



**THE CORPORATION OF THE CITY OF NORTH VANCOUVER**

**“Rodent Control Bylaw, 1988, No. 5899”**

**CONSOLIDATED FOR CONVENIENCE – NOVEMBER 2, 2009**

Amendment Bylaw, 2009, No. 8030	Bylaw Notice Process
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# THE CORPORATION OF THE CITY OF NORTH VANCOUVER

## BYLAW NO. 5899

### A Bylaw to provide for the abatement of rodents pursuant to the *Municipal Act, R.S.B.C. 1979, Chapter 290.*

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts the following:

#### TITLE

1. This Bylaw may be cited as the "**Rodent Control Bylaw, 1988, No. 5899**".

#### DEFINITIONS

2. In this Bylaw:

"**Bylaw Enforcement Officer**" includes Public Health Inspectors and Environmental Health Officers serving the City of North Vancouver, Bylaw Enforcement Officers of the City of North Vancouver, any Peace Officer, and any employee of the City of North Vancouver properly designated by Council; *[Bylaw 8030, November 2, 2009]*

"**Medical Health Officer**" means the person appointed to a position having that name under the Health Act, and includes any person acting under his supervision;

"**person**" includes a corporation, partnership or party, and the personal or other legal representatives of a person to whom the context can apply according to law; and

"**rodent**" means any mammal of the order Rodentia.

#### PROHIBITION

3. No person may create or permit unsanitary conditions upon premises owned, occupied or controlled by him which can or does provide shelter, refuge, or food for rodents.

#### REQUIREMENTS

4. Every person who owns, occupies or controls property in the City of North Vancouver shall
  - (a) remove from the premises any waste products, construction material or debris, refuse or other material capable of providing shelter, refuge, or food for rodents;
  - (b) remove from the premises any accumulation of waste food products, animal feed, or any other foodstuffs unless they are contained so as not to provide a food source for rodents;
  - (c) ensure that the premises, including any buildings, structures, plumbing, drainage pipes, or any other item, are in such a condition that rodents are prevented from entering the premises, or from gaining harbourage;

- (d) keep or maintain any animals or birds on the premises in a manner that prevents rodents from obtaining shelter, refuge or food;
- (e) remove from the premises any growth of brush, noxious weeds or other growth which would provide rodents with shelter; and
- (f) destroy or eliminate any food on the premises rendered unfit for human consumption through contamination by rodents.

### **ENFORCEMENT**

- 5. The Medical Health Officer is empowered to administer this Bylaw, and, for that purpose, may
  - (a) order in writing any person to take the steps determined by the Medical Health officer to be necessary to satisfy any of the requirements of Section 4 that are not being complied with on the premises owned, occupied or controlled by such person, by a date given in the order;
  - (b) enter at all reasonable times on any premises to ascertain whether the requirements of this Bylaw are being observed; and
  - (c) carry out approved rodent control measures on any property owned by the City of North Vancouver.

### **SERVICE OF THE ORDER**

- 6. The Medical Health Officer shall serve any order he makes pursuant to subsection 5(a)
  - (a) on the owner of the premises where the violation exists by
    - (i) personal service, or
    - (ii) return registered mail to the address of the owner shown on the last revised real property assessment rolls;
  - (b) on the occupier of the premises where the violation exists by
    - (i) personal service, or
    - (ii) delivery to a mail box or other receptacle for messages, if any, on the premises, or
    - (iii) affixing the order to the door of the building, if any, on the premises, or posting on the premises;
  - (c) on any agent of the owner or occupier of the premises where the violation exists by
    - (i) personal service, or
    - (ii) return registered mail;

and when an Order is not personally served it is deemed to have been served on the third day after mailing or posting.

## **DEFAULT**

7. If the terms of an order by a Medical Health Officer are not performed by the date therein set out, the City of North Vancouver by its employees and others may enter on the premises at the request of the Medical Health Officer and perform the obligations at the expense of the person defaulting and the charges for so

doing, if unpaid on December 31 of the year in which the work was performed, shall be added to and form part of the taxes payable on that premises as taxes in arrears, with interest at the rate of 6% a year.

## **COSTS**

8. The City employee in charge of the work shall certify to the Treasurer all costs incurred by the municipality in performing or causing to be performed any obligations under Section 7, upon receipt of which the Treasurer shall demand payment by issuing an invoice in the amount of the costs to the person named in the order, and to the owner of the premises, if different from such person, in the same manner as an order issued under Section 6.

## **OFFENCES, PENALTIES AND ENFORCEMENT**

9. Every person who violates a provision of this Bylaw, or consents, allows or permits an act or thing to be done in violation of a provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this Bylaw, is guilty of an offence and is liable to the penalties imposed under this Bylaw or any other applicable Bylaw of the City, and is guilty of a separate offence each day that a violation continues to exist.

Any person who contravenes any of the provisions of this bylaw commits an offence punishable upon summary conviction and is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than six months or to both. Each day that an offence continues shall constitute a separate offence.

Pursuant to Section 264 of the *Community Charter*, S.B.C. 2003 Chapter 26, any person designated as a Bylaw Enforcement Officer pursuant to the "Bylaw Notice Enforcement Bylaw, 2005, No. 7675" or is named as the enforcement officer pursuant to the "Ticket Information Utilization Bylaw, 1992, No. 6300" is hereby authorised and empowered to enforce the provisions of this Bylaw by Bylaw Notice or Municipal Ticket Information or as otherwise provided by this or any other Bylaw.

The provisions of this Bylaw are severable. If, for any reason, any provisions is held to be invalid by the decision of a court of competent jurisdiction, such a decision shall not affect the validity of the remaining provisions of this Bylaw."

*[Bylaw 8030, November 2, 2009]*

**REPEAL**

10. The "Rodent Control Bylaw, 1983, No. 5497" and amending Bylaws are hereby repealed.

READ a first time by the Council on the 2nd day of May, 1988 .

READ a second time by the Council on the 2nd day of May, 1988.

READ a third time and passed by the Council on the 2nd day of May, 1988 .

RECONSIDERED and finally adopted by the Council, signed by the Mayor and City Clerk, and sealed with the Corporate Seal on the 9th day of May, 1988.

"John E. Loucks, Mayor"

"Bruce A. Hawkshaw, City Clerk"

Province of  
Services  
British Columbia

Blanshard Street

Columbia

Ministry of  
Health

Preventive  
5<sup>th</sup> Floor  
1515

Victoria  
British

V8W 3C8

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June 8, 1988

HL 10985/N

Bruce Hawkshaw  
City Clerk  
The Corporation of the  
City of North Vancouver  
141 West 14th Street  
North Vancouver, B.C.  
V7M 1H9

Dear Mr. Hawkshaw:

Re: Rodent Control Bylaw, 1988, No. 5899

Enclosed are two copies of the subject bylaw which was approved and endorsed by the undersigned.

Yours sincerely,

H.M. Richards  
Provincial Health Officer  
Preventive Services

HMR/hw

Enclosures

c.c Honourable Peter A. Dueck  
Minister of Health