

**CORPORATION OF THE CITY OF GREENWOOD
GOOD NEIGHBOUR BYLAW NO. 1013, 2024**

A BYLAW TO ENHANCE THE QUALITY OF LIFE FOR THE CITIZENS OF THE CITY OF GREENWOOD

WHEREAS, the Council of the City of Greenwood desires to protect quality of life for its citizens, and endeavors to promote civic responsibility, and further, strives to encourage good relationships between neighbours;

WHEREAS, pursuant to Section 8 the *Community Charter*, Council may, by bylaw, regulate, prohibit and impose requirements with respect to public places; nuisances, disturbances, and other objectionable situations; and public health;

THEREFORE be it resolved that the Council of the Corporation of the City of Greenwood, in open meeting assembled, enacts as follows:

1. Title

This bylaw may be cited as the “City of Greenwood Good Neighbour Bylaw No. 1013, 2024”.

2. Interpretation

2.1 Words or phrases defined in the *British Columbia Interpretation Act, Motor Vehicle Act, Local Government Act* or any successor legislation, shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.

2.2 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 of this Bylaw.

3. General Regulations

3.1 No person shall obstruct or interfere with a Bylaw Enforcement Officer in the exercise of their duties.

3.2 A Bylaw Enforcement Officer shall have the right to enter upon the property of any owner or occupant at all reasonable times and in a reasonable manner for the purposes of inspecting to determine compliance with the provisions of this Bylaw.

4. Definitions

In this Bylaw:

“accumulation” means a build up, growth or collection, either scattered, amassed or piled, existing at the time of inspection;

“boulevard” means that portion of highway between the curb lines or the lateral boundary lines of a roadway and the adjoining property or between the curbs on median strips or islands, but does not include curbs, sidewalks, ditches or driveways;

“Bylaw Enforcement Officer” means Chief Administrative Officer or designate, the person appointed by Council as such, and shall include members of the Royal Canadian Mounted Police;

“container” means a dumpster, garbage can, garbage bin or other receptacle designed, intended or used to hold rubbish, discarded materials and debris;

“Council” means the council of the City of Greenwood;

“crossing” means any improvement that is constructed over a boulevard or sidewalk for the purpose of allowing vehicles or pedestrians to gain access between the highway and the lane adjacent to the highway;

“derelict vehicle” means any vehicle or part of thereof, propelled other than by muscle power, which:

- 1) is physically wrecked or disabled;
- 2) is not capable of operating under its own power; and
- 3) does not have attached licence plates for the current year pursuant to the regulations of the *Motor Vehicle Act of the Province of British Columbia*;

“City” means the City of Greenwood;

“drainage facility” means boulevard drainage inlets, catch basins, grates, or culverts;

“filth” means foul or putrid matter;

“grass” shall include plants that are commonly known or referred to as grass;

“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, school grounds, building, conveyance, private place or passageway to which the public has, or is permitted to have access or is invited;

“lane” means a public thoroughfare or way which affords only a secondary means of access to a lot at the side or rear;

“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 City;

“real property” means land and any property improvements such as buildings, trees, and ponds attached directly to it and entails the right of use (lawfully), control and disposition of the land and its attached objects.

“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 and demolition waste, vessels, tires, machinery, mechanical or metal parts, discarded or dilapidated appliances, discarded or dilapidated furniture, ashes from fireplaces and on-site 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;

“unwholesome matter” means physical objects which are detrimental to the physical or mental well being of persons.

“unsightly”, in addition to its common dictionary meaning and regardless of the condition of other properties in the neighbourhood, means any property having any one or more of the following characteristics:

- 1) the storage, location or accumulation visible to a person standing on a public highway or on nearby property, or in a building or structure situate on a public highway or nearby property, of filth, rubbish, graffiti or any other discarded materials;
- 2) the untidy storage, location or placement of building materials on a site where construction is not taking place, except where they cannot be seen from a public highway or from nearby property, or from a building or structure situate on a public highway or nearby property;
- 3) landscaping or vegetation that is dead or characterized by uncontrolled growth or lack of maintenance, or is damaged;
- 4) any other similar conditions of disrepair, dilapidation, or deterioration.

“weed” means and shall include brush, trees, noxious weeds and other growth that is allowed to come to a state of causing, or about to cause, a nuisance and any vegetation that may by its root system, limbs, shoots, or leaves intrude into a lane in a manner that may impact travel, construction, maintenance levels, longevity or esthetics of the said lane.

5. Nuisance

5.1 No person shall:

- a) Cause any nuisance within the City; or
- b) Permit real property to be used so as to cause a nuisance.

5.2 No person shall apply graffiti on walls, fences, or structures on or adjacent to any park or public place.

5.3 No owner of real property shall cause or create a nuisance, or permit a nuisance to be caused or created by allowing a vacant building on the real property to fall into such a state of disrepair that becomes unsightly or creates hazard, danger, nuisance or inconvenience to the general public.

6. Noise Regulations

6.1 General Prohibitions

- a) 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 City 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.

- b) 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.

6.2 Specific Prohibitions

Without limiting the generality of Section 6.1 herein:

- a) No person shall on any day before 07:00 a.m. or after 11:30 p.m. 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 on any day before 07:00 a.m. or after 11:30 p.m. allow or permit their 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) No person in the City shall, and no owner of real property shall, on any day before 7:00 a.m. or after 8:00 p.m., 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 City which disturbs or tends to disturb, the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity.

