

THE CORPORATION OF THE CITY OF PORT COQUITLAM

BYLAW NO. 908

CONSOLIDATED FOR CONVENIENCE ONLY

A Bylaw to provide for the  
preservation of public health

WHEREAS pursuant to the "Municipal Act" being Chapter 255 of the Revised Statutes of British Columbia, 1960, and Amendments thereto, the Municipal Council may by Bylaw, subject to the "Health Act"

- (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 unsanitary conditions;
- (c) Require any person to remedy or remove any unsanitary conditions for which he is responsible, or which exists on property owned, occupied, or controlled by him.

Now therefore the Municipal Council of the Corporation of the City of Port Coquitlam, in open meeting assembled, enacts as follows:

INTERPRETATION

1. In this Bylaw, unless the context otherwise requires:
  - (1) "Board of Health" means the Municipal Council of the Corporation of the City of Port Coquitlam.
  - (2) "City" means the Municipal area comprised within the boundaries of the Corporation of the City of Port Coquitlam, as the context may require.
  - (3) "Council" means the Municipal Council of the Corporation of the City of Port Coquitlam.
  - (4) "Domestic Animal" means a horse, mule, ass, swine, sheep or goat, and a turkey, goose, duck, pigeons, fowl or other poultry, as well as any cattle or animal other than household pets.
  - (5) "Fur-bearing animal" means any fox, beaver, marten, mink, muskrat, otter, raccoon, skunk, chinchilla or rabbit, fisher or hamster.
  - (6) "Kennel" means any place where five or more dogs are kept.
  - (7) "Medical Health Officer" means the Medical Health Officer appointed by or for the City pursuant to the provisions of the "Health Act".

- (8) "Notice" means a notice in writing and wherever in this Bylaw it is provided that a notice shall be given to any owner or occupier of property within the City, such notice shall be given either by personal service upon such person or by posting the same on some conspicuous part of the property owned or occupied by such person.
- (9) "Nuisance" means any condition which is, or is liable to become, detrimental to the health of the residents of the City.
- (10) "Owner" means an owner within the meaning of the "Municipal Act" in force for the time being in the Province of British Columbia and shall include his lawful agent or representative.
- (11) "Person" includes any corporation, partnership or party, and the heirs, executors, administrator, or other legal representatives of such person, to whom the context can apply according to law.
- (12) "Public Health Inspector" means any public health inspector appointed by or for the City pursuant to the provisions of the "Health Act".
- (13) "Residential area" means that portion of the City zoned for a residential use pursuant to the Zoning Bylaw of the City in force for the time being.
- (14) "Street" includes every highway, road, square, row, land, mews, court, alley and passage whether a thoroughfare or not pursuant to the provisions of the "Health Act".
- (15) "Vermin" means noxious insects and parasitic worms or insects.
2. It shall be the responsibility of the Medical Health Officer to enforce the provisions of the Bylaw and such Medical Health Officer may delegate such responsibility to a Public Health Inspector.

#### GENERAL

3. No person shall operate or maintain a slaughter house, abattoir or place for the purpose of killing animals therein, within the City without a permit from the Council and no such establishment shall be permitted in a residential area.
4. No person shall operate any manufactory, slaughter house, crematory, cannery, rag, bone or fertilizer works, carpet cleaners, chemical works, lumber or woodworking mill or any other plant or establishment without having the same equipped with such chimneys, furnaces, or other apparatus or equipment as shall prevent the smoke, dust, effluvia, cinders, soot, sawdust, and fumes therefrom from fouling or contaminating the atmosphere or being carried by the wind or otherwise to other shops, houses, or premises to the inconvenience, detriment, or injury of persons or property.
5. No owner or occupant of lands or premises within the City shall suffer

the same or any portion thereof to become foul, or a nuisance. No person shall suffer the same or any portion thereof to become foul, or a nuisance. No person shall keep or dispose of animal or vegetable matter, trade waste, chemicals, or other waste material within the City in such a manner as to be a nuisance to the public or to create an unsanitary condition.

