

# BYLAW

## Vehicle Removal Bylaw

No. 279, 1995

Consolidated for convenience only April 2026

This Consolidation includes the following Bylaw

Amendments: 279-1, 2024

This version of this bylaw is a consolidation of amendments to the original bylaw as of the date specified. This consolidation is done for the convenience of users and accurately reflects the status of this bylaw as of the specified date but must not be construed as the original bylaw and is not admissible in Court unless specifically certified by the Corporate Officer for the District of Sechelt. Persons interested in the definitive wording of this bylaw and its amendments should view the original bylaws at the District of Sechelt.

**DISTRICT OF SECHELT VEHICLE REMOVAL BYLAW NO. 279, 1995**

**A Bylaw to Regulate the Removal of Abandoned Vehicles**

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**WHEREAS**, the Municipal Act provides inter alia, in Section 582, that Council may regulate highway use and may authorize the removal, detention or impounding of a chattel or obstruction unlawfully occupying a portion of a Highway and provide for a scale of fees, costs and expenses for their recovery; and

**WHEREAS**, the Municipal Act further provides inter alia, in Section 529(9) that where a person is in default of a Council direction, Council may authorize the matter be done at the expense of that person, and the expense, including costs and interest, may be recovered in the same manner as municipal taxes; and

**WHEREAS**, the Municipal Act further provides inter alia, in Section 298 that a person who breaks a lawful regulation or requirement under a bylaw commits an offence; and

**WHEREAS**, the Highway Scenic Improvement Act provides inter alia, in Section 7, for the removal and disposal of an abandoned vehicle; and

**WHEREAS**, Section 7(2)(b) of the Highway Scenic Improvement Act provides inter alia, that Council may confer the powers and authority for the removal of abandoned vehicles;

**NOW THEREFORE**, the Council of the District of Sechelt in open meeting assembled enacts as follows:

**1. CITATION**

This Bylaw may be cited for all purposes as the District of Sechelt "Vehicle Removal Bylaw No. 279", 1995.

**2. DEFINITIONS**

In this Bylaw:

**"Abandoned Vehicle"**, means a vehicle as defined in the Motor Vehicle Act, that is without:

- a) a current validation decal attached to the vehicle number plate, or

- b) without a number plate attached to the vehicle.

**"Highway"**, Includes every highway within the meaning of the *Transportation Act, S.B.C. 2004, C. 44*, and every road, street, lane, or right of way, other than arterial highways designed or intended for or used by the general public for the passage of vehicles, and every private place or passageway to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited; and includes the roadway, shoulder, boulevard, ditch and sidewalk area and whatever lands lie between the property lines of the highway.

**"Bylaw Enforcement Officer"**, means the person from time to time duly appointed by Council as Bylaw Enforcement Officer for the District of Sechelt and also a person acting on behalf of or under the instruction of the Bylaw Enforcement Officer.

**"Superintendent of Public Works"**, means the person from time to time duly appointed by the Council as Superintendent of Public Works for the District of Sechelt and also a person acting on behalf of or under the instruction of the Superintendent of Public Works.

**"Village Core"**, for the purposes of this bylaw, means that area bounded on the south by Trail Bay, the west by the west side of the Shorncliffe Avenue road right-of-way, the north by the north side of the B.C. Hydro right-of-way that parallels Neptune Street and the east by the boundary with the Sechelt Indian Government District.

### **3. REGULATIONS**

- (1) An abandoned vehicle that obstructs or unlawfully occupies a portion of a highway or public place may be removed, detained and impounded by the Bylaw Enforcement Officer, the Superintendent of Public Works or a member of the local detachment of the R.C.M.P., in accordance with this Bylaw as it applies to all highways and public places within the District of Sechelt.
- (2) The owner of an abandoned vehicle that has been removed under Section 3(1) must pay to the District of Sechelt the towing and storage charges payable as set out in Schedule A, attached to and forming part of this Bylaw, prior to recovery of the vehicle.
- (3) A vehicle removed under Section 3(1) may be disposed of:
  - (a) if there is no record of ownership of the vehicle in the records of the Superintendent of Motor Vehicles and there is no other

evidence of ownership on or in the vehicle and seven (7) days have elapsed since the removal and no person has appeared and established a claim to the vehicle, paid the money for fees and expenses and taken custody of the vehicle; or

- (b) if notice in writing is given by registered mail to the last owner in the records of the Superintendent of Motor Vehicles or to the person whose apparent ownership is evidenced and fourteen (14) days have elapsed since the mailing of the notice.

(4) Obstructing an Authorized Person

No person shall interfere with or obstruct an officer, employee or agent of the District of Sechelt who is authorized by this Bylaw to remove, detain or impound abandoned vehicles.

(5) Recovery of Vehicle Without Payment

No person shall recover a removed vehicle prior to paying the District of Sechelt the towing and storage charges set out in Schedule A.

**4. SEVERABILITY**

Should any section, subsection, clause, paragraph, sentence or word of this Bylaw be declared unlawful or invalid by a Court of competent jurisdiction, no other part of this Bylaw shall be deemed to be invalid and the balance of the Bylaw shall remain in force as a whole where the context so permits, except for the part declared unlawful or invalid.

**5. OFFENCE ANDPENALTY**

Every person who violates a provision of this Bylaw or who suffers or permits a contravention of a provision 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, shall be deemed as contravening this Bylaw and shall be liable to a fine set by Bylaw Enforcement Implementation Bylaw No. 515, 2012, and its amendments, plus any additional costs and fees incurred by the District of Sechelt as a result of the offence.

READ A FIRST TIME THIS 15th DAY OF NOVEMBER, 1995

READ A SECOND TIME THIS 15th DAY OF NOVEMBER, 1995

READ A THIRD TIME THIS 15th DAY OF NOVEMBER, 1995

RECONSIDERED AND FINALLY ADOPTED THIS 6th DAY OF DECEMBER, 1995

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Mayor

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Corporate Officer

**DISTRICT OF SECHULT VEHICLE REMOVAL BYLAW NO. 279, 1995**

**SCHEDULE A**

Towing and storage charges payable for the recovery of an abandoned vehicle are as follows:

- (1) If the abandoned vehicle is towed, the last registered owner or person who has custody of it shall pay the towing costs plus a \$50.00 administration fee.
- (2) If an abandoned vehicle is impounded and stored at the property of the towing contractor, the last registered owner or person who has custody of it shall pay the storage costs to the towing contractor plus a \$50.00 administration fee before the vehicle is released.
- (3) If an abandoned vehicle is impounded at property controlled by the District of Sechelt, the last registered owner or person who has custody of it shall pay the storage costs of \$25.00 per day plus a \$50.00 administration fee before the vehicle is released.
- (4) If an abandoned vehicle must be demolished or otherwise disposed of, the last registered owner or person who has custody of it shall pay the costs to the contractor performing the demolition.