



CITY OF CAMPBELL RIVER
PROVINCE OF BRITISH COLUMBIA
BYLAW NO. 3310, 2007

A BYLAW OF THE CITY OF CAMPBELL RIVER RELATING TO NUISANCE AND DISTURBANCES AND TO THE CARE, MAINTENANCE AND REGULATION OF PROPERTY WITHIN THE CITY OF CAMPBELL RIVER.

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

Title

1.0 This Bylaw may be cited for all purposes as the **Public Nuisance Bylaw No. 3310, 2007** 3543, 2014.

Definitions

2.0 In this Bylaw, unless the context otherwise requires:

- “Bylaw Enforcement Officer** means a Peace Officer, as defined in the British Columbia *Interpretation Act* and those Persons designated by Council as a Bylaw Enforcement Officer to enforce the provisions of this Bylaw. ~~Bylaw Enforcement Officers in the City’s Municipal Ticket Information Bylaw to enforce the provisions of this Bylaw;~~
- “City”** means the City of Campbell River ~~or the area within the municipal boundaries as the context may require;~~
- “Council”** means the Council of the City of Campbell River;
- “Graffiti”** includes one or more letters, symbols, writing, pictures or marks, however made, posted, scratched, painted or drawn on any structure or thing but does not include any of the following:
- a) a sign, public notice or traffic control mark authorized by the ~~Director of Engineering Transportation~~ **Manager**, a City Bylaw or Provincial or Federal legislation; or
 - b) in the case of private property, a letter, symbol or mark for which the owner of the property on which the letter, symbol or mark appears has given prior, written authorization;
- “Highway or Other Public Place”** includes every street, road, ~~land~~, boulevard, sidewalk, lane, ~~square, parking lot, courtyard,~~ bridge, viaduct and any other way open to public use and any ~~land~~, park, ~~greenspace~~, building, conveyance, private place or passageway to which the public has, or is permitted to have access or is invited;
- “Noxious Weed”** means any weed designated as noxious pursuant to the Weed Control Act.

“Peace Officer”	has the same meaning as in the British Columbia <i>Interpretation Act</i> and includes a Bylaw Enforcement Officer;
“Pedestrian Facility”	means a structure for pedestrian use including a walkway, sidewalk, stairs, ramp, and curb letdown;
“Person”	includes a natural Person, a company, corporation, partnership, firm, association, society, or party and the personal or other legal representatives of a Person to whom the context can apply according to law;
“Real Property”	means land, with or without improvements so affixed to the land as to make them in fact and in law a part of the Real Property;
“Roadway”	means a portion of a Highway improved for use for vehicular travel; and
Traffic Control Signal”	means a Traffic Control Signal as defined in the British Columbia <i>Motor Vehicle Act</i> .

In Part II of this Bylaw, unless the context otherwise requires:

“Automated Teller Machine”	means a device linked to a financial institution’s account records which is able to carry out transactions, including, but not limited to, account transfers, deposits, withdrawals, balance inquiries, and mortgage and loan payments;
“Bus Stop”	means a section of Street which is reserved for the loading and unloading of buses and where parking and stopping of all other vehicles is prohibited;
“Panhandle”	means to beg for, or, without consideration ask for, money, donations, goods or other things of value whether by spoken, written or printed word or bodily gesture for one’s self or for any other Person but does not include soliciting by the holder of a permit issued by the City of Campbell River;
“Street”	means any Highway, Roadway, sidewalk, boulevard, place or way which the public is ordinarily entitled or permitted to use for the passage of vehicles or pedestrians and includes a structure located in any of those areas;
“Trust Company”	means an office or branch of a Trust Company to which <i>The Trust and Loans Companies Act (Canada)</i> applies and in which deposit accounts are held.

In Part III of this Bylaw, unless the context otherwise requires:

“Dog”	means any animal of the canine species;
“Faeces”	means excrement of a Dog; and
“Owner”	includes any Person who owns, has in their custody or control, or harbours any Dog, or is an occupant of a premise where a Dog is kept.