6. When any animal shall die within the limits of the City the owner or person in possession of it shall cause the carcass to be removed and buried or cremated, so that the same shall not be a nuisance.
7. No person shall establish or construct any sewerage disposal system within the residential area unless the same be a water closet connected with the City's sewer system or an alternate system approved by the Medical Health Officer. The Medical Health Officer may stipulate the type and design of such system as well as the length of time such system may be used.
8. After the expiration of twelve months from the date of reconsideration, final passage and adoption of this Bylaw, no person shall occupy any dwelling house, apartment house, hotel, lodging house, rooming house, boarding house, residence or other place having sleeping accommodation, or any store, or premises used in any for business, professional or commercial purposes unless such dwelling house, apartment house, hotel, lodging house, rooming house, boarding house, residence or other place having sleeping accommodation or such store or premises used in any way for business, professional or commercial purposes has situated therein a properly connected and operating water-closet connected to the City's sewer system or, by approval of the Medical Health Officer, drained into an alternate system.
9. No person shall let, occupy, or suffer to be occupied, a sleeping room which does not comply with the following conditions:
  - (1) Where the room is used as sleeping accommodation for one or two persons, it shall have a net floor area of at least 96 square feet (exclusive of cupboards), and a cubic airspace of not less than 768 cubic feet.
  - (2) Where the room is used as sleeping accommodation for more than two persons, it shall have an additional floor area of at least 60 square feet with an additional public space of 480 cubic feet for each person more than two.
  - (3) It must have a minimum ceiling height of 8 feet.
  - (4) It must have a window made to open to the outer air in a manner approved by the Building Inspector for the City or other officer of the City duly authorized for that purpose.
  - (5) It must have appurtenant to it, the use of toilet facilities in accordance with this Bylaw.

- (6) It must be free of dampness to the satisfaction of the Medical Health Officer;
- (7) It must be kept at a temperature of sixty-eight (68°) Fahrenheit or higher at all times.

Every room in which a person passes the night, or if found between midnight and five o'clock in the forenoon, shall be deemed to be occupied as a dwelling or lodging within the meaning of this section.

#### KEEPING OF ANIMALS AND BIRDS

10. No person shall keep within the City any bees, fowl, domestic animal, fur-bearing animal, or any kennel unless he shall have first made application to, and shall have received a permit so to do from the Council.
11. Every person who keeps or proposes to keep within the City any bees, fowl, domestic animal, fur-bearing animal, or any kennel, shall file with the City Clerk of the City an application for such permit together with a description of the land to be used for such purpose and a plan showing the location of the existing buildings, if any, thereon, and the position of building intended to be erected on such land.
12. Upon notice to the Medical Health Officer of such an application having been made, he shall inspect the said premises, and if upon inspection he finds that such premises, the location thereof, and other conditions are suitable to the purpose for which such permit is required and that the provisions of this and other bylaws of the City have been complied with, he may recommend that a permit be issued.
13. No persons shall keep any bees, domestic animal, fur-bearing animal, or any kennel within the residential area.
14. No animal or bird infected with any infections or communicable disease shall be brought into or kept in the City.
15. In the event of any animal or bird kept within the City becoming infected with any communicable disease, the owner or responsible person shall immediately notify the Medical Health Officer and shall forthwith have the infected animal or bird destroyed, isolated, treated, or removed from the City as the Medical Health Officer may direct.
16. When any animal or bird dies within the City, the owner or responsible person shall cause the carcass to be removed and buried or cremated without delay.
17. When any animal or bird is known to have died of an infectious or communicable disease, the owner or responsible personal shall immediately notify the Medical Health Officer and shall dispose of the carcass and clean and disinfect the premises in such manner as the Medical Health Officer shall direct.

