkable fill; or
 - ii. Covering opening to them with a metal plate of at least 8 millimetres thick and securing it so as to prevent it from shifting.
- i) Electricity, natural gas and water must not be cut off if they are necessary to maintain fire protection systems or fire alarms.
- j) Where they are not necessary to maintain fire protection systems or fire alarms, electricity, natural gas and water must not be cut off except in a manner satisfactory to an Enforcement Officer.

SCHEDULE "G" – BYLAW NO. 788, 2018
"EXCESSIVE NUISANCE FEE SCHEDULE"

OFFENCE TIMETABLE FOR SERVICE – FEE SCHEDULE

First Offence = warning only

Second Offence = \$100.00 fee

Third offence and subsequent offences = \$270.00 fee

"EXCESSIVE NUISANCE FEE SCHEDULE"

I, RODNEY J HOLLAND, CORPORATE OFFICER
FOR THIS VILLAGE OF FRASER LAKE, DO
HEREBY CERTIFY THIS TO BE SCHEDULE "G" OF
BYLAW NO. 788, 2017

