



VILLAGE OF HARRISON HOT SPRINGS NOTICE OF MEETING AND AGENDA

REGULAR COUNCIL MEETING

Date: Monday, June 1, 2015
Time: 7:00 p.m.
Location: Council Chambers, 495 Hot Springs Road
 Harrison Hot Springs, British Columbia

1. CALL TO ORDER	
Meeting called to order by Mayor Facio.	
2. INTRODUCTION OF LATE ITEMS	
3. APPROVAL OF AGENDA	
4. ADOPTION OF COUNCIL MINUTES	
(a) THAT the Minutes of the Regular Council Meeting held on May 4, 2015 be adopted.	Item 4(a) Page 1
5. BUSINESS ARISING FROM THE MINUTES	
6. CONSENT AGENDA	
i. Bylaws	
ii. Agreements	
iii. Committee/ Commission Minutes	
iv. Correspondence	
7. DELEGATIONS	
8. CORRESPONDENCE	
9. BUSINESS ARISING FROM CORRESPONDENCE	
10. REPORTS OF COUNCILLORS, COMMITTEES, COMMITTEE OF THE WHOLE AND COMMISSIONS	
11. REPORTS FROM MAYOR	

12. REPORTS FROM STAFF

(a) Report of Manager of Development and Community Services – May 8, 2015

Re: Hobie Cat Regatta

Item 12(a)
Page 7

Recommendation:

THAT the application for use of Rendall Park by the Hobie Cat Association for a Division 4 Regatta from August 29 to 30, 2015 be permitted with the following conditions:

1. The two security vehicles (motorhomes), and Hobie Cat boat trailers will be permitted to be parked in Rendall Park in the designated area, as shown on Attachment A, or as approved by the Village's Manager of Operations.
2. Obtain a Use of Public and Municipal Property Permit.

(b) Report of Chief Administrative Officer – May 19, 2015

Re: May 2015 Project Status Report

Item 12(b)
Page 11

Recommendation:

THAT the May 2015 Project Status Report be received for information.

(c) Report of Manager of Development and Community Services – May 27, 2015

Re: Parking options for the business core of the Village

Item 12(c)
Page 15

Recommendation:

THAT pay parking for Esplanade Avenue, St. Alice Street (north), Maple Street (north), Cedar Street (north) and Spruce Street (north) be implemented in the Spring of 2016;

AND THAT no changes for parking be implemented in 2015.

13. BYLAWS

(a) Report of Deputy Chief Administrative Officer/Corporate Officer – May 12, 2015

Re: Property Maintenance Bylaw No. 1072, 2015

Item 13(a)
Page 19

Recommendation:

THAT the Property Maintenance Bylaw No. 1072, 2015 be given first, second and third readings.

**14. QUESTIONS FROM THE PUBLIC
(pertaining to agenda items only)**

15. ADJOURNMENT

VILLAGE OF HARRISON HOT SPRINGS
MINUTES OF THE REGULAR MEETING OF COUNCIL

DATE: May 4, 2015
TIME: 7:00 p.m.
PLACE: Council Chambers
495 Hot Springs Road
Harrison Hot Springs, BC

IN ATTENDANCE: Mayor Leo Facio
Councillor John Buckley
Councillor Sonja Reyerse
Councillor John Hansen
Councillor Samantha Piper

Deputy Chief Administrative Officer/CO, Debra Key
Manager of Development and Community Services, Lisa Grant
Director of Finance, Dale Courtice

Recording Secretary: Jaclyn Bhatti

1. CALL TO ORDER

Mayor Facio called the meeting to order at 7:00 p.m.

2. INTRODUCTION OF LATE ITEMS

None

3. APPROVAL OF AGENDA

Moved by Councillor Buckley
Seconded by Councillor Piper

THAT the agenda be approved.

CARRIED
UNANIMOUSLY

4. ADOPTION OF COUNCIL MINUTES

Moved by Councillor Reyerse
Seconded by Councillor Hansen

THAT the Minutes of the Special Council Meeting held on April 16, 2015 be adopted.