In Part III of this Bylaw, unless the context otherwise requires:

“Continuous Noise”	means any Noise or sound continuing for a period of five minutes or more in any 15-minute period;
“Independent Sound Consultant”	means a professional engineer, licensed to practice in the Province of British Columbia, with acoustical expertise;
“Noise”	includes any loud outcry, clamour, shouting, disturbance or movement or any sound that is loud or harsh or undesirable;
“Road Surface”	means gravel, asphalt, cement or material of any kind whatsoever placed upon any street, road, Highway, bridge, viaduct, lane, or any other way designed or intended for use by the general public for the passage of vehicles, and every private place or passageway to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited.

In Part IV of this Bylaw, unless the context otherwise requires:

“Arterial Road”	means an arterial Highway as classified under the British Columbia <i>Highway Act</i> ;
“Boulevard”	means the area of a Highway between the edge of the pavement or curb of the Roadway and the adjacent property line of the Highway;
“Discarded Materials”	include all materials not in use for the construction or maintenance of a building situated on that property, appliances, unlicensed or inoperable motor vehicles or motor vehicle parts, machinery, firewood, unless it is neatly piled or stacked against a wall or fence, and all other chattels in a dismantled state or not in use for the purpose for which the manufacturer intended.
“Drainage Facility”	includes Boulevard drainage inlet, catch basin grate, culvert headwall or lawn basin inlet;
“Herbicide”	means any kind of material that is used to control Noxious Weeds;
“Intersection”	means the area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of the 2 highways which join one another at or approximately at right angles, or the area within which vehicles traveling on different highways joining at any other angle may come in conflict; and, for the purpose of this definition “highway” does not include a lane or way less than 5 metres in width separating the rear property lines of parcels of land

	fronting on highways running more or less parallel to and on each side of the lane or way.
“Occupier”	means a Person who occupies Real Property but does not include the Occupier of a unit in an apartment, hotel or institution;
“Pesticide”	means any kind of material that is used to control pests, fungi, and insects;
“Residential Premises”, “Residential Property” and “Tenancy Agreement”	shall have the same meanings as in the <i>Residential Tenancy Act</i> of British Columbia; and
“Sight-Distance”	means a clear line of vision between conflicting motorists, cyclists and pedestrians that allows sufficient time for safe maneuvers to be made without significantly affecting the conflicting traffic.
“Special Event Permit”	means a permit issued by the City authorizing the use of a Highway or Other Public Place for the purposes of a special event.

PART I - INTERPRETATION

- 4.1-3.0 Words or phrases defined in the British Columbia *Interpretation Act*, *Motor Vehicle Act* or *Community Charter* (or any successor legislation), shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw or the context otherwise requires.
- 4.2 3.1 In this Bylaw, unless the context otherwise requires, the singular shall include the plural and the masculine includes the feminine gender.
- 4.3 3.2 The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.
- 4.4 3.3 If any part of this Bylaw is for any reason held invalid by any court of competent jurisdiction, the invalid portion shall be severed and the severance shall not affect the validity of the remainder.

PART II-STREET NUISANCES

Restrictions on Panhandling

2.4 4.0 No Person shall Panhandle within 10 meters of:

- (a) an entrance to a bank, credit union or Trust Company;
- (b) an Automated Teller Machine;
- (c) a Bus Stop;
- (d) a bus shelter; or
- (e) the entrance to any liquor store.

~~2.2~~ 4.1 No Person shall Panhandle from an occupant of a motor vehicle which is:

- (a) parked;
- (b) stopped at a Traffic Control Signal; or
- (c) standing temporarily for the purpose of loading or unloading.

~~2.3~~ 4.2 No Person shall Panhandle after sunset on any given day.

~~2.4~~ 4.3 No Person shall sit or lie on a Street for the purpose of Panhandling.

~~2.5~~ 4.4 No Person shall continue to Panhandle from a Person, or follow a Person, after that Person has made a negative response.

