



Unsightly Premises and Other Objectionable Situations Policy, 2007

Purpose:

To provide general guidelines as to what conditions Council considers may render real property or any building or structure located on such real property "unsightly" under Bylaw No. 296, *Unsightly Premises and Objectionable Situations Bylaw, 2007*.

Policy Statement:

1. The Council of the District of Sooke has authority under the *Community Charter* to regulate, prohibit, and impose requirements, by bylaw, in relation to public places and to nuisances, disturbances, and other objectionable situations.
2. Council has adopted Bylaw No. 296, *Unsightly Premises and Objectionable Situations Bylaw, 2007*, a bylaw to prevent unsightliness and other objectionable situations on real property in the District of Sooke.
3. Investigations into non-compliance with Bylaw No. 296 will be based on complaints received from the community and the observations of members of Council and District of Sooke staff that certain identified properties are not in alignment with the District of Sooke's goal to enhance the liveability of its community.
4. Concerns that may be addressed include but are not limited to those conditions that cause public discomfort, insult or degrade the social code of a neighbourhood, or are affront or displeasing to a reasonable persons senses.
5. Without in any way restricting the generality of the word "unsightly" in Bylaw No. 296, any one or more of the following conditions may render real property or any building or structure located on such real property "unsightly" within the meaning of Bylaw No. 296:
 - a) real property or any building or structure located on such real property that is dilapidated or in a state of disrepair including but not limited to broken fences, extensive growth of moss on roofs, broken gutters or stormdrains, exterior finishes that have become conspicuously unclean or deteriorated due to lack of maintenance and yards overgrown with noxious weeds;

- b) materials of any sort that are strewn about real property or in or on any buildings or structures located on such real property rather than piled in a neat and orderly manner;
- c) the storage or accumulation of all or any part of a vehicle that is not validly licensed for the current year or is incapable of moving under its own power on real property;
- d) the storage or accumulation of all or any part of a boat that is currently inoperable, unseaworthy or in a dilapidated state on real property;
- e) the storage or accumulation of furniture, bedding or appliances (other than furniture or appliances specifically designed for outdoor use) on real property;
- f) unused landscaping materials such as dirt piles, discarded planting pots, or tree and plant material clippings on real property;
- g) uncontained or unmaintained compost piles on real property;
- h) accumulations of rubbish, trash, bottles, broken glass, metal pieces, wood products, or other unwholesome materials on real property;
- i) the storage or accumulation of construction material or construction equipment that is not currently required for construction on real property or in any building or structure located on such real property;
- j) the accumulation of water that creates excessive ponding of water or dampness accumulating near buildings or structures.

Procedures

1. Once a complaint is received or situation is known by the District of Sooke that real property may be in non-compliance with Bylaw No. 296, it will be investigated by a Bylaw Enforcement Officer.
2. The owner and occupier of the real property will be notified of any non-compliance with Bylaw No. 296 and ordered to comply by a specified date. At the same time, a date will be set and provided to the owner and occupier to appear before Council to be heard in the event that compliance is not obtained by the specified date.
3. The situation will be monitored by a Bylaw Enforcement Officer and if compliance is not met by the specified date, a Report to Council will be prepared by the Corporate Officer for a show cause hearing date that will seek a Council Resolution to use District of Sooke employees or contractors to effect compliance with costs to be recovered from the property owner.