CARRIED
UNANIMOUSLY

Village of Harrison Hot Springs
Minutes of the Regular Council Meeting
May 4, 2015

Moved by Councillor Reyerse
Seconded by Councillor Piper

THAT the Minutes of the Regular Council Meeting held on April 20, 2015 be adopted.

**CARRIED
UNANIMOUSLY**

Moved by Councillor Hansen
Seconded by Councillor Buckley

THAT the Minutes of the Special Council Meeting held on April 29, 2015 be adopted.

**CARRIED
UNANIMOUSLY**

5. BUSINESS ARISING FROM THE MINUTES

None

6. CONSENT AGENDA

i. Bylaws Financial Plan Bylaw No. 1070, 2015

Tax Rate Bylaw No. 1071, 2015

ii. Agreements

**iii.
Committee/
Commission
Minutes**

**iv.
Correspondence**

Letter dated April 17, 2015 from Fraser Health regarding their commitment to providing additional surgeries and MRIs.

Email dated April 24, 2015 from BC Forest Safety Council regarding Logging Truck Safety.

Letter dated April 27, 2015 from Fraser Health regarding a Leadership Announcement for Chilliwack, Hope and Agassiz Health Services and Chilliwack General and Fraser Canyon hospitals.

Moved by Councillor Buckley
Seconded by Councillor Reyerse

THAT Bylaw No. 1070, 2015 and Bylaw No. 1071, 2015 be adopted and the correspondence be received.

**CARRIED
UNANIMOUSLY**

Village of Harrison Hot Springs
Minutes of the Regular Council Meeting
May 4, 2015

7. **DELEGATIONS**

- Rebecca Abernethy, Fraser Valley Regional District

Moved by Councillor Buckley
Seconded by Councillor Hansen

THAT Council waive the rules of procedure to allow the delegation additional time to present.

**CARRIED
UNANIMOUSLY**

Ms. Abernethy presented a PowerPoint on Air Quality in the Fraser Valley.

8. **CORRESPONDENCE**

None

9. **BUSINESS ARISING OUT OF CORRESPONDENCE**

None

10. **REPORTS OF COUNCILLORS, COMMITTEES, COMMITTEE OF THE WHOLE AND COMMISSIONS**

None

11. **REPORTS FROM MAYOR LEO FACIO**

- Provided an update on the Interior to Lower Mainland Transmission Project
- Received an invitation to the SXTA Treaty Information Update Workshop.
- Reported that the Heart and Stroke Foundation has marked the first Saturday in June as National Health and Fitness day.

Moved by Councillor Buckley
Seconded by Councillor Hansen

THAT Council supports the movement to mark the first Saturday in June as National Health and Fitness Day and will promote and raise awareness to the community through social media and public bulletins.

**CARRIED
UNANIMOUSLY**

*Village of Harrison Hot Springs
Minutes of the Regular Council Meeting
May 4, 2015*

- Attended the Celebration of Life for Susan Bohonos
- Commented that the Harrison Festival of the Arts will be held July 11 – 19, 2015
- Commented that the new lights at Hot Springs Road and Lillooet are being funded by the Ministry of Transportation and Infrastructure.
- Walk with your Doc is taking place on May 14, 2015 at the Agassiz Fitness Centre.
- The Fraser Valley Regional District is hosting a celebration event for the Popkum-Cheam Community Trail System on May 9th, 2015 at the Cheam Lake Wetlands Regional Park.
- Attended the opening of the BC Transit Convention.
- Met with MLA Laurie Throness to discuss funding opportunities.
- Reported that the Regional and Corporate Services Committee are bringing forward to the LMLGA a resolution regarding 2015 Provincial budget and BC Transit 2015/16 Service Plan Operation Budget Freeze.

12.

REPORTS FROM STAFF

Report of Director of Finance – April 22, 2015

Re: Statement of Financial Information

Moved by Councillor Hansen

Seconded by Councillor Buckley

THAT Council approves the 2014 Statement of Financial Information.