Use of Highways

~~2.6~~ 4.5 No Person shall:

- (a) urinate or defecate on a Highway or Other Public Place;
- (b) impede or obstruct any other Person on a Highway or Other Public Place, excluding lawful picketing as provided in the BC Labour Code;
- (c) stand or congregate on a Highway or Other Public Place in such a manner as to impede or obstruct the free movement of other Persons or vehicular traffic;
- (d) camp or erect a tent or other camping facilities on a Highway or Other Public Place;
- (e) sleep in any vehicle located on a Highway or Other Public Place;
- (f) swear or use indecent, obscene, blasphemous or grossly insulting language on or about a Highway or Other Public Place; or
- (g) carry on any obscene, lewd or indecent activity on a Highway or Other Public Place.

~~PART III~~ PART 5- LITTERING

~~Dog Faeces~~

~~3.1~~ No Owner, except those certified as being legally blind, shall cause, allow or suffer any Dog to leave or deposit Faeces on any Highway or Other Public Place or private property other than the property of the Owner, without immediately taking action to remove such Faeces and to dispose of the Faeces in an approved and sanitary manner on the property of the Owner.

Litter

~~3.2~~ 5.0 No Person shall deliver circulars, pamphlets, handbills or papers to or within any Real Property or building located on the Real Property, unless such deliveries are deposited within a receptacle provided by the owners or occupiers of the Real Property or building.

~~3.3~~ 5.1 No Person shall deposit or throw bottles, broken glass, circulars, pamphlets, handbills, paper or other litter, rubbish, or trash, vegetation cuttings or debris, discarded materials, solid or liquid waste in or on any Highway or Other Public Place open place.

PART IV PART 6 - NOISE REGULATION

Exemptions

4.1-6.0 This Part shall not apply to:

- (a) the operation of emergency vehicles;
- (b) the emergency repair of a public Highway;
- (c) operations of a public utility;
- (d) Peace Officers acting in the course of their duties;
- (e) lands within the boundaries of the Campbell River Airport;
- (f) events held under authority of a Special Event Permit issued by the City Manager or their designate Clerk;
- (g) the operation of farm vehicles during planting and harvesting;
- (h) any person functioning within the limits imposed by a permit issued by the City Manager or their Clerk or such other person he may designate, said permit to be in a form approved by Council from time to time; and
- (i) snow clearing.

6.1 An applicant for a permit referred to in Sections 6.0(f) and 6.0(h) of this bylaw may have a decision under this bylaw reconsidered by Council by applying in writing for such reconsideration, specifying the decision which the applicant wishes reconsidered and the reason supporting the request for reconsideration.

6.2 The permit referred to in Sections 6.0(f) and 6.0(h) will be in a form prescribed by the City Manager or their designate.

Regulations

4.2-6.3 No Person shall make or cause, or permit to be made or caused, any Noise, in or on a public any Highway or Other Public Place or private place which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any Person or Persons in the neighbourhood or vicinity.

4.3-6.4 No Person, who is the owner or occupier of Real Property, shall allow or permit such Real Property to be used in such a manner that Noise emanating from the Real Property disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any Person or Persons in the neighbourhood or vicinity.

4.4-6.5 No Person shall operate any radio, stereophonic equipment or other instrument, or any apparatus for the production or amplification of sound either in or on private premises or in any Highway or Other Public Place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of Persons in the vicinity.

4.5-6.6 No Person shall own, keep, or harbour any animal or bird which, by its cries, unduly disturbs the peace, quiet, rest, enjoyment, comfort, convenience or tranquility of the surrounding neighbourhood, Persons in the vicinity or the public at large.

Construction and Garbage Collection Noise

4.6-6.7 No Person shall, before 7:00 am on any day from Monday to Saturday when such day is not a Statutory Holiday, or before 8:00 a.m. on any Sunday or Statutory Holiday, and after 10:00 p.m. on any day, construct, erect, reconstruct, alter, repair or demolish any building, structure or thing or excavate or fill in land in any manner which disturbs or

tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of Persons in the vicinity.

4.7 6.8 No Person shall, before 7:00 am on any day from Monday to Saturday, or before 8:00 am on any Sunday or Statutory Holiday and after 10:00 pm on any day, operate a garbage truck which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of Persons in the vicinity.

