

## REGULAR MEETING OF COUNCIL

### AGENDA

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**DATE:** Monday, November 6, 2017  
**TIME:** 4:30 p.m.  
**LOCATION:** Council Chambers, Enderby City Hall

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**1. APPROVAL OF AGENDA**

**2. ADOPTION OF MINUTES**

[Regular Meeting Minutes of October 16, 2017](#)

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**3. PUBLIC AND STATUTORY HEARINGS**

**4. PETITIONS AND DELEGATIONS**

[Aspen Lands – Presentation on Economic Development](#)

**5. DEVELOPMENT MATTERS**

**6. BUSINESS ARISING FROM THE MINUTES AND/OR UNFINISHED BUSINESS**

[Opportunity for Stakeholder Consultation on Ride-Sharing Services](#) – Memo from  
Chief Administrative Officer dated October 26, 2017

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**7. BYLAWS – Adoption**

[Parks, Recreation and Culture Fees Imposition Bylaw No. 1578, 2015  
Amendment Bylaw No. 1635, 2017](#)

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[Bylaw Notice Enforcement Bylaw No. 1581, 2015 Amendment Bylaw No.  
1642, 2017](#)

pg 19-38

[Municipal Ticketing Information \(MTI\) System Bylaw No. 1518, 2013  
Amendment Bylaw No. 1643, 2017](#)

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**BYLAWS – 3 Readings**

[Housing Agreement Authorization Bylaw No. 1633, 2017](#) – Memo from Planner  
and Deputy Corporate Officer dated October 24, 2017

pg 44-57

[Safe Premises Bylaw No. 1644, 2017](#)

A bylaw to regulate and impose requirements respecting remediation of real property and premises damaged through the production, trade, or use of controlled substances

Memo from Chief Administrative Officer dated November 2, 2017

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**8. REPORTS**

Mayor and Council

[Council Disclosure of Contracts – Quarter 3](#)

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[RCMP 3<sup>rd</sup> Quarter Policing Report](#)

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[RCMP Victims Assistance Report – Q3](#)

pg 86-87

**9. NEW BUSINESS**

[Community Wildfire Protection Plan Update – Award of Contract](#) – Memo from Chief Administrative Officer dated October 25, 2017

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**10. PUBLIC QUESTION PERIOD**

**11. CLOSED MEETING RESOLUTION**

Closed to the public, pursuant to Section 90 (1) (c) of the *Community Charter*

**12. ADJOURNMENT**

## THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held on Monday, October 16, 2017 at 4:30 p.m. in the Council Chambers of City Hall

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Present: Mayor Greg McCune  
Councillor Brad Case  
Councillor Roxanne Davyduke  
Councillor Raquel Knust  
Councillor Brian Schreiner  
Councillor Shawn Shishido  
  
Chief Administrative Officer – Tate Bengtson  
Planner and Deputy Corporate Officer – Kurt Inglis  
Recording Secretary – Bettyann Kennedy  
The Press and Public

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### **APPROVAL OF AGENDA**

Moved by Councillor Knust, seconded by Councillor Shishido that the agenda be approved as circulated.

Carried

### **ADOPTION OF MINUTES**

Regular Meeting Minutes of October 2, 2017

Moved by Councillor Schreiner, seconded by Councillor Knust that the minutes of the regular meeting of October 2, 2017 be adopted as circulated.

Carried

### **DEVELOPMENT MATTERS**

#### **0002-17-TUP-END**

Lot 3, Block 11, DL 150, K(formerly O)DYD, Plan 211A – 506 Cliff Avenue

Applicant: Jennifer and Edward Koochin

Moved by Councillor Case, seconded by Councillor Knust that Council renew the Temporary Use Permit for the property legally described as Lot 3, Block 11, District Lot 150, Kamloops (formerly Osoyoos) Division Yale District, Plan 211A located at 506 Cliff Avenue which permitted the use of a temporary building on the subject property until October 1, 2017 for purposes of food service, retail sales, and fitness/recreational services subject to the following conditions:

- a) Throughout the duration of the Temporary Use Permit, the applicant must provide adequate dust control measures for the subject property;
- b) Throughout the duration of the Temporary Use Permit, the applicant must ensure that particulate matter is not tracked onto Vernon Street beyond what is currently occurring;

- c) Throughout the duration of the Temporary Use Permit, the applicant must provide sufficient on-site garbage and recycling receptacles which are well-maintained;
- d) The dimensions and siting of the temporary building and parking spaces shall be in general accordance with the attached Schedules 'A' and 'B'; and
- e) The Temporary Use Permit shall expire on October 1, 2019.

AND THAT Council extends the applicant's permission to place a shipping container temporarily on the property for the duration of the renewal.

Carried

### **BYLAWS – Adoption**

#### **2018 Tax Exemption Bylaw No. 1641, 2017**

Moved by Councillor Shishido, seconded by Councillor Knust that 2018 Tax Exemption Bylaw No. 1641, 2017 be adopted.

Carried

### **BYLAWS – 3 Readings**

#### **Parks, Recreation and Culture Fees Imposition Bylaw No. 1578, 2015 Amendment Bylaw No. 1635, 2017**

Moved by Councillor Knust, seconded by Councillor Case that Parks, Recreation and Culture Fees Imposition Bylaw No. 1578, 2015 Amendment Bylaw No. 1635, 2017 be given three readings.

Carried

#### **Bylaw Notice Enforcement Bylaw No. 1581, 2015 Amendment Bylaw No. 1642, 2017**

and

#### **Municipal Ticketing Information (MTI) System Bylaw No. 1518, 2013 Amendment Bylaw No. 1643, 2017**

Moved by Councillor Case, seconded by Councillor Davyduke that Bylaw Notice Enforcement Bylaw No. 1581, 2015 Amendment Bylaw No. 1642, 2017 and Municipal Ticketing Information (MTI) System Bylaw No. 1518, 2013 Amendment Bylaw No. 1643, 2017 be given three readings.

Carried

### **REPORTS**

#### **Councillor Davyduke**

- Attended the open house for the new preschool facility. It was a great tour.
- Rural Economic Development meeting last week. Survey results were shared. Round table discussions and sharing of successes and challenges was helpful.
- Reminder that the Business Walk is this Thursday.

- Connie from Community Futures reported that the summer was slow, which is typical. She has been getting referrals from Nexus. Businesses are finding it challenging to retain employees and find skilled labour.

#### Councillor Baird (via Mayor McCune)

There is a Christmas committee meeting next Tuesday. The Fire Department will be asked to consider installing lights for business (and individuals) for a fee as part of their fundraising. Councillor Baird feels that a massive tree should be installed downtown.

#### Mayor McCune

- Traffic lights on the east side George St and Mill Avenue are not functioning properly. CAO will follow up with the Ministry.
- A letter should be forwarded to Ministry of Transportation to address the surfacing issues on the highway through town. There are deep ruts.
- Letter to the Lions Club to be sent offering our congratulations and appreciation for their 70 years of service to the community.

#### Councillor Knust

An invitation was extended to everyone, including media, to attend the HUT celebration on Thursday followed by lunch at the Legion which is being hosted by Enderby and District Financial.

#### Building Permit Detail Report – September 2017

Moved by Councillor Schreiner, seconded by Councillor Shishido that the report be received and filed.

Carried

### **NEW BUSINESS**

#### Regional Transit Service Review – Correspondence from City of Armstrong dated October 2, 2017

Moved by Councillor Knust, seconded by Councillor Shishido that the correspondence be received and filed.

Carried

#### Army Cadet's Bottle Drive – Use of City Hall Parking Lot – Correspondence from Leanne Irwin dated October 5, 2017

Moved by Councillor Knust, seconded by Councillor Schreiner that Council approve the use of the parking lot immediately north of City Hall for the Army Cadet's bottle drive on November 4, 2017, with insurance provided by the Cadets to the satisfaction of the City.

Carried

#### Enderby and District Lions Club – Correspondence dated October 10, 2017

Re: Request for Donation for Halloween Haunted House Project

Moved by Councillor Case, seconded by Councillor Davyduke that Council approve a donation of \$500 to the Enderby and District Lions Club for the Halloween Haunted House Project.  
Carried

Letter of Support for Proposed Okanagan Bioregional Food System Study – Memo from Chief Administrative Officer dated October 12, 2017

Moved by Councillor Knust, seconded by Councillor Davyduke that Council issue a letter of support for Kwantlen Polytechnic University's Institute for Sustainable Food Systems' Okanagan Bioregional Food System Study.

Carried

### **PUBLIC QUESTION PERIOD**

None.

### **CLOSED MEETING RESOLUTION**

Moved by Councillor Shishido, seconded by Councillor Davyduke that, pursuant to Section 92 of the *Community Charter*, the regular meeting convene In-Camera to deal with matters deemed closed to the public in accordance with Section 90 (1) (e) of the *Community Charter*.

Carried

### **ADJOURNMENT**

The regular meeting reconvened at 5:35 p.m.

The following item was released from In-camera:

License of Occupation – 710 3<sup>rd</sup> Avenue – Memo from Planner and Deputy Corporate Officer dated October 12, 2017

Moved by Councillor Case, seconded by Councillor Schreiner that Council authorize the Mayor and Corporate Officer to execute a License of Occupation with Joe Latawiec for that portion of the laneway adjacent to the southern portion of his property at 710 3<sup>rd</sup> Avenue, on the following terms:

- a) The boundary of the License of Occupation area shall be that portion of the laneway immediately adjacent to 710 3<sup>rd</sup> Avenue but extending to the east such that it fully encompasses the mature maple tree in the laneway, and extending to the south such that the southern boundary is the lesser of i) the northern property line of 709 2<sup>nd</sup> Avenue, or ii) the northern fence line of 709 2<sup>nd</sup> Avenue as it exists on October 12, 2017;
- b) The term for the License of Occupation will be 3 years with the license being automatically renewed on a year to year basis on the same terms and conditions, subject to the cancellation provisions set out in the agreement;
- c) The licensee shall obtain and maintain liability insurance over the License of Occupation area to the satisfaction of the City;

- d) The licensee shall not remove any trees from the License of Occupation area without the prior written approval of the City, although reasonable maintenance and trimming of trees may occur without prior written approval; and
- e) The licensee is permitted to maintain the fence any other encroachments as existing but must remove these encroachments upon written notice.

AND THAT Council releases this matter from in-camera.

Carried

Moved by Councillor Shishido, seconded by Councillor Schreiner that the regular meeting adjourn at 5:35 p.m.

Carried

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**MAYOR**

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**CHIEF ADMINISTRATIVE OFFICER**

Agenda

**THE CORPORATION OF THE CITY OF ENDERBY**

**MEMO**

To: Mayor and Council

From: Tate Bengtson, CAO

Date: October 26, 2017

Subject: Opportunity for Stakeholder Consultation on Ride-Sharing Services

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**RECOMMENDATION**

THAT Council directs staff to respond to the Province's stakeholder consultation on modernizing passenger directed vehicle services consistent with its endorsed UBCM resolution entitled "Regulation of Ride Sharing Services in Small, Rural, and Remote Communities".

**BACKGROUND**

The Province has recently opened its stakeholder consultation period for ride sharing (also known as "passenger directed vehicle") services. Attached is a news release detailing the announcement.

Also attached is a copy of the Province's terms of reference for the stakeholder consultation. Staff note that there is a reference in the "Project Approach and Methodology" section indicating an intent to "accurately capture the perspective of small, medium and large communities."

As Council has previously submitted a resolution to UBCM on this matter, which was endorsed at the 2017 convention, staff recommend that Council provides stakeholder feedback consistent with its policy position. More recently, Council endorsed sending a letter to MLA Kylo, and copied to the Green Party leader, encouraging cooperation around this shared policy goal. The letter emphasized ensuring that ride sharing regulations must be sufficiently flexible to foster the growth of this innovative transportation solution in small markets. The central concern is that regulations will be designed on a "one size fits all" basis with the intent of ensuring fairness in markets where there are existing, robust, public transportation systems and that, by doing so, it will pose an insurmountable barrier to the establishment of ride sharing services in smaller markets.

Respectfully submitted,



Tate Bengtson  
Chief Administrative Officer



## **Expert hired to consult with taxi industry and help develop made-in-B.C. solution**

<https://news.gov.bc.ca/15639>

Monday, October 16, 2017 2:35 PM

**Victoria** - The Government of British Columbia has hired industry expert Dan Hara to consult with and help prepare the taxi industry for a made-in-B.C. solution to ride-sharing that will allow people to get around more easily, Transportation and Infrastructure Minister Claire Trevena announced today.

“People want more options for getting around quickly, safely and affordably, including ride-sharing,” said Trevena. “That’s why we hired industry expert Dan Hara to help us deliver a made-in-B.C. approach to ride-sharing that will keep people safe, and work for all regions of the province.”

Hara of Ottawa-based Hara Associates is an industry professional with 21 years of experience advising government agencies on regulatory and transportation policy. He is renowned for his knowledge of the taxi industry in North America and has undertaken a number of reviews for cities and provinces across Canada as they brought in commercial ride-share services.

“Places that failed to move carefully when they brought in ride-sharing have seen safety issues, unpredictable prices and unstable access to services,” said Trevena. “That’s why we’re bringing in Dr. Hara. His expertise will help British Columbia put a ride-sharing system in place that is fair for workers and businesses, fair for customers, and safe for everyone.”

Hara will finish his work in early 2018. His recommendations will inform how the Province will create a made-in-B.C. system that will provide more choice and convenience for the people throughout British Columbia, as well as modernize safety regulations, vehicle licensing and the six different pieces of legislation that regulates the industry.

The Province’s plan and timeline to bring ride-sharing services into the province will be delivered in 2018 with legislative changes anticipated for the fall.

A copy of the terms of reference can be found on the Passenger Transportation Branch website:

<http://www.th.gov.bc.ca/rpt/index.htm>

A backgrounder follows.

### **Contacts**

#### **Media Relations**

Government Communications and Public Engagement  
Ministry of Transportation and Infrastructure  
250 356-8241

### **Backgrounders**

#### **Biography of Dan Hara**

Dan Hara has been providing consultation for vehicle-for-hire regulators through Hara Associates since 1987. Past clients include the cities of Los Angeles; Washington, D.C.; San Francisco; Edmonton; Sudbury; Halifax; Calgary; Ottawa; Waterloo; Hamilton; Mississauga, and, outside of the continent, the State of Victoria (Australia) and Saudi Arabia (via Ernst & Young).

Hara has studied other North American jurisdictions and conducted public consultations with stakeholders. His report recommendations cover the full spectrum of vehicle-for-hire regulation, including adequacy of supply, method and number of taxi licences to be issued, fare and meter rates, safety standards and training, enforcement and administration, insurance, cost indexes, information management and new technologies, driver incomes, controls on lease payments for taxi licences and regulator revenue and fee collection. As a result, Hara is intimately familiar with the industry, its players, and the variations in industry practice across jurisdictions.

In B.C., Hara has been involved in taxi regulation for a number of years, particularly in the Greater Vancouver area. He has provided expert testimony before the Passenger Transportation Board (PTB) and provincial courts on the issues of suburban taxis and access to the downtown market; the issue of part-time taxi licences in Vancouver; performance standards and adequacy of supply of accessible taxis in the Vancouver area; and the licensing of additional taxis in Richmond.

Hara provided support to the multi-stakeholder, multi-municipality, stakeholder engagement process of Vancouver's 2015 Vehicle-for-Hire dialogue. In addition, studies for other Canadian jurisdictions have required frequently documenting the regulatory approach in B.C. and Vancouver. Hara is familiar with both current regulatory frameworks and enforcement practices, and their development in British Columbia over time.

## **Modernizing Passenger Directed Vehicle Services Terms of Reference**

**October 16, 2017**

### **Overview**

The taxi business is an established industry providing point-to-point transportation services in B.C. and is currently the primary provider of passenger directed vehicle services in B.C. Concurrent municipal and provincial jurisdiction over taxi operations has created a complex regulatory environment for B.C.'s taxi industry with sometimes overlapping or duplicative requirements.

The Minister of Transportation and Infrastructure's mandate letter directs her to work with the Minister of Public Safety and Solicitor General to create a fair approach to ridesharing and government committed to "work with taxi drivers, taxi companies and ridesharing companies to create a truly fair approach to ridesharing in British Columbia that doesn't unfairly benefit – or punish – one group over the other."

A comprehensive consultation with the taxi industry, local governments, consumer and business interest groups will allow government the opportunity to gather the necessary information to consider changes to modernize the existing industry in a way that allows the taxi industry to remain viable and compete on equal footing should additional passenger directed vehicle services, such as commercial rideshare, be introduced in B.C. Each of these groups could provide government with an understanding of the importance that transportation options affords both industry and the public as well as key themes that are relevant to each group (see Appendix A Stakeholder Groups).

