(j) no excavation shall be carried out into the aquifer except to construct settling ponds, water supply pits and man-made lakes, all of which shall be shown on the drawings accompanying the permit application and shall require prior approval by the City.

15. No person shall deposit or cause or permit to be deposited any material other than soil, wood waste, masonry rubble, concrete rubble or asphalt rubble upon any land other than:

(a) a sanitary landfill;

(b) a solid waste transfer station; or

(c) a construction and demolition waste landfill,

in accordance with the Zoning Bylaw of the City.

16. No person shall deposit or cause or permit to be deposited soil or other material on any land in individual pieces in excess of 1 m in length or 0.75 m^3 in volume.

17. The deposit of soil and other material shall be carried out in accordance with the following regulations:

(a) the slope of any part of any exposed face of any deposited soil or other material shall not be greater than the angle of repose necessary for stability of the soil or other material in question, as determined by the Engineer;

(b) the deposited soil or other material shall not in any way interfere with the established above or below ground drainage pattern of any adjoining lands and shall not cause the ground water table to rise on adjoining lands so as to cause flooding or malfunctioning of any private sewage disposal system or contaminate any well. Where necessary, a system of interceptor or relief drains shall be installed which is sufficient to compensate for any interference which might otherwise occur to such established drainage pattern as a result of the soil or other material deposit operation;

(c) the deposited soil or other material shall be graded in such a manner that positive gravity drainage is assured throughout, and a drainage system shall be installed which is of sufficient capacity and extent to ensure that ground water or surface run-off will not drain into adjoining lands at greater rates than those existing prior to the commencement of the soil or other material deposit operation;

(d) no soil or other material shall be deposited over any highway, statutory right-of-way or utility easement without first obtaining the approval in writing of the authority having jurisdiction over such highway, statutory right-of-way or easement, and a copy of such written approval shall be filed with the Engineer;

2.4 No Person shall Panhandle after sunset on any given day.

2.5 No Person shall sit or lie on a Street for the purpose of Panhandling.

2.6 No Person shall continue to Panhandle from a Person, or follow a Person, after that Person has made a negative response.

Use of Highways

2.7 No Person shall:

(a) urinate or defecate on a Highway or Other Public Place;

(b) impede or obstruct any other Person on a Highway or Other Public Place, excluding lawful picketing as provided in the BC Labour Code;

(c) stand or congregate on a Highway or Other Public Place in such a manner as to impede or obstruct the free movement of other Persons or vehicular traffic;

(d) camp or erect a tent or other camping facilities on a Highway or Other Public Place;

(e) sleep in any vehicle located on a Highway or Other Public Place;

(f) swear or use indecent, obscene, blasphemous or grossly insulting language on or about a Highway or Other Public Place;

(g) carry on any obscene, lewd or indecent activity on a Highway or Other Public Place;

(h) cast, project or throw any stone, ball of snow or ice or other object in any manner which is dangerous to the public, or use any compressed air gun, bow or arrow, catapult or other such device on any Highway or Other Public Place; (B/L 1443-2005)

(i) participate in a fight or other similar physical confrontation in any Highway or Other Public Place; or (B/L 1443-2005)

(j) in any Highway or Other Public Place, repeatedly communicate, either directly or indirectly, with any Minor in a way that causes the Minor to feel Harassed. (B/L 1443-2005)

PART III - LITTERING

3.1 Schedule "C" contains definitions of terms used in Part III of this Bylaw.

Dog Faeces

3.2 No Owner, except those certified as being legally blind, shall cause, allow or suffer any Dog to leave or deposit Faeces on any Highway or Other Public Place or private property other than the property of the Owner, without immediately taking action to remove such Faeces and to dispose of the Faeces in an approved and sanitary manner on the property of the Owner.

Litter

3.3 No Person shall deliver circulars, pamphlets, handbills or papers to or within any Real Property or building located on the Real Property, unless such deliveries are deposited within a receptacle provided by the owners or occupiers of the Real Property or building.

3.4 No Person shall deposit or throw bottles, broken glass, circulars, pamphlets, handbills, paper or other litter, rubbish or trash in any open place.