**CARRIED
UNANIMOUSLY**

Report of Deputy Chief Administrative Officer/Corporate Officer – April 23, 2015

Re: Special Occasion Licence Application – Harrison Festival of the Arts

Moved by Councillor Buckley

Seconded by Councillor Piper

THAT Council approve the endorsement of the Harrison Festival of the Arts Special Occasion Licence Applications for the period May 2, 2015 to July 19, 2015.

**CARRIED
UNANIMOUSLY**

Village of Harrison Hot Springs
Minutes of the Regular Council Meeting
May 4, 2015

Report of Manager of Development and Community Services – April 23, 2015

Re: New Liquor Control Regulations – Whole-Site Licensing & Risk Evaluations

Moved by Councillor Reyerse
Seconded by Councillor Piper

THAT the Business Licencing and Regulation Bylaw No. 945, 2010 be amended to restrict the selling of alcohol by vendors on publically owned lands and restricted on private property to an enclosed area.

**CARRIED
UNANIMOUSLY**

13. **BYLAWS**

None

14. **QUESTIONS FROM THE PUBLIC**

Q: On schedule A of the Financial Plan Bylaw, what makes up the Community Services and the Recreation and Culture categories?

A: Director of Finance will get the information for you.

Q: Is the Recreation Centre reserve a grant?

A: Yes, it is a Community Recreation Program grant.

15. **ADJOURNMENT**

Moved by Councillor Buckley
Seconded by Councillor Piper

THAT the meeting be adjourned at 7:56 p.m.

**CARRIED
UNANIMOUSLY**

Leo Facio
Mayor

Debra Key
Corporate Officer



VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: Mayor and Council **DATE:** May 8, 2015

FROM: Lisa Grant
Manager of Development and Community Services

SUBJECT: Hobie Cat Regatta

ISSUE:

Hobie Cat Regatta organizers have requested use of Rendall Park for their proposed regatta.

BACKGROUND:

The Hobie Cats Association is proposing to host a regatta in Harrison Hot Springs in the waters off of Rendall Park. A Hobie Cat is a small sailing catamaran that is used for racing. Previously the Hobie Cats hosted this event in the Village in 2014 and for several years leading up to 2007. They are proposing to host the regatta on the weekend of August 29 to 30, 2015. The event will host a series of races for a Division 4 Regatta Series.

As part of the regatta the Hobie Cat Association is proposing to:

- Park two security vehicles (motorhomes) along the southeast fence line (Attachment A) from Friday evening until Sunday evening.
- If space permits in the area identified in Attachment A, park boat trailers.
- Hobie Cats will launch from the Rendall Park shoreline. Safety boats will launch from the boat launch and pay the required boat launch fee.
- It is estimated that 35-40 Hobie Cats will participate in the event.

Staff has been in consultation with the event organizer, the Boat Launch Operator (FVRD) and the Village's Manager of Operations to ensure the logistics of the event will have minimal impact on other park and boat launch users.

To allow the security vehicles and boat trailers to be parked in Rendall Park, Council must pass a resolution pursuant to section 4 of the Park Regulation Bylaw No. 915, 2009.

Staff supports the continuation of this event and will work in cooperation with the Tourism Society and Hobie Cats Association to facilitate the event.

RECOMMENDATION:

THAT the application for use of Rendall Park by the Hobie Cat Association for a Division 4 Regatta from August 29 to 30, 2015 be permitted with the following conditions:

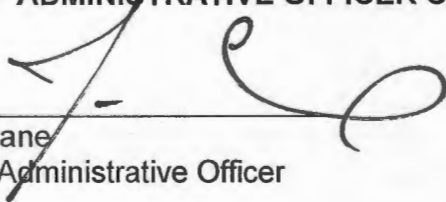
1. The two security vehicles (motorhomes), and Hobie Cat boat trailers will be permitted to be parked in Rendall Park in the designated area, as shown on Attachment A, or as approved by the Village's Manager of Operations.
2. Obtain a Use of Public and Municipal Property Permit.