### **Purpose of Review**

To identify opportunities for the taxi industry to modernize their service delivery model to meet consumer demand for safe, reliable and affordable passenger transportation service. To achieve this purpose, the review will include:

- Review of the current regulatory framework in British Columbia (B.C.).
- Review of current state of taxi industry and taxi regulation in other jurisdictions, including the impact of new entrants into the passenger directed vehicle market.
- Meetings with individual taxi licence holders to understand the industry's current operating model, and identify any systemic barriers to modernization.
- Meetings with a taxi drivers' association to identify the challenges and opportunities of the current passenger directed vehicle regulatory framework.

- Meetings with Passenger Transportation Board, Passenger Transportation Registrar and Commercial Vehicle Safety and Enforcement, local governments, Treaty First Nations (TFN), ports and airports to understand the complex regulatory environment for B.C.'s taxi industry and identify overlapping or duplicative requirements.
- Meetings with taxi user representatives including the Seniors Advocate, disability advocates and tourism associations to understand the impact that the current system has on availability and accessibility of taxi service.
- Identify municipal, TFN or provincial policies, rules, regulation or legislation that may be impeding the taxi industry's ability to modernize to meet consumer needs.

### **Review Scope**

- A report will be prepared that will examine:
  - A brief history and rationale for the current regulatory framework in B.C.
  - The origin and consequences of secondary markets for Passenger Transportation licences.
  - An overview of changing demand and service expectations for passenger directed vehicle services.
  - Feedback gathered from the taxi industry, non-owner taxi drivers and local governments.
- The report will include considerations for the taxi industry and non-provincial regulators to eliminate systemic barriers to modernization.
- The report will include considerations for the Provincial Government to enhance policies, rules, regulation or legislation that may be impeding the taxi industry's ability to modernize to meet consumer demand.

### **Project Team / Governance**

- Executive Project Sponsor – Deborah Bowman, ADM, Transportation Policy and Planning
- Project Steering Committee – Kristin Vanderkuip, Registrar and Executive Director, Passenger Transportation Branch (Project Director), Cam Filmer, Executive Director, Transportation Policy and Programs Branch
- Project Team Members – Sandy Evans, Manager, Passenger Transportation Policy, Chantelle Gergley, Deputy Director, Passenger Transportation Branch, Hara Associates, Consultant; TBD, Finance; TBD, CVSE
- Various ministry and department subject matter experts as needed

### **Deliverables and Project Timeframe**

- Public announcement – October 16, 2017
- Consultation period and analysis – mid October - mid December
- Progress report – November 29, 2017
- Draft report –December 31, 2017

### **Project Approach and Methodology**

- Confirmation of operational policies within scope, finalization of a report outline and content of reports and considerations will be based on advice from Legal Services Branch, assessment of other jurisdictions and interviews with subject matter experts.
- Early identification and participation of industry and local government representatives and core subject matter experts will be a critical success factor.
- Industry and local government participation from across the Province will be required to accurately capture the perspective of small, medium and large communities.

## **APPENDIX A STAKEHOLDER GROUPS**

- Vancouver Taxi Association
- BC Taxi Association
- Taxi Drivers' Association of Southern BC
- Passenger Transportation Board
- RoadSafetyBC
- Lower mainland, interior and northern municipalities (ex. Vancouver, Surrey, Victoria, Kelowna, Prince George, Fort St. John)
- Treaty First Nations
- Translink/BC Transit
- YVR & YYJ airport operators
- Port Metro Vancouver
- Greater Victoria Harbour Authority
- Consumer Protection BC
- Tourism Vancouver and Victoria
- BC Pavilion Corporation
- Seniors Advocate
- Disability Alliance of BC
- CNIB
- Insurance Corporation of British Columbia
- BC Association of Chiefs of Police

**TITLE: Regulation of Ride-Sharing Services in Small, Rural, and Remote Communities**

**SPONSOR: City of Enderby**

Whereas the Province of BC has expressed its intent to create a regulatory framework that permits ride-sharing services and transportation network companies to operate in BC;

And whereas the assessment of the possible impacts of allowing new entrants into the passenger transportation field has focused primarily on large urban communities with robust, established, passenger transportation options, which is often not the reality for small, rural, and remote communities where ride-sharing and transportation networking offers uniquely viable solutions in the absence of other options:

Therefore be it resolved that UBCM asks the Province of BC to implement a viable, flexible, ride-sharing service regulation in BC with attention given to regulatory solutions that will help solve those passenger transportation challenges that are unique to small, rural, and remote communities.

**ENDORSED BY UBCM, 2017**



619 Cliff Avenue  
P. O. Box 400  
Enderby, B. C. V0E 1V0

The Corporation of the City of Enderby  
*Where the Shuswap Meets the Okanagan*

Tel: (250) 838-7230  
Fax: (250) 838-6007  
Website: [www.cityofenderby.com](http://www.cityofenderby.com)

October 18, 2017

Greg Kylo, MLA  
PO Box 607  
Salmon Arm, BC V1E 4N7

COPY

Dear Mr. Kylo;

Re: Ride Sharing in Rural Communities

During discussions at the Council meeting of October 16, 2017, Council resolved to contact you to encourage your ongoing support for ride-sharing regulations that will foster the growth of this innovative transportation solution in both large and small markets. Enderby Council notes that the challenges and opportunities for ride-sharing in small markets are distinctly different, and regulations should be flexible to appreciate this.

Council encourages you and your party to work together with the Green Party to create ride-sharing regulations that would encourage growth of this solution in small communities.

Enclosed for consideration is our resolution that was endorsed at the 2017 Union of BC Municipalities Convention.

Enderby Council looks forward to the outcome of this important initiative that will benefit the residents of both small and large communities.

Yours truly,

Tate Bengtson  
Chief Administrative Officer

Cc: Andrew Weaver, Green Party Leader

Encl.



# THE CORPORATON OF THE CITY OF ENDERBY

## BYLAW No. 1635

A bylaw to amend Parks, Recreation and Culture Fees Imposition Bylaw No. 1578, 2015

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**WHEREAS** The Council of the Corporation of the City of Enderby has adopted "The Corporation of the City of Enderby Parks, Recreation and Culture Fees Imposition Bylaw No. 1578, 2015";

**AND WHEREAS** Council wishes to amend the fees;

**NOW THEREFORE** the Council of the Corporation of the City of Enderby, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. This Bylaw may be cited as "The Corporation of the City of Enderby Parks, Recreation and Culture Fees Imposition Bylaw No. 1578, 2015 Amendment Bylaw No. 1635, 2017".
2. Schedule "B" of "The Corporation of the City of Enderby Parks, Recreation and Culture Fees Imposition Bylaw No. 1578, 2015" is deleted and Schedule "B" attached to and forming part of this bylaw is substituted therefore.

READ a FIRST time this 16<sup>th</sup> day of October, 2017.

READ a SECOND time this 16<sup>th</sup> day of October, 2017.

READ a THIRD time this 16<sup>th</sup> day of October, 2017.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

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Mayor

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Chief Administrative Officer

## **SCHEDULE "B" – ARENA FEES**

Ice (per hour unless otherwise indicated)	
Adult	
- Prime	154.00
- Non-prime	60.00
- Statutory Holiday*	189.00
Youth and Preschool	
- Prime	85.00
- Non-prime	40.00
- Statutory Holiday*	120.00
Family	
- Prime	92.00
- Non-prime	40.00
- Statutory Holiday*	127.00
Senior – rental	
- Prime	111.00
- Non-prime	50.00
- Statutory Holiday*	146.00
Parent & Tot or Youth – Drop-In	2.00
Adult or Senior – Drop-In	5.00
SD #83	JOINT USE AGREEMENT
ALF Hockey Academy	JOINT USE AGREEMENT
Public Skate	FREE
Summer Ice	\$9,975** / week
Dry Floor (per hour unless otherwise indicated)	
Adult	60.00
Youth	28.00
Senior	31.00
Parent & Tot or Youth – Drop-In	2.00
Adult or Senior – Drop In	5.00
Non-Profit (per day)	624.00
Commercial (per day)	1,248.00
SD #83	JOINT USE AGREEMENT

\*Rental times subject to staffing availability.

\*\* The Summer Ice fee is based on continuous usage from/to the regular season. For rentals that are not continuous with the regular season, additional costs for installing and removing the ice will be added to the fee. If the arena is to be open for more than eight hours a day, or open for non-consecutive periods in a day, renter will be responsible for additional costs incurred. Summer Ice rentals are subject to availability and staffing resources. Two weeks advance notice must be provided.

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1642, 2017

A BYLAW TO AMEND THE BYLAW NOTICE ENFORCEMENT BYLAW NO. 1581, 2015

WHEREAS Council of the City of Enderby has adopted "City of Enderby Bylaw Notice Enforcement Bylaw No. 1581, 2015";

AND WHEREAS Council wishes to amend Schedule "A" in accordance with the City of Enderby Zoning Bylaw No. 1550, 2014;

AND WHERE AS Council wishes to amend Schedule "A" in accordance with the City of Enderby Stormwater Protection and Drainage Regulation Bylaw 1640, 2017.

NOW THEREFORE Council of the City of Enderby, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the "City of Enderby Bylaw Notice Enforcement Bylaw No. 1581, 2015 Amendment Bylaw No. 1642, 2017".
2. Schedule "A" of "City of Enderby Bylaw Notice Enforcement Bylaw No. 1581, 2015" is deleted and Schedule "A" attached to and forming part of this bylaw is substituted therefore.

**Read a FIRST TIME** this 16<sup>th</sup> day of October, 2017.

**Read a SECOND TIME** this 16<sup>th</sup> day of October, 2017.

**Read a THIRD TIME** this 16<sup>th</sup> day of October, 2017.

**ADOPTED** this day of , 2017.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

**SCHEDULE 'A'**  
**BYLAW NO. 1581, 2015**

**DESIGNATED BYLAW CONTRAVENTIONS AND PENALTIES**

<b>Bylaw No.</b>	<b>Section</b>	<b>Description</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Late Payment Penalty</b>	<b>A4 Compliance Agreement Available</b>
<b>DOG CONTROL BYLAW</b>						
<b>1469</b>	3.1	Keeping an unlicensed dog	\$50	\$25	\$60	YES
<b>1469</b>	4.1.c	Dog not wearing license	\$50	\$25	\$60	YES
<b>1469</b>	5.2	Dog unlawfully at large	\$100	\$50	\$110	YES
<b>1469</b>	5.3.a	Dog molesting passers-by or approaching in a menacing fashion or apparent attitude of attack	\$100	\$50	\$110	YES
<b>1469</b>	5.3.b	Dog bites, inflicts injury, assaults or otherwise attacks a person	\$200	\$100	\$225	NO
<b>1469</b>	5.3.c	Dog chases vehicles or cyclists	\$100	\$50	\$110	YES
<b>1469</b>	5.3.d	Dog chases, harasses, bites, inflicts injury, assaults or otherwise attacks any other animal	\$200	\$100	\$225	NO
<b>1469</b>	5.3.e	Dog damages property, other than that of the owner	\$50	\$25	\$60	YES
<b>1469</b>	5.3.f	Dog barking excessively	\$50	\$25	\$60	YES

1469	5.4	Failure to remove faecal material	\$100	\$50	\$110	NO
1469	5.4.1	Failure to be in possession of at least one dog faecal matter disposal bag	\$100	\$50	\$110	NO
1469	5.5.a	Dangerous dog not muzzled and on a leash	\$150	\$75	\$175	NO
1469	5.5.b	Unsecured dangerous dog	\$150	\$75	\$175	YES
1469	5.6	Dog on a public beach, swimming area, park or public area which is signed otherwise	\$50	\$25	\$60	NO
1469	6.7.a	To release or rescue or attempt to release or rescue an impounded dog	\$150	\$150	\$150	NO
1469	6.7.b	To resist, intervene, or otherwise interfere with the Pound keeper or Dog Control Officer	\$300	\$300	\$300	NO
<b>Bylaw No.</b>	<b>Section</b>	<b>Description</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Late Payment Penalty</b>	<b>A4 Compliance Agreement Available</b>
<b>WATER AND SPRINKLING REGULATION BYLAW</b>						
1468	9.04, 9.05	Prohibited water use including violation of sprinkling regulations	\$100	\$50	\$110	YES

<b>Bylaw No.</b>	<b>Section</b>	<b>Description</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Late Payment Penalty</b>	<b>A4 Compliance Agreement Available</b>
<b>BUSINESS LICENSE AND REGULATION BYLAW</b>						
<b>1558</b>	4(a)(i)	No business license	\$500	\$250	\$500	YES
<b>1558</b>	4(a)(ii)	Business license not valid for person, activity or premises	\$100	\$50	\$110	YES
<b>1558</b>	4(a)(iii)	No business license for each premises	\$100	\$50	\$110	YES
<b>1558</b>	3(b)(viii)	Prohibit entry of authorized person	\$500	\$500	\$500	NO
<b>1558</b>	4(a)(v)	Fail to display business license	\$100	\$50	\$110	YES
<b>1558</b>	4(f)(iv)	Removal of suspension notice	\$200	\$100	\$225	NO
<b>Bylaw No.</b>	<b>Section</b>	<b>Description</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Late Payment Penalty</b>	<b>A4 Compliance Agreement Available</b>
<b>GOOD NEIGHBOUR BYLAW</b>						
<b>1517</b>	2.1	Obstruct an officer	\$500	\$500	\$500	NO
<b>1517</b>	2..2	Obstruct entry to property	\$500	\$500	\$500	NO
<b>1517</b>	3.3 (b)	Operate public address system before 9:00 am or after 6:00 pm	\$100	\$50	\$110	YES
<b>1517</b>	3.4 (a)	Noise disturbing people	\$100	\$50	\$110	YES
<b>1517</b>	3.4 (b)	Allow disturbing noise	\$100	\$50	\$110	YES

1517	3.5 (a)	Apparatus producing noise	\$100	\$50	\$110	YES
1517	3.5 (b)	Allow apparatus producing noise	\$100	\$50	\$110	YES
1517	3.5 (c)	Disturbing animal noise	\$100	\$50	\$110	YES
1517	3.5 (d)	Equipment producing noise	\$100	\$50	\$110	YES
1517	3.5 (e)	Construction noise	\$100	\$50	\$110	YES
1517	3.5 (f)	Fighting creating a nuisance	\$100	\$50	\$110	NO
1517	4.3 (a)	Accumulation of matter	\$100	\$50	\$110	YES
1517	4.3 (a) 4.17 (b)	Accumulation of matter when on an Enhanced Compliance Schedule	\$500	\$400	\$500	YES
1517	4.3 (b)	Accumulation of rubbish around container	\$100	\$50	\$110	YES
1517	4.3 (b) 4.17 (b)	Accumulation of rubbish around container when on an Enhanced Compliance Schedule	\$500	\$400	\$500	YES
1517	4.3 (c)	Unightly property	\$100	\$50	\$110	YES
1517	4.3 (c) 4.17 (b)	Unightly property when on an Enhanced Compliance Schedule	\$500	\$400	\$500	YES
1517	4.3 (d)	Accumulation of vegetation	\$100	\$50	\$110	YES
1517	4.3 (d) 4.17 (b)	Accumulation of vegetation when on an Enhanced Compliance Schedule	\$500	\$400	\$500	YES

1517	4.3 (e)	Accumulation of construction or demolition waste	\$100	\$50	\$110	YES
1517	4.4 (a)	Accumulation of matter obstructs drainage facility	\$100	\$50	\$110	YES
1517	4.4 (b)	Failure to maintain boulevard/lane or keep free of weeds	\$100	\$50	\$110	YES
1517	4.4 (b) 4.17 (b)	Failure to maintain boulevard/lane or keep free of weeds when on an Enhanced Compliance Schedule	\$500	\$400	\$500	YES
1517	4.4 (c)	Driveway crossing in disrepair	\$100	\$50	\$110	YES
1517	4.4 (d)	Failure to maintain plantings in boulevard/lane	\$100	\$50	\$110	YES
1517	4.4 (e)	Accumulation of matter on boulevard, lane, or sidewalk	\$100	\$50	\$110	YES
1517	4.4 (e) 4.17 (b)	Accumulation of matter on boulevard, lane, or sidewalk when on an Enhanced Compliance Schedule	\$500	\$400	\$500	YES
1517	4.6	Deposit material upon boulevard or lane	\$100	\$50	\$110	YES
1517	4.7	Failure to remove snow or ice	\$100	\$50	\$110	YES
1517	4.8	Failure to remove snow or ice from the roof	\$100	\$50	\$110	YES
1517	4.9	Deposit snow on highway	\$100	\$50	\$110	YES
1517	5.2	Unlawful burning	\$100	\$50	\$110	YES