Power Tools and Model Airplanes

4.8 6.9 No Person shall, before 8:00 a.m. and after 10:00 p.m. on any day, use or operate any power gardening tool or other power tool or machine or any model airplane, boat or car powered by an internal combustion, turbine or rocket engine.

Public Address Systems

4.9 6.10 Except for sports announcements at the grounds where such sports are being played, no Person shall operate any outdoor public address system at any time from any vehicle, Real Property, place or premises without the permission of the Bylaw Enforcement/Property Services Manager.

Commercial or Industrial Operations - Noise

4.10 6.11 Every owner or operator of an industrial or commercial business which generates a Continuous Noise of a level that disturbs the occupants of the neighbourhood or Persons in the vicinity shall, at the request of the City, supply the City with:

- (a) a report prepared by an Independent Sound Consultant recommending methods to abate the Noise; and
- (b) a letter of certification sealed by the Independent Sound Consultant that the methods approved by the Bylaw Enforcement/Property Services Manager for the abatement of Noise have been fully implemented.

Motor Vehicle Noise

4.14 6.12

1The following Noises are, in the opinion of the Council of the City of Campbell River, unnecessary, objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public:

- (a) the squeal of a tire on a Road Surface made by a motor vehicle which is accelerating, stopping or changing direction;
- (b) a loud, roaring or explosive sound emitted by a motor vehicle;
- (c) the amplified sound of a radio, television, ~~CD-player~~ or other sound playback device or amplification equipment, or the sound of a musical instrument, that emanates from a motor vehicle and can easily be heard by someone outside the motor vehicle;
- (d) the sound of the diesel engine of a bus, truck or other vehicle which has been idling or otherwise running continuously for more than five minutes at the same location, except that this clause shall not apply where the bus is located within a garage or depot intended for its long-term parking;
- (e) the sound of an automobile security system which is made, either continuously or intermittently, for a period exceeding five (5) minutes or

the sound of an automobile security system, but not including its activation status signal, which is made more than three (3) times in a 24-hour period;

- (f) the sound of a horn or other warning device on a motor vehicle used for any purpose other than as an audible warning incidental to the safe operation of the motor vehicle;
- (g) the sound of a brake or other type of engine brake on a motor vehicle used or operated for any purpose other than as an emergency braking device incidental to the safe operation of the motor vehicle.
- (h) the sound of a vehicle for which the muffler that has been cut out, disconnected, modified by the removal of baffle or other part or which has been opened or widened creating a greater noise than is standard.

4.12 ~~6.13~~ No Person shall make or cause or permit to be made or caused, any objectionable, unnecessary or disturbing Noise set forth in Section 4.14 ~~6.12~~ or operate a motor vehicle so as to cause any objectionable, unnecessary or disturbing Noise set forth in Section 4.14 ~~6.12~~ contrary to Division 7A of the *Motor Vehicle Act Regulations*, B.C. Reg. 26/58.

4.13 ~~The prohibitions contained in Section 4.11 shall not apply to participants in a special event or parade provided it has first been authorized under a permit issued by the City Clerk.~~

PART ~~6~~ 7 - PROPERTY MAINTENANCE

Graffiti

5.4 ~~7.0~~ No Person shall place Graffiti, or cause Graffiti to be placed, on any wall, fence or other structure or thing in any Highway or Other Public Place.

5.2 ~~7.1~~ No Person shall place Graffiti, or cause Graffiti to be placed, on any wall, fence, building or structure that is located on Real Property and adjacent to a Highway or Other Public Place.

7.2 Every owner of Real Property shall remove graffiti that is located on the Real Property adjacent to a Highway or Other Public Place within 5 working days of the placement of the Graffiti.

Boulevard Maintenance

5.3 ~~7.3~~ Every owner or Occupier of Real Property shall maintain in a clean, tidy and well-kept condition every Boulevard fronting on the Real Property and, without limiting the generality of the foregoing, shall:

- (a) remove accumulations of filth, rubbish, Discarded Materials, hazardous objects and other materials which obstruct a Drainage Facility;
- (b) keep grassed areas trimmed and free of Noxious Weeds;
- (c) keep landscaping trimmed so that driveway and intersection vision clearances are unobstructed;
- (d) keep landscaping from encroaching over paved Roadways or gravel shoulders;

except that where the Real Property is a through lot abutting both an Arterial Road and

an internal street that runs approximately parallel to the Arterial Road, the owner or Occupier need not maintain the Boulevard fronting the Arterial Road unless the front of the house faces such Arterial Road.