PART IV - NOISE REGULATION

Noise Restrictions

4.1 Schedule "D" contains definitions of terms used in Part IV of this Bylaw.

Exemption (B/L 1573-2006)

4.2 This Part shall not apply to:

(a) the operation of emergency vehicles;

(b) the emergency repair of a public Highway;

(c) operations of a public utility;

(d) Peace Officers acting in the course of their duties;

(e) lands within the boundaries of the Abbotsford Airport;

(f) events held under authority of a Special Event Permit issued by the City;

(g) the operation of farm vehicles during planting and harvesting; and

(h) the ringing of church bells. (B/L 1573-2006)

4.3 No Person shall make or cause, or permit to be made or caused, any Noise in or on a public or private place which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any Person or Persons in the neighbourhood or vicinity.

4.13 No Person shall make or cause to be made, any objectionable, unnecessary or disturbing Noise set forth in Section 4.12 or operate a motor vehicle so as to cause any objectionable, unnecessary or disturbing Noise set forth in Section 4.12 contrary to Division 7A of the *Motor Vehicle Act Regulations*, B.C. Reg. 26/58.

4.14 The prohibitions contained in Section 4.12 shall not apply to participants in a special event or parade provided it has first been authorized under a permit issued by the City.

PART V - PROPERTY MAINTENANCE

5.1 Schedule "E" contains definitions of terms used in Part V of this Bylaw.

Graffiti (B/L 1573-2006)

5.2 No Person shall place Graffiti, or cause Graffiti to be placed, on any wall, fence or other structure, improvement or thing located in any Highway or Other Public Place. (B/L 1573-2006)

5.3 No Person shall place Graffiti, or cause Graffiti to be placed, on any wall, fence, building or structure that is located on Real Property and adjacent to a Highway or Other Public Place.

Unsightly Premises (B/L 1998-2010)

5.4 An owner or Occupier of Real Property must not cause, permit, suffer or allow the property to become or remain unsightly, and in particular must not:

(a) keep a derelict, deteriorating, inoperative or unused vehicle, boat, or household appliance, or any parts thereof, on the property, whether or not covered by a tarpaulin or similar device, except as part of a lawful business operating under a licence from the City;

(b) allow the accumulation of filth, rubbish, or Discarded Materials;

(c) cause Graffiti to appear or allow Graffiti to remain on any wall, fence, building or other structure; or

(d) allow lawn grass or dandelions to grow higher than 250 millimetres (10 inches),

so that the vehicle, boat, appliance, parts, accumulation, Graffiti or grass is visible to persons passing by the property or from neighbouring properties.

5.5 An owner or Occupier of Real Property must not cause, permit, suffer or allow on or around the property:

(a) an accumulation of water;

(b) unsanitary conditions;

(c) an accumulation of noxious, offensive or unwholesome materials, substances or objects;

(d) Noxious Weeds; or

(e) infestation by caterpillars or other destructive or noxious insects.

5.6 Every owner or Occupier of Real Property must remove or cause to be removed from the property any and all of the things or conditions mentioned in Sections 5.4 and 5.5 and any and all other unsightly, offensive, unsanitary or unwholesome or noxious things or conditions of any kind, on a regular basis or when directed to do so by the Manager.

Boulevard Maintenance

5.7 Every owner or Occupier of Real Property shall maintain in a clean, tidy and well-kept condition every Boulevard fronting 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 grassed 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;

except that where the Real Property is a through lot abutting both an Arterial Road and an internal street that runs approximately parallel to the Arterial Road, the owner or Occupier need not maintain the Boulevard fronting the Arterial Road unless the front of the house faces such Arterial Road.

Sidewalks and Pedestrian Facilities

5.8 Every owner or Occupier of Real Property shall:

(a) remove snow or ice from any sidewalk or footpath bordering that Real Property not later than 12:00 noon the day following the accumulation of snow or ice; and

(b) remove snow or ice from the roof or other part of any structure on Real Property adjacent to or abutting any portion of any Boulevard or Roadway;

(c) remove rubbish from every Pedestrian Facility bordering the Real Property;

(d) keep landscaping from encroaching over a sidewalk, from ground level to a height of 2.4 metres;

except that where the Real Property is a through lot abutting both an Arterial Road and an internal street that runs approximately parallel to the Arterial Road, the owner or Occupier need not remove the snow or ice as required herein with respect to the Boulevard that fronts the Arterial Road, unless the front of the house faces such Arterial Road.

5.9 No Person shall:

(a) willfully injure or damage any Boulevard or any tree, shrub, plant, bush or hedge on any Boulevard;

(b) erect any sign, fence, wall or other structure on any Boulevard, except with written permission of the City;

(c) apply a Pesticide or Herbicide to any Boulevard; or

(d) dispose of any vegetation cuttings, rubbish, Discarded Materials or any liquid or solid waste on any Boulevard or in any Drainage Facility.

