

ITEM 2  
MANAGER'S REPORT NO. 40  
COUNCIL MEETING 90/06/11

RE: LETTER FROM W.A. MOREAU WHICH APPEARED ON THE AGENDA FOR THE APRIL 30TH  
MEETING OF COUNCIL (item 10)  
UNSLIGHTLY PREMISES 3723 FIR STREET, BURNABY

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Acting Chief Public Health Inspector be adopted.

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TO: MUNICIPAL MANAGER 1990 JUNE 04

FROM: ACTING CHIEF PUBLIC HEALTH INSPECTOR

SUBJECT: LETTER OF COMPLAINT - UNSIGHTLY PREMISES  
3723 FIR STREET, BURNABY, B.C.

PURPOSE: TO ADVISE COUNCIL OF THE ACTION TAKEN BY THE ENVIRONMENTAL HEALTH  
DIVISION FOLLOWING RECEIPT BY COUNCIL OF THE SUBJECT COMPLAINT

RECOMMENDATION:

1. THAT a copy of this report be sent to W.A. Moreau, 3731 Fir Street, Burnaby, B.C. V5G 2A4.

REPORT

Further to a complaint received by Council 1990 April 30 from W.A. Moreau concerning the above-noted unsightly premises, we would advise as follows.

The subject property was inspected by the Environmental Health Division on 1990 April 16 with no violation to the Burnaby Unsightly Premises Bylaw noted. There was no accumulation of rubbish or debris on the property, and the grounds were in a reasonably neat and tidy condition. There were, however, weeds noted in one of the front flower beds and a sofa chair being stored in the carport. The lawns both front and back had been recently cut and were of a reasonable length.

Reference was made in the letter of complaint to a "property maintenance bylaw" in place in the City of Victoria, B.C. The Environmental Health Division has reviewed the aforementioned bylaw, "Weeds Control By-law" and would provide the following information.

The bylaw provides authority for the Superintendent of Parks for the City of Victoria to order the owner of real property to clear the property of brush, noxious weeds, or other growths, which in their opinion are likely to spread to or become a nuisance to other properties in the vicinity, or which is in their opinion so unkempt as to be unsightly to nearby residents. Should the property not be cleared within the time specified, the Superintendent of Parks (or delegate) is empowered to enter the property and effect the clearing with costs being charged against the property owner.

LETTER OF COMPLAINT - UNSIGHTLY PREMISES  
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The Environmental Health Division further enquired about the Provincial Weed Control Act and Regulations. The main intent of this legislation is to protect agricultural properties from certain invasive and destructive weeds. Weeds regulated by this legislation are ones defined as "noxious weeds" in the Act. The only "noxious weed" likely to be present in Burnaby are Canadian Thistle and possibly Tansy Ragwort. At present, common lawn and garden weeds such as dandelion, blackberry, clover, etc. are not defined as "noxious weeds". A Regional District may however apply to have specific weeds added to the Schedule for their district. For example, morning-glory is considered a "noxious weed" in the North Okanagan. Enforcement of the Provincial Weed Control Act and Regulations is done by those Municipalities who choose to enter into an agreement with the Provincial Government with respect to noxious weed control.

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The Burnaby Unsightly Premises Bylaw 1969 does not address long grass and weed growth but rather refers to rubbish, accumulated filth and discarded materials. However, it is the practice of the Environmental Health Division upon receipt of complaints concerning excessively overgrown property in residential areas to discuss with the property owner the problem and work in cooperation with the concerned parties to have the subject property cleared of overgrowth. In the past, this procedure has proved a successful means of dealing with overgrown properties and a satisfactory system to concerned parties.

Mr. Moreau has been contacted, advised of the procedure and is satisfied with the procedure followed by this Department. Mr. Moreau was further advised that should the property become unsightly with accumulated debris and overgrowth to contact the Environmental Health Division and staff would look into his concerns.



K.C. Johnston, C.P.H.I.(C)  
ACTING CHIEF PUBLIC HEALTH INSPECTOR

KCJ:ro

cc: Medical Health Officer  
Director Administrative &  
Community Services