

RESORT MUNICIPALITY OF WHISTLER

BYLAW NO. 305, 1983

A Bylaw to provide for the prevention, abatement and prohibition of nuisances.

WHEREAS Council is empowered by the Municipal Act R.S.B.C. 1979, c. 290 (the "Act") to provide for the prevention, abatement and prohibition of nuisances and the recovery of the cost of abatement of nuisances from the person causing the nuisance and other persons described in the Bylaw;

NOW THEREFORE the Council of the Resort Municipality of Whistler in open meeting assembled ENACTS AS FOLLOWS:

1. No person shall cause any nuisance within the Resort Municipality and no owner or occupier of real property or premises within the Resort Municipality shall cause, suffer or permit any nuisance in or upon the real property or premises.

2. The Council of the Resort Municipality of Whistler in the event of a nuisance in or upon real property or premises within the Resort Municipality may deliver a notice in writing to the:

(a) owner or occupier of the real property or premises or the agent of either of them; or

(b) person causing the nuisance.

requiring the nuisance to be abated or removed from the real property or premises on the real property before the expiry of twenty-one (21) days after the delivery of the notice.

3. In the event of default of this abatement or removal and failure of the owner or occupier of the real property or premises on the real property or agent of either of them to comply with the written notice to abate or remove the nuisance, the Council hereby authorizes agents and employees of the Resort Municipality to enter the real property or premises on the real property affected to effect the abatement or removal at a time and in a manner of administrative convenience to the Resort Municipality at the expense of the person defaulting.

4. In the event the person defaulting in the removal fails to pay the charges by the Resort Municipality for effecting the removal, and if the charges are unpaid on the thirty-first (31st) day of December in any year, the charges shall be added to and form part of the taxes payable in respect of that real property as taxes in arrear.

5. The Bylaw Enforcement Officer of the Resort Municipality of Whistler is authorized to enter, at all reasonable times, on any real property or premises on real property in the Resort Municipality to ascertain whether the regulations under this Bylaw are being observed.

6. Any person who violates any of the provisions of this Bylaw, or who neglects to do or refrain from doing anything required to be done by any of the provisions of this Bylaw, or who does any act which violates any other provisions of this Bylaw, shall be guilty of an infraction of this Bylaw, and upon summary conviction therefor shall be liable to a fine and penalty not exceeding two thousand dollars (\$2,000,00) in addition to a charge or lien imposed on a person's lands under this Bylaw.

7. A new offence shall be deemed under this Bylaw to have been committed each day a nuisance continues after the time limit specified in the notice delivered by Council under this Bylaw has passed.

8. This Bylaw may be cited for all purposes as "Nuisance Bylaw No. 305, 1983"

GIVEN FIRST READING this 2nd day of May, 1983.

GIVEN SECOND READING this 16th day of May, 1983.

GIVEN THIRD READING this 16th day of May, 1983.

APPROVED by the Inspector of Municipalities this 16th day of June, 1983.

RECONSIDERED and finally ADOPTED by the Council this 27th day of June, 1983.

Signed Original on File

Mark Angus, Mayor

Signed Original on File

L.K. Shoup Robinson, Municipal Clerk

I HEREBY CERTIFY that this is a true copy of "Nuisance Bylaw No. 305, 1983".

L. K. Shoup Robinson

L.K. Shoup Robinson, Municipal Clerk

APPROVED PURSUANT TO SECTION 5
OF THE RESORT MUNICIPALITY OF
WHISTLER ACT THIS 16th DAY OF
June 1983.
[Signature]
DEPUTY INSPECTOR OF MUNICIPALITIES



Province of
British Columbia

Ministry of
Municipal Affairs

Parliament Buildings
Victoria
British Columbia
V8W 3E1

YOUR FILE.....

OUR FILE..R01-39.....

June 16, 1983.

Mrs. L.K. Shoup Robinson,
Municipal Clerk,
Resort Municipality of Whistler,
Box 35,
Whistler, B.C.
VON 1B0

Dear Mrs. Robinson:

Returned herewith is one copy of By-law No. 305, cited
as "Nuisance By-law No. 305, 1983", duly approved by the Deputy
Inspector of Municipalities pursuant to the provisions of section 5
of the Resort Municipality of Whistler Act.

Yours very truly,

T.F. Moore,
Deputy Inspector of
Municipalities.

BMS/mr
Encl.