

THE CORPORATION OF THE CITY OF ENDERBY

BYLAW NO. 1648

A BYLAW TO AMEND THE CITY OF ENDERBY GOOD NEIGHBOUR BYLAW NO. 1517, 2013

WHEREAS Council of the City of Enderby has adopted “The City of Enderby Good Neighbour Bylaw No. 1517, 2013”;

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 Good Neighbour Bylaw No. 1517, 2013 Amendment Bylaw No. 1648, 2018”.
2. PART IV - PROPERTY MAINTENANCE of City of Enderby Good Neighbour Bylaw No. 1517, 2013 is hereby amended by including Section 4.6.1 as follows:
 - 4.6.1 No person shall place, leave or allow any vehicle, article, thing, snow, or other matter to interfere with access to or to be located within one (1) metre of a fire hydrant or fire connection.
3. PART IV - PROPERTY MAINTENANCE of City of Enderby Good Neighbour Bylaw No. 1517, 2013 is hereby amended by replacing Section 4.10 as follows:
 - 4.10 If, in the opinion of the *Bylaw Enforcement Officer*, the owner of *real property* or other responsible person fails to comply with a requirement of this Bylaw, the *Bylaw Enforcement Officer* is delegated the authority to issue a Compliance Order requiring that the owner or other responsible person brings the *real property* into compliance within a reasonable period of time.
4. PART IV - PROPERTY MAINTENANCE of City of Enderby Good Neighbour Bylaw No. 1517, 2013 is hereby amended by replacing Section 4.18.g as follows:
 - g) the Council reconsideration provisions outlined in Part VIII of this Bylaw.
5. PART IV - PROPERTY MAINTENANCE of City of Enderby Good Neighbour Bylaw No. 1517, 2013 is hereby amended by deleting Section 4.19.
6. PART V - NUISANCE SMOKE/OPEN AIR BURNING of City of Enderby Good Neighbour Bylaw No. 1517, 2013 is hereby amended by replacing the second paragraph of Section 5.2 as follows:

When specifically allowed to burn under this bylaw, no *person* may start a fire if wind and weather are such that to do so is likely to be hazardous, or when inconsistent with a Provincial regulation or enactment, or when the Fire Chief, Chief Administrative Officer, or Emergency Operations Centre Director has implemented a ban or prohibition upon such activities, unless authorized in writing.

7. PART VII - ENFORCEMENT AND PENALTY of City of Enderby Good Neighbour Bylaw No. 1517, 2013 is hereby amended by deleting Section 7.8.
8. City of Enderby Good Neighbour Bylaw No. 1517, 2013 is hereby amended by including PART VIII - COUNCIL RECONSIDERATION and renumbering subsequent Parts of the Bylaw as follows:
 - 8.1 A person may request that Council reconsider:
 - a) the issuance or terms of a Compliance Order;
 - b) the placement on an Enhanced Compliance Schedule for a 12 month period; or
 - c) a demand for payment of Excessive Nuisance Abatement Fees;by submitting a written request for reconsideration to the City's Corporate Officer in accordance with Section 8.2 of this bylaw.
 - 8.2 All requests for reconsideration must:
 - a) be submitted in writing to the Corporate Officer within:
 - i. ten (10) days of the Compliance Order being served in accordance with Sections 4.10 and 4.11 of this bylaw;
 - ii. three (3) days of the Compliance Order being served in accordance with Sections 4.10, 4.11, and 4.17 (a) of this bylaw (Enhanced Compliance Schedule);
 - iii. thirty (30) days of receiving written notice confirming that a property has been placed on an Enhanced Compliance Schedule for a 12 month period; or
 - iv. ten (10) days of the demand for payment of Abatement Fees or the demand for payment of Excessive Nuisance Abatement Fees is issued by the City;as the case may be; and
 - b) include a description of the grounds upon which the request for Council reconsideration is made.
 - 8.3 Upon receipt of a request for reconsideration, the Corporate Officer shall schedule the time, date, and place for Council to hear the matter.
 - 8.4 Upon reconsidering the matter, Council may confirm, set aside, or alter the order, placement, or demand, as it may deem appropriate.
9. Schedule "A" of City of Enderby Good Neighbour Bylaw No. 1517, 2013 is hereby amended by including the definition of 'Compliance Order' as follows:

“Compliance Order” means an order issued pursuant to Section 4.10 of this bylaw;

10. Schedule "D" of City of Enderby Good Neighbour Bylaw No. 1517, 2013 is hereby amended by replacing the definition of 'derelict vehicle' as follows:

“derelict vehicle” means any vehicle or part thereof, typically propelled otherwise than by muscle power which:

- (a) is physically wrecked or disabled;
- (b) is not capable of operating under its own power; or
- (c) does not have attached number plates for the current year pursuant to the regulations of the *Motor Vehicle Act* of the Province of British Columbia

READ a FIRST time this 19th day of February, 2018.

READ a SECOND time this 19th day of February, 2018.

READ a THIRD time this 19th day of February, 2018.

ADOPTED this 5th day of March, 2018.

MAYOR

CHIEF ADMINISTRATIVE OFFICER