1517	5.4.3	Failure to comply with burning permit conditions	\$200	\$100	\$225	NO
1517	5.4.4	Burn unlawful materials	\$200	\$100	\$225	NO
1517	5.4.5	Failure to put competent person in charge	\$200	\$100	\$225	NO
1517	6.2.1	Panhandle within specified area	\$50	\$25	\$60	YES
1517	6.2.2	Panhandle from person in a motor vehicle	\$50	\$25	\$60	YES
1517	6.2.3	Panhandling causes concern for safety or security	\$50	\$25	\$60	YES
1517	6.2.4	Panhandle or follow person after a negative response	\$50	\$25	\$60	YES
1517	6.2.5	Panhandle before dawn or after sunset	\$50	\$25	\$60	YES
1517	6.2.6	Sit or lie on a street for the purpose of panhandling	\$50	\$25	\$60	YES
1517	6.2.7	Obstruct the path of pedestrian traffic	\$50	\$25	\$60	YES
1517	6.2.8	Panhandle as a member of a group	\$50	\$25	\$60	YES
1517	6.2.9	Panhandle in the same place for excessive period	\$50	\$25	\$60	YES

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
<b>STREET AND TRAFFIC BYLAW</b>						
1471	402	Park, drive or operate a vehicle or cycle in contravention of a traffic control device	\$100	\$50	\$110	NO
1471	403	Remove or alter a traffic control device	\$100	\$50	\$110	NO
1471	404	Failure to obey command	\$100	\$50	\$110	NO
1471	409	Vehicle blocking intersection or marked crosswalk	\$100	\$50	\$110	NO
1471	411	Failure to obey load limits	\$100	\$50	\$110	YES
1471	415	Ride bicycle on a sidewalk or walkway	\$100	\$50	\$110	YES
1471	416	Ride skateboard contrary to bylaw	\$100	\$50	\$110	YES
1471	420	Removal of traffic notice	\$100	\$50	\$110	NO
1471	601	Parking vehicles contrary to bylaw	\$100	\$50	\$110	YES
1471	701	Littering	\$100	\$50	\$110	NO
1471	702	Excavation or construction on highway without authorization	\$100	\$50	\$110	NO
1471	703	Impeding traffic on highway or causing damage to highway	\$100	\$50	\$110	NO
1471	704	Trees or shrubs obstructing sidewalk or highway	\$100	\$50	\$110	YES

1471	706	Defacing poles	\$100	\$50	\$110	YES
Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
<b>ZONING BYLAW</b>						
1550	101	Obstructing an inspection or inspector	\$500	\$500	\$500	NO
1550	303.1	Unlawful use of land, buildings or structures	\$200	\$100	\$225	YES
1550	305	Off-street parking or loading contravention	\$100	\$50	\$110	YES
1550	307.2.a	Home occupation contravenes permitted use	\$100	\$50	\$110	YES
1550	307.2.b	Temporary building or structure contravenes permitted use	\$100	\$50	\$110	YES
1550	307.2.c	Boarding use contravenes permitted use	\$100	\$50	\$110	YES
1550	307.3.b	Tent, trailer or mobile home use contravention	\$100	\$50	\$110	YES
1550	307.3.c	Unenclosed storage of vehicles in state of disrepair or not licensed	\$100	\$50	\$110	YES

<b>1550</b>	307.3.h	Annoyance or nuisance to surrounding areas by reason of unsightliness or the emission of odours, liquid effluence, dust, fumes, smoke, vibration, noise or glare	\$200	\$100	\$225	YES
<b>1550</b>	307.4.a	Unauthorized parking and storage in residential zones	\$100	\$50	\$110	YES
<b>1550</b>	309.1.a	Failure to maintain screening	\$100	\$50	\$110	YES
<b>1550</b>	310.3.a	Sign not permitted	\$100	\$50	\$110	YES
<b>1550</b>	310.3.b	Prohibited sign	\$100	\$50	\$110	YES
<b>1550</b>	310.3.d	More than one home occupation, real estate or political sign	\$100	\$50	\$110	YES
<b>1550</b>	310.3.e	Illumination not permitted for home occupation, real estate or political signs	\$100	\$50	\$110	YES
<b>1550</b>	310.3.h	Failure to maintain sign	\$100	\$50	\$110	YES
<b>1550</b>	501.10.c	Annoyance or nuisance to surrounding areas by reason of unsightliness or the emission of odours, liquid effluence, dust, fumes, smoke, vibration, noise or glare	\$200	\$100	\$225	YES

1550	501.10. c	Create or cause a health, fire, or explosion hazard, electrical interference, or undue traffic congestion.	\$500	\$500	\$500	YES
1550	502.10. c	Annoyance or nuisance to surrounding areas by reason of unsightliness or the emission of odours, liquid effluence, dust, fumes, smoke, vibration, noise or glare	\$200	\$100	\$225	YES
1550	502.10. c	Create or cause a health, fire, or explosion hazard, electrical interference, or undue traffic congestion.	\$500	\$500	\$500	YES
<b>Bylaw No.</b>	<b>Section</b>	<b>Description</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Late Payment Penalty</b>	<b>A4 Compliance Agreement Available</b>
<b>CEMETERY REGULATION BYLAW</b>						
1515	12 (5)(a)	Damage any memorial, fence, gate, improvement or structure	\$200	\$100	\$225	NO
1515	12 (5)(b)	Deposit rubbish or offensive matter	\$100	\$50	\$110	NO
1515	12 (6)	Conducting business on grounds	\$100	\$50	\$110	NO

<b>1515</b>	12 (8)(b)	Operate a vehicle on any road, path or walk for purposes other than attending or conducting a funeral or visiting a lot	\$100	\$50	\$110	YES
<b>1515</b>	12 (8)(c)	Operate a vehicle at a speed in excess of fifteen (15) kilometres per hour or upon or over any lot	\$100	\$50	\$110	YES
<b>1515</b>	12 (8)(d)	Possess or consume alcoholic beverages or controlled substances	\$100	\$50	\$110	YES
<b>1515</b>	12 (9),12 (10)	Disobeying the reasonable directions or orders of the Cemetery Administrator	\$200	\$100	\$225	NO
<b>1515</b>	15	Entering or remaining in the Cemetery during the hours it is closed without the permission of the Cemetery Administrator	\$100	\$50	\$110	YES

<b>Bylaw No.</b>	<b>Section</b>	<b>Description</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Late Payment Penalty</b>	<b>A4 Compliance Agreement Available</b>
<b>BUILDING BYLAW</b>						
<b>1582</b>	301 (1)	Commence or continue any construction, alteration, reconstruction, demolition, removal or relocation of any building or structure without a permit	\$500	\$250	\$500	YES
<b>1582</b>	301 (12)	Obstruction of Building Official	\$500	\$500	\$500	NO
<b>1582</b>	303 (2)	Failure to Comply with a 'Stop Work Order' Notice	\$500	\$250	\$500	YES
<b>1582</b>	304 (2)	Failure to Comply with a 'Do Not Occupy' Notice	\$500	\$250	\$500	YES
<b>Bylaw No.</b>	<b>Section</b>	<b>Description</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Late Payment Penalty</b>	<b>A4 Compliance Agreement Available</b>
<b>FIRE PROTECTION BYLAW</b>						
<b>1529</b>	3.7 b)	Fail to comply with order to remove Vehicle, material of other matter	\$100	\$50	\$110	YES
<b>1529</b>	3.7 d)	Enter prescribed boundaries at an Incident	\$100	\$50	\$110	YES

1529	3.7 f)	Impede, obstruct or hinder a Member	\$500	\$500	\$500	NO
1529	3.7 g)	Drive vehicle over equipment	\$100	\$50	\$110	YES
1529	4.1	Accumulation of combustible growth/ waste/ rubbish	\$100	\$50	\$110	YES
1529	4.2	Fail to remove daily combustibles	\$100	\$50	\$110	YES
1529	4.3	Fail to provide proper storage container	\$100	\$50	\$110	YES
1529	4.4	Fail to remove flammable, combustible or explosive material	\$200	\$100	\$225	YES
1529	4.5	Fail to maintain fire doors/separations	\$200	\$100	\$225	YES
1529	4.6	Excessive storage of flammable /combustible liquids	\$300	\$150	\$330	YES
1529	4.7	Fail to provide approved container or proper placement	\$100	\$50	\$110	YES
1529	4.8	Fail to post adequate no smoking signs	\$100	\$50	\$110	YES
1529	4.9	Cleaning with combustible/flamable liquids	\$100	\$50	\$110	YES
1529	4.10	Fail to provide portable fire extinguisher	\$100	\$50	\$110	YES
1529	5.1 a)(i)	Sell Low Hazard Fireworks	\$200	\$100	\$225	YES
1529	5.1 a)(ii)	Sell High Hazard Fireworks	\$300	\$150	\$330	YES
1529	5.1 a)(iii)	Sell Firecrackers	\$200	\$100	\$225	YES



1529	5.1 b)(i)	Set off Low Hazard Fireworks without permit	\$200	\$100	\$225	YES
1529	5.1 b)(ii)	Set off High Hazard Fireworks without permit	\$200	\$100	\$225	YES
1529	5.1 b)(iii)	Set off Firecrackers without a permit	\$200	\$100	\$225	YES
1529	6.1	Fail to secure vacant premises	\$100	\$50	\$110	YES
1529	6.4	Fail to secure damaged building	\$200	\$100	\$225	YES
1529	7.3	Obstruction of Fire Chief or Officer	\$500	\$500	\$500	NO
1529	7.4	Fail to provide information	\$100	\$50	\$110	NO
1529	7.5	Provide false information	\$200	\$100	\$225	NO
1529	8.2	Fail to address property	\$100	\$50	\$110	YES
1529	9.2	Fail to retain records of fire alarm and sprinkler systems	\$100	\$50	\$110	YES
1529	9.3	Fail to correct deficiencies immediately	\$100	\$50	\$110	YES
1529	10.1 a)	Obstruction within one (1) meter of a fire hydrant	\$200	\$100	\$225	YES
1529	10.1 b)	Attach item to hydrant or standpipe	\$300	\$150	\$330	YES
1529	10.1 e)	Parking within five (5) metres of a Fire Hydrant	\$200	\$100	\$225	YES
1529	10.3	Interference with fire hose line	\$300	\$150	\$330	NO
1529	11.1	Obstructed building access routes	\$300	\$150	\$330	YES
1529	11.2	Obstructed access during construction	\$300	\$150	\$330	YES

1529	11.3	Fail to gain approval for fire lane gates or access routes	\$300	\$150	\$330	YES
1529	11.4	Fail to provide "No Parking Fire Lane" sign(s)	\$300	\$150	\$330	YES
1529	12.3	Remove/ deface/ alter posted notices	\$300	\$150	\$330	NO
1529	12.4	Impersonate member of the Department	\$500	\$500	\$500	NO
Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
<b>PUBLIC SPACES BYLAW</b>						
1604	3.1	Failure to adhere to posted signage	\$100	\$50	\$110	YES
1604	3.2	Littering	\$200	\$100	\$225	YES
1604	3.3	Illegal dumping	\$500	\$250	\$500	YES
1604	3.4	Conducting a business without a permit	\$200	\$100	\$225	YES
1604	3.5	Making a fire without a Special Burning Permit	\$500	\$250	\$500	YES
1604	3.6	Conducting an event, procession, march, drill, performance, ceremony, concert, gathering or meeting without permission	\$100	\$50	\$110	YES

<b>1604</b>	3.7	Feeding, teasing, molesting, injuring, or throwing substances at any animal or fowl	\$500	\$250	\$500	YES
<b>1604</b>	3.8	Allowing a horse to enter upon a Public Space	\$100	\$50	\$110	YES
<b>1604</b>	3.8	Failure to control a horse within a Public Space	\$300	\$150	\$330	YES
<b>1604</b>	3.8	Failure to clean up horse excrement	\$200	\$100	\$225	YES
<b>1604</b>	3.9	Enter into a park outside of the established hours of operation	\$50	\$25	\$55	YES
<b>1604</b>	3.10	Vehicle remaining in a park while closed	\$50	\$25	\$55	YES
<b>1604</b>	3.11	Post, paint or distribute advertisements	\$50	\$25	\$55	YES
<b>1604</b>	3.12	Ride or drive a vehicle outside of designated access roads, lanes or parking lots	\$200	\$100	\$225	YES
<b>1604</b>	3.13	Grease, wash, clean or repair any Vehicle in a public space	\$100	\$50	\$110	YES
<b>1604</b>	3.14	Possess open liquor in a public space	\$100	\$50	\$110	YES
<b>1604</b>	3.15	Taking up temporary or permanent abode in or on a public space	\$200	\$100	\$225	YES

<b>1604</b>	3.16	Erect, construct or build any tent, building, shelter, trailer, pavilion or other construction in a public space	\$100	\$50	\$110	YES
<b>1604</b>	3.17	Establish or set up a campsite in a public space	\$100	\$50	\$110	YES
<b>1604</b>	3.19	Urinate or defecate in or on any public space	\$200	\$100	\$225	YES
<b>1604</b>	3.21	Return to or enter a public space after having been ordered to leave	\$500	\$500	\$500	YES
<b>1604</b>	3.22	Smoke tobacco, or hold lighted tobacco, in a public building or structure or within the prescribed distance of a doorway, window or air intake of a place which i) is ordinarily open to the public, ii) is a work place, or iii) is a prescribed place as defined within the Tobacco Control Regulation	\$100	\$50	\$110	YES
<b>1604</b>	3.23	Use of a barbecue contrary to regulations	\$50	\$25	\$55	YES
<b>1604</b>	3.24	Damage or vandalize public property or publicly owned assets	\$300	\$150	\$330	YES
<b>1604</b>	3.25	Operation of an unmanned aircraft, drone or a model aircraft in a park or public space	\$100	\$50	\$110	YES

1604	3.26	Use or access an electrical service or any other utility	\$100	\$50	\$110	YES
1604	3.27	Plug, tamper with or in any way damage any plumbing, lighting, heating, or other fixture	\$300	\$150	\$330	YES
1604	3.28	Conduct oneself in an offensive or disorderly manner	\$200	\$100	\$225	YES
1604	3.29	Excavate in a public space	\$200	\$100	\$225	YES
1604	3.31	Obstruction of Officer or employee/agent of the City	\$500	\$500	\$500	NO
Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
<b>STORMWATER PROTECTION AND DRAINAGE REGULATION BYLAW</b>						
1640	16	Failure to obtain a permit prior to commencement of construction for prescribed activities	\$200	\$100	\$225	YES
1640	24	Contaminant or prohibited material is discharged, dumped, deposited, spilled or washed, directly or indirectly, into the drainage system	\$300	\$150	\$330	YES
1640	25	Connect, or allow to remain connected, a sanitary sewer to any part of the drainage system	\$300	\$150	\$330	YES

<b>1640</b>	26	Wash or permit the washing of concrete material into the drainage system	\$300	\$150	\$330	YES
<b>1640</b>	36	Foul, obstruct, alter, or impede the flow of a watercourse	\$300	\$150	\$330	YES
<b>1640</b>	37	Perform works in or over a watercourse or other component of the drainage system without permission from the Director	\$300	\$150	\$330	YES
<b>1640</b>	40	Discharge water or obstruct/alter a drainage system such that it causes or is likely to cause erosion of the land mass of the municipality	\$300	\$150	\$330	YES

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1643, 2017

A BYLAW TO AMEND THE MUNICIPAL TICKETING INFORMATION (MTI) SYSTEM BYLAW  
NO. 1518, 2013

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WHEREAS Council of the City of Enderby has adopted "City of Enderby Municipal Ticketing Information System Bylaw No. 1518, 2013";

AND WHEREAS Council wishes to amend Schedule "9" in accordance with the City of Enderby Zoning Bylaw No. 1550, 2014;

AND WHEREAS Council wishes to include Schedule "12" in accordance with City of Enderby Stormwater Protection and Drainage Regulation Bylaw No. 1640, 2017;

NOW THEREFORE Council of the City of Enderby, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the "City of Enderby Municipal Ticketing Information (MTI) System Bylaw No. 1518, 2013 Amendment Bylaw No. 1643, 2017".
2. Schedule "A" of "City of Enderby Municipal Ticketing Information (MTI) System Bylaw No. 1518, 2013" is deleted and Schedule "A" attached to and forming part of this bylaw is substituted therefore.
3. Schedule "9" of "City of Enderby Municipal Ticketing Information (MTI) System Bylaw No. 1518, 2013" is deleted and Schedule "9" attached to and forming part of this bylaw is substituted therefore.
3. Schedule "12" of "City of Enderby Municipal Ticketing Information (MTI) System Bylaw No. 1518, 2013" is hereby established and forms part of this Bylaw.