18. No person shall keep any domestic animal, fur-bearing animal, or fowl, in, upon or under any building used for human habitation.
19. No person shall keep any wild animal in captivity within the residential area.
20. No person shall keep any cow, calf, or goat in the City unless the land upon which any such animal is kept, contains a clear, open and unobstructed ground area not less than 2,000 square feet for each cow and each calf, or 1,000 square feet for each goat. No person shall keep any goat, pig, or swine within the residential area.
21. Every person who keeps any horse, cow, calf or goat in the City shall provide a stable to accommodate such animal, said stable to comply with the requirements of this Bylaw.
22. No person shall build or use any building for a stable, livery barn or for riding academy purposes, unless the plan, site and location of the building has been approved by the Medical Health Officer.
23. Every stable where any domestic animal is kept within the City shall comply with the following requirements:
  - (1) The floor of the stable shall be constructed so that the floor shall be water-tight at all times with a gradient of 2% throughout and equipped with a gully-trap situated on the outside of the stable, to drain off all liquid matter. Planking may be used for the stalls, provided that it is laid on top of concrete in such a manner that it can be taken up for cleaning and repairing.
  - (2) Every stable shall be provided with a manure bin or other receptacle of suitable design in which all manure and stable refuse shall be stored pending removal. Such bin or receptacle shall be of concrete or other impervious material, provided with a close fitting lid or cover and equipped with a screened ventilator, the whole to be constructed so as to effectively prevent access to the contents thereof by flies.
  - (3) The keeper of every stable shall at all times keep and maintain his stable clean and in such condition that it complies with all the requirements of this Bylaw.
24. Every person keeping any pig or swine shall keep every such animal confined to a pig pen or shed or in a run located no closer than 150 feet to the nearest dwelling house, highway, well, or stream. It shall be lawful for the Medical Health Officer or Public Health Inspector to limit the number of hogs kept in any pen or enclosure, or to increase the isolation distance to five hundred feet, if found necessary, to prevent the said hogpen or enclosure becoming a nuisance or menace to the public health. The floors of any hog-pen or stable shall be constructed of material impervious to water, kept free of standing pools, liquids, manure, or refuse said manure or refuse shall be disposed of in such a way as not to become a nuisance or menace to the public health.

25. Every person having a stable within 150 feet of a sewer line of the City's sewer system may be required by order of the Medical Health Officer to connect the floor drain or such stable to such sewer.
26. No person shall construct or use any manure bin within the City so as to create a nuisance.
27. No person shall fail to remove all manure and stable refuse from his property at least once every seven days during the period from May 1st to October 31st in each year and as frequently as may be necessary during the balance of the year. No person shall allow more than two cubic yards of manure other stable refuse to accumulate on his property at any one time.
28. Every person keeping fowl within the City shall provide therefor a suitable shelter of sound construction which shall comply with the following requirements:
  - (1) Every chicken coop or house in which fowl are kept shall have a floor of tight construction and sound material.
  - (2) Every keeper of fowl shall at all times keep and maintain his fowl under condition which comply with the requirement of this bylaw.
  - (3) No person shall cause or permit any fowl to run at large, but shall keep the same properly enclosed on his own property. All poultry runs and yards in which fowl are kept shall be suitably fenced to a height of not less than six feet.
  - (4) Every person keeping fowl shall thoroughly clean the chicken house or other shelter and shall remove all accumulated refuse at least once a week in a manner satisfactory to the Medical Health Officer.
29. The keeper of any stable, chicken house, pigeon-coop, pet shop, kennel, cattery or other place where animals or birds are kept shall disinfect such building to the satisfaction of the Medical Health Officer whenever required by such Officer so to do.
30. No person shall keep any kennel on any lands or premises which adjoin any hotel, apartment house, lodging house, boarding house, hospital, convalescent home, nursing home, or premises where food for human consumption is sold or prepared under licence.
31. No person shall keep any kennel within the City unless the same complies with the following requirements:
  - (1) An open air or outside run shall be provided with a minimum area of 200 square feet, which run shall, if required by the Medical Health Officer, be provided with a floor which is impervious to moisture and so constructed that it can be washed down daily and drained into a sump connected with the City's sewer system or to an alternate system approved by the Medical Health Officer.