Respectfully submitted for your consideration;



Lisa Grant
Manager of Development and Community Services

CHIEF ADMINISTRATIVE OFFICER COMMENTS:



Ian Crane
Chief Administrative Officer

Hobie Cats Site Plan





2015 Project Status Report

MAY 2015

Project Name	Project Leader	Anticipated Completion	Status
Community Recreation Grant Re-scope application	Ian/Ian	March 2016	<ul style="list-style-type: none"> Received re-scope approval for Harrison Hot Springs Beach Facilities Upgrade Engineering in progress Tender in July for September start
East Sector/Regional Park	Lisa	Ongoing	<ul style="list-style-type: none"> Project moving forward with area likely to be a designated recreation site
Esplanade Block 2/3	Ian /Ian /CTQ	2016/2017	<ul style="list-style-type: none"> Preliminary Costing/Design – 40% complete
Landfill Assessment Stage 2	Ian/CTQ	Ongoing	<ul style="list-style-type: none"> Implementation of Stage 2 Spring 2015
Float Plane Docks: Phase 1	Ian	May 2015	<ul style="list-style-type: none"> Work on new dock started
Dyke Flood Pump upgrade – temporary/permanent measures	Ian/CTQ	March 2016	<ul style="list-style-type: none"> Final design construction starts Fall 2015 Screw pumps ordered
Water supply & distribution – Rock face piping structural analysis	Ian/CTQ	Ongoing	<ul style="list-style-type: none"> Project Costing Options – June 2015
Lift station #3 replacement	Ian/CTQ	Ongoing	<ul style="list-style-type: none"> On hold, no funding at this time
WWTP – Backup power Generator	Ian/CTQ	Spring 2015	<ul style="list-style-type: none"> Genset installed. Electrical connections and testing to be done
Miami River Wastewater Collection Siphon replacement	Ian/CTQ	Ongoing	<ul style="list-style-type: none"> Budgeted for design and planning in 2014/Spring 2015. Tender in July for September start

WWTP – Decommission/removal old works - Gantry crane installation - Automatic Valving for UV units - Automation/programing installation for sludge dewatering centrifuge	Ian/CTQ	Ongoing	<ul style="list-style-type: none"> Needs to be done. On hold. No funding at this time
Lift station #6 Pump and electrical upgrade	Ian/CTQ	Ongoing	<ul style="list-style-type: none"> Needs to be done. On hold. No funding at this time
Master Wastewater Plan	Ian/CTQ	Ongoing	<ul style="list-style-type: none"> Needs to be done. No funding at this time
Master Drainage Plan updating	Ian/CTQ	Ongoing	<ul style="list-style-type: none"> Needs to be one. No funding at this time
Drawing scanning/Data Management	Ian/CTQ/Dale	Ongoing	<ul style="list-style-type: none"> Needs to be done. On hold. No funding at this time



VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: Mayor and Council **DATE:** May 27, 2015

FROM: Lisa Grant
 Manager of Development and Community Services

SUBJECT: Parking options for the business core of the Village

ISSUE:
 Parking options for the downtown core area of the Village during the peak tourist season including cost recovery for tourism infrastructure.

BACKGROUND:
 Discussions about parking in the Village core have been an on-going topic in the Village for several years. As a resort community attracting a large number of visitors to our community each year, a significant portion of our economy is based on the tourism related businesses and industry. This includes both overnight guests and day-visitors. As a result, during the summer months and especially on holiday weekends, there is increased competition for parking spaces. Currently, there are no restrictions on parking in the Village core area. Residents and visitors alike are able to park for free on Village streets with limited restrictions. This includes overnight parking.

In 2012, staff was directed to explore pay parking options. The impetus for this was the need to generate revenue to support beach maintenance and tourism infrastructure. As part of this process a Request for Proposal was issued and two companies were short listed and invited to submit pay parking proposals. Key highlights of the selected proposal included: profit sharing, free parking for residents (decals provided for cars), flexible parking rate options (hourly vs. flat rate), enforcement split 25/75 of revenues, the option for pay parking to be in effect for five months a year, and equipment rental options. In late 2012, Council resolved to not implement pay parking.

