



COUNCIL REPORT
Finance, Administrative and Protective Services
For the July 9, 2019 Council Meeting

DATE: July 9, 2019 Bylaw No. 151.01
TO: Tracey Batten, Deputy CAO
FROM: Shelley Schnitzler
RE: Good Neighbour Amendment Bylaw No. 151.01

RECOMMENDED MOTION:

THAT "City of West Kelowna Good Neighbour Amendment Bylaw No. 151.01, 2019" be adopted.

RATIONALE:

This is a housekeeping amendment to clarify the intent of Section 10.5 of the Good Neighbour Bylaw, which references compliance for removal, disposal and clean up of rubbish or unsightliness of real property.

BACKGROUND:

There are two separate processes to obtain compliance for property clean-up that are different in the scope and significance of the matter to be remedied. Orders issued under the Good Neighbour Bylaw will address nuisances such as unsightly accumulations of materials and rubbish, brush, trees, weeds and other growths. Remedial Action Orders, as set out in the *Community Charter*, are issued if Council considers that the matter creates an unsafe condition, or is so dilapidated or unclean that it is offensive to the community,

The Good Neighbourhood Bylaw should not address matters that are provided for in the *Community Charter*, specifically Remedial Action Orders. As such, wording referencing Remedial Action Requirements has been removed from Section 10.5.

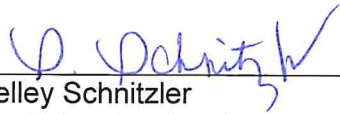
Section 10.6 also references process related to a remedial action requirement and as such, has been removed from the bylaw.

Council at the June 25, 2019 regular Council meeting gave three readings to Bylaw No. 151.01. The Bylaw is now before Council for consideration of adoption.

ALTERNATE MOTION:

That Council rescind first, second and third readings of Bylaw No. 0151.01 and abandon the Bylaw.

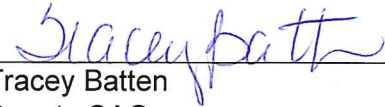
Respectfully submitted,



Shelley Schnitzler
Legislative Services Manager



Mike Cain
Bylaw Enforcement Supervisor



Tracey Batten
Deputy CAO

Powerpoint: Yes No

Attachment: Bylaw No. 0151.01

Approved for Agenda



Tracey Batten, Deputy CAO

July 31/19
Date

CITY OF WEST KELOWNA

BYLAW NO. 151.01

A BYLAW TO AMEND THE GOOD NEIGHBOUR BYLAW

WHEREAS the Council of the City of West Kelowna wishes to amend City of West Kelowna Good Neighbour Bylaw No. 0151;

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. 151.01, 2019."

2. Amendments

"City of West Kelowna Good Neighbour Bylaw No. 0151, 2018" is hereby amended as follows:

2.1 By deleting Section 10.5 in its entirety and replacing with the following Section 10.5:

10.5. If the owner of real property or other responsible person fails to comply with the Bylaw Enforcement Officer's compliance order within the time period specified in such notice, the City, by its workers or others, may at all reasonable times and in a reasonable manner, enter the real property and bring about such compliance at the cost of the defaulting owner or other responsible person. Such costs shall consist of all costs and expenses incurred by the City to achieve compliance with this Bylaw including, without limitation, administrative costs, costs to attend property by City employees or its contractors and the costs of removal, clean up and disposal.

2.2 By deleting Section 10.6 in its entirety.

READ A FIRST, SECOND AND THIRD TIME THIS 25TH DAY OF JUNE, 2019
ADOPTED

MAYOR

CITY CLERK