**Read a FIRST TIME** this 16<sup>th</sup> day of October, 2017.

**Read a SECOND TIME** this 16<sup>th</sup> day of October, 2017.

**Read a THIRD TIME** this 16<sup>th</sup> day of October, 2017.

**ADOPTED** this day of , 2017.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

## Schedule “A”

### MUNICIPAL TICKETING INFORMATION SYSTEM BYLAW NO. 1518

DESIGNATED BYLAWS	DESIGNATED BYLAW ENFORCEMENT OFFICERS
Dog Control Bylaw No. 1469, 2010	<ul style="list-style-type: none"> <li>• Dog Control Officers</li> <li>• Royal Canadian Mounted Police</li> <li>• Bylaw Enforcement Officers</li> <li>• Chief Administrative Officer</li> <li>• Chief Financial Officer</li> </ul>
Water and Sprinkling Regulations Bylaw No. 1468, 2010	<ul style="list-style-type: none"> <li>• Director of Engineering and Public Works</li> <li>• Bylaw Enforcement Officers</li> <li>• Chief Administrative Officer</li> <li>• Chief Financial Officer</li> </ul>
Business Licence and Regulation Bylaw No. 1558, 2014	<ul style="list-style-type: none"> <li>• Bylaw Enforcement Officers</li> <li>• License Inspector</li> <li>• Chief Administrative Officer</li> <li>• Chief Financial Officer</li> </ul>
Good Neighbour Bylaw No. 1517, 2013, excluding Section VI	<ul style="list-style-type: none"> <li>• Royal Canadian Mounted Police</li> <li>• Bylaw Enforcement Officers</li> <li>• Fire Chief</li> <li>• Chief Administrative Officer</li> <li>• Chief Financial Officer</li> </ul>
Good Neighbour Bylaw No. 1517, 2013, Section VI	<ul style="list-style-type: none"> <li>• Royal Canadian Mounted Police</li> </ul>
Sanitary Sewer Regulation Bylaw No. 1470, 2010	<ul style="list-style-type: none"> <li>• Director of Engineering and Public Works</li> <li>• Bylaw Enforcement Officers</li> <li>• Chief Administrative Officer</li> <li>• Chief Financial Officer</li> </ul>
Street and Traffic Bylaw No. 1471, 2010	<ul style="list-style-type: none"> <li>• Director of Engineering and Public Works</li> <li>• Bylaw Enforcement Officers</li> <li>• Building Inspector</li> <li>• Royal Canadian Mounted Police</li> <li>• Chief Administrative Officer</li> <li>• Chief Financial Officer</li> </ul>
Fire Protection Bylaw No. 1529, 2013	<ul style="list-style-type: none"> <li>• Bylaw Enforcement Officers</li> <li>• Fire Chief</li> <li>• Royal Canadian Mounted Police</li> <li>• Chief Administrative Officer</li> <li>• Chief Financial Officer</li> </ul>



Cemetery Regulation Bylaw No. 1515, 2013	<ul style="list-style-type: none"> <li>• Bylaw Enforcement Officers</li> <li>• Royal Canadian Mounted Police</li> <li>• Chief Administrative Officer</li> <li>• Chief Financial Officer</li> </ul>
Zoning Bylaw No. 1550, 2014	<ul style="list-style-type: none"> <li>• Director of Engineering and Public Works</li> <li>• Bylaw Enforcement Officers</li> <li>• Building Inspector</li> <li>• Royal Canadian Mounted Police</li> <li>• Chief Administrative Officer</li> <li>• Chief Financial Officer</li> </ul>
Building Bylaw No. 1582, 2015	<ul style="list-style-type: none"> <li>• Director of Engineering and Public Works</li> <li>• Bylaw Enforcement Officers</li> <li>• Building Inspector</li> <li>• Royal Canadian Mounted Police</li> <li>• Chief Administrative Officer</li> <li>• Chief Financial Officer</li> </ul>
Public Spaces Bylaw No. 1604, 2016	<ul style="list-style-type: none"> <li>• Royal Canadian Mounted Police</li> <li>• Bylaw Enforcement Officers</li> <li>• Fire Chief</li> <li>• Chief Administrative Officer</li> <li>• Chief Financial Officer</li> </ul>
Stormwater Protection and Drainage Regulation Bylaw No. 1640, 2017	<ul style="list-style-type: none"> <li>• Director of Engineering and Public Works</li> <li>• Bylaw Enforcement Officers</li> <li>• Chief Administrative Officer</li> <li>• Chief Financial Officer</li> </ul>

## SCHEDULE “9”

Zoning Bylaw No. 1550, 2014	Section	Fine \$	Fine if Pd within 30 days \$
Obstructing an inspection or inspector	101	100.	50.
Unlawful use of land, buildings, or structures	303.1	200.	100.
Off-street parking or loading contravention	305	100.	50.
Home occupation contravenes permitted use	307.2.a	100.	50.
Temporary building or structure contravenes permitted use	307.2.b	100.	50.
Boarding use contravenes permitted use	307.2.c	100.	50.
Tent, trailer, or mobile home use contravention	307.3.b	100.	50.
Unenclosed storage of vehicles in state of disrepair nor not licensed	307.3.c	100.	50.
Incineration or processing of fish, animal, or vegetable waste	307.3.d	100.	50.
Annoyance or nuisance to surrounding areas by reason of unsightliness or the emission of odours, liquid effluence, dust, fumes, smoke, vibration, noise or glare	307.3.h	200.	100.
Unauthorized parking and storage in residential zones	307.4.a	100.	50.
Failure to maintain screening	309.1.a	100.	50.
Sign not permitted	310.3.a	100.	50.
Prohibited sign	310.3.b	100.	50.
More than one home occupation, real estate or political sign	310.3.d	100.	50.
Illumination not permitted for home occupation, real estate or political signs	310.3.e	100.	50.
Failure to maintain sign	310.3.h	100.	50.
Annoyance or nuisance to surrounding areas by reason of unsightliness or the emission of odours, liquid effluence, dust, fumes, smoke, vibration, noise or glare	501.10.c	200.	100.
Create or cause a health, fire, or explosion hazard, electrical interference, or undue traffic congestion.	501.10.c	500.	500.

## SCHEDULE “12”

Stormwater Protection and Drainage Regulation Bylaw No. 1640, 2017	Section	Fine \$	Fine if Pd within 30 days \$
Failure to obtain a permit prior to commencement of construction for any prescribed activities	16	200.	100.
Contaminant or prohibited material is discharged, dumped, deposited, spilled or washed, directly or indirectly, into the drainage system	24	300.	150.
Connect, or allow to remain connected, a sanitary sewer to any part of the drainage system	25	300.	150.
Wash or permit the washing of concrete material into the drainage system	26	300.	150.
Foul, obstruct, alter, or impede the flow of a watercourse	36	300.	150.
Perform works in or over a watercourse or other component of the drainage system without permission from the Director	37	300.	150.
Discharge water or obstruct/alter a drainage system such that it causes or is likely to cause erosion of the land mass of the municipality	40	300.	150.

Agenda

## THE CORPORATION OF THE CITY OF ENDERBY

### MEMO

To: Tate Bengtson, Chief Administrative Officer  
From: Kurt Inglis, Planner and Deputy Corporate Officer  
Date: October 24, 2017  
Subject: Housing Agreement Authorization Bylaw No. 1633, 2017

---

#### **RECOMMENDATION**

THAT Council gives three readings to Housing Agreement Authorization Bylaw No. 1633, 2017;

AND THAT the Mayor and Corporate Officer be authorized to register a Section 219 Covenant (Housing Agreement) on the titles of the parcels legally described as Lot 1, District Lot 150, Kamloops Division Yale District, Plan KAP77756 (PID: 026-240-319), and That Part of District Lot 150, Kamloops Division Yale District, Shown on Plan EPP46625 (PID: 030-079-209).

#### **BACKGROUND**

Throughout 2016 and 2017, the City of Enderby has been working alongside the Provincial Rental Housing Corporation (PRHC) to facilitate the 33-unit Phase II expansion of the Enderby Memorial Terrace development. To date, the City has authorized a number of variances to the Zoning Bylaw, transferred the 'Closed Road' portion of Princess Street to PRHC for density purposes, and agreed in principle to density bonusing in accordance with Section 801.15.e of the Zoning Bylaw.

As per Section 801.15.e of the Zoning Bylaw, a maximum of 15% of the total allowable dwelling units for a seniors housing use shall be permitted without being included in the density calculation where at least 15% of the dwelling units associated with a seniors housing use are supportive housing units; in this case, 68.8% of the dwelling units associated with the Enderby Memorial Terrace development will be supportive housing units. Section 801.15.f goes on to state that this density bonusing is subject to the property owner entering into a Housing Agreement with the City of Enderby as per Section 483 of the *Local Government Act*.

A Housing Agreement is a tool used by municipalities to preserve the use of a property for affordable housing or special needs housing purposes; the Housing Agreement may include terms and conditions agreed to by the local government and the owner regarding the occupancy of the dwelling units identified in the agreement, including:

- i. the form of tenure of the dwelling units;
- ii. the availability of the dwelling units to classes of persons identified in the agreement or the bylaw;

- iii. the administration and management of the dwelling units, including the manner in which the dwelling units will be made available to persons within a class referred to in paragraph (b);
- iv. rents and lease, sale or share prices that may be charged, and the rates at which these may be increased over time, as specified in the agreement or as determined in accordance with a formula specified in the agreement.

Attached is the proposed Housing Agreement for Enderby Memorial Terrace, which has been developed in conjunction with PRHC. Once executed, it will enable the Phase II expansion to fall within the maximum permitted gross density provisions of the Zoning Bylaw. The proposed Housing Agreement is intended to:

- Secure the use of the Phase I dwelling units for either 'affordable senior rental housing' or 'supportive housing';
- Secure the use of the Phase II dwelling units for 'supportive housing'; and
- Set forth the general requirements for how the property and dwelling units may be used.

Given that the Housing Agreement has been structured to be a covenant under Section 219 of the *Land Title Act*, Staff are recommending that the Mayor and Corporate Officer be authorized to execute the covenant on the titles of 708 Granville Avenue and the former Princess Street 'Closed Road' lot.

Respectfully Submitted,



---

Kurt Inglis  
Planner and Deputy Corporate Officer

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1633

A BYLAW TO AUTHORIZE A HOUSING AGREEMENT

---

WHEREAS pursuant to Section 483 of the *Local Government Act*, a local government may, by bylaw, enter into a housing agreement.

NOW THEREFORE Council of the City of Enderby, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the "City of Enderby Housing Agreement Authorization Bylaw No. 1633, 2017".
2. Council hereby authorizes the City of Enderby to enter into a Housing Agreement with the Provincial Rental Housing Corporation, Inc. No. 52, 129 in respect of the parcels legally described as *Lot 1, District Lot 150, Kamloops Division Yale District, Plan KAP77756* (PID: 026-240-319), and *That Part of District Lot 150, Kamloops Division Yale District, Shown on Plan EPP46625* (PID: 030-079-209), a true copy of which is attached to and forms part of this bylaw as Schedule "A".
3. The Mayor and Corporate Officer are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
4. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

READ a FIRST time this day of , 2017.

READ a SECOND time this day of , 2017.

READ a THIRD time this day of , 2017.

ADOPTED this day of , 2017.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

**PART 2 - TERMS OF INSTRUMENT**

**HOUSING AGREEMENT AND SECTION 219 COVENANT**  
**(Section 483 of the *Local Government Act* and Section 219 of the *Land Title Act*)**

THIS AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

BETWEEN:

**CITY OF ENDERBY**  
619 Cliff Avenue  
P.O. Box 400  
Enderby, British Columbia  
V0E 1V0

(the "City")

OF THE FIRST PART

AND:

**PROVINCIAL RENTAL HOUSING CORPORATION**  
1701-4555 Kingsway  
Burnaby, British Columbia  
V5H 4V8

(the "Owner")

OF THE SECOND PART

WHEREAS:

- A. The City may, under Section 483 of the *Local Government Act*, enter into a housing agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in Section 483 (2) of the *Local Government Act*;
- B. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of the City in respect of the use of land or construction on land;
- C. The Owner is the registered owner in fee simple of the parcels described as:

Legal Description: Lot 1, District Lot 150, Kamloops Division Yale District, Plan  
KAP77756  
PID: 026-240-319  
Civic Address: 708 Granville Avenue, Enderby BC V0E 1V1

Legal Description: That Part of District Lot 150, Kamloops Division Yale District,  
Shown on Plan EPP46625  
PID: 030-079-209  
Civic Address: N/A

(collectively, the "**Lands**");

- D. The Owner requires density bonusing in order to meet the maximum permitted gross density requirements of the City of Enderby Zoning Bylaw No. 1550, 2014;
- E. Pursuant to Section 801.15.f of the City of Enderby Zoning Bylaw No. 1550, 2014, the award of density bonusing is subject to the property owner entering into a housing agreement with the City of Enderby;
- F. The Owner and the City wish to enter into this Agreement to provide for Supportive Housing and Independent Affordable Senior Rental Housing on the terms and conditions set out in this Agreement, and agree that this Agreement is a housing agreement under Section 483 of the *Local Government Act* and a covenant under Section 219 of the *Land Title Act*;
- G. The City has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement;

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of \$1.00 paid by the City to the Owner (the receipt of which is acknowledged by the Owner) and in consideration of the promises exchanged below, the City and the Owner covenant and agree as follows:

## 1. DEFINITIONS AND INTERPRETATION

- i. In this Agreement, unless otherwise defined, words have the same meanings as in the Zoning Bylaw, and the following words have the following meanings:
  - (a) "**Agreement**" means this agreement and includes all recitals, instruments, schedules, and amendments thereto;
  - (b) "**Dwelling Unit**" means one (1) or more rooms used for the residential accommodation of only one (1) family when such room or rooms contain or provide for sleeping, sanitary, and no more than one (1) set of cooking facilities;
  - (c) "**Independent Affordable Senior Rental Housing**" means housing for low-income seniors who wish to live independently;



- (d) **"LTO"** means Kamloops Land Title Office or its successor;
  - (e) **"Phase I"** refers to the first phase of the Memorial Terrace development, involving the 15 dwelling units associated with Building Permit #10-0075-END-BP;
  - (f) **"Phase II"** refers to the second phase expansion of the Memorial Terrace development, involving the 33 additional dwelling units associated with Building Permit #17-0047-END-BP;
  - (g) **"Seniors"** means individuals who are 55 years of age or older;
  - (h) **"Subdivided"** means to divide, apportion, consolidate or subdivide the Land, or the ownership or right to possession or occupation of the Land into two or more lots, strata lots, parcels, parts, portions or shares, whether by plan, descriptive words or otherwise, under the *Land Title Act*, the *Strata Property Act*, or otherwise, and includes the creation, conversion, organization or development of "cooperative units" or "shared interests in land" as defined in the *Real Estate Act*;
  - (i) **"Supportive Housing"** means housing for low-income seniors who need assistance in order to live independently;
  - (j) **"Supportive Housing Dwelling Units"** means Dwelling Units for low-income seniors who need assistance in order to live independently;
  - (k) **"Tenancy Agreement"** means a tenancy agreement, lease, license or other agreement granting rights to occupy a Dwelling Unit; and
  - (l) **"Zoning Bylaw"** means the City of Enderby Zoning Bylaw No. 1550, 2014, as amended from time to time.
- ii. In this Agreement:
- (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
  - (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
  - (c) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the corresponding numbered or lettered article, section or Schedule of this Agreement;

- (d) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) the word "enactment" has the meaning given in the *Interpretation Act* on the reference date of this Agreement;
- (f) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- (g) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided;
- (h) the provisions of Section 25 of the *Interpretation Act* with respect to the calculation of time apply;
- (i) all provisions are to be interpreted as always speaking;
- (j) reference to a "party" is a reference to a party to this Agreement and to that party's respective successors, assigns, trustees, administrators and receivers;
- (k) reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided; and
- (l) any act, decision, determination, consideration, consent or exercise of discretion by a party, or other person, as provided in this Agreement must be performed, made or exercised acting reasonably.

