



**City of Duncan**

**Unsightly Premises Bylaw 1591, 1990  
(With Amendments to November 13, 2007)**

**Consolidated for Convenience Only**

This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws of this subject

# **The Corporation of the City of Duncan**

## **Bylaw No. 1591**

### **A Bylaw to Prohibit Unsightly Premises Within the Limits of the City of Duncan.**

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The Council of the City of Duncan, in open meeting assembled pursuant to Section 932 (g), (h.1), and (k) of the Municipal Act enacts as follows:

#### **Citation**

1. This bylaw may be cited for all purposes as “Unsightly Premises Bylaw No. 1591, 1990”.

#### **Definitions**

2. In this Bylaw:

“Council” means the Council of the City of Duncan.

“Filth, Discarded Materials or Rubbish” includes any and all manner of garbage; discarded or disused materials; filth; 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” means drawing, printing or writing scratched, sprayed, painted or scribbled on a wall or other surface, but does not include a sign for which a permit has been issued by the Municipality.

“Highway” has the same meaning as in the Municipal Act.

“Inspector” means a person appointed by the Council to administer this Bylaw.

“Noxious Weeds” includes those listed in Schedule “A” to this Bylaw.

“Occupier” has the same meaning as in the Municipal Act.

“Open Place” means a highway or any Premises where there are no buildings or structures.

“Owner” has the same meaning as in the Municipal Act.

“Premises” means any lot, block or other area in which land is held or into which it is subdivided.

“Municipality” means the City of Duncan.

### **Prohibitions**

3. No Owner or Occupier of Real Property shall cause or permit water, rubbish, or noxious, offensive or unwholesome matter to collect or accumulate around his premises.
4. No person shall deposit or throw bottles, broken glass or other rubbish in any open space.
5. No Owner or Occupier of Real Property shall allow such property to become or to remain unsightly.
6. No person shall place graffiti on walls, fences or elsewhere on or adjacent to a public place.

### **Requirements**

7. Owners or Occupiers of Real Property or their agents shall keep their property clear of brush and noxious weeds.
8. Owners or Occupiers of Real Property or their agents shall prevent infestation of it by caterpillars and other noxious or destructive insects and shall clear the property of caterpillars and other noxious or destructive insects.
9. Owners or Occupiers of Real Property, or their agents, shall remove from it any unsightly accumulation of filth, discarded materials, rubbish or graffiti.

### **Remedial**

10. In default of the Owner or Occupier of Real Property removing from the Real Property any unsightly accumulation of filth, discarded materials, rubbish or graffiti, or clearing the property of brush, or noxious weeds, or clearing the property of infestation of caterpillars and other noxious or destructive insects, the municipality by its employees and others, may enter and effect the removal or clearance at the expense of the Owner or Occupier defaulting and the charges for doing so, if unpaid on December 31, in any given year, shall be added to and form part of the taxes payable on that Real Property as taxes in arrear.

### **Inspection**

11. 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.

### **Offence and Penalty**

12. Every person who violates any of the provisions of this Bylaw, or who causes, suffers, or permits any act or thing to be done in contravention or in violation of

any provisions of this Bylaw, or who neglects or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who fails to comply with any order, direction or notice given under this Bylaw, is guilty of committing an offence against this Bylaw and is liable on summary conviction to a fine of not less than \$50.00 or to imprisonment, or to both a fine and imprisonment, not exceeding the maximum allowed by the *Offense Act*, as amended, and the cost of prosecution.

**Bylaw 2038**

13. Where an offence under this Bylaw is of a continuing nature, each day that the offence continues or is permitted to exist shall constitute a separate offence.

READ THE FIRST TIME on the 12<sup>th</sup> day of February, 1990.

READ THE SECOND TIME on the 12<sup>th</sup> day of February, 1990.

READ THE THIRD TIME on the 12<sup>th</sup> day of February, 1990.

RECONSIDERED, FINALLY PASSED and ADOPTED by the

Municipal Council of the Corporation of the City of Duncan on the 26<sup>th</sup> day of February 1990.

\_\_\_\_\_  
Clerk of the Municipal Council of  
The Corporation of the City of  
Duncan.

\_\_\_\_\_  
Mayor

I HEREBY CERTIFY THAT THE foregoing is a true copy of Bylaw No. 1591 of the Corporation of the City of Duncan, being “Unsightly Premises Bylaw No. 1591, 1990” as reconsidered, finally passed and adopted the 26<sup>th</sup> day of February 1990.

Dated at Duncan, B.C.

this            day of \_\_\_\_\_  
1990    City Clerk

This Bylaw has been consolidated for convenience and includes amendments from:

Bylaw No. 2038, 2007 – Adopted November 13, 2007

THE CORPORATION OF THE CITY OF DUNCAN

Schedule "A" TO

BYLAW NO. 1591

Noxious Weeds

Canada Thistle (*Cirsium arvense* (1) Scop.)  
Dandelion (*Taraxacum*)  
Dodder (*Cuscuta* spp.)  
Knapweed spp. –  
Diffuse (*Centaurea diffusa* Lam.)  
Spotted (*Centaurea maculosa* L.)  
Russian (*Centaurea repens* L.)  
Sow thistle, annual and perennial (*sonchus* spp.)  
Leafy spurge (*Euphorbia esula* L.)  
Toadflax spp. –  
Common (*linaria vulgaris* Hill)  
Dalmation (*linaria dalmtica* L.)  
Wild Oats (*avena farua* L.)  
Tansy Ragwort (*Senecio jacobaea* L.)  
Any other Plant commonly known as a weed.