

BOULEVARD MAINTENANCE BYLAW

Bylaw No. 2377 and amendments thereto

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws listed below. The amending bylaws have been consolidated with the original bylaws for convenience only.

Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

<u>BYLAW NO.</u>	<u>ADOPTED</u>
2377	July 22, 2008
2446	February 2, 2010
2471	October 5, 2010
2465	February 7, 2012

The bylaw numbers in **bold** at the end of the clause refer to the bylaws that amended the principal bylaw.

**CITY OF PITT MEADOWS
BOULEVARD MAINTENANCE BYLAW
BYLAW NO. 2377, 2008.**

Page 1

A Bylaw of the City of Pitt Meadows to regulate the construction and maintenance of
boulevards within the City of Pitt Meadows

WHEREAS, the Council of the City of Pitt Meadows is authorized to enact a bylaw pursuant to regulate the construction and maintenance of boulevards by or on behalf of the owners of land fronting them; AND

NOW THEREFORE, the Council of the City of Pitt Meadows in open meeting assembled, ENACTS AS FOLLOWS:

PART I – INTERPRETATION

Citation

1. This Bylaw may be cited as the **"City of Pitt Meadows Boulevard Maintenance Bylaw No. 2377, 2008"**

Definitions

2. In this bylaw:

The following words will have the meanings ascribed to them in this section

- (a) "Authorized Person" means any officer, employee or agent for the City authorized by this or any other bylaw of the City to enforce this bylaw,
- (b) "Boulevard" means the area from the edge of pavement or curb of a highway, or where there is no pavement or curb from the edge of the traveled portion of the highway, to the property line,
- (c) "Dwelling Unit" means one or more rooms of complimentary use, occupied or intended to be occupied by one or more persons related by blood or marriage, legal adoption, foster care or legal guardianship, and containing not more than one (1) kitchen. (*Bylaw No. 2465*)
- (d) "highway" means
 - (i) any public street, road, way, trail, lane, bridge, trestle, and any other public way, pursuant to the definition in the Highway Act, RSBC, c 487, as amended,
 - (ii) every road, street, lane and right of way designed or intended for or used by the general public for the passage of vehicles, and

**CITY OF PITT MEADOWS
BOULEVARD MAINTENANCE BYLAW
BYLAW NO. 2377, 2008.**

Page 2

- (iii) every private place or passageway to which the public for the purpose of the parking or servicing of vehicles, has access or is invited,
- (e) “private highway” means any street, road, way, trail, lane, bridge, trestle or other way over real property that is traveled by members of the public, whether on foot or by vehicle or cycle, that has not been dedicated as a highway either by deposit of a plan in the land title office or established by the notice in the British Columbia Gazette;
- (f) “Sidewalk” means every structure designed primarily for pedestrian use, including, without limitation, any footpath made of gravel, asphalt, limestone, dirt or other material and the unpaved edge adjoining any asphalt road surface where no finished sidewalk exists.
- (g) Deleted – *Bylaw No. 2471*
- (h) “Single Family Residential” means a residential use in a detached building which is limited to one (1) dwelling unit; (*Bylaw No. 2465*)

PART II – Regulations

3. Snow and ice removal

The owner or occupier of real property shall, not later than 10:00 a.m. every day, remove snow and ice from any sidewalk adjacent to such parcel for a distance that coincides with the parcel’s property line and for the full width of the sidewalk.

4. Rubbish removal

4.1 Every owner or occupier of real property is required to immediately remove any rubbish from any sidewalk bordering the real property.

4.2 Without any way restricting the generality of the word “rubbish” any one or more of the following items may constitute “rubbish” thereby requiring removal pursuant to section 6.0;

- (a) accumulations of soil, leaves, grass, clippings, branches, twigs, and other vegetation or landscape materials;
- (b) litter of any kind;
- (c) garbage, other than that which is properly placed on the sidewalk or highway pursuant to the garbage collections requirements of the City,

**CITY OF PITT MEADOWS
BOULEVARD MAINTENANCE BYLAW
BYLAW NO. 2377, 2008.**

Page 3

- (d) compost materials, with particular reference to lanes where such materials may encroach on to the boulevard or sidewalk;
- (e) Any other objects that would reasonably pose a hazard to anyone using the sidewalk.