## **2. SECTION 219 COVENANT – LAND USE RESTRICTIONS**

- i. The Owner and the City hereby covenant and agree as follows:
  - (a) the Lands must be used only in accordance with this Agreement;
  - (b) the Phase I Dwelling Units on the Lands must be used for either the provision of Independent Affordable Senior Rental Housing or Supportive Housing;

- (c) the Phase II Dwelling Units on the Lands must be used for the provision of Supportive Housing except that they may be used for Independent Affordable Senior Rental Housing in accordance with Section 2.i.i below;
- (d) the Lands must be used for the provision of no more than forty-eight (48) Dwelling Units, in a manner consistent with this Agreement;
- (e) Dwelling Units on the Lands shall only be used for rental purposes, pursuant to a Tenancy Agreement;
- (f) no Dwelling Unit on the Lands may be rented to or tenanted by any person for a term of less than thirty (30) days;
- (g) the City will not support applications to stratify or subdivide buildings on the Lands, nor allow Dwelling Units to be sold independently of each other;
- (h) as an express condition of the Tenancy Agreement, Dwelling Units on the Lands may not be occupied by tenants who create parking demands that cannot be met on-site; and
- (i) in the event that there is not sufficient demand for a Phase II Dwelling Unit to be used for Supportive Housing, such that a Dwelling Unit remains vacant, the Dwelling Unit may be used as an Independent Affordable Senior Rental Housing Dwelling Unit. The Owner agrees that, at the end of any such occupancy of a Phase II Dwelling Unit, priority in selection of a new Tenant shall first be given to low income seniors who need assistance in order to live independently (Supportive Housing).

### **3. HOUSING AGREEMENT – TRANSFER RESTRICTIONS**

- i. The Owner and the City hereby covenant and agree that the Owner must not sell or transfer, or agree to sell or transfer, any interest in the Lands or any building thereupon, other than a full interest in the fee simple title to a purchaser that agrees to assume the terms and conditions of this Agreement. This section does not restrict the Owner from granting easements, rights of way and similar interests in land subject to this Housing Agreement and Section 219 Covenant having priority over such interests.

#### **4. NOTICE TO BE REGISTERED IN LAND TITLE OFFICE**

- i. The Owner acknowledges and agrees that:
  - (a) this Agreement constitutes both a covenant under Section 219 of the *Land Title Act* and a housing agreement entered into under Section 483 of the *Local Government Act*;
  - (b) notice of this Agreement shall be registered in the LTO by the City at the cost of the Owner in accordance with Section 483 of the *Local Government Act*; and
  - (c) this Agreement shall be binding on all persons who acquire an interest in the Lands after registration of this notice, and unless discharged in accordance with this Agreement, run with and bind the Lands in perpetuity.

#### **5. COMPLIANCE WITH AGREEMENT**

- i. The Owner hereby irrevocably authorizes the City to make such inquiries as it considers reasonably necessary in order to confirm that the Owner is complying with this Agreement.
- ii. The Owner agrees that it will provide to the City a report in writing, to the reasonable satisfaction of the City, describing compliance with this Agreement.

#### **6. ENFORCEMENT AND WAIVER**

- i. Nothing contained or implied herein shall prejudice or affect the rights and powers of the City in the exercise of its functions under any public or private statutes, bylaws, orders and regulations, all of which may be fully and effectively exercised in relation to the Lands as if this Agreement had not been executed and delivered by the Owner. The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement shall not be construed as a waiver of any future or continuing failure, whether similar or dissimilar.
- ii. The parties agree that the City is not obligated to inspect the Lands or to otherwise ensure compliance with this Agreement, nor is the City obligated to remedy any default of this Agreement. A failure by the City to enforce this Agreement shall not constitute a waiver of any of the City's rights herein.
- iii. Notwithstanding any provision to the contrary in this Agreement, if the Owner is in default of its obligations in this Agreement then the City may, by written notice

to the Owner, require such default to be corrected within thirty (30) days after receipt of such notice; and

- iv. if within the thirty (30) days after receipt of such notice the default has not been corrected or reasonable steps to correct the default have not been taken, the City, without limiting any other right it might have, may pursue a remedy consistent with the provisions described in Section 6 (v) and (vi) below.
- v. No remedy under this Agreement is deemed to be exclusive but will, where possible, be cumulative with all other remedies available at law or in equity.
- vi. The Owner covenants and agrees that, in addition to any remedies that are available under this Agreement or at law, the City is entitled to all equitable remedies, including specific performance, injunction and declarative relief to enforce its rights under this Agreement. The Owner acknowledges that specific performance, injunctive relief (mandatory or otherwise) or other equitable relief may be the only adequate remedy for a default by the Owner under this Agreement.

## **7. TERM**

- i. Subject to discharge provisions in Section 8, this Agreement shall be in perpetuity.
- ii. If this Agreement is discharged in accordance with Section 8 (i) or Section 11 (i) (c), both parties shall execute the discharge for filing in the LTO.

## **8. DISCHARGE OR AMENDMENT**

- i. This Agreement shall be discharged, amended or affected only by an instrument duly executed by both the Owner and the City. A unilateral discharge is the right of the City under Section 11 (i) (c).
- ii. Pursuant to Section 483 (4) of the *Local Government Act*, this Agreement may be amended only by a bylaw adopted with the consent of the Owner.

## **9. INDEMNITY AND RELEASE**

- i. The Owner hereby releases and indemnifies and saves harmless the City from all loss, damage, costs (including without limitation, legal costs), expenses, actions, suits, debts, accounts, claims and demands, including without limitation, any and all claims of third parties (and including personal injury, death or damage occurring in or on the Lands), which the City may suffer, incur or be put to arising directly or indirectly out of or in connection with this Agreement, including:

- (a) any breach by the Owner of any covenant or agreement contained in or related to this Agreement;
  - (b) the exercise of discretion by any City employee or official for any matter relating to this Agreement;
  - (c) the construction, maintenance, repair, ownership, lease, license, operation, management or financing of the Lands or any Supportive Housing Dwelling Unit;
  - (d) the exercise by the City of any of its rights under this Agreement or an enactment; and/or
  - (e) the City withholding any demolition, building or occupancy agreement in accordance with the terms of this Agreement.
- ii. Indemnity and release shall survive the termination of this Agreement.

#### **10. BINDING AND BINDING EFFECT**

- i. This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, administrators and permitted assignees.
- ii. Once a notice of this Agreement is filed in the LTO, the Agreement and, if applicable, any amendment to it, is binding on all persons who acquire an interest in the land affected by the Agreement, including all amendments thereto.

#### **11. AGREEMENT FOR BENEFIT OF CITY ONLY**

- i. The Owner and the City agree that:
  - (a) this Agreement is entered into only for the benefit of the City;
  - (b) this Agreement is not intended to protect the interests of the Owner, any tenant, or any future owner, lessee, occupier or user of the Land or the building or any portion thereof, including any Supportive Housing Dwelling Unit; and
  - (c) the City may at any time execute a release and discharge of this Agreement, without liability to anyone for doing so, and without obtaining the consent of the Owner.

**12. NO COMPENSATION**

- i. The Owner acknowledges and agrees that no compensation is payable, and the Owner is not entitled to and will not claim any compensation from the City, for any decrease in the market value of the Lands or for any obligations on the part of the Owner and its successors in interest or title which at any time results directly or indirectly from the operation of this Agreement.

**13. NO PUBLIC LAW DUTY**

- i. Where the City is required or permitted by this Agreement to form an opinion, exercise a discretion, make a determination or give its consent, the Owner agrees that the City is under no public law duty of fairness or natural justice in that regard and agrees that the City may do any of those things in the same manner as if it were a private party and not a public body.

**14. NOTICE**

- i. Any notice required to be served or given to a party herein pursuant to this Agreement will be sufficiently served or given if delivered, to the postal address of the Owner set out in the records at the LTO, or to the most recent postal address provided in a written notice given by each of the parties to the other. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery.

**15. SEVERABILITY**

- i. If any provision of this Agreement is found to be invalid or unenforceable, such provision or any part thereof will be severed from this Agreement and the resultant remainder of this Agreement will remain in full force and effect.

**16. SOLE AGREEMENT**

- i. This Agreement, and any documents signed by the Owner contemplated by this Agreement, represents the whole agreement between the City and the Owner, and there are no warranties, representations, conditions or collateral agreements made by the City or the Owner except as set forth in this Agreement.

**17. COVENANT RUNS WITH THE LAND**

- i. This Agreement burdens and runs with the Lands and every parcel into which it is Subdivided. All of the covenants and agreements contained in this Agreement are made by the Owner for itself, its personal administrators, successors and assigns, and all persons who after the date of this Agreement, acquire an interest in the Lands.

**18. PRIORITY**

- i. The Owner will do everything necessary, at the Owner's expense, to ensure that this Agreement will be noted and registered against title to the Lands in priority to all financial charges and financial encumbrances which may have been registered or are pending registration against title to the Lands save and except those specifically approved in advance in writing by the City or in favour of the City, and that a notice under Section 483(5) of the *Local Government Act* will be filed on the title on the Lands.

**19. LIMITATION ON OWNER'S OBLIGATIONS**

- i. The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Lands provided however that notwithstanding that the Owner is no longer the registered owner of the Lands, the Owner will remain liable for breaches of this Agreement that occurred while the Owner was the registered owner of the Lands.

**20. NO JOINT VENTURE**

- i. Nothing in this Agreement constitutes the Owner as the agent, joint venturer, or partner of the City or gives the Owner any authority to bind the City in any way.

**21. JOINT AND SEVERAL**

- i. If the Owner is comprised of more than one person, firm or body corporate, then the covenants, agreements and obligations of the Owner shall be joint and several.

**22. APPLICABLE LAW**

- i. Unless the context otherwise requires, the laws of British Columbia will apply to this Agreement and all statutes referred to herein are enactments of the Province of British Columbia. Without limiting the above, in the event of any conflict between any provision of this Agreement and the *Residential Tenancy Act*, this Agreement is without effect to the extent of the conflict, except that the Owner shall be responsible for ensuring that every Tenancy Agreement fairly reflects the material terms of this Agreement.

**23. FURTHER ACTS**

- i. The Owner shall do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.



**24. DEED AND CONTRACT**

- i. By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

IN WITNESS WHEREOF, the parties hereby affixed their signatures on the day and year first above written.

**THE CORPORATION OF THE CITY OF  
ENDERBY** by its authorized signatories:

\_\_\_\_\_  
Mayor: Greg McCune

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Chief Administrative Officer: Tate Bengtson

**THE PROVINCIAL RENTAL HOUSING  
CORPORATION** by its authorized signatories:

\_\_\_\_\_  
Print Name:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Name:

**THE CORPORATION OF THE CITY OF ENDERBY**

**MEMO**

To: Mayor and Council  
From: Tate Bengtson, CAO  
Date: November 2, 2017  
Subject: Safe Premises Bylaw

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**RECOMMENDATION**

THAT Council gives three readings to City of Enderby Safe Premises Bylaw No. 1644, 2017.

**BACKGROUND**

The City of Enderby adopted a Property Remediation Bylaw in 2007 to regulate and impose requirements respecting properties damaged through the production, trade, or use of controlled substances. Since that time, the landscape has transformed in response to emerging issues particularly associated with the manufacture of controlled substances and enforcement challenges.

Staff have reviewed the City's Property Remediation Bylaw No. 1401, 2007 against other more contemporary bylaws (including, most recently, West Kelowna's Safe Premises Bylaw, which just finished a full review including legal analysis) and are proposing that the City's Property Remediation Bylaw be repealed in favour of a new Safe Premises Bylaw.

The intention of a Safe Premises Bylaw is to demonstrate to the public that a building or parcel used for production, trade, or use of controlled substances is safe for the intended use or occupancy, while controlling for nuisances, disturbances, and other objectionable situations. Should a hazardous condition be discovered, a Safe Premises Bylaw requires an owner to undertake a safety inspection and follow a remediation action plan before the building or parcel can be re-occupied. The Bylaw also differentiates properties lawfully involved in Controlled Substances (called "Authorized Operations"), while ensuring that these same properties demonstrate their suitability for a different kind of use or occupancy following the end of the authorized use.

The proposed Safe Premises Bylaw also establishes the ability to require an owner to provide information to determine if a hazardous condition exists, prior to requiring a safety inspection. This enhances fairness and reduces intrusiveness for property owners while providing information from a qualified professional in a timely fashion for the City to evaluate an appropriate course of action without expending resources unnecessarily.

The Bylaw clarifies under what conditions City utilities may be disconnected from a property associated with the production, trade, or use of controlled substances. While most communities address a threat against the water utility (due to backflow from a cross connection) within their respective Safe Premises/Property Remediation Bylaws, the proposed Safe Premises Bylaw also considers sanitary and storm sewer systems, as the discharge of hazardous substances can affect worker, public, and environmental health.

Historically, fees and charges as well as schedules with standardized form letters and certificates were included in the Property Remediation Bylaw. In keeping with contemporary corporate practices, the fees and charges will be specified in the consolidated Fees and Charges Bylaw and form letters and certificates will be case-specific.

Respectfully submitted,



Tate Bengtson  
Chief Administrative Officer

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1644, 2017

A bylaw to Regulate and Impose Requirements Respecting the Remediation of Real Property and Premises Damaged Through the Production, Trade, or Use of Controlled Substances.

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WHEREAS sections 8(1)(g), (h) and (l) of the *Community Charter* provide that Council may, by bylaw, regulate, prohibit and impose requirements in relation to the health, safety or protection of persons or property in relation to matters referred to in section 63, the protection and enhancement of the well-being of its community in relation to the matters referred to in section 64; and buildings and other structures under section 54;

AND WHEREAS structural alterations and the alteration of plumbing, heating, air conditioning, electrical wiring and equipment, gas piping and fittings, appliances and accessories, and the growth of mould and use or presence of toxic chemicals in buildings results in risks to the health and safety of occupiers, neighbours, emergency responders and inspectors;

AND WHEREAS properties used for the production of Controlled Substances are particularly susceptible to the above risks to health and safety, and pose unique costs for the City of Enderby;

NOW THEREFORE, the Council of the City of Enderby enacts in open meeting as follows:

1. Citation

- 1.1. This Bylaw may be cited as City of Enderby Safe Premises Bylaw No. 1644, 2017.

2. Definitions

2.1. In this Bylaw:

"Authorized Operation" means a Parcel used for the cultivation, growth, storage or production of cannabis or other Controlled Substance with an authorization or valid permit issued by the government authority having jurisdiction;

"Building" means any structure or portion of a structure used or intended for supporting or sheltering any use or occupancy and, in the case of a Building with multiple units or occupancies, means any portion of a Building held or used as a separate unit or occupancy;

"Building Bylaw" means the City of Enderby Building Bylaw No. 1582, 2015;

"Building Code" means the *British Columbia Building Code*;

"Building Official" means any person appointed by the City to inspect buildings or structures, or any component thereof;

"Bylaw Enforcement Officer" means any person appointed by the City to enforce its bylaws;

"Chief Administrative Officer" means the person appointed by Council pursuant to section 147 of the *Community Charter*;

"City" means the Corporation of the City of Enderby;

"City Utilities" means the water, sanitary sewer, and storm sewer infrastructure, appurtenances, and services that are owned, operated, or both, by the City;

"Controlled Substance" has the same meaning as defined in the *Controlled Drugs and Substances Act*;

"Controlled Substance Property" means a Parcel which is used for the cultivation, harvesting, trade, or manufacture of a Controlled Substance, or the ingestion, use, sharing, sale, trade, or barter of a Controlled Substance, including an Unauthorized Drug Production Facility but excluding an Authorized Operation;

"Council" means the Council of the City;

"Electrical Code" means the *British Columbia Electrical Code*;

"Fire Official" means the person who is appointed by the Council as the Chief of the City's fire and rescue services and includes that person's deputy and any appointed fire inspector or fire investigator;

"Fire Code" means the *British Columbia Fire Code*;

"Hazardous Condition" means:

- a) any real or potential risk of fire;
- b) any real or potential risk to the health or safety of persons or property;
- c) any real or potential risk to a Utility servicing a Parcel or Building;
- d) the real or suspected presence of a Hazardous Substance;
- e) any Unauthorized Alteration;
- f) repairs needed to a Building in accordance with the Building Code or Fire Code; or
- g) any other Prohibition listed under section 3 of this Bylaw;

"Hazardous Condition Requirement List" means a list of Hazardous Conditions present on a Parcel, and any work required to address or remove those Hazardous Conditions, as prepared or compiled by an Inspector following a Special Safety Inspection;

"Hazardous Substance" means a Controlled Substance or a substance in a concentration in excess of that listed in WorkSafeBC's *Table of Exposure Limits for Chemical and Biological Substances*;

"Inspector" means:

- a) a Fire Official;
- b) a Building Official;
- c) a peace officer;
- d) a Bylaw Enforcement Officer;
- e) the Chief Administrative Officer;
- f) the Corporate Officer; or
- g) the deputy of any person, officer or employee who is an Inspector;

"Mould Remediation Guidelines" means section 9.0 of the Canadian Construction Association's Standard construction document *CCA 82-2004: Mould Guidelines for the Canadian Construction Industry*;

"Occupier" means a person occupying a property within the City and includes the registered Owner of the property where the Owner is the person occupying or where the property is unoccupied;

"Owner" includes the registered owner in fee simple of real property and those persons defined as "owner" in the *Community Charter*;

"Parcel" includes land and any improvements located thereon;

"Qualified Contractor" means an individual or a corporation certified by the Institute of Inspection Cleaning and Restoration Certification or other qualified professionals as approved by the City;

"Qualified Environmental Professional" means an individual or corporation certified by the Canadian Board of Registered Occupational Hygienists or the American Board of Industrial Hygiene or other qualified professional as approved by the City;

"Remediation Action Plan" means the plan prepared by the Qualified Environmental Professional in response to known or suspected Hazardous Conditions;

"Special Safety Inspection" means an inspection coordinated by the Inspector with any of its departments, provincial or federal authorities, Utilities, and independent professionals or contractors as may be necessary for the purpose of determining the presence on a Parcel of any Hazardous Condition or a Prohibition under section 3 of this Bylaw;

"Unauthorized Alteration" means any change made to the structure or component parts of a Building that requires a permit or contravenes the Building Code or Fire Code, including removal of fire stopping, but for which no permit has been issued or is otherwise not permissible pursuant to the Building Bylaw or another enactment;

"Unauthorized Drug Production Facility" means a Parcel used for the cultivation, growth, storage or production of a Controlled Substance without authority of a valid permit issued by the federal or provincial government agency having jurisdiction over a Controlled Substance being cultivated, grown, stored or produced;

"Utility" means a lawful provider of an electrical, water, sewer, gas, or heating service from a distribution system to consumers.