Sidewalks and Pedestrian Facilities

5.4 ~~7.4~~ Every owner or Occupier of Real Property shall:

- (a) ~~remove snow or ice from the roof or other part of any structure on Real Property adjacent to or abutting any portion of any Boulevard or Roadway;~~
- (b) remove rubbish from every Pedestrian Facility bordering the Real Property;
- (c) keep landscaping from encroaching over a sidewalk, from ground level to a height of 2.4 metres;

except that where the Real Property is a through lot abutting both an Arterial Road and an internal street that runs approximately parallel to the Arterial Road, the owner or Occupier need not remove the snow or ice as required herein with respect to the Boulevard that fronts the Arterial Road, unless the front of the house faces such Arterial Road.

5.5 ~~7.5~~ No Person shall:

- (a) willfully injure or damage any Boulevard or any tree, shrub, plant, bush or hedge on any Boulevard;
- (b) erect any sign, fence, wall or other structure on any Boulevard, except with written permission of the City ;
- (c) apply a Pesticide or Herbicide to any Boulevard; or
- (d) dispose of any vegetation cuttings, rubbish, Discarded Materials or any liquid or solid waste on any Boulevard or in any Drainage Facility.

Fences

- 5.6 ~~7.6~~(a) In any zone, where an owner or occupier of property adjacent to a highway has erected a fence adjacent to that highway, the owner or occupier shall not allow that fence to fall into a state of disrepair.
- (b) An owner or occupier of real property whose fence erected adjacent to a highway has fallen into a state of disrepair shall repair it forthwith upon receipt of notice given pursuant to this by-law.
 - (c) In every zone where the keeping of livestock is permitted, every owner or occupier of real property abutting upon any highway shall forthwith, upon receipt of notice given pursuant to this By-law, erect fences along the boundary of that property abutting on the highway for the purpose of preventing his livestock from straying upon said highway.

Intersection Vision Clearance

5.7 ~~7.7~~ No person who owns or occupies real property located at any intersection, shall place or permit to be placed or grow a tree, shrub, plant, fence or other structure with horizontal dimension exceeding 0.46 metres (1.5 feet) within the triangular area formed by two intersecting lot lines and the line joining the points on such lot lines 2.4 metres (7.87 feet) from the point of intersection, between an elevation such that an eye 1.0 to 2.4 metres

(3.28 feet to 7.87 feet) above the surface elevation of one road, cannot see an object 1.0 to 2.4 metres (3.28 feet to 7.87 feet) above the surface of the other road.

Street Signs

~~5.8~~ 7.8 No person shall remove, deface or damage any street name sign or any other sign or marker erected upon any highway by or at the direction of the City.

Hazardous Trees and Shrubs

5.9 ~~7.9~~ (a) If in the opinion of the City, any trees, hedges, bushes or shrubs growing or standing on any ~~R~~real ~~P~~property are:

- (i) a hazard to the safety of persons on any Highway or Other Public Place;
- (ii) likely to damage public property, or
- (iii) seriously inconveniencing persons on any Highway or Other Public Place the public.

the City may order the owners or occupiers of the Real Property on which they grow or stand to trim, remove or cut down such trees, hedges, bushes or shrubs. ~~to be trimmed, removed or cut down at the expense of the owners or occupiers of real property on which they grow or stand.~~

~~———— (b) Before proceeding to exercise the powers conferred by subsection (a), the City shall give notice requiring the owner or occupier of the lands to remove, cut down, or trim the trees, shrubs, hedges or bushes designated in the notice within five days from date thereof.~~

~~———— (c) If the City is unable to serve the owner or occupier of real property with the notice under subsection (b), the City may apply to the Supreme Court for an order to serve the notice by substituted service.~~

(~~b~~d) If the person so ordered given notice does not take the required action within the time period referred to in subsection (~~ab~~), the City by its employees or others may enter the real property and effect that action at the expense of the person given notice the City may proceed pursuant to Sections 7.19 to 7.22 of this Part.

