

TOWN OF SIDNEY

BYLAW NO. 1738

A BYLAW TO REGULATE THE MAINTENANCE OF THE BOULEVARD ADJACENT TO PRIVATE PROPERTY WITHIN THE LIMITS OF THE TOWN OF SIDNEY

WHEREAS THE COUNCIL of the Town of Sidney deems it necessary to have the Municipal boulevards maintained including grass cutting.

AND WHEREAS section 517.1 of the *Local Government Act*, Chapter 323, allows Council to adopt an establishing bylaw for service;

AND WHEREAS section 363(1) of the *Local Government Act*, Chapter 323, allows Council to impose a fee or charge payable in respect of all or part of a service;

NOW THEREFORE the Council of the Town of Sidney in open meeting assembled enacts as follows;

1. CITATION:

This Bylaw may be cited for all purposes as the “**Town of Sidney Boulevard Maintenance Bylaw No. 1738, 2002**”.

2. GENERAL REGULATIONS:

All owners of real property shall maintain the boulevard in a neat and tidy condition and shall keep the grass cut on all boulevards that abut a street, which includes lanes, roads and sidewalks.

3. OWNERS RESPONSIBILITY:

The owner of real property may enter into an agreement with the Town of Sidney to have the grass cut and the boulevard maintained by the Town at the expense of the owner.

The Town of Sidney or its representatives may deem the boulevard unsightly or a hazard and may direct, in writing, that the owner cut or properly maintain the grass on the boulevard area.

4. REMEDIAL ACTION:

Should Council or its representative direct a notice in writing to be sent to such owner or agent notifying the said owner or agent that the maintenance of the boulevard is in default of this bylaw Council or its representative shall give the owner or agent of the property a time specified in the said notice to meet all requirements within this bylaw. The Town by its workmen or other persons may, at reasonable times and in a reasonable manner, maintain the boulevard at the expense of the owner.

The fee for such service shall be \$50.00 per hour, which includes administration fees. If the service is unpaid on the 31st day of December in any year, the unpaid amount shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.

5. OFFENSE or PENALTY:

Any person who obstructs any officer or staff from enforcing this bylaw is guilty of an offense.

Any offense is punishable in accordance with the *Offense Act* of British Columbia.

Read a first time this	15 th	day of	July, 2002.
Read a second time	15 th	day of	July, 2002.
Read a third time	15 th	day of	July, 2002.
Reconsidered, finally passed and adopted this	12 th	day of	August, 2002.

MAYOR

CORPORATE ADMINISTRATOR