- 2.2. All references to a bylaw or enactment in this Bylaw refer to that bylaw or enactment as it is in force from time to time.

### 3. Prohibitions

- 3.1. The use of any Parcel as a Controlled Substance Property is deemed to constitute the carrying on of a noxious or offensive trade, business or manufacture, and no Owner shall cause, permit, or allow any Parcel to become or remain a Controlled Substance Property.
- 3.2. No Owner may occupy or permit the occupancy of a Parcel where:
- a) a meter installed for the purpose of measuring consumption of electricity, water or natural gas from an electrical, water or natural gas distribution system has been disconnected or bypassed, except where such disconnection or bypass has been specifically permitted by the authority having jurisdiction or Utility;
  - b) exhaust vents from clothes dryers, hot water tanks, furnaces, or fireplaces have been installed or diverted so that they exhaust into or within a Building;
  - c) an exit or access to an exit required under the Building Code or Fire Code has been obstructed;
  - d) an electrical system has been altered without a permit or other approval from the authority having jurisdiction, or electrical circuits or connections to an electrical service have been installed that are contrary to the Electrical Code or another enactment;
  - e) a Hazardous Substance has been brought in or allowed to accumulate on any Parcel or in any Building;
  - f) an Unauthorized Alteration to a Building has occurred;

- g) one or more City Utilities have been discontinued, in accordance with this Bylaw, due to a real or potential risk from a Controlled Substance or other Hazardous Condition;
- h) an accumulation of mould on the interior of any window, interior wall or other structural component of the Building, or such that air samples indicate a concentration of airborne mould levels in excess of the standard set by the Mould Remediation Guidelines or any other applicable health and safety legislation or regulation, is found in a Building on the Parcel;
- i) a notice posted under this Bylaw has been removed, altered, covered or mutilated;
- j) a notice made under this Bylaw prohibiting occupancy or use has been posted by an Inspector.

#### 4. Powers of Inspectors

- 4.1. Subject to the provisions of the *Community Charter*, an Inspector may enter onto a Parcel, including the interior of a Building, in order to:
  - a) inspect and determine whether all regulations, prohibitions and requirements under this Bylaw are being met;
  - b) require an Owner to provide information from qualified professionals to determine if a Special Safety Inspection may be required;
  - c) if an Inspector has reasonable grounds to believe that a Hazardous Condition exists on a Parcel, post a notice in a conspicuous place at the entrances to that Parcel and deliver the same to the Owner that the Parcel is unsafe and that no person shall enter or occupy the Parcel;
  - d) recommend to Council that a note against land title be registered if the Inspector is a Building Official and believes that a building regulation has been contravened, in accordance with section 57 of the *Community Charter* and the Building Bylaw.
  - e) require a Special Safety Inspection of an Owner for a Parcel or Building;
  - f) coordinate the qualified professionals and authorities having jurisdiction who may conduct a Special Safety Inspection for an Owner;
  - g) approve a Hazardous Condition Requirement List that results from a Special Safety Inspection;
  - h) approve re-occupancy following completion of a Remedial Action Plan and any other requirements made under this Bylaw;
  - i) take authorized action in response to a failure to comply with this Bylaw.



- 4.2. No person may interfere with or obstruct an Inspector or agents working with or on behalf of the Inspector during the course of lawfully discharging their responsibilities under this Bylaw.
5. Special Safety Inspections
- 5.1. Where:
- a) an Inspector has reasonable grounds to believe that a Parcel or Building is a Controlled Substance Property; or
  - b) an Inspector has reasonable grounds to believe that a Hazardous Condition exists on a Parcel or in a Building; or
  - c) a Parcel or Building was used as an Unauthorized Drug Production Facility; or
  - d) a Parcel that was used for the purpose of carrying on an Authorized Operation ceases to be used for that purpose,
- the Inspector may require the Owner to undertake a Special Safety Inspection.
- 5.2. Where a Building Inspector has reasonable grounds to believe that a Hazardous Condition exists on a Parcel which affects the structural integrity of a Building, a Building Inspector may include in the Hazardous Condition Requirement List that the Owner must obtain a sealed report from a qualified professional engineer certifying that the Building is safe for occupancy and complies with the Building Code.
- 5.3. Where an Inspector has reasonable grounds to believe that a Hazardous Condition existing on a Parcel results from a Hazardous Substance, mould, or other matter related to a Hazardous Condition, the Inspector may include in the Hazardous Condition Requirement List any or all of the following requirements:
- a) that the Owner must retain a Qualified Environmental Professional to carry out an assessment of all Hazardous Conditions, including but not limited to the presence of Hazardous Substances and mould, and the Qualified Environmental Professional must provide a Remediation Action Plan in response to those Hazardous Conditions. The Remediation Action Plan must be prepared before any articles or materials have been removed from the Parcel and no actions may be taken which might prevent a comprehensive assessment of potential Hazardous Conditions on the Parcel;
  - b) that the Owner must retain a Qualified Contractor to carry out all measures identified in the Remediation Action Plan;
  - c) that the Owner must retain a Qualified Environmental Professional to verify that all measures identified in the Remediation Action Plan have been completed and the Parcel or Building is safe to re-occupy; and

- d) that the Owner must provide a certificate in a form prescribed by the City from a Qualified Environmental Professional certifying that the Parcel has been remediated in accordance with the Remediation Action Plan and that the Parcel meets the requirements of this Bylaw and is safe to re-occupy.

6. Requirements for Re-Occupancy

- 6.1. Where an Inspector has required the Owner to undertake a Special Safety Inspection, no person except an Inspector, an authorized agent acting on behalf of the City, or a qualified professional or qualified contractor implementing a Special Safety Inspection or Remedial Action Plan may enter or occupy the Parcel until all of the following conditions have been met:
  - a) a Special Safety Inspection of the Parcel has been conducted and a Hazardous Condition Requirement List has been issued;
  - b) the Owner has obtained all permits, approvals or authorizations required to carry out any work identified in the Remediation Action Plan;
  - c) the Owner has carried out or caused to be carried out all work identified in the Remediation Action Plan;
  - d) an Inspector has inspected the Parcel and determined that the work required in the Hazardous Condition Requirement List has been completed in accordance with the Remediation Action Plan and all requirements of this Bylaw and other applicable enactments, and that no Hazardous Condition remains in, on, or at the Parcel;
  - e) an Inspector has removed all notices posted pursuant to this Bylaw;
  - f) the Owner provides proof that all Utilities previously connected to the Parcel or Building have been properly connected;
  - g) when necessary, a Building Official has issued a new occupancy permit pursuant to the Building Bylaw; and
  - h) the Owner has paid all fees and fines imposed by City that are associated with the parcel and this Bylaw.

7. Discontinuation of City Utilities

- 7.1. The City may discontinue providing City Utilities to a Parcel if such City Utilities are being used for or in relation to an Unauthorized Drug Production Facility, provided that:
  - a) the City gives the Owner and Occupier of the Parcel 7 days written notice of an opportunity to make written representations to Council with respect to the proposed discontinuance of City Utilities; and

- b) after the persons affected have had an opportunity to make representations to Council, the City must give the Owner and Occupier of the Parcel an additional 7 days written notice of the discontinuance of the City Utilities.
- 7.2. Despite anything in this Bylaw, where an Inspector reasonably considers that there is a risk of backflow or contamination to the water Utility from a Controlled Substance Property or Authorized Operation, and there is no apparent mechanism to prevent that backflow or contamination, then:
  - a) the City may discontinue the provision of water to the Parcel immediately upon posting a notice on the front door of any Building on the Parcel that the City is disconnecting the water supply to the Parcel, until such time as a mechanism to prevent backflow and contamination is installed, inspected by a certified backflow tester, and approved by the City; and
  - b) the Owner may make representations to Council in connection with the discontinuance of the provision of water at the next regularly scheduled meeting of Council.
- 7.3. Despite anything in this Bylaw, where an Inspector reasonably considers that there is a risk of prohibited or deleterious substances or prohibited materials entering the City's storm sewer or sanitary sewer Utility from a Controlled Substance Property or Authorized Operation, and there is no way to stop the discharge of the prohibited substances or prohibited materials, then:
  - a) the City may discontinue the provision of sanitary sewer and storm sewer services to the Parcel immediately upon posting a notice on the front door of any Building on the Parcel that the City is disconnecting the service connections to the Parcel, until such time as the discharge has been verified as having stopped without risk of resumption; and
  - b) the Owner may make representations to Council in connection with the discontinuance of the provision of sanitary sewer and storm sewer services at the next regularly scheduled meeting of Council.
- 8. Owner Obligations Respecting Tenancies
  - 8.1. Every Owner of a Parcel or Building that has been rented, leased or is otherwise occupied by a third party and who becomes aware of its use as a Controlled Substance Property must:
    - a) within 24 hours of the discovery of this use, deliver written notice to an Inspector of the particulars of the contravention; and
    - b) within 60 days of the delivery of the notice, take such action as may be necessary to bring the Parcel or Building into compliance with this Bylaw.
  - 8.2. An Owner who is compliant with this section shall not be subject to an offence or penalty under this Bylaw, but is still responsible for the Special Safety Inspection and associated fee. However, at the City's discretion, a compliant Owner may propose coordinating the Special Safety Inspection directly, including

presentation of a Remedial Action Plan for approval by an Inspector, in which case only the direct costs of the City supplying its resources shall be billed to the Owner.

9. Owner's Responsibility

9.1. No action of the City, including without limitation:

- a) the removal of a notice posted under this Bylaw;
- b) the issuance of an approval under this Bylaw;
- c) the acceptance or review of plans, drawings or specifications or supporting documents submitted under this Bylaw; or
- d) any inspections made by or on behalf of the City,

will in any way relieve the Owner from full and complete responsibility to perform work required or contemplated under this Bylaw or the Building Code and all other applicable enactments, nor do they constitute in any way a representation, warranty, assurance or statement that the Building Code, this Bylaw, or any other applicable codes, standards or enactments have been complied with.

9.2. It is the full and complete responsibility of the Owner to carry out any work required pursuant to this Bylaw in compliance with this Bylaw and all other applicable codes, standards and enactments, including the Building Code.

9.3. When a Qualified Environmental Professional or other qualified professional provides certification or other documentation to the City under this Bylaw that work required by or contemplated by this Bylaw substantially conforms to the requirements of this Bylaw and any other enactment, the City may rely completely on this documentation as evidence of conformity with those requirements.

10. Offence and Penalty

10.1. Any person who contravenes or violates any provision of this Bylaw, allows any act or thing to be done in contravention or violation of this Bylaw, fails or neglects to do anything required to be done by this Bylaw or makes any false or misleading statement, commits an offence, and where the offence is a continuing one, each day the offence is continued constitutes a separate offence shall, upon being convicted of an offence under this Bylaw, a person shall be liable to pay a fine of not less than \$5,000 and not more than \$10,000.

10.2. This Bylaw may also and additionally be enforced by the City of Enderby Municipal Ticketing Information (MTI) System Bylaw No. 1518, 2013 and the City of Enderby Bylaw Notice Enforcement Bylaw No. 1581, 2015.

11. Failure to Comply

- 11.1. If an Owner or Occupier of a Parcel fails to comply with a requirement made under this Bylaw, the City may, within the time specified in the order or notice, enter on the Parcel and take such action as may be required to correct the default, including to investigate a real or potential Hazardous Condition, to remediate the Parcel, or to have the Parcel attain a standard specified in any enactment, at the expense of the Owner or Occupier who has failed to comply, and may recover the costs incurred as a debt.
- 11.2. If the Owner has failed to pay costs incurred to the City before the 31st day of December in the year that the action was taken, the costs must be added to and form part of the taxes payable on the property as taxes in arrears.

12. Severability

- 12.1. If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

13. Repeal

- 13.1. The City of Enderby Property Remediation Bylaw No. 1401, 2007 is hereby repealed.

READ A FIRST TIME this day of , 20 .

READ A SECOND TIME this day of , 20 .

READ A THIRD TIME this day of , 20 .

ADOPTED this day of , 20 .

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
ADMINISTRATOR

**THE CORPORATION OF THE CITY OF ENDERBY**

**MEMO**

*Agenda*

**To:** Tate Bengtson, CAO  
**From:** Barry Gagnon, Acting CFO  
**Date:** October 19, 2017  
**Subject:** Disclosure of Contracts - Council

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**RECOMMENDATION**

THAT Council receives and files this memorandum.

**BACKGROUND**

Section 107 of the Community Charter requires that any contract entered into by the City that would provide a member of Council with a direct or indirect financial interest be reported at a Council meeting that is open to the public.

During the said period, the City of Enderby entered into the following contracts:

July 1, 2017 - September 30, 2017

Council Member	Supplier	Amount
Councillor Baird	Baird Bros. Ltd.	\$ 1,117.17
Mayor McCune	GTI Petroleum	\$ 5,878.44

Respectfully submitted,



Barry Gagnon  
Acting Chief Financial Officer

# Quarterly Policing Report

3<sup>rd</sup> Quarter – July to September 2017



## Vernon North Okanagan Detachment

*Committed to preserve the peace, uphold the law and provide quality service in partnership with our communities*

Superintendent Jim McNamara  
Officer in Charge  
Vernon North Okanagan Detachment  
3402 - 30<sup>th</sup> Street  
Vernon, BC, V1T 5E5

Date: October 20<sup>th</sup>, 2017

**Re: Vernon/North Okanagan Detachment Policing Activity Report – 3<sup>rd</sup> Quarter 2017**

Crime statistics for specific areas are featured at the end of this report. Statistics reflect monthly totals for July to September 2017 and comparisons of the previous year, 2016.

During the third quarter of 2017, the Vernon North Okanagan saw a 5.59% increase in criminal code cases and a 6.79% increase in property crime. Our officers remain dedicated to our road safety initiatives, reporting a 56% increase in road safety check-stops conducted throughout the area.

With the state of emergency declared in British Columbia in response to the interface wild fires, our detachment was called upon to assist with the deployment of police officers to the affected areas to help with evacuations and scene security. In order to minimize the impact on our local policing operations, wherever possible, reserve constables and police officers on their regular time off were utilized. Our officers assisted with the wildfire efforts in the Cariboo, Lake Country, Kelowna and Cranbrook.

Over the summer our area was host to numerous community events which attracted many visitors. The Canada Day weekend drew crowds to the Funtastic ball tournament and music festival in Vernon and Armstrong hosted its' 118<sup>th</sup> annual Interior Provincial Exhibition, bringing in excess of 150,000 guests through the gates.

In September Vernon North Okanagan officers Cst. Nick Reimann, 4<sup>th</sup> time rider, Cst. Krista Boudreau, 3<sup>rd</sup> time rider, and transcriptionist Denise McMahon, also a 3<sup>rd</sup> time rider, joined team mates from various detachments in the South East District to participate in the Cops for Kids Ride. The route took riders through a grueling 10 days of challenging terrain from Kelowna through Osoyoos, Grand Forks, Castlegar, Creston, Cranbrook, Golden, Kamloops and Vernon. Their efforts raised in excess of \$325,000 this year in support of kids throughout South Eastern BC who have medical, physical or traumatic challenges.