Since 2012, discussions about parking regulations have continued. At a recent Special Meeting of Council, Council directed staff to evaluate options for time restricted parking. This included the concept of implementing a two hour parking restriction for the Village core area. In the discussion section below, staff provides a

comprehensive overview of the costs to implement a time restricted parking system, and alternative parking options.

DISCUSSION:

As a resort community, we need to balance attracting visitors to our community while generating income to support our tourism economy. Overnight guests, whether staying at an accommodation provider (hotel, motel, B&B) or at one of the campgrounds/holiday parks, are supporting our accommodation industry and the local service industry. A significant portion of our economy is reliant on tourism and associated businesses.

While supporting our tourism economy is critical for the Village, Council has expressed concern over the continued use of general tax revenues for beach maintenance. This is specifically aimed at visitors that spend the day in our community utilizing the beach area for picnicking and other recreational activities. In recent years, the trend has shifted to an increasing number of day visitors. As a result, garbage output and collection is increasing, and washroom cleaning and restocking of supplies is becoming more time consuming for our seasonal and public works staff. The cost of maintaining the waterfront is increasing. More staff time is dedicated to daily maintenance and clean up.

At this time, general revenue from property taxation is used for beach maintenance. On average, \$180,000 is budgeted annually for beach maintenance. This does not include improvements and major infrastructure projects such as Esplanade Avenue Block One Streetscape Improvement.

Parking Restrictions (time) Cost Estimates

At a Special Meeting of Council on April 29, 2015, parking management was discussed. The issue raised was the number of vehicles parked along the Esplanade Avenue for long periods of time. Staff was directed to explore the feasibility of implementing time restrictions for the 2015 summer season.

Staff undertook a comprehensive site inspection to determine costs of implementing a time restricted parking system. This included detailed mapping identifying sign locations, the number of new signs, and sign and post combinations. Additionally, our Bylaw Enforcement service provider submitted a cost estimate to enforce a time restricted parking system.

The following guidelines were used to determine the location and number of signs needed to implement time restricted parking:

- The vehicle driver must be able to observe a sign as they are parking. For visitors not familiar with our community, information about time restrictions must be highly visible.
- For angled parking stalls, one sign for every five spaces.
- For parallel parking spaces, one sign for every three spaces.
- In cases where a driveway or loading zone signs will be located on each side of the driveway area.

Cost Analysis of Time Restricted Parking (Esplanade Avenue, St. Alice Street, Lillooet Avenue – West, Maple Street, Cedar Avenue, Chehalis Street)	
Sign Installation	150 signs x \$110.00 (per sign) = \$16,500 Posts & Installation = \$18,200
	Total \$34,700
Enforcement	\$23 (hourly rate) x 14 hours = \$322
	Total Daily Rate \$322
	Annual Enforcement Cost \$117,530 Enforcement Costs for Summer \$49,266
Total Service Cost \$152,230	

As noted above, the total service cost for a one year trial period is \$152,230. This is based on enforcing a time restriction throughout the year.

If Council endorses this option, ticketing only allows for cost recovery for the service delivery. As a result, costs to install the signage cannot be recovered in the ticketing price for violators. The Village currently pays into a regional adjudication system. Based on a report from our enforcement collections agency, approximately 30% of ticket violations are paid annually. As a result, general revenues may be required to implement and pay for time restricted parking in the Village.

Prior to moving forward with time restricted parking, consideration should be given to the impact to the perception of visitors coming to the community. As a resort municipality where people travel a distance to come to the beach for a day, care needs to be taken prior to restricting times people may park in a given location. On busy weekends, people may not find alternative parking locations, may opt to leave early or be frustrated with a parking violation ticket. This can do damage to our position and reputation as a family-friendly recreation destination.