~~———— (e) If the person referred to in subsection (d) does not pay the costs of the action under that subsection on or before December 31 in the year, in which the costs were incurred, the costs shall be added to and form part of the taxes payable on the real property as taxes in arrear.~~

House Numbering

~~5.10~~ 7.10 All owners and occupiers of buildings shall display in a conspicuous place on the property on which the building is located, the street number assigned by the City to such building so that the same is readable from the highway.

Animals Pigeons

5.14 7.11 No person other than the owner thereof shall feed pigeons on or about private property and no person shall keep pigeons so that the pigeons congregate in such numbers so as to constitute a nuisance or disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.

Demolition Sites

~~5.12~~ 7.12 On any property where the demolition of any building or structure has taken place:

- (a) all debris and material whether to be discarded or retained shall be removed forthwith;

- (b) any basement or other excavation shall be filled in or covered over to lot grade level forthwith, upon receipt of notice served pursuant to this By-law.

Unightly Premises

~~5.13~~ 7.13 No owner of Real Property shall permit the Real Property to become or remain unsightly or permit water, rubbish or noxious, offensive, or unwholesome matter to collect or accumulate around that Real Property.

5.14 7.14 Every owner of Real Property shall:

- a) keep the Real Property clear of brush, trees, Noxious Weeds or other growths;
- b) keep ground cover vegetation from exceeding 30 cm in height; and
- c) prevent infestation by caterpillars and other noxious or destructive insects and clear the Real Property of such insects.

~~5.15~~ 7.15 Every owner of Real Property shall remove or cause to be removed from the property any unsightly accumulations of Graffiti, filth, Discarded Materials, brush, trees, vines, Noxious Weeds or other growths, cuttings or rubbish of any kind on a regular basis, or when ordered to do so by the City

~~5.16~~ 7.16 Every owner of Real Property shall maintain the general appearance and repair of the Real Property to the standards of other similar properties in the neighbourhood.

Rental Premises

~~5.17~~ 7.17 Every owner of Residential Premises or Residential Property subject to a Tenancy Agreement shall:

- (a) maintain the physical condition and structural repair of the Residential Premises or Residential Property to the health, life safety and fire protection standards of the *British Columbia Building Code* and the City of Campbell River Fire Prevention Bylaw; and
- (b) maintain the general appearance and repair of the Real Property to the standards of other similar properties in the neighbourhood.

Vacant Premises

~~5.18~~ 7.18 No owner of Real Property shall cause or create a nuisance, or permit a nuisance to be caused or created by allowing a vacant building on the Real Property to fall into such a state of disrepair that it becomes unsightly or creates a hazard, danger, nuisance or inconvenience to the general public.

Default and Remedial Action Notices

~~5.19~~ 7.19 Where an owner of Real Property or other responsible Person fails to comply with the requirements of this Part, the City Council may issue make a Remedial Action Notice declaration requiring that the owner or other responsible Person bring the Real Property into compliance with the provisions of this Bylaw Part within a the time specified in the notice time frame. Authority is granted to the City's A Bylaw Enforcement Officer to may issue a Remedial Action notice in relation to Council's declaration.

~~5.20~~ 7.20 If the owner or other responsible Person fails to comply with the notice

requirement of Remedial Action within the time limit specified in the notice, 30 days of service of such notice, or within such lesser period of time as may be provided for in the notice where an emergency exists, the City by its workers, or others authorized by Council, may, at all reasonable times and in a reasonable manner, enter the Real Property and affect such compliance at the cost of the defaulting owner or other responsible Person. Such cost shall consist of all costs and expenses incurred by the City in affecting compliance with this Bylaw Part including, without limitation, administrative costs, costs of attendance at the property by City employees or its contractors and the costs of removal, clean up and disposal.