On September 30<sup>th</sup>, the RCMP along with volunteers from the City of Vernon Safe Communities Unit participated in the "Cram the Cruiser" event held at the Anderson Way Superstore to help support the Vernon food bank and local Salvation Army.

This report reflects a representative sampling of our policing activities for the 3<sup>rd</sup> quarter of 2017.

**GENERAL INVESTIGATION SECTION (GIS):**

**Serious Crimes Unit:**

The following report is a synopsis of some of the most recent investigations the Vernon Serious Crimes Unit (SCU) have conducted. This report does not reflect all investigations that officers are working on and does not include information which could impact ongoing police investigations or those which are of interest to, or under investigation by, other agencies. SCU investigators continue to work on numerous historical major cases which were initiated outside of this reporting period.



- On July 19<sup>th</sup>, SCU attended a report of a homicide involving a local Vernon male. SCU has the lead and the investigation continues; 2017-16076.
- In August, SCU arrested a subject in breach of a valid Recognizance. This matter is currently before the courts; 2017-18981.
- In August, SCU assisted Vernon general duty with the investigation of the aggravated assault of an individual. SCU officers conducted interviews and obtained a Search Warrant; 2017-19832.
- In September, SCU assumed conduct of the investigation of a missing Vernon woman; 2017-12108.

#### **Domestic Violence Unit (DVU):**

The DVU had five new ICAT referrals during this period, including an offender with a significant domestic violence history (2017-15387), an offender who recently returned to Canada after being out of the country for a lengthy period (2017-19033) and an incarcerated offender who has a history of domestic violence and had requested another inmate contact the victim on his behalf (2017-19674).

#### **TARGETED POLICING:**

Targeted Policing provided assistance to a number of General Duty, Serious Crimes and Provincial GIS investigations. In an effort to continue working closely with partner agencies and stakeholders, the Targeted Policing Unit meet regularly with numerous partner agencies including Outreach, Interagency, Mentally Disordered Offenders, COOL Team and the Public Spaces Action Team, which began as a multi-agency approach to harmful behaviors and safety concerns around public areas.

#### **Task Force (TF):**

- In July, an investigation by Task Force of a male, previously charged with trafficking drugs in Vernon and found to be smuggling drugs into Kamloops Correctional Center, resulted in charges of possession of heroin/fentanyl for the purpose of trafficking; 2017-9955.
- In August, Task Force investigated a male trafficking in drugs as part of a group operated by a Provincial Tactical Enforcement Priority target. The youth was charged with possession for the purpose of trafficking cocaine and fentanyl; 2017-20002.

#### **Crime Reduction Unit (Downtown Enforcement Unit & Prolific Offenders):**

- Prolific Offenders: There are 22 prolific offenders identified for monitoring in our area. Of those, there are currently 11 in custody.
- In July, Targeted Policing, including Task Force officers and the Prolific Offender investigator, conducted surveillance on a prolific offender which resulted in the arrest of a 32 year old male. The male was charged with possession of cocaine and fentanyl for the purpose of trafficking; 2017-15976.

- In July, a local offender bound by a curfew condition was found in breach and arrested by the Downtown Enforcement Unit. This resulted in the seizure of cocaine and a possession of cocaine for the purpose of trafficking charge; 2017-14802.
- In August, a prolific offender was arrested and charged in relation to a series of residential break and enters. The investigation continues with the expectation of additional charges; 2017-18171.
- In September, 2017, a suspect in a series of robberies of commercial stores in the area of 27 Street and 43 Avenue in Vernon was arrested and charged with one count of robbery. The investigation continues and further charges are anticipated; 2017-21452.
- The Crime Reduction Unit has played a key role in conducting patrols and meeting with stakeholders to find solutions to ongoing problems in key areas of the community, including areas around Polson Park and Linear Park.

#### **Provincial Tactical Enforcement Priority (PTEP):**

- Targeted Policing continues to participate in the policing priority of identifying, profiling, selecting and targeting individuals and/or groups that are involved in criminal activity and that, because of their association to gangs/organized crime, pose a safety risk to the community.
- With prior enforcement action and relocation of certain targets, there were five (down from nine) such persons/groups identified and submitted from the Vernon North Okanagan area.

#### **NORTH OKANAGAN RURAL GENERAL INVESTIGATION SECTION (GIS):**

The following report is a synopsis of some of the most recent investigations that the Provincial GIS have received and investigated, however does not reflect all investigations that officers are working on.

- On August 27<sup>th</sup>, the Rural GIS unit assumed conduct of an incident on Salmon River Road in Falkland where a female escort was threatened by a male with a firearm. The female was not injured and the investigation continues; 2017-20142.

#### **NORTH OKANAGAN RURAL GENERAL DUTY (GD):**

- On July 4<sup>th</sup>, police responded to a farming accident where a farm tractor rolled down an embankment in Spallumcheen. The tractor operator was deceased and the BC Coroner Service and Work Safe BC have assumed conduct of the investigation; 2017-14597.
- On July 7<sup>th</sup>, a business in Enderby reported unknown suspect(s) had cut the compound fence, caused damage to work trucks and stole \$3000 in assorted tools. No suspects were identified; 2017-14852.
- On July 12<sup>th</sup>, police were advised of a serious assault which occurred in the Enderby area. The male victim was assaulted by an unidentified male with a tire iron in relation to a drug debt. The victim refused to co-operate with police; 2017-15404.

- On July 20<sup>th</sup>, a business in Armstrong was broken into through the buildings' attic and their cash float was stolen. The Forensic Identification Section examined the scene and the investigation continues; 2017-16199.
- On July 27<sup>th</sup>, a legal marihuana production facility in Enderby was broken into and items were stolen. The Police Dog Service attended the scene and tracked three suspects who were arrested in possession of the stolen property; 2017-16923.
- On July 31<sup>st</sup>, police attempted to stop a stolen vehicle on Hwy 97A in Spallumcheen. The stolen vehicle struck a police vehicle, pushing it sideways for several feet and then struck a civilian vehicle. The male was arrested and faces numerous charges; 2017-17308.
- On August 1<sup>st</sup>, police investigated a missing 18 year old female from Spallumcheen. Police located the female at the homeless camp in Vernon's Polson Park; 2017-17414.
- On August 5<sup>th</sup>, police attended to a domestic assault in Mara BC where a male and a female were fighting with a baseball bat and a golf club. Both individuals were uncooperative with police, however independent witnesses identified the male as the aggressor and noted that he also injured the female's dog. The male was arrested for assault with a weapon and cruelty to animals; 2017-17900.
- On August 8<sup>th</sup>, at approximately midnight a male walking in the middle of the Hwy 97A in Spallumcheen was struck and killed by a motorist. North Okanagan Traffic Service and the BC Corner Service have assumed conduct of the investigation; 2017-18245.
- On August 19<sup>th</sup>, a female reported she had been sexually assaulted by an unknown male two days prior, while she was walking in Enderby at approximately 2 a.m. No suspect has been identified and the investigation continues; 2017-19294.
- On August 22<sup>nd</sup>, police responded to a break and enter in progress at a legal marihuana production facility in Mara BC. The Police Dog Service tracked two suspects and located a firearm. The males were arrested and charges of robbery with a firearm, forcible confinement, weapons possession and possession of stolen property have been recommended. The suspects are still in custody and the investigation continues; 2017-19529.
- On August 25<sup>th</sup>, a male with a serious medical condition was reported missing from Enderby. The male was located in Kelowna by police. He was acting erratically so he was apprehended and taken to hospital; 2017-19847.
- On September 1<sup>st</sup>, security at the Interior Provincial Exhibition in Armstrong advised police that a female was causing a disturbance and had bitten a ride operator. She was arrested and during the arrest assaulted a police officer. When booking the female into the cell block she assaulted a second officer. The female is charged with cause a disturbance, assault and sexual assault; 2017-20685.

- On September 18<sup>th</sup>, an off duty police officer reported two suspicious persons in a rural area of Spallumcheen. When the police arrived, the male suspect fled into the bush and the female was detained. The male suspect was located hiding in a creek bed. Both suspects were wanted on outstanding warrants and face additional breach of conditions charges; 2017-22262.
- On September 21<sup>st</sup>, a family reported a male missing from a rural residence in Spallumcheen after the male sent suicidal text messages. Police Dog Service conducted a search of the property and located the deceased male. BC Coroner Services assumed conduct of the investigation; 2017-22568.

## **TRAFFIC ENFORCEMENT:**

### North Okanagan Rural:

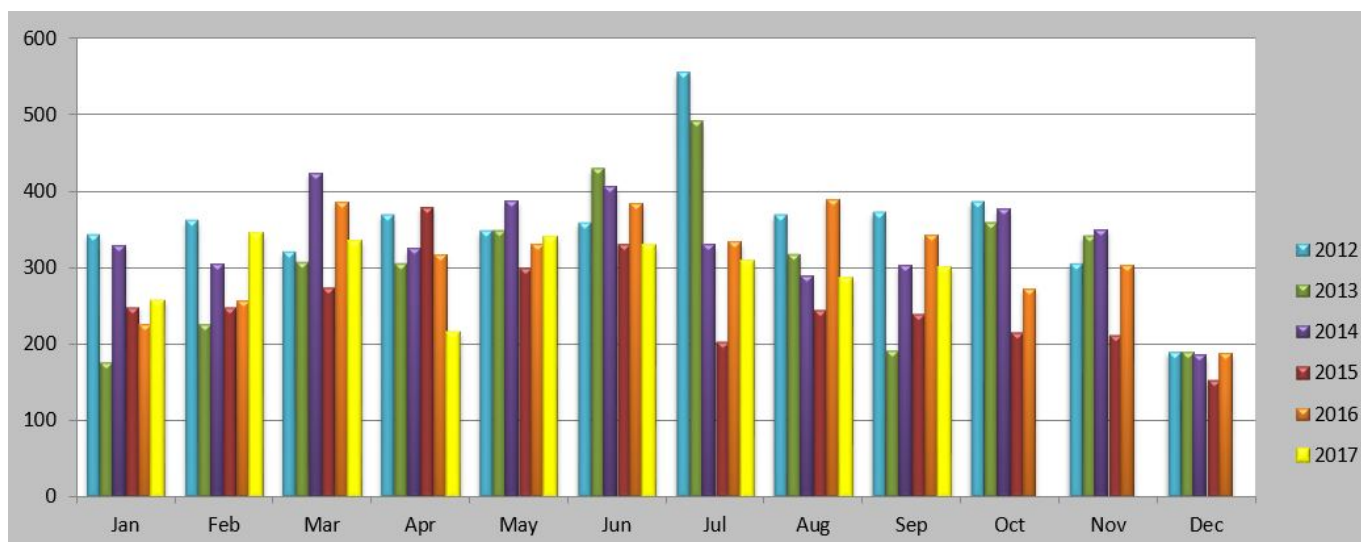
- Road Check Stops - 27
- Impaired Drivers taken off road by way of suspension or charge - 24
- Distracted Driver charge - 3

Area	Violation Ticket	Warning
<b>Armstrong</b>	25	31
<b>Enderby</b>	69	36
<b>Falkland</b>	60	18
<b>Lumby</b>	58	8
<b>Spallumcheen</b>	55	39
<b>Westside</b>	45	13

### Vernon/Coldstream:

- Road Check Stops - 12
- Impaired Drivers taken off road by way of suspension or charge - 88
- Distracted Driver charge - 16

Area	Violation Ticket	Warning
<b>Vernon</b>	539	135
<b>Coldstream</b>	110	42
<b>Vernon Rural</b>	18	1



\*\*\*This graph depicts the total traffic enforcement (Tickets & Warnings) results for Vernon, Coldstream & Vernon Rural areas\*\*\*

## FORENSIC IDENTIFICATION SECTION (FIS):

Our FIS is operating with three regular officers and has one reserve officer dedicated to the Vernon North Okanagan Detachment policing jurisdiction. During this quarter a total of 21 individuals were identified on 16 files through fingerprints or other types of physical evidence.

FIS Calls for Service:

Offence	Vernon	Rural
Break & Enter	23	6
Theft Vehicle	19	5
Theft	13	4
Mischief	4	4
Assault	1	0
Armed Robbery	2	0
Misc.	8	3
<b>Total Calls</b>	<b>70</b>	<b>22</b>

*Note: "Vernon" FIS Calls for Service encompass Vernon, Coldstream and Vernon Rural. The "Rural" calls for service include Armstrong, Enderby, Falkland, Lumby & Westside.*

## POLICE DOG SERVICES (PDS):

The Vernon North Okanagan PDS had two officers operational during this quarter and conducted successful tracks with the following results:

- the arrest of a subject who had robbed the Royal Bank in Polson Mall (2017-15176);
- the apprehension of three subjects who had broken into a legal marijuana grow operation in Enderby. PDS recovered several items of stolen property along the track including bags of marihuana located in the vehicle occupied by the subjects (2017-16923);
- the arrest of a male who was intoxicated and threatened to harm his common law wife in Vernon (2017-17982);
- the search of a rural acreage in Enderby where they located a missing deceased male (2017-22568), and
- tracked a suspect, who had robbed the Super 8 Motel, to another motel in the area (2017-23236).

## RESERVISTS:

The Vernon North Okanagan reservists conduct targeted traffic enforcement in our communities as well as participate in other duties in support of our General Duty and specialized units. These other duties include, wild fire deployments, crime scene security, in-house training and liaison with Search & Rescue.

Detachment	Patrols	V.T.	Warnings
Vernon	15	68	7
Coldstream	14	86	43
Armstrong	2	2	1
Enderby	1	9	0
Falkland	3	15	1
Lumby	0	0	0
Spallumcheen	2	2	0
Westside Road	3	12	0
<b>Total</b>	<b>40</b>	<b>194</b>	<b>52</b>

## SCHOOL RESOURCE OFFICER (SRO):

During July and August Cst. Daniel Cocks was redeployed to a general duty watch to assist with the busy summer period. In September Cst. Cocks resumed his position as the School Resource Officer for his third year. Over the past month he has attended to the schools to reacquaint himself with students and staff, conducted lock down drills at the Elementary schools, conducted internet safety lectures and spoken with Law 12 students. Cst. Cocks is in the early planning stages for the 2018 RCMP Youth Academy.

## COMMUNITY POLICING:

The 53 members of the City of Vernon RCMP volunteers participated in 1235 hours of patrols, Speed Watch and events. They assisted with Funtastic, Canada Day fireworks, Okanagan Military Tattoo, the Polson Park Command trailer information booth, the City of Vernon 150 year celebration BBQ and the 55+ Games. The Community Safety Unit has 17 active volunteers who have conducted 762.5 hours of volunteer work at the office, answering 289 phone calls and speaking with 641 walk-in clients.

## AUXILIARY CONSTABLES:

There have been no further updates regarding changes to the RCMP Auxiliary Constable Program. No decisions have been reached regarding training standards or uniform requirements. The Vernon North Okanagan Detachment is awaiting further direction from National Headquarters.

## HUMAN RESOURCES:

- Established Levels: Vernon/North Okanagan Detachment is currently at 100 Regular Officers: 56 City of Vernon; 33 Provincial; 7 Coldstream; 3 Spallumcheen and 1 Splat's in First Nation.
- Funded Levels: As of the September 30<sup>th</sup> Vernon/North Okanagan Detachment billed 50.28 City of Vernon; 30.03 Provincial, 5.43 Coldstream; 2.67 Spallumcheen and 1 Splat's in First Nations.

