

CORPORATION OF THE CITY OF NEW WESTMINSTER

BY-LAW NO. 4271

A By-law relating to the preservation of public health and the maintenance of sanitary conditions in the City

WHEREAS the Council may by by-law:

- (a) Regulate persons, their premises and their activities, to further the care, protection, promotion, and preservation of the health of the inhabitants of the municipality.
- (b) Make regulations to prohibit the creation of insanitary conditions.
- (c) Require any person to remedy or remove any insanitary condition for which he is responsible, or which exists on property owned, occupied, or controlled by him.

NOW THEREFORE THE COUNCIL of the City of New Westminster ENACTS

AS FOLLOWS:

1. This By-law may be cited as 'PUBLIC HEALTH BY-LAW, 1967'.
2. DEFINITIONS - The following words, when used in this By-law, have the meanings hereinafter assigned to them.
 - "Animals" - Means and includes cows, calves, goats, sheep, horses and mules.
 - "Health Officer" - Means the Medical Health Officer appointed under the "Health Act" for the City of New Westminster.
 - "Inspector" - Means any Public Health Inspector appointed to administer and enforce this By-law and any Act of the Province relating to public health.
 - "Poultry" - Means and includes live ducks, geese, turkeys, chickens, pigeons and pheasants.
 - "Site" - Means an area consisting of one registered parcel of land.
3. It is the duty of the Health Officer appointed by the City to advise the City officials in matters relating to public health and superintend the observance and enforcement of the City's By-law or resolutions and of any other By-laws relating to health and sanitation and perform such other lawful duties and acts for the preservation of public health as may be required.
4. On or before the 31st day of January in each year the Health Officer shall present a full report to the Local Board of Health upon

the health and sanitary conditions within the City for the period of the preceding calendar year.

5. The Inspectors shall assist the Health Officer in performing his duties and shall perform such other duties as are from time to time assigned to them by the Local Board of Health, or City Council.

6. The Inspectors shall keep a vigilant supervision over all streets, lanes, lots and premises for deposits or accumulations of refuse, vegetable or animal matter and any other matter or thing that may endanger the public health and shall, immediately upon discovery of such deposit or accumulation, notify the person or persons who own or occupy such lots or premises or who have deposited such matter or thing to remove the matter or thing and cleanse the area in which it was found.

7. The Inspectors shall at intervals, as directed by the Local Board of Health or Health Officer, inspect all premises occupied by persons residing within the City and shall report to the Board his or their findings at such regular intervals as designated by the Health Officer.

8. KEEPING OF POULTRY AND RABBITS

(a) No poultry or rabbits shall be allowed on sites of less than 6,000 square feet.

(b) A maximum of 8 poultry or rabbits shall be allowed on a site of 6,000 square feet or more provided further that this number may be increased by one for each 750 square feet a site exceeds 6,000 square feet up to a site size of one-half acre; and by one for each 500 square feet, a site exceeds one-half acre, provided further that the number of poultry or rabbits shall not exceed fifty, on any one site.

(c) No poultry or rabbits shall be kept in any shed, pen or other enclosure situated at a lesser distance than fifty (50) feet from the nearest habitable dwelling. When the number of poultry is more than 12, the distance shall be not less than 100 feet from the nearest dwelling.

(d) The shed, pen or other enclosure shall be situated not less than 2 feet from the property lines of a site.

(e) The shed or pen shall provide a minimum of 8 cubic feet of space per bird or rabbit.

(f) The shed or pen shall provide a minimum of 4 square feet floor area per bird or rabbit.

(g) The floor shall be built a minimum of 2 feet above the ground.

- (h) The runway shall provide a minimum of 2.5 square feet floor area per bird.
- (i) The runway floor shall be built a minimum of 2 feet above the ground.
- (j) If the floors are of open grill or meshed wire construction, trays shall be required to catch all droppings.
- (k) Every shed or pen in which any bird or rabbit is kept shall be periodically lime-washed or otherwise cleaned and disinfected and shall be kept clear of filth and shall be provided with means whereby each bird or rabbit may have access at all times to water for drinking purposes.
- (l) The shed or pen or any other enclosure in which any bird or rabbit is kept shall have a watertight roof covering the whole enclosure, no portion of which shall be less than 2 feet from the floor.

