



TOWN OF POUCH COVE

UNSIGHTLY PROPERTY & WASTE DISPOSAL BY-LAW

1. TITLE

This document will be known and cited as *Unsightly Property and Waste Disposal By-Law*; hereinafter referred to as *this By-Law*.

2. OBJECTIVE/PURPOSE

The purpose of this by-law is to establish a set direction for the Town of Pouch Cove and its residents/developers in relation to property standards and maintenance, property waste expectations and management, and town appearance standards.

3. APPLICATION

This policy shall apply to all residential, commercial, and vacant properties within the municipal boundaries of the Town of Pouch Cove.

4. DEFINITIONS

- 4.1 **Residential Property** shall refer to any dwelling and the land around it and all other buildings or structures, fences, barriers, or other erections therein and thereon, or vacant land within a residential zone.
- 4.2 **Commercial Property** shall refer to any property that is used or designed for use for business, commercial, industrial, or institutional purposes, or vacant land within a commercial zone.
- 4.3 **Vacant** shall refer to any dwellings, property, or land unoccupied and which is not being used nor intended to be used for the accustomed and ordinary purposes of a dwelling, property, or land as designated by the Town of Pouch Cove Development Regulations.
- 4.4 **Land** shall refer to any property within the municipal boundaries of Pouch Cove and include any land covered by water, buildings and structures on, over, or under the soil and fixtures that form part of those buildings and structures.
- 4.5 **Town** shall refer to the Town of Pouch Cove.
- 4.6 **Occupant** shall refer to any person who:
 - 4.6.1 owns the property; or
 - 4.6.2 resides at the property; or
 - 4.6.3 conducts business at the property; or
 - 4.6.4 is in physical possession of the property; or
 - 4.6.5 has responsibility for, and control over, the condition of the property, the activities conducted on the property, and the persons allowed to enter the property;
 - 4.6.6 for this by-law there may be more than one occupant of the same property.
- 4.7 **Person** shall refer to any natural person, a firm, partnership, corporation, or company and includes heirs, executors, administrators, or other legal representatives of a person.
- 4.8 **Waste Material** shall refer to:
 - 4.8.1 Refuse, garbage, deceased animals, rubbish, scrap and discarded material including, but not limited to, tailings, offal, machinery, products, vehicles, and other articles which are dumped, discarded, or otherwise disposed of;
 - 4.8.2 A material or thing or substance that may be a danger to the health and safety of human beings, animals, wildlife, fish, or is of unsightly appearance;
 - 4.8.3 Any other substance designated as waste material by Council.

- 4.9 Dangerous Property** shall refer to any property, structure, or other development identified as being dangerous by:
- 4.9.1** the CAO of the Town; or
 - 4.9.2** a professional engineer or architect; or
 - 4.9.3** a Town designated enforcement officer; or
 - 4.9.4** another professional engaged by Council.
- 4.10 Unightly Property** shall refer to any property with the presence and/or accumulation of:
- 4.10.1** objects, vehicles, and trailers that are in a wrecked or abandoned condition;
 - 4.10.2** litter, garbage, rubbish, refuse, or other debris;
 - 4.10.3** or as determined by Council.

