

CITY OF WEST KELOWNA

BYLAW NO. 0095.52

A BYLAW TO AMEND “TICKET INFORMATION UTILIZATION BYLAW NO. 0095”

WHEREAS the Council of the City of West Kelowna desires to amend “City of West Kelowna Ticket Information Utilization Bylaw No. 0095, 2009” under the provisions of the *Local Government Act*.

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 TICKET INFORMATION UTILIZATION AMENDMENT BYLAW NO. 0095.52, 2023.”

2. Amendments

The “City of West Kelowna Ticket Information Utilization Bylaw No. 0095, 2009” is hereby amended as follows:

- 2.1 By deleting all references to “short term accommodation” and replacing it with “short-term rental”;
- 2.2 By deleting in its entirety Schedule 2 Ticket Offences for City of West Kelowna Zoning Bylaw No. 0265, 2022, which reads:

Schedule 2

Ticket Offences for City of West Kelowna Zoning Bylaw No. 0265, 2022.

| | <u>Section</u> | <u>Fine</u> |
|--|----------------|-------------|
| Contravene siting regulations (specified in each Zone) | Parts 6-14 | \$500.00 |
| Contravene permitted uses (specified in each Zone) | Parts 6-14 | 500.00 |
| Prohibited use | 3.5 (.1 to.8) | 500.00 |
| Prohibited parking | 3.6.1 | 100.00 |
| Prohibited parking | 3.6.2 | 100.00 |
| Prohibited parking | 3.7.1 | 100.00 |
| Contravene accessory use, building and structure rules | 3.9 (.1 to .3) | 100.00 |
| Prohibited fence material | 3.12.1 | 100.00 |
| Overheight fence | 3.12.2 | 100.00 |
| Contravene retaining wall fence rules | 3.12.2 | 100.00 |

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| Prohibited park boundary fence material | 3.12.3 | 100.00 |
| Overheight park boundary fence | 3.12.3 | 100.00 |
| Fail to screen | 3.13.1(a) (.1 to .3) | 100.00 |
| Underheight screen | 3.13.2 | 100.00 |
| Contravene screen material or gate rules | 3.13.3 (a to b) | 100.00 |
| Overheight retaining wall | 3.14.1 | 100.00 |
| Contravene lighting rules | 3.15.1(a) | 100.00 |
| Overheight lighting | 3.15.1(b) | 100.00 |
| Contravene minor home business rules | 3.16.1 (a to i) | 500.00 |
| Contravene major home business rules | 3.16.2 (a to j) | 500.00 |
| Contravene live/work unit rules | 3.17.1 | 500.00 |
| Contravene secondary suite rules | 3.18 (.1 to .9) | 500.00 |
| Contravene carriage house rules | 3.19 (.1 to .14) | 500.00 |
| Contravene bed and breakfast rules | 3.20 (.1 to .9) | 500.00 |
| Contravene agricultural worker dwelling rules | 3.22 (.1 to .6) | 1000.00 |
| Contravene temporary agricultural worker dwelling rules | 3.23 (.1 to .7) | 1000.00 |
| Contravene agri-tourism accommodation rules | 3.24 (.1 to .8) | 500.00 |
| Fail to maintain buffer | 3.25.3 (a to e) | 1000.00 |
| Contravene short term accommodation rules (first offence) | 3.21 (.1 to .9) | 250.00 |
| Contravene short term accommodation rules (second offence) | 3.21 (.1 to .9) | 350.00 |
| Contravene short term accommodation rules (continuing nature offence) | 3.21 (.1 to .9) | 1000.00 |
| Fail to surface parking and loading areas | 4.3.5 | 500.00 |
| Contravene parking and loading standards | 4.3 (.1 to .4 and .6 to .7) | 100.00 |

and replace it with:

Schedule 2

Ticket Offences for City of West Kelowna Zoning Bylaw No. 0265, 2022

| | Section | Fine |
|--|----------------|-------------|
| Contravene siting regulations (specified in each Zone) | Parts 6-14 | \$500.00 |
| Contravene permitted uses (specified in each Zone) | Parts 6-14 | 500.00 |
| Prohibited use | 3.5 (.1 to.8) | 500.00 |
| Prohibited parking | 3.6.1 | 100.00 |
| Prohibited parking | 3.6.2 | 100.00 |

