

CITY OF WEST KELOWNA BYLAW NO. 0151.03

A BYLAW TO AMEND THE GOOD NEIGHBOUR BYLAW

WHEREAS the Council of the City of West Kelowna desires to amend the Good Neighbour Bylaw.

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as the “CITY OF WEST KELOWNA GOOD NEIGHBOUR AMENDMENT BYLAW NO. 0151.03, 2023.”

2. Amendments

The “CITY OF WEST KELOWNA GOOD NEIGHBOUR BYLAW NO. 0151, 2018” is hereby amended as follows:

2.1 By deleting from Section 6 the words “Street Nuisances” and replacing it with “Nuisance Activity”.

2.2 By adding a new Section 6.1 that reads:

“6.1 No person shall:

- (a) Cause any nuisance within the City; or
- (b) Permit real property to be used so as to cause a nuisance.”

and renumber the subsequent sections.

2.3 By deleting from Section 8 REGULATIONS 8.1(d) the word “noxious”.

2.4 By deleting in its entirety Section 8.3 Regulations that reads:

“Every owner or occupier of real property shall maintain the sidewalk, boulevard, and land adjacent to their real property and in particular shall:

- (a) remove accumulations of filth, leaves, rubbish, discarded material, hazardous objects and materials which obstruct a drainage facility;
- (b) in keeping with the reasonable standard of maintenance in the area, keep grassed areas trimmed and free of all weeds;
- (c) keep in good repair and up to City standards, all driveway crossings;
- (d) trim and maintain all plantings;
- (e) remove all filth, leaves, rubbish, discarded materials, hazardous objects and materials from all boulevards and sidewalks.”

and replacing it with:

“Every owner or occupier of real property shall maintain the sidewalk, boulevard, and land adjacent to their real property and in particular shall:

- (a) remove accumulations of filth, leaves, rubbish, discarded material, hazardous objects and materials which obstruct a drainage facility;
- (b) in keeping with the reasonable standard of maintenance in the area, keep grassed areas trimmed and free of all weeds;
- (c) keep in good repair and up to City standards, all driveway crossings;
- (d) trim and maintain all plantings;
- (e) remove all filth, leaves, rubbish, discarded materials, hazardous objects and materials from all boulevards and sidewalks;
- (f) maintain a clear and unobstructed area, including snow and ice, having a radius of 1 (one) meter around a fire hydrant, as well as a clear 1 (one) meter width from the front of the hydrant to the nearest roadway.”

2.5 By adding a new title to Section 8 DUST, Section 8.7 and 8.8 that reads:

“DUST Control

8.7 Regulations

Every person shall supply water or other dust suppressant to prevent the emission of dust that is liable to disturb the peace, rest, enjoyment, comfort, or convenience of individuals or the public or to foul or contaminate the atmosphere, including but not limited to:

- (a) carrying out construction works, excavation, repair, demolition, or any activity ancillary thereto; or
- (b) depositing, stockpiling, disturbing, or removing soil.”

8.8 The City may issue a Notice in writing to an individual(s) not in compliance with Section 8.7 requiring the person to comply with Section 8.7.”

2.6 By deleting in its entirety Section 10.3(d) that reads:

- “(d)
- i) noncompliance with this Bylaw must be remedied within 14 days of the date of delivery of the Notice, or
 - ii) in the case of snow, ice or rubbish on a sidewalk or footpath, within 24 hours from the time the snow, ice, or rubbish is deposited thereon, or
 - iii) if a property has a history of non-compliance, a Bylaw Officer may issue an Order to remedy the non-compliance within 48 hours of the date of delivery of the Notice.”

and replace it with:

- “(d)
- i) noncompliance with this Bylaw must be remedied within 14 days of the date of delivery of the Notice, or
 - ii) in the case of snow, ice or rubbish on a sidewalk or footpath, within 24 hours from the time the snow, ice, or rubbish is deposited thereon, or

- iii) if a property has a history of non-compliance, a Bylaw Officer may issue an Order to remedy the non-compliance within 48 hours of the date of delivery of the Notice, or
- iv) in the case of dust, within 24 hours of the date of delivery of the Notice.”

2.7 By deleting in its entirety Section 11.2 that reads:

11.2 “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 not less than \$100.00 and not exceeding \$10,000.”

And replace it with:

11.2 “Any person(s) who violate any provision of this Bylaw, or who causes, suffers, or permits any act or thing to be done in contravention of this Bylaw, or who refuses, omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by this Bylaw, shall be liable on summary conviction to a fine not exceeding fifty thousand dollars (\$50,000.00).”

READ A FIRST, SECOND AND THIRD TIME THIS 13TH DAY OF JUNE, 2023
ADOPTED THIS

MAYOR

CORPORATE OFFICER