

Schedule of Proposed Graffiti and Waste Amendments

CURRENT Bylaw 14600		PROPOSED Bylaw 14600		COMMENTS
PART 1 - DEFINITIONS				
		2	(k.1) “ vehicle ” has the same meaning as in the <i>Traffic Safety Act</i> ;	The definition of vehicle is added to allow for enforcement of graffiti offences on vehicles.
		2	(m) “ waste ” means any material that is set out for collection and includes, but is not limited to, waste generated from residential properties.	The definition of waste is added to allow for enforcement of waste offences.
PART II - PROPERTY MAINTENANCE				
4	In this Part, “ building ” includes a structure and any part of a building or structure placed in, on or over land whether or not it is so affixed to become transferred without special mention by a transfer or sale of land.	4	(a) “building” includes any part of a building placed in, on, or over land whether or not it is so affixed to become transferred without special mention by a transfer or sale of the land.	Section 4 is expanded to include the definition of structure to allow for enforcement of graffiti offences on structures, as defined. Section 4 is expanded to include the definition of collection date to allow for enforcement of waste offences.
			(b) “ Structure ” includes any item or improvement placed in, on, or over land whether or not it is affixed to the land, some examples of which include: (i) fence, wall, or barricade; (ii) concrete pad, slab, or base;	

			<p>(iii) pole, erection, sign, or post;</p> <p>(iv) mailbox, courier or customer drop box;</p> <p>(v) waste bin or storage container; or</p> <p>(vi) satellite dish, utility box, or appliance.</p>	
		(c)	"collection date" means the date prescribed by the City Manager.	
		4.1	For the purposes of this Part, a person who owns or occupies land is deemed to have set out waste, waste containers, bags, or bins for collection.	<p>Section 4.1 is added to deem the owner or occupier of land as being the person who set out the waste for collection.</p> <p>This provision allows for more effective enforcement of waste offences against the owner or occupier of land.</p>
		6 (2) (b.1)	any vehicle displaying graffiti that is visible from any surrounding property;	<p>Section 6(1) is a general offence that prohibits nuisance conditions on any land.</p> <p>Section 6(2) provides a definition for "nuisance" and offers examples of situations that are considered to be nuisance.</p> <p>New section 6(2)(b.1) specifically identifies vehicles displaying graffiti as nuisance.</p>

		BUILDINGS		BUILDINGS AND STRUCTURES	The marginal note for section 9 is amended to clarify it also applies to structures.
9 (1)		A person shall not cause or permit a nuisance to exist in respect of any building on land they own or occupy.	9 (1)	A person shall not cause or permit a nuisance to exist in respect of any building or structure on land they own or occupy.	Section 9(1) is a general offence that prohibits nuisance conditions on any building.
(2)		For the purpose of greater certainty a nuisance, in respect of a building, means a building, or any portion thereof, showing signs of a serious disregard for general maintenance and upkeep, whether or not it is detrimental to the surrounding area, some examples of which include:	(2)	For the purpose of greater certainty a nuisance, in respect of a building or structure , means a building or structure , or any portion thereof, showing signs of a serious disregard for general maintenance and upkeep, whether or not it is detrimental to the surrounding area, some examples of which include:	Section 9(2) provides a definition for “nuisance” and offers examples of situations that are considered to be nuisance. The amendment adds the word “structure” so that section 9 now prohibits nuisance conditions on any building or structure . The amendment will enable enforcement of graffiti on structures.
	(a)	any damage to the building;		(a)	any damage to the building or structure ;
	(a.1)	any graffiti displayed on the building that is visible from any surrounding property;		(a.1)	any graffiti displayed on the building or structure that is visible from any surrounding property;
12.1		A person shall not place, cause or permit to be placed any litter, garbage, refuse or other waste material upon the privately owned property of another person.	12.1	A person shall not place, cause or permit to be placed any litter, garbage, waste , refuse or any other waste material upon the privately owned property of another person.	The proposed amendment is a housekeeping amendment to include the new defined term “waste.”
			12.2	A person shall not set out waste for collection at any front yard or curbside collection location before 4:00 p.m. the day before the	This new section creates an offence that prohibits setting waste out for collection before a specified time.

			collection date.	
		12.3	A person shall not leave waste containers at any front yard or curbside collection location later than noon of the day after the collection date.	This new section creates an offence that prohibits leaving waste containers on a property past a specified time.
		12.4	A person shall not store waste containers in the front yard or at any location other than a location between the line established by the front wall of the residence and the rear property line.	This new section creates an offence that prohibits storing waste containers in the front yard of a property.
		12.5	A person shall not place waste intended for residential collection or waste generated from a non-residential property in a public waste container.	This new section creates an offence that prohibits placing specific types of waste in a public waste container.
PART VI - ENFORCEMENT				
43 (1) (c)	\$100.00 for any offence under sections 7 and 8;	43(1) (c)	\$100 for any offence under sections 7, 8, 12.2, 12.3, and 12.4.	