

VF 1759

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 1941

WHEREAS it is advisable to make provision for the regulating of mushroom growing in the Municipality of Burnaby

THEREFORE the Municipal Council of the Corporation of the District of Burnaby hereby ENACTS as follows:

1. It shall be unlawful for any person to grow any mushrooms on any parcel of land in the Municipality having an area of less than two acres.
2. No building, erection or receptacle for the growing of mushrooms shall be erected, set up, maintained or continued on any property in the Municipality at a lesser distance than 100 feet from any road or road allowance on which the property abuts and 50 feet from the other boundaries of said property not abutting on a road or road allowance.
3. All persons engaged in the growing of mushrooms and curing or storing manure or fertilizer for that purpose (a) Shall cure or store the manure or fertilizer in a covered building, the base of which shall have a four foot (4') slab of concrete, the walls, doors and windows shall be screened with galvanized mosquito netting and the roof shall be vented by adequate louvers screened by galvanized mosquito netting. The said building to be 100 feet from any road or road allowance and 100 feet from

any other property line in connection with the premises on which the said mushroom growing and/or curing or storing of manure for that purpose is carried on;

(b) Shall take all necessary and proper steps and provide all requisite traps and apparatus to exterminate or control all flies, bugs, wasps and other pestiferous insects or creatures attracted or likely to be attracted by the said manure or fertilizer.

4. 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 of or in violation of any of the provisions of this By-law, or who neglects to do or who refrains from doing any act or thing required to be done by any of the provisions of this By-law, and who, by so neglecting or refraining from so doing, violates any of the provisions of this By-law, shall be guilty of an offence against and an infraction of this By-law and liable to the penalties imposed hereby.

5. Any person guilty of any infraction of this By-law shall, upon conviction thereof before the Reeve, Police Magistrate or any two Justices of the Peace, or other Magistrate or Magistrates having jurisdiction in the Municipality of Burnaby, on the oath or affirmation of any credible witness, forfeit and pay at the discretion of said Reeve, Police Magistrate, Justices, or other Magistrate or Magistrates convicting, a fine or penalty not exceeding

the sum of one hundred dollars and costs for each offence or for each day upon which such offence shall be continued and in default of payment thereof, forthwith, it shall be lawful for such Reeve, Police Magistrate, Justices, or other Magistrate or Magistrates convicting as aforesaid, to issue a warrant under his or their hand and seal to levy the said fine, penalty, and costs or costs only, by distress and sale of the offender's goods and chattels; and in case or no sufficient distress found to satisfy the said fine or penalty, it shall and may be lawful for the Reeve, Police Magistrate, Justices, or other Magistrate or Magistrates convicting as aforesaid, to commit the offender to the common gaol or any lock-up house in the Municipality of Burnaby for any period not exceeding two months (with or without hard labour), unless the said fine or penalty be sooner paid.

6. This By-law may be cited as "Burnaby Mushroom By-law 1947."

DONE AND PASSED in open Council this 24th day of March A.D. 1947.

RECONSIDERED AND FINALLY PASSED this 28th day of June A.D. 1948.

G. Harrison
Reeve.

Charles B. Brown
Clerk.