Alternative Options

While time restricted parking will prevent people from using a parking stall for extended periods of time, staff believes the issue that should be addressed is revenue generation to support our tourism industry. For the past several years the Village has been able to utilize funds from the Resort Municipality Initiative to invest in our tourism infrastructure. Our most recent project is the well-received Block One Esplanade Avenue Streetscape Improvement Project. The Province is making changes to this program and will only guarantee funds until 2017. Therefore, investment into our tourism infrastructure becomes more difficult and the Village will need to explore other revenue generating sources.

The following are alternative options for parking in the Village downtown core area:

- 1. Leave parking as-is (no time restrictions or fees);
- 2. Implement full pay parking for the entire downtown core area;
- 3. Implement pay parking for Esplanade Avenue, St. Alice Street (north), Maple Street (north), Cedar Street (north), and Spruce Street (north); or
- 4. Implement pay parking along Esplanade Avenue.

Conclusion

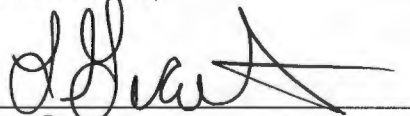
After much consideration, staff is recommending that no changes to parking be implemented in 2015, and further that, Council resolve to implement pay parking in the spring of 2016 for Esplanade Avenue, St. Alice Street (north), Maple Street (north), Cedar Street (north), and Spruce Street (north).

RECOMMENDATION:

THAT pay parking for Esplanade Avenue, St. Alice Street (north), Maple Street (north), Cedar Street (north) and Spruce Street (north) be implemented in the Spring of 2016;

AND THAT no changes for parking be implemented in 2015.

Respectfully submitted for your consideration;



Lisa Grant
Manager of Development and Community Services


MANAGER OF OPERATIONS COMMENTS:

Ian Gardner
Operations Manager

DIRECTOR OF FINANCE COMMENTS:

Dale Courtice
Director of Finance

CHIEF ADMINISTRATIVE OFFICER COMMENTS:



Ian Crane
Chief Administrative Officer



VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: Mayor and Council **DATE:** May 12, 2015
FROM: Debra Key, Deputy Chief Administrative Officer/CO **FILE:** 3900-01
SUBJECT: Property Maintenance Bylaw No. 1072, 2015

ISSUE: Regulatory bylaw for maintenance of property

BACKGROUND:

Council directed staff to review language in the Unsightly Premises Bylaw on the issue of unsightly properties, specifically with respect to blackberry bushes and other unsightly matter.

Staff prepared a new bylaw that provides clearer definition and regulation of unsightly, nuisance or hazardous properties. There have been provisions included in the bylaw that require property owners to ensure brushing of vegetation, and, that weed or invasive species removal is completed to alleviate rodent and insect infestation and/or stop overgrowth and encroachment on neighbouring properties.

The bylaw was presented to Council on April 7, 2015 for review and receipt and is now being presented for Council's consideration.

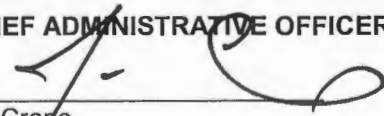
RECOMMENDATION:

THAT Property Maintenance Bylaw No. 1072, 2015 be given first, second and third readings.

Respectfully submitted for your consideration;

Debra Key
Deputy Chief Administrative Officer/CO

CHIEF ADMINISTRATIVE OFFICER COMMENTS:



Ian Crane
Chief Administrative Officer

A Bylaw to regulate maintenance of property within the Village of Harrison Hot Springs

WHEREAS pursuant to Section 8(3)(h) of the Community Charter, it is deemed necessary to regulate, prohibit and impose requirements to protect and enhance the well-being of properties within the Village of Harrison Hot Springs,

NOW THEREFORE the Council of the Village of Harrison Hot Springs, in open meeting assembled, enacts the following:

1. CITATION

This Bylaw may be cited for all purposes as the "Village of Harrison Hot Springs Property Maintenance Bylaw No. 1072, 2015."