| | | |
|---|----------------------|---------|
| Prohibited parking | 3.7.1 | 100.00 |
| Contravene accessory use, building and structure rules | 3.9 (.1 to .3) | 100.00 |
| Prohibited fence material | 3.12.1 | 100.00 |
| Overheight fence | 3.12.2 | 100.00 |
| Contravene retaining wall fence rules | 3.12.2 | 100.00 |
| Prohibited park boundary fence material | 3.12.3 | 100.00 |
| Overheight park boundary fence | 3.12.3 | 100.00 |
| Fail to screen | 3.13.1(a) (.1 to .3) | 100.00 |
| Underheight screen | 3.13.2 | 100.00 |
| Contravene screen material or gate rules | 3.13.3 (a to b) | 100.00 |
| Overheight retaining wall | 3.14.1 | 100.00 |
| Contravene lighting rules | 3.15.1(a) | 100.00 |
| Overheight lighting | 3.15.1(b) | 100.00 |
| Contravene minor home business rules | 3.16.1 (a to i) | 500.00 |
| Contravene major home business rules | 3.16.2 (a to j) | 500.00 |
| Contravene live/work unit rules | 3.17.1 | 500.00 |
| Contravene secondary suite rules | 3.18 (.1 to .9) | 500.00 |
| Contravene carriage house rules | 3.19 (.1 to .14) | 500.00 |
| Contravene agricultural worker dwelling rules | 3.22 (.1 to .6) | 1000.00 |
| Contravene temporary agricultural worker dwelling rules | 3.23 (.1 to .7) | 1000.00 |
| Contravene agri-tourism accommodation rules | 3.24 (.1 to .8) | 500.00 |
| Fail to maintain buffer | 3.25.3 (a to e) | 1000.00 |
| Contravene short-term rental rules (first offence) | 3.20 (.1 to .6) | 500.00 |

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| Contravene short-term rental rules (second offence) | 3.20 (.1 to .6) | 1000.00 |
| Contravene short-term rental rules (continuing nature offence) | 3.20 (.1 to .6) | 3000.00 |
| Fail to surface parking and loading areas | 4.3.5 | 500.00 |
| Contravene parking and loading standards | 4.3 (.1 to .4 and .6 to .7) | 100.00 |
| Contravene short-term rental absent operation conditions (first offence) | 3.20.4 & 3.20.5 | 500.00 |
| Contravene short-term rental absent operation conditions (second offence) | 3.20.4 & 3.20.5 | 1000.00 |
| Contravene short-term rental absent operation conditions (continuing offence) | 3.20.4 & 3.20.5 | 3000.00 |
| Fail to attend short-term rental within required time period (first offence) | 3.20.1(d) | 500.00 |
| Fail to attend short-term rental within required time period (second offence) | 3.20.1(d) | 1000.00 |
| Fail to attend short-term rental within required time period (continuing offence) | 3.20.1(d) | 3000.00 |

2.3 By deleting in its entirety Schedule 5 Ticket Offences for District of West Kelowna Business Licencing and Regulations Bylaw 2010 No. 0087, which reads:

Schedule 5 of Bylaw
0095.04

Ticket Offences for District of West Kelowna Business Licencing and Regulations Bylaw 2010 No. 0087.

| | <u>Section</u> | <u>Fine</u> |
|---|----------------|-------------|
| No business license | 2.1 | \$1,000.00 |
| No business license for each premise | 2.2 | 100.00 |
| Fail to display business license | 2.3 | 50.00 |
| Prohibit entry of authorized person | 2.6 | 150.00 |
| Fail to keep proper books | 4.2 | 500.00 |
| Fail to supply employee information | 7.1(a) | 500.00 |
| Fail to notify change in employee information | 7.1(b) | 500.00 |
| Fail to obtain approval prior to employment | 7.1(c) | 500.00 |
| Employ individual under 19 years of age | 7.1(d) | 500.00 |
| Fail to maintain register | 9.1 | 500.00 |

| | | |
|---|------------|---------|
| | 9.2(a-h) | 500.00 |
| | 9.3(a)&(b) | 500.00 |
| Fail to submit report | 9.3(c)&(f) | 500.00 |
| Fail to maintain manual register | 9.3(e) | 500.00 |
| Amend or alter register entry | 9.4 | 500.00 |
| Fail to permit inspection of registry | 9.5 | 500.00 |
| Fail to keep register for 24 months | 9.6(a) | 500.00 |
| Fail to keep register within Province for 7 years | 9.6(b) | 500.00 |
| Fail to transfer register to new owner | 9.6(c) | 500.00 |
| Keep inventory at unauthorized location | 9.7 | 500.00 |
| Obtain property with serial number removed or altered | 9.9 | 500.00 |
| Fail to identify or tag property | 9.14(a) | 500.00 |
| Alter or remove or dispose of property | 9.14(b) | 500.00 |
| Improper disposal of goods | 9.15 | 500.00 |
| Fail to separate or identify property | 9.17 | 500.00 |
| Soliciting a specific destination | 10.1 | 200.00 |
| Soliciting towing service at scene of accident | 10.2 | 200.00 |
| Fail to keep daily record of all trips | 10.3 | 200.00 |
| Soliciting towing service at roadside check stop | 10.4 | 200.00 |
| Operate commercial passenger vehicle without Provincial licence | 11.1 | 200.00 |
| Operate a short term accommodation without a licence – first offence | 12.2 | 250.00 |
| Contravene short term accommodation rules – second offence | 12.2 | 350.00 |
| Contravene short term accommodation rules – continuing nature offence | 12.2 | 1000.00 |
| Marketing without licence number | 12.3 | 100.00 |
| Contravene absent operation conditions | 12.4 | 250.00 |
| Fail to attend short term accommodation within required time period | 12.5 | 250.00 |
| Operate short term accommodation contrary to licence conditions | 12.6 | 1000.00 |
| Use unauthorized bedroom for short term accommodation | 12.7 | 1000.00 |

