



THE CORPORATION OF THE CITY OF GRAND FORKS

**UNSIGHTLY PREMISES AND NUISANCE PROPERTIES BYLAW NO.  
2110**

**A bylaw to control unsightly premises.**

The Municipal Council for the Corporation of the City of Grand Forks, in open meeting lawfully assembled, **ENACTS** as follows:

**Citation**

2110-A1

1. This bylaw may be cited as the "Unsightly Premises and Nuisance Properties Bylaw **No. 2110**"

**Definitions**

2. In this bylaw, unless the context otherwise requires:
  - 2.1. **"Bylaw Enforcement Officer"** means every person designated by Council as a Bylaw Enforcement Officer for the City, and every Peace Officer;
  - 2.2. **"City"** means the Corporation of the City of Grand Forks;
  - 2.3. **"Council"** means the Municipal Council of the *City*;
  - 2.4. **"Municipality"** means the area within the municipal boundaries of the *City*.
  - 2.5. **"Municipal Ticket Information Bylaw"** means the *City's* Municipal Ticket Information Bylaw No. 2073, as amended or replaced from time to time.
  - 2.6. **"Owner"** means an owner or occupier of a parcel of land, or both.

**Unsightly Premises**

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3. No *Owner* shall cause, allow or permit a parcel to become or to remain unsightly or a nuisance, and specifically:
  - 3.1. No *Owner* of a parcel shall cause, allow, or permit the accumulation of building material on the parcel unless:
    - 3.1.1. The *Owner* or occupier of the parcel is in possession of a valid building permit in respect of the accumulation; or
    - 3.1.2. The accumulation is stored in a closed building or structure such that the accumulation is not visible from another parcel or highway.

- 3.2. No *Owner* of a parcel shall cause, allow or permit the accumulation on the parcel of filth, discarded materials, unwholesome matter, or rubbish of any kind, whether or not for commercial purposes or as part of a trade or calling, including but not limited to dead animals, paper products, crockery, glass, metal, plastics, plastic containers, wire, ropes, machinery, tires, appliances, and any other scrap or salvage;
- 3.3. No owner of a parcel shall cause, allow, or permit a building or structure, or part of a building or structure, which is missing all or a portion of its surface, covering, or coating materials to be on the parcel unless the owner is in possession of a valid building permit in respect of the building or structure;
- 3.4. No owner of a parcel shall cause, allow, or permit the presence of graffiti, whether in the form of pictures or words, on the parcel or on the surface of a structure on the parcel;
- 3.5. No owner of a parcel shall cause, allow, or permit the accumulation on the parcel of garbage not contained in a covered receptacle.

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- 3.6. No *Owner* of a parcel shall cause, allow or permit the presence, accumulation or other occurrence of dust on, or the emission of dust from, the parcel that is liable to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public, including individuals occupying another parcel.

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- 3.7. Every *Owner* of a parcel upon which dust is present or has accumulated that is liable to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public, including individuals occupying another parcel, is required to and shall, at its expense, remove, or cause to be removed, the dust, or prevent the emission of the dust by applying water or another dust suppressant to the dust.

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- 3.8. No *Owner* of a parcel shall allow excess growth of any grass or weeds to exceed a height of 18 inches (45.2cm).

3.8.1. For greater certainty, paragraphs 3.6 and 3.7 shall apply to any residential lots, as well as to any zoning categories that abut residential areas.

3.8.2. Paragraphs 3.6, 3.7 and 3.8 shall not apply to:

- a) parks, boulevards, natural areas, or any other lands owned by, or under the direction and control of, the City, including those properties housing City utility infrastructure, or private lands on which the City is conducting work.
- b) areas zoned as rural residential, or lands within the Agricultural Land Reserve (ALR).

4. *Owners* of a parcel shall remove or cause to be removed from the parcel any accumulations of filth, discarded material, or rubbish of any kind.

### Inspection

5. A *Bylaw Enforcement Officer* may enter onto a parcel at all reasonable times to ascertain whether this bylaw is being observed, to gather evidence on any violation, or to serve any notice related to any violation of this bylaw.
6. No person shall obstruct a *Bylaw Enforcement Officer* from entering a parcel in accordance with Section 5.

### Notice

7. Where a *Bylaw Enforcement Officer* observes that a parcel is or has become unsightly, the *Bylaw Enforcement Officer* may deliver written notice to the owner requiring the removal of any thing or things, including a class of things that render the parcel unsightly.
- 2110-A1 8. Where a *Bylaw Enforcement Officer* provides written notice under paragraph 7 of this bylaw, the *Owner* must remove from the parcel anything that, as stated in the notice, renders the parcel unsightly.

### Default

- 2110-A1 9. In the event the owner fails within 14 days of delivery of a written notice under paragraph 7 to comply with the notice, the *City may deliver* a second notice to the owner stating that:
  - 9.1. the owner is in default of this bylaw;
  - 9.2. the owner may appear before *Council* to be heard on a date specified in the second notice, being not less than ten days after delivery of the second notice; and
  - 9.3. after the date specified in the second notice the *City*, by its officers, employees, contractors, or agents may, at the expense of the owner, enter on the parcel and remove any thing or things that render the parcel unsightly.
10. Unless *Council* directs otherwise, after the date specified in the second notice under Section 9.2, the *City* may deliver to the owner a third notice stating that the *City* will enter the affected parcel and remove any thing or things that render the parcel unsightly on a specified date between the hours of 8:00 a.m. and 8:00 p.m.
11. Where a third notice is delivered to the owner under Section 10, on the date specified in the third notice, the *City*, by its officers, employees, contractors, or agents may enter on the parcel and remove anything or things specified in the first notice that render the parcel unsightly.
- 2110-A1 12. If the owner or occupier fails to comply with a notice issued, the *City*, by its employees, contractors and agents, may take action in accordance with the *Community Charter*, to fulfill the requirements of the notice and to recover the costs from the *Owner* of the parcel which is subject to notice.
- 2110-A1 13. In the event that the *Owner* of a parcel fails to pay the cost of compliance before December 31<sup>st</sup> in the year that the compliance was enacted, the costs will be added to, and form part of, the taxes payable on the property as taxes in arrears.

**Offence and Penalty**

- 14. Every person who violates a provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of or in violation of any provision of this bylaw, or who neglects to or refrains from doing anything required to be done by any provision of this bylaw, commits an offence against this bylaw and is liable to the penalties imposed under this bylaw.
- 15. Each day during which a violation, contravention or breach of this bylaw continues is deemed to be a separate offence.
- 16. Any person designated as a *Bylaw Enforcement Officer* pursuant to the City of Grand Forks *Municipal Ticket Information Bylaw* is hereby authorized and empowered to enforce the provisions of this bylaw by the *Municipal Ticket Information Bylaw*.
- 17. Every person who commits an offence against this bylaw is liable on summary conviction, to a penalty of not more than \$50,000.00.

**General**

- 18. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated, or replaced from time to time.
- 19. If any section, paragraph, or phrase of this bylaw is for any reason held to be invalid by a decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

Read a first, second, and third time by the Municipal Council this 15<sup>th</sup> day of April 2024.

Adopted this 23<sup>rd</sup> day of April 2024.

*Original signed by*

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Mayor – Everett Baker

*Original signed by*

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Corporate Officer – Kevin McKinnon

**CERTIFICATE**

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2110, cited as the “Unsightly Premises and Nuisance Properties Bylaw No. 2110”, as passed by the Municipal Council on the 23<sup>rd</sup> day of April 2024.

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Corporate Officer of the Municipal Council of the  
City of Grand Forks