- (2) A pen or shed shall be provided in which dogs suffering from any contagious or infectious disease may be isolated.
  - (3) All buildings shall be built in such a manner that they are rat-proof, sound-proof, and drained, lighted and ventilated to the satisfaction of the Medical Health Officer. All openings shall be effectively screened against flies.
  - (4) Every pen or cage in which dogs are kept shall have a floor area of not less than six square feet for each dog, provided that the Medical Health Officer may require a larger floor area.
  - (5) The floors of every building in which dogs are kept shall be made of material which is impervious to moisture.
  - (6) Every kennel shall be provided with an adequate supply of water for drinking purposes.
  - (7) Every keeper of a kennel within the City shall at all times keep and maintain his kennel in such condition that it complies with the requirements of this Bylaw.
  - (8) Every keeper of a kennel within the City shall isolate every dog suffering from any contagious or infectious disease and shall take such other measures as are necessary to prevent the spread of disease.
  - (9) Every keeper of a kennel within the City shall clean and disinfect such kennel daily and all refuse shall be removed daily and placed in metal receptacles with tight fitting metal lids. Such refuse shall be removed at least once every seven days and disposed of in a manner approved by the Medical Health Officer.
  - (10) Every keeper of a kennel within the City shall at all times take all necessary precautions to see that all dogs kept in such kennel are under proper control and are restrained from causing a nuisance.
  - (11) Every keeper of a kennel within the City shall at all times keep his premises in a clean and sanitary condition free from all obnoxious odors and in a good state of repair.
32. Every keeper of any domestic animal, fur-bearing animal, kennel or fowl, shall make or cause to be made to his premises such alterations and shall do and cause to be done such work as may be required to cause his premises to conform to the requirements of this Bylaw, and such alterations and work shall be done and completed within sixty days from the date of reconsideration, final passage and adoption of this Bylaw unless a longer period, not exceeding a further six months, is permitted by the Medical Health Officer. The keeper of any domestic animal, fur-bearing animal, kennel or fowl being kept contrary to the provisions of this Bylaw shall remove the same from such area within six months from the date of reconsideration, final passage and adoption of this Bylaw.

33. All meat or perishable foodstuff for other than human consumption kept on any premises within the City must be kept, stored, and handled in a manner acceptable to the Medical Health Officer.
34. Every person keeping within the City domestic animals, fur-bearing animals, kennels or fowl shall at all times take all reasonable precautions and measures for the elimination and destruction of flies, rodents, vermin and other pests.

HOTELS, LODGING HOUSES, DWELLINGS FOR RENT

35. In sections 35 to 45, inclusive, of this Bylaw, unless the context otherwise requires:
  - (1) "Dwelling-house" means a dwelling or building or a portion thereof which is rented by the owner as a unit for a residence.
  - (2) "Hotel" includes licensed hotels and apartment houses.
  - (3) "Lodging-house" means any building or portion thereof of 3 or more rooms which is used or maintained for the purpose of renting living accommodation and includes a rooming house, boarding house, and a licensed welfare institution.
  - (4) "Lodger" means a person occupying any rented room in a lodging-house.
36. No person shall keep or operate any lodging-house within the City or receive a lodger therein unless every dwelling unit in such lodging house complies with Section 9 of this Bylaw.
37. Where children under the age of six years occupy any room to which the preceding section applies, the minimum requirement air space and floor area for each person may be reduced to one-half the stated amount for each child occupying such room.
38. No person keeping or operating a lodging-house within the City shall permit any person to occupy any housekeeping room, being a rented room which is provided with a sink and cooking facilities, which does not comply with the requirements laid down in this part for rooms rented in lodging houses and which has less than 144 square feet floor area, provided however, where a sink and cooking equipment are installed in a properly ventilated kitchenette or cupboard attached to or adjoining a housekeeping room the floor area of such housekeeping room may be not less than 120 square feet.
39. Every person keeping or operating any hotel or lodging-house within the City wherein there are no housekeeping rooms shall provide for the use of the occupants at least one water-closet and wash basin for each ten or less occupants, and not less than one bathtub or shower for each 15 or less occupants and all such water-closets, washrooms and bathrooms shall be adequately lighted.