and replacing it with:

Schedule 5

Ticket Offences for City of West Kelowna Business Licencing and Regulations Bylaw No. 0087, 2010

| | <u>Section</u> | <u>Fine</u> |
|---|-----------------------|--------------------|
| No business license | 2.1 | \$1,000.00 |
| No business license for each premise | 2.2 | 100.00 |
| Fail to display business license | 2.3 | 50.00 |
| Prohibit entry of authorized person | 2.6 | 150.00 |
| Fail to keep proper books | 4.2 | 500.00 |
| Fail to supply employee information | 7.1(a) | 500.00 |
| Fail to notify change in employee information | 7.1(b) | 500.00 |
| Fail to obtain approval prior to employment | 7.1(c) | 500.00 |
| Employ individual under 19 years of age | 7.1(d) | 500.00 |
| Fail to maintain register | 9.1 | 500.00 |
| | 9.2(a-h) | 500.00 |
| | 9.3(a)&(b) | 500.00 |
| Fail to submit report | 9.3(c)&(f) | 500.00 |
| Fail to maintain manual register | 9.3(e) | 500.00 |
| Amend or alter register entry | 9.4 | 500.00 |
| Fail to permit inspection of registry | 9.5 | 500.00 |
| Fail to keep register for 24 months | 9.6(a) | 500.00 |
| Fail to keep register within Province for 7 years | 9.6(b) | 500.00 |
| Fail to transfer register to new owner | 9.6(c) | 500.00 |
| Keep inventory at unauthorized location | 9.7 | 500.00 |
| Obtain property with serial number removed or altered | 9.9 | 500.00 |
| Fail to identify or tag property | 9.14(a) | 500.00 |
| Alter or remove or dispose of property | 9.14(b) | 500.00 |
| Improper disposal of goods | 9.15 | 500.00 |
| Fail to separate or identify property | 9.17 | 500.00 |
| Soliciting a specific destination | 10.1 | 200.00 |
| Soliciting towing service at scene of accident | 10.2 | 200.00 |

| | | |
|--|-------------|---------|
| Fail to keep daily record of all trips | 10.3 | 200.00 |
| Soliciting towing service at roadside check stop | 10.4 | 200.00 |
| Operate commercial passenger vehicle without Provincial licence | 11.1 | 200.00 |
| Operate a short-term rental without a licence – first offence | 12.1 | 500.00 |
| Operate a short-term rental without a licence – second offence | 12.1 | 1000.00 |
| Operate a short-term rental without a licence – continuing offence | 12.1 | 3000.00 |
| Contravene short-term rental rules – first offence | 12.2 | 500.00 |
| Contravene short-term rental rules – second offence | 12.2 | 1000.00 |
| Contravene short-term rental rules – continuing nature offence | 12.2 | 3000.00 |
| Marketing without a municipal licence number and/or a provincial registration number for short-term rentals (first offence) | 12.3(e) | 500.00 |
| Marketing without a municipal licence number and/or a provincial registration number for short-term rentals (second offence) | 12.3(e) | 1000.00 |
| Marketing without a municipal licence number and/or a provincial registration number for short-term rentals (continuing offence) | 12.3(e) | 3000.00 |
| Operate short term accommodation contrary to licence conditions (first offence) | 12.3 & 12.4 | 500.00 |
| Operate short-term rental contrary to licence conditions (second offence) | 12.3 & 12.4 | 1000.00 |
| Operate short-term rental contrary to licence conditions (continuing offence) | 12.3 & 12.4 | 3000.00 |
| Use unauthorized bedroom for short-term rental (first offence) | 12.4 | 500.00 |
| Use unauthorized bedroom for short-term rental (second offence) | 12.4 | 1000.00 |
| Use unauthorized bedroom for short-term rental (continuing offence) | 12.4 | 3000.00 |

READ A FIRST, SECOND AND THIRD TIME THIS 27TH DAY OF FEBRUARY, 2024
ADOPTED THIS

MAYOR

CORPORATE OFFICER