5. Boulevard construction

No owner of real property or occupier of the real property adjacent to a boulevard is permitted to:

- (a) construct any impervious surface on the boulevard, including, without limitation, any fence, wall, retaining wall or rockery;
- (b) erect any signage;
- (c) plant any tree, hedge, bush or shrub on the boulevard which, when fully grown, will or is likely to have a height excess of one meter or be likely to partially or wholly obstruct access to any sidewalk by pedestrians or prevent or inhibit the safe use of the highway by vehicular and cycle traffic,
- (d) otherwise landscape the boulevard in a manner that will or be likely to obstruct access to any sidewalk by pedestrians or prevent or inhibit the safe use of the highway by vehicular and cycle traffic;

6. Boulevard maintenance

Every owner or occupier of real property shall maintain in a clean, tidy, and well kept condition every Boulevard abutting on the Real Property and, without limiting the generality of the foregoing, shall

- (a) remove accumulations of filth, rubbish, discarded materials, hazardous objects and other materials which obstruct a drainage facility;
- (b) keep grass areas trimmed and free of Noxious weeds;
- (c) keep landscaping trimmed so that driveway and intersection sight distances are unobstructed;
- (d) keep landscaping from encroaching over paved roadways or gravel shoulders;

**CITY OF PITT MEADOWS
BOULEVARD MAINTENANCE BYLAW
BYLAW NO. 2377, 2008.**

Page 4

Except that where the real property is zoned single family residential, is abutting both a front road, and a rear street that runs approximately parallel to the front road, and the property owner is unable to directly access the boulevard due to steep grades, walls, fences or other obstructions, the owner or occupier need not maintain the boulevard abutting the rear street. (*Bylaw No. 2465*)

("Graffiti" deleted - *Bylaw No. 2471*)

Prohibition and Exceptions

7. Prohibitions

7.1 No person may willfully damage

(a) boulevards, trees, shrubs, plants, bushes and hedges, fences, or

(b) highway lighting,

Adjacent to a highway and where such damage occurs, will be subject to the penalties provided for in this bylaw.

7.2 No person will dispose of any vegetation cuttings, rubbish, discarded materials or any liquid or solid waste on any boulevard or highway.

7.3 Notwithstanding the requirement to maintain landscaping on the boulevard pursuant to section 6, no person may cut down or prune any tree, shrub, bush or hedge on any boulevard without first obtaining the written consent of the City of Pitt Meadows to do so.

8 Right of Entry

Any officer, employee or agent of the City authorized by this or any other bylaw of the City to enforce this bylaw an "Authorized Person", may enter at all reasonable times on any property in the City to ascertain whether the requirements of this bylaw are being met or the regulations are being observed

9 Notice of Non-Compliance

An Authorized Person may by oral notice given to an occupier of the real property apparently over the age of 16 or by written notice sent by regular mail to the registered owner of the real property or the occupant require the owner or, where applicable, the occupant, to comply with this Bylaw within the time specified in the notice

**CITY OF PITT MEADOWS
BOULEVARD MAINTENANCE BYLAW
BYLAW NO. 2377, 2008.**

Page 5

10 City Effects Compliance

10.1 If the owner and occupier of real property fail to comply with a notice given pursuant to section 10 of this bylaw, the City, by its employees or other persons, at reasonable times, may enter on the real property and effect the compliance specified in the notice at the expense of the person who failed to comply.

10.2 If the person at whose expense the compliance is carried out under section 11.1, does not pay the costs incurred by the City to effect compliance on or before December 31st in the year that the compliance was effected, the costs will be added to and form part of the taxes payable on the real property taxes in arrears.

11 Interference

No person shall interfere with

- (a) an Authorized Person in the performance of his or her duties under this bylaw, or
- (b) any employee or other person directed by the City to carry out the terms of any notice pursuant to section 10 of this bylaw

Offence and Penalty

12. Every person who contravenes a provision of this bylaw is guilty of an offence and is liable on summary conviction to a fine of not more than \$100.00

Effective Date

13 This Bylaw shall come into force and effect as of the date of adoption.

Severability

14 If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed invalid.