5.24 7.21 If an owner or other responsible Person defaults in paying the cost referred to in Section 5.19 7.20 to the City within 30 days after receipt of a demand for payment from the City, the City may either recover from the owner or other responsible Person, in any court of competent jurisdiction, the cost as a debt due to the City, or. If an owner has not paid the debt by December 31 in the year in which the debt was incurred, the City may direct that the amount of the cost be added to the Real Property tax roll as a charge imposed in respect of work or service provided to the Real Property of the owner.

5.22 Service of the notice of remedial action referred to in Section 5.18 will be sufficient if the notice:

- (a) is served personally or mailed by prepaid registered mail to the owner of the Real Property where the required action is to be carried out subject to the remedial action notice as shown on the then current year's Real Property assessment roll for the Real Property for which the notice of removal was issued;
- (b) is mailed to any Occupier of the Real Property and each holder of a registered charge in relation to the property whose name is included in the assessment roll, at the address set out in that assessment roll and to any later address known to the City;
- (c) advises that the Person subject to the requirement or the owner of the Real Property where the required remedial action is to be carried out, may request a reconsideration by Council; and
- (d) advises that, if the remedial action is not completed by the date specified in the notice, the City may take action to affect compliance with the Bylaw in accordance with Section 5.19.

Reconsideration

6.2 7.22 An Owner or other responsible Person who has been issued a notice pursuant to Sections 7.19 and 7.20 of this Part may make representations to Council to have the decision reconsidered by applying in writing for such reconsideration within 14 days of receipt of the notice, or lesser time if specified in the notice.

PART VI PART 8- ENFORCEMENT AND PENALTY

Right of Entry

6.4 8.0 A Bylaw Enforcement Officer An authorized person may, at all reasonable times, enter upon any Real Pproperty in the City of Campbell River in order to ascertain whether the regulations contained within this By-law Bylaw are being complied with obeyed.

Reconsideration

- 6.2 ~~(a) An applicant for a permit referred to in this bylaw may have a decision under this bylaw reconsidered by Council by applying in writing for such reconsideration, specifying the decision which the applicant wishes reconsidered and the reason supporting the request for reconsideration.~~
- ~~(b) An Owner or other responsible Person who has been issued a notice pursuant to Sections 5.19 and 5.20 of this Part may make representations to Council to have the decision reconsidered by applying in writing for such reconsideration within 14 days of receipt of the notice, or lesser time if specified in the notice, specifying the decision which the applicant wishes reconsidered and the reason supporting the request for reconsideration.~~

Enforcement

- 6.3 8.1 The provisions of this Bylaw may be enforced by any Bylaw Enforcement Officer.

Offences and Penalties

- 6.4 8.2 ~~Every Person who contravenes or violates any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any provision of this bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this bylaw, commits an offence and, upon conviction, shall be liable to a fine or penalty as provided by the *Offence Act* and, where the offence is a continuing one, each day the offence continues shall be a separate offence.~~

Any person who contravenes, violates or fails to comply with any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention or violation of this Bylaw, or who fails to do anything required by this Bylaw, commits an offence and shall be liable upon conviction to a fine of not more than ten thousand dollars (\$10,000.00) and not less than seventy-five dollars (\$75.00) and the cost of prosecution and any other penalty or order imposed pursuant to the *Community Charter, British Columbia*, or the *Offence Act, British Columbia*, as amended from time to time. Each violation against the Bylaw shall be deemed to be a separate and distinct offence, and where the offence is a continuing one, each day that the offence is continued constitutes a separate offence.

PART 9 – SEVERABILITY

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

PART VII PART 10 - REPEAL

- 7.4 10.0 The following Bylaw of the City and its amendments are repealed:
Prevention of Public Nuisances Bylaw No. 2150, 1993.

Public Nuisance Bylaw No. 3310, 2007 as amended, is hereby repealed.

Read a first time on the	26 th	day of	June	2007. 2014
Read a second time on the	26 th	day of	June	2007. 2014
Read a third time on the	26 th	day of	June	2007. 2014
Adopted on the	10 th	day of	July	2007. 2014

MAYOR

CITY CLERK