5. DUTIES AND OBLIGATIONS

5.1 Property Obligations

- 5.1.1** All properties including land, buildings, structures, dwellings, fences, sheds, garages, parking lots, driveways, landscaping, and all appurtenances shall be maintained in a state of good condition and repair in accordance with the standards set out in the Occupancy and Maintenance Regulations under the Urban and Rural Planning Act.
- 5.1.2** The owner and the occupant of any property shall be jointly and severally liable to maintain the property in a clean condition and free from fire, health, and accident hazards.
- 5.1.3** All parts of a property shall be kept clean and free from:
- 5.1.3.1** waste material, garbage, or other debris;
 - 5.1.3.2** growth of weeds and grass that is detrimental to the health, safety, or welfare of the occupants or the public, or that by reason of not being cut are excessive when compared with the neighbouring properties;
 - 5.1.3.3** objects and conditions, including holes and excavations that may create health, fire, or accident hazards, or that have been left open or abandoned for a period determined to be excessive by Council and/or inspector;
 - 5.1.3.4** any materials, vehicles, buildings, structures, landscaping conditions, or any other condition therein or thereon a residential or commercial property which is determined to be unsightly, unsafe, or adversely affecting surrounding properties by Council and/or an inspector;
 - 5.1.3.5** graffiti
- 5.1.4** Domestic materials such as firewood, building/construction materials, and garden equipment must be stored in a rear or side yard. Such materials must be stored in an orderly manner, in the opinion of Council and/or an inspector and must not constitute a hazard or unsightly appearance.

5.2 Vehicle Obligations

- 5.2.1** No person shall repair, dismantle, or scrap a vehicle on a residential property except for repairs of a minor nature, such as repairing flat tires, boosting batteries, changing filters or replacing spark plugs to a vehicle which is owned by an occupant of the property on which the repairs are being affected, except where the vehicle or parts thereof are enclosed within a building, which shall be subject to Council's approval and must comply with the provisions for an accessory building in the Town's Development Regulations.
- 5.2.2** No person shall deposit, discard, or keep a wrecked, dismantled, inoperative, unused, or abandoned vehicle, trailer, or other machinery or parts thereof on any property, except where the vehicle or parts thereof are enclosed within a building which shall be subject to Council's approval and must comply with the provisions for an accessory building in the Town's Development Regulations.

5.2.3 Where a vehicle is found to be parked, discarded, or dismantled, in contravention of this by-law, a designated enforcement officer or authorized agent of the Town of Pouch Cove may cause such a vehicle to be removed, towed, and impounded without prior notice, as per the Town's *Towing & Impounding of Vehicles By-Law*. The Town shall not be liable for any loss or damage to the vehicle or its contents resulting from the removal, towing, or impoundment.

5.3 Pest Obligations

5.3.1 All parts of a residential property shall, at all times, be kept free of rodents, vermin, and other pests, and from conditions which may attract such pests.

5.3.2 Where an inspector observes that a residential property has become infested with rodents, vermin, or other pests, the inspector may require, at the expense of the owner, an assessment by a qualified pest control company to determine the extent of the infestation and a copy of the assessment shall be provided to the inspector and/or Council.

5.3.3 All parts of a residential property damaged by rodents, vermin, or other pests shall be repaired in a timely and adequate manner at the expense of the owner.

5.4 Garbage Obligations

5.4.1 All garbage, refuse, and waste shall be promptly stored in suitable receptacles and made available for removal in accordance with Town garbage schedules and regulations.

5.4.2 All bins and receptacles used or intended to be used for the purpose of storing garbage during periods between collection, which are not contained within a building, shall be made of sturdy plastic, wood, or other substantial material, be able to close securely, and shall be maintained in a good state of repair and sanitary condition.

5.4.3 No person shall put out more than five (5) garbage bags – four (4) clear bags and one (1) opaque bag – each weighing less than forty-five (45) pounds for collection by the Town, or the Town's contracted garbage collector, on any one collection day. There shall be no limit on the number of bags of recyclables an occupant may place for pickup on any appointed collection day.

5.4.4 Protection of all garbage, refuse, and recyclables are the responsibility of the occupant from the time it is placed outside the dwelling until it is picked up by Town garbage collection services. If the garbage, refuse, or recyclables are not adequately protected and become torn open or scattered, the occupant shall be responsible for any and all resulting clean-ups. This includes any disruption, interference, removal, or scattering of any garbage by any animal owned by, or under the control of, any occupant.

5.4.5 No hazardous waste, caustic substances, hypodermic needles - except in a sealed container that is designed for the disposal of needles - or any other dangerous materials are to be placed in any receptacle for garbage collection.