### 3<sup>rd</sup> Quarter Statistics – City of Vernon

ACTIVITY TYPE	July 2016	July 2017	August 2016	August 2017	Sept 2016	Sept 2017
<b>Total Files</b>	1604	1685	1539	1579	1508	1482
Robbery	4	5	6	4	6	2
Assault (Includes DV)	34	34	35	22	34	38
Domestic Violence	9	14	5	5	9	12
Sex Offence	6	1	1	7	2	5
B&E Residence	42	27	26	21	18	10
B&E Commercial	11	5	9	5	18	8
Theft of Vehicle	24	18	16	7	20	15
Theft From Vehicle	73	51	68	64	104	82
Theft Over \$5000	-	3	2	2	1	3
Theft Under \$5000	78	101	84	92	74	104
Drug Offence	37	29	28	28	21	25
Liquor Offences	63	60	42	31	45	27
Impaired Driving	3	9	6	8	3	15
24 Hour Driving Suspension	6	6	5	17	4	5
Motor Vehicle Accidents	63	54	76	67	51	39

### 3<sup>rd</sup> Quarter Statistics – Vernon Rural

ACTIVITY TYPE	July 2016	July 2017	August 2016	August 2017	Sept 2016	Sept 2017
<b>Total Files</b>	208	201	243	196	211	199
Robbery	-	-	-	-	-	1
Assault (Includes DV)	3	2	-	7	1	-
Domestic Violence	2	-	-	1	-	-
Sex Offence	-	-	-	-	-	-
B&E Residence	4	3	4	1	6	1
B&E Commercial	3	7	3	3	2	-
Theft of Vehicle	3	2	2	2	4	1
Theft From Vehicle	7	3	9	11	14	11
Theft Over \$5000	-	-	2	2	1	1
Theft Under \$5000	7	4	4	4	3	3
Drug Offence	-	4	3	-	1	1
Liquor Offences	1	2	1	-	1	-
Impaired Driving	1	1	-	-	-	-
24 Hour Driving Suspension	-	2	-	-	2	1
Motor Vehicle Accidents	9	11	16	13	15	13

*“The quarter crime statistics are a sampling of the 15 most commonly reported Crime Codes which have the greatest impact on communities and provide police with valuable insight into crime activities and trends. Currently, there are over 700 Crime/Survey Codes utilized by Canadian policing agencies in the reporting of crime to the Canadian Centre for Justice in Ottawa.”*

### 3<sup>rd</sup> Quarter Statistics – District of Coldstream

ACTIVITY TYPE	July 2016	July 2017	August 2016	August 2017	Sept 2016	Sept 2017
<b>Total Files</b>	135	178	150	189	133	136
Robbery	-	-	-	-	-	-
Assault (Includes DV)	2	1	4	6	1	2
Domestic Violence	1	-	2	-	-	1
Sex Offence	-	-	1	3	-	-
B&E Residence	7	3	3	3	8	3
B&E Commercial	7	-	1	-	-	-
Theft of Vehicle	-	1	4	-	5	1
Theft From Vehicle	4	15	10	16	21	28
Theft Over \$5000	-	3	-	-	-	-
Theft Under \$5000	4	2	3	3	2	4
Drug Offence	1	1	-	2	1	-
Liquor Offences	7	6	4	5	-	1
Impaired Driving	-	1	2	1	-	-
24 Hour Driving Suspension	1	-	-	-	-	-
Motor Vehicle Accidents	4	3	4	7	5	2

### 3<sup>rd</sup> Quarter Statistics – City of Armstrong

ACTIVITY TYPE	July 2016	July 2017	August 2016	August 2017	Sept 2016	Sept 2017
<b>Total Files</b>	132	109	95	109	139	116
Robbery	-	-	-	-	-	-
Assault (includes DV)	3	2	-	1	6	5
Domestic Violence	1	1	-	-	1	-
Sex Offence	1	-	1	-	-	2
B&E Residence	1	1	-	1	-	-
B&E Commercial	-	1	1	-	-	5
Theft of Vehicle	2	-	-	1	1	1
Theft From Vehicle	11	2	9	4	7	3
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	5	5	2	4	6	3
Drug Offence	1	1	-	-	5	2
Liquor Offences	8	3	7	4	9	9
Impaired Driving	-	-	-	-	-	1
24 Hour Driving Suspension	1	1	-	-	-	-
Motor Vehicle Accidents	4	2	4	5	4	1

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### 3<sup>rd</sup> Quarter Statistics – Spallumcheen

ACTIVITY TYPE	July 2016	July 2017	August 2016	August 2017	Sept 2016	Sept 2017
<b>Total Files</b>	102	115	113	124	101	101
Robbery	-	-	-	-	-	-
Assault (Includes DV)	2	1	2	-	3	4
Domestic Violence	1	1	1	-	1	2
Sex Offence	-	-	-	-	-	-
B&E Residence	2	1	1	-	4	-
B&E Commercial	-	-	1	-	1	-
Theft of Vehicle	2	1	2	-	1	3
Theft From Vehicle	1	1	2	2	3	-
Theft Over \$5000	-	-	-	1	-	1
Theft Under \$5000	2	3	3	2	2	1
Drug Offence	3	2	-	1	-	1
Liquor Offences	1	2	-	1	3	-
Impaired Driving	-	1	1	1	-	-
24 Hour Driving Suspension	2	2	-	-	-	1
Motor Vehicle Accidents	10	7	7	2	5	9

### 3<sup>rd</sup> Quarter Statistics – City of Enderby

ACTIVITY TYPE	July 2016	July 2017	August 2016	August 2017	Sept 2016	Sept 2017
<b>Total Files</b>	90	109	126	132	87	96
Robbery	-	-	-	1	-	1
Assault (Includes DV)	-	2	1	3	3	2
Domestic Violence	-	-	-	2	2	1
Sex Offence	-	-	1	2	-	-
B&E Residence	-	1	1	-	2	1
B&E Commercial	-	2	-	1	1	-
Theft of Vehicle	1	4	1	1	1	-
Theft From Vehicle	-	8	5	5	1	5
Theft Over \$5000	1	-	-	-	-	-
Theft Under \$5000	2	4	6	4	5	2
Drug Offence	-	2	-	3	2	1
Liquor Offences	2	8	4	8	2	6
Impaired Driving	-	1	-	-	-	-
24 Hour Driving Suspension	-	-	1	-	-	-
Motor Vehicle Accidents	2	1	3	3	1	4

*“The quarter crime statistics are a sampling of the 15 most commonly reported Crime Codes which have the greatest impact on communities and provide police with valuable insight into crime activities and trends. Currently, there are over 700 Crime/Survey Codes utilized by Canadian policing agencies in the reporting of crime to the Canadian Centre for Justice in Ottawa.”*

### 3<sup>rd</sup> Quarter Statistics – Enderby Rural

ACTIVITY TYPE	July 2016	July 2017	August 2016	August 2017	Sept 2016	Sept 2017
<b>Total Files</b>	62	96	70	116	68	81
Robbery	-	-	-	1	-	-
Assault (Includes DV)	-	1	2	2	2	4
Domestic Violence	-	-	2	-	-	-
Sex Offence	-	-	-	-	-	-
B&E Residence	-	2	1	1	1	-
B&E Commercial	-	1	-	-	1	1
Theft of Vehicle	-	-	1	1	4	2
Theft From Vehicle	1	-	-	2	1	1
Theft Over \$5000	-	-	-	-	1	-
Theft Under \$5000	2	2	1	2	-	1
Drug Offence	-	-	1	2	-	1
Liquor Offences	1	1	-	2	1	-
Impaired Driving	-	-	-	2	1	1
24 Hour Driving Suspension	1	1	1	2	-	1
Motor Vehicle Accidents	2	6	10	8	9	5

### 3<sup>rd</sup> Quarter Statistics – Village of Falkland

ACTIVITY TYPE	July 2016	July 2017	August 2016	August 2017	Sept 2016	Sept 2017
<b>Total Files</b>	14	16	18	17	13	19
Robbery	-	-	-	-	-	-
Assault (Includes DV)	-	-	2	-	-	-
Domestic Violence	-	-	1	-	-	-
Sex Offence	-	-	-	-	-	-
B&E Residence	-	-	-	1	-	-
B&E Commercial	-	-	-	1	-	1
Theft of Vehicle	1	-	-	-	1	-
Theft From Vehicle	-	-	2	1	-	-
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	1	-	-	-	-	1
Drug Offence	-	-	-	-	-	-
Liquor Offences	-	-	-	1	-	-
Impaired Driving	-	-	-	-	-	-
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	-	2	1	1	1	-

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3 <sup>rd</sup> Quarter Statistics – Falkland Rural						
ACTIVITY TYPE	July 2016	July 2017	August 2016	August 2017	Sept 2016	Sept 2017
<b>Total Files</b>	64	54	58	82	50	71
Robbery	1	-	-	-	-	-
Assault (Includes DV)	-	2	-	3	4	-
Domestic Violence	-	1	-	2	-	-
Sex Offence	1	-	-	-	-	-
B&E Residence	1	1	1	2	-	-
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	3	-	1	1	-	1
Theft From Vehicle	-	-	1	1	-	-
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	-	1	-	2	-	1
Drug Offence	-	-	-	1	-	-
Liquor Offences	-	-	-	-	-	-
Impaired Driving	-	-	-	-	-	1
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	4	2	5	6	5	5

3 <sup>rd</sup> Quarter Statistics – Village of Lumby						
ACTIVITY TYPE	July 2016	July 2017	August 2016	August 2017	Sept 2016	Sept 2017
<b>Total Files</b>	51	60	40	50	40	31
Robbery	-	-	-	-	1	-
Assault (Includes DV)	-	1	1	2	1	-
Domestic Violence	-	1	1	1	-	-
Sex Offence	-	-	-	-	-	1
B&E Residence	-	-	-	-	-	-
B&E Commercial	1	1	-	1	-	-
Theft of Vehicle	1	1	2	1	-	-
Theft From Vehicle	-	4	1	-	1	-
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	-	1	-	-	-	1
Drug Offence	-	1	-	1	3	-
Liquor Offences	-	1	2	2	1	-
Impaired Driving	-	-	-	-	1	-
24 Hour Driving Suspension	1	-	-	-	-	-
Motor Vehicle Accidents	-	1	-	1	-	3

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### 3<sup>rd</sup> Quarter Statistics – Lumby Rural

ACTIVITY TYPE	July 2016	July 2017	August 2016	August 2017	Sept 2016	Sept 2017
<b>Total Files</b>	78	67	71	78	67	54
Robbery	-	-	-	-	-	-
Assault (Includes DV)	5	1	2	2	2	1
Domestic Violence	3	1	1	-	1	-
Sex Offence	-	-	-	-	-	-
B&E Residence	-	-	-	1	1	-
B&E Commercial	2	2	1	1	-	-
Theft of Vehicle	3	-	-	1	-	-
Theft From Vehicle	-	-	-	-	1	-
Theft Over \$5000	-	-	-	-	-	-
Theft Under \$5000	4	2	4	1	1	1
Drug Offence	-	-	1	-	-	-
Liquor Offences	1	-	1	-	-	2
Impaired Driving	-	-	1	1	-	-
24 Hour Driving Suspension	1	-	-	-	-	-
Motor Vehicle Accidents	12	7	11	5	8	3

### 3<sup>rd</sup> Quarter Statistics – OKIB

ACTIVITY TYPE	July 2016	July 2017	August 2016	August 2017	Sept 2016	Sept 2017
<b>Total Files</b>	39	54	40	45	39	57
Robbery	-	-	-	-	-	-
Assault (Includes DV)	1	-	-	5	-	1
Domestic Violence	1	-	-	1	-	-
Sex Offence	-	-	-	-	-	-
B&E Residence	-	-	-	-	-	-
B&E Commercial	-	-	-	-	-	-
Theft of Vehicle	-	1	2	-	-	1
Theft From Vehicle	-	2	2	-	2	-
Theft Over \$5000	-	-	-	1	-	1
Theft Under \$5000	-	1	-	-	-	3
Drug Offence	-	1	-	-	-	1
Liquor Offences	-	1	1	1	1	-
Impaired Driving	-	-	-	-	-	-
24 Hour Driving Suspension	-	1	-	-	-	-
Motor Vehicle Accidents	2	4	4	4	3	4

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### 3<sup>rd</sup> Quarter Statistics – Splatsin

ACTIVITY TYPE	July 2016	July 2017	August 2016	August 2017	Sept 2016	Sept 2017
<b>Total Files</b>	36	31	40	32	31	26
Robbery	-	-	-	-	-	-
Assault (Includes DV)	2	1	-	2	5	1
Domestic Violence	2	-	-	-	3	-
Sex Offence	-	-	-	-	-	-
B&E Residence	1	-	-	1	1	-
B&E Commercial	1	-	-	-	-	-
Theft of Vehicle	-	-	-	-	-	-
Theft From Vehicle	-	-	2	-	-	1
Theft Over \$5000	-	1	-	-	-	-
Theft Under \$5000	-	-	1	1	1	1
Drug Offence	1	-	1	-	-	-
Liquor Offences	-	-	-	-	-	-
Impaired Driving	-	-	-	-	-	1
24 Hour Driving Suspension	-	-	-	-	-	-
Motor Vehicle Accidents	3	3	3	7	1	1

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**CASELOAD:**

- Number of new files: 152
- Client type: Female: 115 Male: 37
- Adult: 114 Child: 3 Youth: 6 Senior: 11 Unknown: 18
- Number of new clients from family violence: 31
- Number of hours out on call, after hours (staff and volunteers): 35 hours
- Number of volunteer in-office service hours: 309 hours
- Number of volunteer stand-by on-call hours: 1701 hours
- Number of staff stand by on call hours: 4163 hours
- Number of volunteers: 13 (with 1 away on leave)
- Number of staff: Full time: 2 Part time: 1 Casual: 1

**HIGHEST NUMBER OF INCIDENT TYPES:**

- Domestic
- Sudden death
- Homicide
- Suicide
- Sexual assault

**AREA OF COVERAGE:**

- Vernon
- Coldstream
- Armstrong
- Spallumcheen
- Enderby
- Lumby
- Cherryville
- Falkland

**CLIENT CONTACT/SUPPORT:**

- Daily in office client support
- Out of office client meetings
- Court support, orientation, and court tours
- Assistance with completion of Crime Victims Assistance Applications and Victim Impact Statements
- After hour call-outs

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**VOLUNTEER/STAFF TRAINING/PROGRAM DEVELOPMENT:**

- New volunteer weekly training to July 6<sup>th</sup> and then in office individual training and monthly group training.

**SERVICE PROVIDERS/COMMUNITY TRAINING:**

- Nothing to report over the summer months.

**COMMUNITY MEETINGS:**

- Integrated Case Assessment Team (ICAT) meetings
- Violence Against Women in Relationships (VAWIR) committee meeting
- Suicide Prevention committee meetings
- Oak Centre Leadership and Case Management meetings
- Sexual Assault Services meeting (SAS)

**OPERATIONAL MEETINGS:**

- Detachment liaison meetings
- RDNO employee/liaison/staff meetings
- Program Manager and RDNO Administrator meetings
- Health and Safety meetings
- Police Victim Services of BC board meetings

Our unit has spent a considerable amount of time this quarter supporting clients with court updates, court accompaniment and assistance with Victim Impact Statements.

Victim services supported families affected by fire this summer at the Vernon ESS reception center with volunteers and staff putting in volunteer/staff time to offer support where needed. (54 hours)

The new group of volunteers have completed training now, and we have 10 new volunteers starting in the office. Most have completed their volunteer orientation, and a few are going through that process now.

Our volunteers are continuing to be introduced to community agencies and are attending monthly training meetings in the office.

**Completed by: Anita EILANDER**  
**Program Manager**

Agenda

## THE CORPORATION OF THE CITY OF ENDERBY

### MEMO

To: Tate Bengtson, Chief Administrative Officer  
From: Kurt Inglis, Planner and Deputy Corporate Officer  
Date: October 25, 2017  
Subject: Community Wildfire Protection Plan Update - Award of Contract

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#### **RECOMMENDATION**

THAT Council awards the contract for the Community Wildfire Protection Plan Update to Forsite Consultants Ltd in the amount of \$22,500.

#### **BACKGROUND**

The Strategic Wildfire Prevention Initiative (SWPI) is a suite of funding programs managed through the Strategic Wildfire Prevention Working Group – which includes representation from the First Nations' Emergency Services Society, Ministry of Forests, Lands & Natural Resource Operations and the Union of BC Municipalities (UBCM); funding is provided by the Province of BC and is administered by UBCM. The initiative supports communities to mitigate risk from wildfire in the wildland urban interface.

In early 2016, the City of Enderby submitted a grant application under the *Community Wildfire Protection Plan and Update Program* funding stream of SWPI in order to update its Community Wildfire Plan (CWPP), given that the community context and SWPI standards have changed considerably since the plan was developed back in 2009. The City has received confirmation that it was successful in its application and has received the maximum grant amount of \$22,500, with the City to provide a cash and in-kind local contribution of up to \$7,500.

Staff have put out a request for proposals on updating the City's Community Wildfire Protection Plan consistent with all the applicable terms, conditions and requirements of the *Community Wildfire Protection Plan and Update Program*. A total of three submissions were received and these proposals were ranked through a weighted scoring matrix based on methodology (40%), qualifications (10%) and cost (50%). The weighted scores of the three submissions are as follows:

Consultant	Weighted Score
Forsite Consultants Ltd.	99.00
B.A. Blackwell & Associates Ltd.	87.75
Davies Wildfire Management Inc.	87.68



Given that Forsite Consultants Ltd. had the highest weighted score and was also the low bid, Staff are recommending that Council awards the contract for the Community Wildfire Protection Plan Update to Forsite Consultants Ltd in the amount of \$22,500. Staff have contacted the references provided by Forsite Consultants Ltd as part of their proposal and all feedback received was positive.

Respectfully Submitted,



Kurt Inglis  
Planner and Deputy Corporate Officer