2. DEFINITIONS

"*Accumulation*" means the buildup, mass, pile, stack, collection, stock, reserve, hoard or store of matter, water or other growths whether covered or uncovered by soil or other materials, or screened or unscreened by vegetation;

"*Bylaw Enforcement Officer*" means a person employed or contracted by the Village to administer and enforce this Bylaw;

"*Council*" means the Council of the Village of Harrison Hot Springs;

"*Dilapidated*" means a state of disrepair or ruin apparently resulting from disuse or neglect;

"*Infestation*" means the state of being invaded or overrun by pests, parasites or other organisms that can be harmful, threatening or obnoxious;

"*Graffiti*" means writings, drawings or images, scribbled, scratched or sprayed illicitly on a wall or other surface in a public place;

"*Invasive plants*" means those species listed with the Invasive Species Council of British Columbia, including, but not limited to *Himalayan Blackberry*;

"*Noxious weeds*" means the plants classified under the *Weed Control Act of BC*;

"*Order*" means a notice delivered by the Bylaw Enforcement Officer for the purpose of directing actions or measures to achieve compliance with this Bylaw;

"Rubbish" means any one or more of the following:

- a) Refuse, garbage, debris or waste that is produced or resulting from human activity;
- b) Discarded or unused materials, substances or objects;
- c) Foul or putrid matter or other filth;
- d) Noxious, offensive or unwholesome substances and materials; including those that present a fire hazard, health hazard or environmental pollution;
- e) Damaged or unused wire or vehicle tires or parts;
- f) Rusted, or inoperative appliances, machinery, metal or parts thereof;
- g) Waste from construction or demolition;

"Unightly" or "declared nuisance" means in relation to real or personal property, includes property that is cluttered, dilapidated, disorganized, unclean or in such a state of apparent neglect or disrepair as to unreasonably cause irritation or inconvenience to residents or business operators in the vicinity or to members of the public;

"Vacant" means a building or structure which is without lawful resident or occupant or which is not being put to a lawful commercial, residential, or industrial use for a continuous period of over forty-five days within a consecutive sixty day period or which, may be unoccupied and unsecured; occupied and secured by boarding or other similar means; unoccupied and deemed a nuisance or hazardous building or structure or no longer hold a valid building permit.

"Village" means the Village of Harrison Hot Springs

3. REGULATIONS

- a) A person must not place graffiti, or cause, suffer or allow graffiti to be placed, or to remain, on any building, wall, fence, sign or other structure or thing on or adjacent to a road, sidewalk, parking lot, or other public place, whether or not the property is privately owned.
- b) A person must not:
 - i. Throw, deposit, leave, or place rubbish in or upon any public space or private property;
 - ii. Allow the accumulation of any noxious weed or invasive plant or any other material in or on any public or private property that could cause infestation;

- iii. Abandon a vehicle, household appliance or furniture, or any parts thereof, in or on any highway, sidewalk, ditch, parking lot, waterway, park or other public place, or in any open place on private property.
- c) An owner or occupant of any land, property or premises:
- i. must not cause, permit suffer or allow the land, property or premises to become or remain unsightly;
 - ii. must not cause or permit, suffer or allow any of the following to accumulate or to remain on or around the land, property or premises;
 - a) rubbish;
 - b) broken or dilapidated furniture or bedding or inoperable appliances and parts there;
 - c) vehicle parts or equipment;
 - d) unused wood or wood products, other than seasoned or untreated wood or manufactured products cut in lengths for use in a solid fuel burning appliance;
 - e) construction materials or equipment, where no apparent or actual construction activity for which those items are required has been initiated, is pending or is in progress;
 - f) must not cause, suffer or allow standing water to accumulate or unsanitary conditions to develop or remain.

4. REQUIREMENTS

- a) Every person who owns or occupies real property must:
- i. Ensure that brushing of vegetation and weed or invasive species removal is completed regularly as to alleviate or stop to overgrowth of same.
- b) On being delivered an order, remove or cause to be removed from the property:
- i. Any and all unsightly conditions described in the order; and
 - ii. Any water, noxious weed, invasive species, objects, or conditions listed in paragraph 3(c) identified in the order, within a time period stated in the order, or if no time period is stated, within 30 days following the date of the order was mailed or otherwise delivered.