Rental Premises

5.10 Every owner of Residential Premises or Residential Property subject to a Tenancy Agreement shall:

(a) maintain the physical condition and structural repair of the Residential Premises or Residential Property to the health, life safety and fire protection standards of the *British Columbia Building Code* and the City of Abbotsford Fire Prevention Bylaw; and

(b) maintain the general appearance and repair of the Residential Premises or Residential Property to the standards of other similar properties in the neighbourhood.

Vacant Premises

5.11 No owner of Real Property shall cause or create a nuisance, or permit a nuisance to be caused or created by allowing a vacant building on the Real Property to fall into such a state of disrepair that it becomes unsightly or creates a hazard, danger, nuisance or inconvenience to the general public.

Compliance Orders (B/L 1443-2005)

5.12 If, in the opinion of the Manager, the owner of Real Property or other responsible Person fails to comply with a requirement of this Bylaw, the Manager may issue an order requiring that the owner or other responsible Person bring the Real Property into compliance with the provisions of this Bylaw within such time as the Manager considers appropriate in the

circumstances. (B/L 1443-2005)

5.13 If the owner or other responsible Person fails to comply with the Manager's order within the time period specified in such notice, the City, by its workers or others, may, at all reasonable times and in a reasonable manner, enter the Real Property and bring about such compliance at the cost of the defaulting owner or other responsible Person. Such costs shall consist of all costs and expenses incurred by the City to achieve compliance with this Bylaw including, without limitation, administrative costs, costs to attend property by City employees or its contractors and the costs of removal, clean up and disposal. (B/L 1443-2005)

5.14 If an owner or other responsible Person defaults in paying the cost referred to in Section 5.13 to the City within 30 days after receipt of a demand for payment from the City, the City may either recover from the owner or other responsible Person, in any court of competent jurisdiction, the cost as a debt due to the City, or direct that the amount of the cost be added to the Real Property tax roll as a charge imposed in respect of work or service provided to the Real Property of the owner. (B/L 1443-2005)

5.15 Service of the order referred to in Section 5.12 will be sufficient if a copy of the order is:

(a) served personally or mailed by prepaid registered mail to the owner of the Real Property as shown on the current year's real property assessment roll; and

(b) either posted on the Real Property or delivered to the Occupier of the Real Property. (B/L 1443-2005)

PART VI - ENFORCEMENT AND PENALTY

Enforcement

6.1 The provisions of this Bylaw may be enforced by any Bylaw Enforcement Officer.

Penalty

6.2 Every Person who contravenes or violates any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any provision of this bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this bylaw, commits an offence and, upon conviction, shall be liable to a fine or penalty as provided by the *Offence Act* and, where the offence is a continuing one, each day the offence continues shall be a separate offence.

6.3 Where a Minor is convicted of violating Section 2.7(j) of this Bylaw, the parents or legal guardian of such Minor shall be liable to pay any fine imposed for such offence. (B/L 1443-2005)

SCHEDULE "E"

In Part V of this Bylaw, unless the context otherwise requires:

"Arterial Road" means an arterial Highway as classified under the British Columbia *Highway Act;*

"Boulevard" means the area of a Highway between the edge of the pavement or curb of the Roadway and the adjacent property line of the Highway;

"Discarded Materials" include all materials not in use for the construction or maintenance of a building situated on that property, appliances, unlicensed or inoperable motor vehicles or motor vehicle parts, machinery, firewood, unless it is neatly piled or stacked against a wall or fence, and all other chattels in a dismantled state or not in use for the purpose for which the manufacturer intended.

"Drainage Facility" includes Boulevard drainage inlet, catch basin grate, culvert headwall or lawn basin inlet;

"Herbicide" means any kind of material that is used to control Noxious Weeds;

"Occupier" means a Person who occupies Real Property but does not include the Occupier of a unit in an apartment, hotel or institution;

"Pesticide" means any kind of material that is used to control pests, fungi, and insects;

"Residential Premises", "Residential Property" and "Tenancy Agreement" shall have the same meanings as in the *Residential Tenancy Act* of British Columbia; and

"Sight-Distance" means a clear line of vision between conflicting motorists, cyclists and pedestrians that allows sufficient time for safe maneuvers to be made without significantly affecting the conflicting traffic.