6.3 Exemptions

Notwithstanding anything contained herein, no person shall be guilty of an infraction of this Bylaw while:

- a) Operating, or in charge of, fire department, police or ambulance vehicles while in the execution of their duties;
- b) Operating any motor vehicle, machinery or other apparatus or thing during an emergency or for a public purpose or in furtherance of the public interest including, without limiting the generality of the foregoing, snow removal, watermain and sewer main break repairs and civil defense exercises;
- c) 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;
- d) Lawfully carrying on a trade or industry at a commercial, industrial or light industrial zoned area, provided that the sound or noise therefrom does not exceed the sound or noise common to such trade or industry standards using equipment and facilities in good operating order;
- 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 therefrom 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) The use, in a reasonable manner of an apparatus or mechanism for the amplification of human voice or music in a public park or facility in connection with an outdoor/indoor public event that has been sanctioned by the City;
- g) The use of the post office bell.

7. Property Maintenance

PRIVATE PROPERTY MAINTENANCE

7.1 Regulations

Except as permitted under Section 7.2 of this Bylaw, no owner or occupier of real property shall cause, suffer or permit:

- a) Water, rubbish, noxious, offensive, or unwholesome matter to collect or accumulate on the real property;
- b) Rubbish to overflow from or accumulate around any container situate on the real property;
- c) The real property to become or remain unsightly;
- d) The accumulation of dead landscaping, vegetation, weeds or other growths to occur or to remain on the real property; or
- e) Demolition waste, construction waste or trade waste to accumulate on the real property with the respect to real property regardless of whether a Building Permit has been issued by the City.
- f) Except where specially permitted by the City's Zoning Bylaw, no real property, may be used for the storage of derelict vehicle(s).

7.2 Exemptions

- a) Section 7 of this Bylaw does not apply to the orderly outdoor storage of goods and chattels where permitted by the City's Zoning Bylaw.

BOULEVARD & LANE MAINTENANCE

7.3 Regulations

Every owner or occupier of real property shall maintain the lane, sidewalk, boulevard, and land adjacent to their real property and in particular shall:

- a) Remove accumulations of filth, leaves, rubbish, discarded material, hazardous objects and materials which obstruct a drainage facility;
- b) In keeping with the reasonable standard of maintenance in the area, keep grassed areas trimmed and free of all weeds;
- c) Keep in good repair and up to City standards, all driveway crossings;
- d) Trim and maintain all planting;
- e) Remove all filth, leaves, rubbish, discarded materials, hazardous objects and materials from all lanes, boulevards and sidewalks;

- f) Maintain a clear and obstructed area, including snow and ice, having a radius of 1 (one) meter around a fire hydrant, as well as clear 1 (one) meter width from the front of the hydrant to the nearest roadway.

7.4 Prohibitions

No person shall:

- a) Willfully injure or damage any Boulevard or any tree, shrub, plant, bush or hedge on any Boulevard;
- b) Erect any sign, fence, wall or other structure on any Boulevard, except with written permission of the City;
- c) Apply Pesticide or Herbicide to any Boulevard;
- d) Dispose of any vegetation cuttings, rubbish, Discarded Materials or any liquid or solid waste on any Boulevard or in any Drainage Facility; or
- e) Plant trees, hedges or shrubs within 4.6 metres (15 feet) of any intersection.
- f) Plant trees, hedges or shrubs within 3 metres (10 feet) of a utility service.

SNOW REMOVAL

7.5 Regulations

- a) Every owner and occupier of real property shall remove all snow and ice from all sidewalks bordering the real property within 24 hours from the cessation of a snowfall or storm event which caused such accumulation.
- b) An owner or occupier shall not use equipment which could cause damage to the boulevard or sidewalk due to excess weight of the equipment or sharp edges which could cause abrasions or scrapes to the sidewalks or boulevard.
- c) Every owner or occupier of real property shall remove all snow and ice from the roof or other part of any structure on the property, where the location of that structure is such that it is reasonable to expect that the snow or ice on it may fall onto any sidewalk or highway, within 24 hours of the cessation of any snowfall or storm event that caused the accumulation.
- d) No persons shall deposit snow, ice or other material removed from real property onto City property or highways.

8. Compliance Orders

8.1 If the owner of the 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 in the circumstances.

8.2 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 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.

8.3 If the owner of the 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 City, by its workers or others, may at all reasonable times and in reasonable manner, enter the real property and bring about such compliance at the cost of the defaulting owner or other responsible person. Such costs shall consist of all costs and expenses incurred by the City to achieve compliance with this Bylaw including, without limitation, administrative costs, costs to attend property by City employees or its contractors and the costs of removal, clean up and disposal.

8.4 If an owner of real property or other responsible person defaults in paying the cost referred to in Section 8.3 to the City within 30 days after receipt of a demand for payment from the City, the City may either recover from the owner or other responsible person, in any court of competent jurisdiction, the cost as a debt due to the City, 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.

8.5 Service of a demand for payment referred to in Section 8.4 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 The provisions of this Bylaw may be enforced by any Bylaw Enforcement Officer.

9.2 Any person who violates any of the provisions of this Bylaw is, upon summary conviction, liable to the maximum fine provided in the Offence Act, plus the cost of prosecution for each offence.

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

10. Repeal

“City of Greenwood Property Maintenance Bylaw No. 928, 2018, ; Unsightly Premises Bylaw No. 890, 2015, ; Noise Control Bylaw No. 950, 2020, ; and Boulevard Regulation Bylaw No. 856, 2011 are hereby rescinded.

11. Effective Date

This Bylaw shall come into full force and effect and be binding on all persons upon adoption.

Read a First Time this	22 nd	day of January, 2024.
Read a Second Time this	22 nd	day of January, 2024.
Read a Third Time this	22 nd	day of January, 2024.
Adopted by Council this	26 th	day of February, 2024.



Mayor

I hereby certify this to be a true and correct copy of "City of Greenwood Good Neighbour Bylaw No. 1013, 2024"

On the 28 day of February, 2024.



Chief Administrative Officer