5.4.6 No person shall deposit, throw, sweep, or place any garbage, recyclables, or refuse upon any street, lane, drain, public place, or private property within the Town unless the same is enclosed in approved receptacles.

5.5 Vacant Obligations

Vacant dwellings, residential property, commercial property, and any land within the Town designated as any particular zone under the Town of Pouch Cove Development Regulations shall be maintained in accordance with these regulations as well as the following:

5.5.1 The owner of any vacant dwelling shall protect every such dwelling against risk of accident or other danger by effectively preventing the entry thereto by all unauthorized persons. This protection may include boarding up the dwelling with tight fitting plywood, securely

fastened to every doorway, window, or wall opening that constitutes a means of access, hazard, or an unsightly appearance;

- 5.5.2** The owner of any vacant dwelling shall maintain the structural integrity of the dwelling. No person shall reoccupy a vacant dwelling without having repairs carried out on the dwelling to rectify any structural issues by a qualified and competent person.
- 5.5.3** The owner of any vacant dwelling shall keep the dwelling and property free of rodents, varmints, and pests. No person shall reoccupy a vacant dwelling without having the dwelling and property treated by a qualified pest control professional.

6. PROCEDURE

Upon receipt of a complaint regarding an accumulation of garbage or refuse, an abandoned or dilapidated vehicle or structure, or a dangerous or unsightly property, the Town will as follows:

- 6.1.1** a dangerous property complaint will be addressed with the CAO;
- 6.1.2** if it is determined that the property is dangerous or unsightly, correspondence will be sent to the property owner and/or occupant requesting that they submit a written timeline to rectify the condition of the property to the Town within seven (7) days;
 - 6.1.2.1** if the timeline submitted is thirty (30) calendar days or less, the timeline may be accepted by Town Staff
 - 6.1.2.2** if the timeline submitted is greater than thirty (30) calendar days, the timeline may be accepted by Town Management
 - 6.1.2.3** if no timeline is submitted, the matter will be brought to Council for direction
- 6.1.3** Once the accepted deadline has passed, the Town will contact the property owner and/or occupant to discuss completion of the required work;
 - 6.1.3.1** if the property owner and/or occupant indicates that the work has been completed, Town Staff will schedule a visit to confirm the property is again within the regulations of this by-law
 - 6.1.3.2** if the property owner and/or occupant indicates that the work has not been completed, or the site visit completed in accordance with section 6.1.3.1 identifies that the required work has not been completed, additional time may be granted by Town Management, or the matter may be brought to Council for direction, which may result in the issuance of an Order in accordance with the Towns and Local Service Districts Act
- 6.1.4** At any point in this procedure, Council may issue an Order regarding a dangerous or unsightly property in accordance with the Towns and Local Service Districts Act.

7. PENALTIES

The Town of Pouch Cove will enforce this by-law in accordance with Section 280 to 291 of the Towns and Local Services Act, and in coordination with the Occupancy and Maintenance Regulations made under section 36 of the Urban and Rural Planning Act.

Any person who is guilty of an offence under this by-law or who acts in contravention of or fails to comply with any provision thereof, or neglects to do so shall be:

- 7.1.1** liable to penalties as stipulated in accordance with section 290 of the Towns and Local Services Districts Act; or
- 7.1.2** subject to an order under section 285 of the Towns and Local Services Act; or
- 7.1.3** issued a ticket under the Provincial Offences Act in accordance with section 288 of the Towns and Local Services District Act

8. REVIEW

This policy is subject to review and modification as necessary to ensure it remains compliant with current legal standards and aligned with the overall mission of the Town of Pouch Cove. Violations of this policy may be subject to corrective action. This policy will be reviewed and updated annually and may be amended as required at any time between scheduled reviews.

9. AMENDMENTS

10. EFFECTIVE DATE/RESOLUTION

This policy shall take effect in full and immediately, as of April 27, 2026.

K. Sullivan

Acting Mayor
Kate Sullivan

Rod Hynes

CAO
Rodney Hynes

April 27, 2026

Date

April 27/26

Date