5. ENTRY AND ORDERS

- a) A Bylaw Enforcement Officer, and other municipal officers or employees may, in accordance with section 16 of the *Community Charter*, enter on any property to inspect and determine whether the restrictions and requirements of this Bylaw are being met.
- b) A Bylaw Enforcement Officer may, by written order, identify a condition on real property, premises, a building, structure or personal property that appears to be in violation of this Bylaw, and may direct the owner, occupier or other person having an interest or right in the property to bring the property into compliance. An order under this section may specify steps that must be taken and a time frame, and may address any conditions or circumstances particular to the property and the person to whom the order is directed for the purpose of achieving compliance with this Bylaw.
- c) An order made under this Bylaw is sufficiently delivered when a copy of the order is:
 - i. Mailed to the owner of the property by registered mail;
 - ii. Personally delivered to the owner of the property or to an occupant who appears to be 19 years of age or older;
 - iii. In the case of a corporate owner or occupier, by delivering it personally or by mail to its registered office or business premises, or
 - iv. Posted on the property that is the subject of the order by a Bylaw Enforcement Officer if the owner or occupant cannot be located or appears to refuse delivery.

6. REVIEW BY COUNCIL

- a) A person who has been delivered an order under this Bylaw may, by giving notice in writing to the Corporate Officer for the Village, at least five (5) days prior to the time of expiry of the time period set out in the order, seek review by Council at a time to be arranged by the Corporate Officer but in any case, within a time period not exceeding two (2) months from the date the order was delivered.
- b) On reviewing a matter pursuant to subsection 6(a), Council may confirm, modify, add to or rescind an order of the Bylaw Enforcement Officer.

7. REMEDATION AND COST RECOVERY THROUGH FEES

- a) Every person with a right or interest in real or personal property that is the subject of an order by a Bylaw Enforcement Officer or direction of Council must comply fully with that order or direction.
- b) If a person subject to an order or a direction of Council under this Bylaw fails to take any and all required actions within the applicable time period, the Village may, by its own employees, servants or contractors, enter on the property and fulfill the requirements at the expense of the person subject to the order or direction. The Village may recover the costs incurred by it from that person as a debt which shall include all costs relating to the remediation including an administrative charge of \$100.00 for every ten days following the expiration of an Order issued under 6(b) until completion of all remedial works.
- c) If costs incurred by the Village for work done or services provided under this bylaw are not paid in full on or before December 31st of the year in which the work was done or services provided, the amount owing may be collected in the same manner as for property taxes.

8. ENFORCEMENT, OFFENCE AND PENALTY

- a) This Bylaw may be enforced by a Bylaw Enforcement Officer, who may be assisted by other employees of the Village or a peace officer as considered necessary in the circumstances.
- b) A person must not interfere with, resist or willfully obstruct any person authorized to carry out an inspection or other function or proceeding pursuant to this Bylaw.
- c) A person who
 - i. Contravenes, violates or fails to comply with any provision of this Bylaw;
 - ii. Fails or neglects to do anything required to be done under this Bylaw; or
 - iii. Suffers or allows any action or thing to be done in contravention of this bylaw or any order or direction made under this Bylaw commits an offence, and where the offence is a continuing one, each day that the offence is continued constitutes a separate offence and may be liable to pay a penalty under the Bylaw Notice Enforcement Bylaw.

9. SEVERABILITY

If any section, subsection, sentence, clause or phrase in this Bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.

10. REPEAL

The "Village of Harrison Hot Springs Regulation of Unsightly Premises Bylaw No. 741, 1999" is hereby repealed.

READINGS AND ADOPTION

READ A FIRST TIME THIS DAY OF _____, 2015

READ A SECOND TIME THIS DAY OF _____, 2015

READ A THIRD TIME THIS DAY OF _____, 2015

ADOPTED THIS DAY OF _____, 2015

Mayor

Corporate Officer