40. Every person keeping or operating any hotel or lodging house within the City wherein there is any housekeeping room shall provide for the use of the occupants at least one water-closet and bathtub or shower for every three or less housekeeping rooms in such lodging house and every such water-closet and bathroom shall be adequately lighted and ventilated, and such person shall provide water-closets, wash basins and bathtubs or showers in the proportion fixed in the preceding section for all rented bedrooms other than housekeeping rooms.
41. Every owner and keeper or operator of any hotel or lodging-house shall be responsible for the sanitary condition thereof and shall cause the same to be thoroughly clean, sanitary and free from vermin, rodents and pests at all times.
42. No person shall keep any domestic animal in any lodging-house.
43. The Medical Health Officer or the Council may by written notice to the owner of any dwelling notify such owner as to the maximum number of persons permitted to occupy such dwelling and thereafter the owner shall not permit more than such maximum number of persons to occupy such dwelling.
44. The owner of any accommodation covered by this Part shall, when necessary, cause repairs or alterations to be made to such accommodation in order to make it sound, weatherproof, damp proof, vermin and rodent proof, safe and sanitary in every respect.
45. If in the opinion of the Council any accommodation covered by this Part is unfit for habitation, it may, by written notice to the owner and/or tenant require that such accommodation be vacated within such time as it may deem reasonable; and no person receiving such notice shall occupy or allow such accommodation to be occupied after the date stated in the notice.

#### OTHER PROVISIONS

46. (1) Every person, firm or corporation who violates any of the provisions of this Bylaw, or who causes, suffers or permits any act or thing required to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who carries out or who suffers, causes or permits to be carried out any work in a manner prohibited by or contrary to any of the provisions of this Bylaw or who fails to comply with any order, direction or notice given under this Bylaw shall be deemed to be guilty of an offense against this Bylaw and shall be liable to the penalties hereby imposed.
- (2) Every person who violates any of the provisions of this Bylaw or who permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act which violates any of the provisions of this Bylaw shall be guilty of an offence punishable on summary conviction and shall be liable to a fine of not more than \$2,000.00 or to imprisonment for not more than six months, or both, the penalties being enforced and the fines and costs being recoverable upon summary conviction in the manner provided by the Offence Act R.S.B.C. 1979, c. 305 as amended.

(3) A separate offense shall be deemed to be committed on each day during or on which a violation occurs or continues.

47. Bylaw No. 5 of the Corporation of the City of Port Coquitlam cited as the "Health Bylaws of Port Coquitlam" is hereby repealed.

48. This Bylaw may be cited for all purposes as the "City of Port Coquitlam Public Health Bylaw, 1969, No. 908".

Read a first time by the Municipal Council this 20th day of January, 1969.

Read a second time by the Municipal Council this 20th day of January, 1969.

Read a third time by the Municipal Council this 20th day of January, 1969.

Received the approval of the Deputy Minister of Health this 27th day of January, 1969.

Reconsidered, finally passed and adopted by the Municipal Council of the Corporation of the City of Port Coquitlam this 3rd day of February, 1969.

"J.M. Campbell"  
Mayor

"R.A. Freeman"  
City Clerk

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RECORD OF AMENDMENT

<u>BYLAW NO.</u>	<u>AMENDED SECTION</u>
1544	46(2)
1941	46(2)

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