Item 14 Manager's Report No. 04 Council Meeting 97/02/03

TO:

CITY MANAGER

DATE:

JANUARY 21, 1997

FROM:

CITY SOLICITOR

SUBJECT:

CORRESPONDENCE FROM DOGWOOD RIDGE RESIDENTS

REGARDING THE UNSIGHTLY PREMISES BYLAW

PURPOSE:

To respond to a letter from the Dogwood Ridge Residents

regarding the Unsightly Premises Bylaw.

RECOMMENDATION:

1. **THAT** a copy of this report be sent to the Dogwood Ridge Residents group.

REPORT

Appearing on the agenda for the regular Council Meeting of January 13, 1997 was an item of correspondence from the Dogwood Ridge Residents group regarding the Burnaby Unsightly Premises Bylaw and the fact that it does not apply to unkempt lawns, trees, shrubs and hedges.

Council referred this matter to staff for a report.

The City's power to regulate and prohibit unsightly premises is derived from the *Municiapl Act*. The wording of the bylaw incorporates almost verbatim the wording in the *Municipal Act*, the only difference being that the City's bylaw does not cover graffiti, which is now specifically mentioned in the Act. The City's powers to enter onto private property to remediate unsightly conditions applies only to "unsightly accumulations of filth, discarded materials, rubbish or graffiti". The City simply has no power to do so in the case of unkempt landscaping.

Patricia W. Flieger City Solicitor

BRR:bi

cc: Environmental Health Officer