



DISTRICT OF SOOKE

BYLAW No. 296

CONSOLIDATED FOR REFERENCE JULY 11, 2022

BYLAW NO. 296, UNSIGHTLY PREMISES AND OBJECTIONABLE SITUATIONS BYLAW, 2007
BYLAW NO. 811 (296-1) UNSIGHTLY PREMISES AND OBJECTIONABLE SITUATIONS
AMENDMENT BYLAW, 2021
BYLAW NO. 863 (296-02) UNSIGHTLY PREMISES AND OBJECTIONABLE SITUATIONS
AMENDMENT BYLAW, 2022

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AMENDMENTS MAY BE VIEWED AT THE DISTRICT OF SOOKE MUNICIPAL HALL.

A bylaw to prevent unsightliness and other objectionable situations on real
property in the District of Sooke.

The Council of the District of Sooke, in open meeting assembled, enacts as
follows:

1. This Bylaw is cited as Bylaw No. 296, *Unsightly Premises and Objectionable Situations Bylaw, 2007*.

Prohibitions

2. The owner or occupier of real property shall NOT cause or permit:
 - (a) refuse, garbage, or other noxious, offensive, or unwholesome material to accumulate on such real property or in any buildings or structures located on such real property;
 - (b) water to accumulate on such real property or in any buildings or structures located on such real property;
 - (c) unsanitary conditions to exist on such real property or in any buildings or structures located on such real property;
 - (d) noxious weeds designated under the *Weed Control Regulation* of the

Weed Control Act, as amended from time to time, to grow or accumulate on such real property;

- (e) hedges, shrubs, trees, or other plants planted or maintained in a manner that:
 - (i) obstructs, endangers, or otherwise conflicts with requirements of safe use of public area;
 - (ii) affects the safety of vehicular or pedestrian traffic;
 - (iii) constitutes an obstruction of view for vehicular traffic as regulated by a sight triangle in the District's Zoning Bylaw;
 - (iv) wholly or partially conceals or interferes with the use of any hydrant or water valves; or
 - (v) overhangs or encroaches upon any pavement, sidewalk, or travelled portions of any street or highway.
- (f) graffiti to be placed or remain on any buildings or structures located on such real property;
- (g) unsightly conditions to exist on such real property or in any buildings or structures located on such real property.

Removal Required

- 3. Every owner and occupier of real property shall remove, or cause to be removed, from such real property and from any buildings or structures located on such real property all:
 - (a) accumulations of refuse, garbage, or other noxious, offensive, or unwholesome material;
 - (b) accumulations of water;
 - (c) unsanitary conditions;
 - (d) noxious weeds designated under the *Weed Control Regulation* of the *Weed Control Act*, as amended from time to time;
 - (e) hedges, shrubs, trees, or other plants that create a public safety hazard included in section 2(e) above, as determined by the Parks Administrator, as defined in the District's Community Parks Regulation Bylaw.

- (f) graffiti; and
- (g) unsightly conditions.

Non-compliance

- 4. In the event the owner or occupier of real property fails to comply with section 3 of this bylaw, and the owner or occupier of such real property has been given an opportunity to appear before Council to be heard in respect of such failure, the District of Sooke may, by its own officers and employees or other persons, carry out the work necessary to comply with section 3 of this bylaw at the expense of the owner or occupier, and the District of Sooke may recover the costs of undertaking such work either as a debt against the person in default or in the same manner and with the same remedies as property taxes.

Rubbish on Public or Private Property

- 5. No person shall deposit or throw bottles, broken glass, or other rubbish on any highway, public place, or private property in the District of Sooke.

Graffiti on Public or Private Property

- 6. No person shall place graffiti on a building or structure, or elsewhere, on any highway, public place, or private property in the District of Sooke.

Right of Entry

- 7. Any officer or employee of the District of Sooke may enter at all reasonable times on any real property or in any buildings or structures located on such real property to ascertain whether the regulations and requirements of this bylaw are being observed.

No Interference

- 8. No person shall obstruct or interfere with:
 - (a) an officer or employee of the District of Sooke in the performance of his or her duties under this bylaw; or
 - (b) any person directed by the District of Sooke to carry out the work under section 4 of this bylaw.

Offence and Penalties

- 9. Enforcement Officers, offences, and fines are as designated by the Municipal Ticketing Information Bylaw.

10. This bylaw may be enforced by means of a ticket in the form prescribed for the purpose of s. 264 of the *Community Charter*.
11. Any person who contravenes this bylaw commits an offence and on summary conviction by a court of competent jurisdiction, is subject to a fine of not more than \$50,000.00, in addition to the costs of prosecution. Each day during which a violation, contravention, or breach of this bylaw continues is deemed to be a separate offence.

Severability

12. If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this bylaw.

Repeal of Existing Bylaw

13. The *Unsightly Premises Bylaw No. 1, 1991* is hereby repealed and replaced with this bylaw.

Introduced and read a first time the 10th day of April, 2007.

Read a second time the 10th day of April, 2007.

Public Information Meeting the 22nd day of May, 2007.

Amended the 7th day of June, 2007.

Read a third time the 7th day of June, 2007.

Adopted on the 11th day of June, 2007.

Original signed by

Janet Evans
Mayor

Original signed by

Evan Parliament
Chief Administrative Officer

SCHEDULE “A”

[Deleted by Bylaw No. 863 (296-02), 2022]