9. KEEPING OF ANIMALS

- (a) The keeping of swine is hereby prohibited in the City of New Westminster.
- (b) No animal shall be kept in any shed, pen or other enclosure situated at a lesser distance than 150' from the nearest dwelling place or house, nor less than 25' from any road, street or lane.
- (c) No animal shall be allowed on less than 1 acre which shall be exclusive of land occupied by dwellings, outbuildings and garden.
- (d) For each animal, one acre of land shall be provided exclusive of land occupied by dwellings, outbuildings and garden.
- (e) For each additional animal, one half acre of land shall be provided exclusive of land occupied by dwellings, outbuildings and garden.
- (f) The maximum number of animals on one site allowed shall be five (5).

10.(a) All stables, sheds, pens or other enclosures used for any cow or horse shall have watertight floors.

(b) The material and type of construction used in the floors, floor gutters and mangers shall be in concrete and/or wood of a quality sufficient to provide an area capable of being maintained in a sanitary condition.

(c) All floor gutters shall be watertight and of ample width and depth.

(d) The stable, shed or other enclosure shall be so constructed that all liquid matter which may fall or be cast upon the floor or manger may be conveyed by a suitable channel to a sump situate on the outside of the stable, shed or other enclosure and which said sump shall be connected to a sewer in accordance with the provisions of the Plumbing By-law of the City of New Westminster, provided, however, that where no sewer is available, all such liquid matter may be conveyed by a suitable channel into an approved disposal system.

(e) All stables or other enclosures shall be properly lighted, kept clean at all times and whitewashed at least twice a year.

(f) All manure and wet litter shall be kept in a closed water-tight receptacle and shall be removed from such receptacle at least once a week.

11. Any person owning or in possession of any animal affected with an infectious or contagious disease shall immediately report the animal's condition to the Health Officer and dispose of the carcass of the animal in the manner directed by him.

12. When any animal shall die within the limits of the City of New Westminster, the owner or person in possession of it at the time of its death shall cause the carcass to be removed from the City to a designated disposal ground.

13. No animal suffering from any communicable disease shall be brought into or kept within the City, except with the written permission of the Health Officer.

14. No owners or occupiers of real property, or their agents, shall allow any condition to exist or continue thereon that is conducive to fly breeding or rodent infestation, and shall not fail to report any fly breeding or rodent infestation condition on the real property or in the vicinity.

15.(a) No owners or occupiers of real property, or their agents, shall allow infestation by caterpillars and other noxious or destructive insects, and shall clear such property of caterpillars and other noxious or destructive insects from the real property.

(b) No owners or occupiers of real property, or their agents shall allow infestation by caterpillars and other noxious or destructive insects to remain upon his property beyond a period of forty-eight (48) hours after the owner's knowledge of infestation or after forty-eight (48) hours from the time the Inspector shall have given notice to him of such infestation, whichever is the earlier.

(c) In default of such destruction and clearing, the City, by its workmen and others, may enter and effect such destruction and clearing at the expense of the person so defaulting and the charges levied by the City for so doing, after notice to the owner, and demand for payment therefor made, if unpaid on the 31st day of December, shall be added to and form part of the taxes payable in respect of that land as taxes in arrear.

16. INSPECTION

The Health Officer and Inspector and anyone under their authority are hereby authorized and empowered to enter at all reasonable times upon any property in order to ascertain that the provisions contained in

this By-law are being carried out.

17. Wherever in any of the provisions of this By-law, permission is granted to do any act or thing according to certain regulations, or in a certain manner or mode prescribed herein, any person failing, neglecting or refusing to comply with such regulations, conditions or requirements, or failing, neglecting, or refusing to do or perform any act or thing in accordance with the permission thereby granted, shall be deemed to be guilty of an infraction of the provisions of this By-law and shall be liable to the penalty hereby imposed.

18. Every person who violates any of the provisions of this By-law, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this By-law, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this By-law, or who does any act or thing which violates any of the provisions of this By-law, shall be deemed to have committed an offence against this By-law and shall be liable to the penalties hereby imposed.

19. PENALTY UPON CONVICTION

Every person who commits an offence against this By-law shall upon conviction be liable to a fine not exceeding the sum of One Hundred Dollars (\$100.00) and costs (including the costs of the committal and conveyance to the place of imprisonment) for each offence, and in default of payment therefor, to imprisonment to a term not exceeding thirty days.

20. By-law No. 132, being "Sanitary By-law, 1912" and By-law No. 394, being "Caterpillar By-law, 1921", and all amending By-laws thereto, are hereby repealed.

DONE AND PASSED IN OPEN COUNCIL this 18th day of December A.D. 1967
RECONSIDERED AND GIVEN THIRD READING this 15th day of December A.D. 1967
FINALLY PASSED AND ADOPTED this 22nd day of January A.D. 1968

MAYOR [Signature]

CITY CLERK: [Signature]