

## Park Use Permit Application Form

**INSTRUCTIONS:**

To apply for a park use permit, please submit the following to the Corporate Services Department at City Hall [castlegar@castlegar.ca](mailto:castlegar@castlegar.ca):

- Completed application form.
- Proof of event liability insurance in the minimum amount determined by Bylaw 1410 (attached) naming the City of Castlegar as an additional insured on the policy.
- Proof of appropriate certified traffic control for any events on City streets to direct traffic along alternate routes.
- A traffic control plan for any events on City streets impeding traffic.
- A site plan including fire safety route and details.
- Please review the attached applicant responsibilities.

**APPLICANT/EVENT INFORMATION**

Organization Name: \_\_\_\_\_ Applicant Name: \_\_\_\_\_

Onsite Contact: \_\_\_\_\_ Address: \_\_\_\_\_

Primary Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Event Name: \_\_\_\_\_ Estimated Event Attendance: \_\_\_\_\_

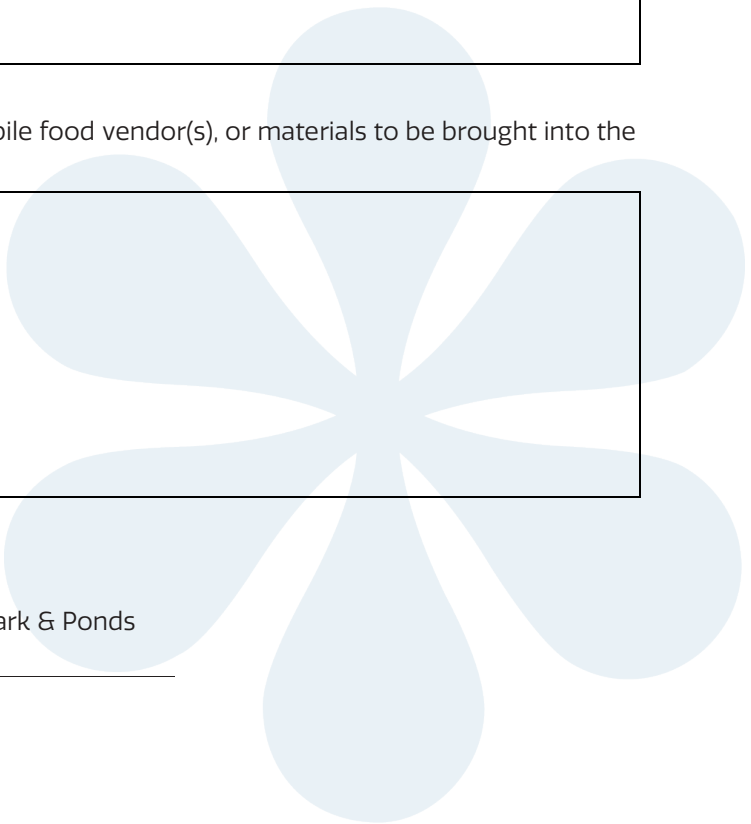
Event Date(s): \_\_\_\_\_ Event Time(s): \_\_\_\_\_

Detailed Event Description:

Brief description of equipment, temporary structures, mobile food vendor(s), or materials to be brought into the park as part of the special use:

**PARK/EVENT LOCATION**

- |   |  |
|---|--|
| <input type="checkbox"/> Blueberry Creek Park | <input type="checkbox"/> Kinnaird Park           |
| <input type="checkbox"/> Kinsmen Park         | <input type="checkbox"/> Millennium Park & Ponds |
| <input type="checkbox"/> Cone Hill Park       | <input type="checkbox"/> Other _____             |



Which area of the park do you plan to use and for what purpose:

[Empty rectangular box for park area and purpose details]

Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*Information collected is in accordance with Section 26 of the Freedom of Information and Protection of Privacy Act and will form as part of the City's records.*

**INTERNAL USE ONLY**

Copy of insurance received:	Yes	No	Traffic control plan required:	Yes	No
Site plan and Fire Safety plan received	Yes	No	Traffic control plan received:	Yes	No
			Proof of certified traffic control	Yes	No

Application reviewed and approved by:

- Corporate Services
- Civic Works
- RCMP
- Fire Department

Application approved by (name): \_\_\_\_\_

Signature: \_\_\_\_\_

Date permit was sent to applicant: \_\_\_\_\_

- Good Neighbour Bylaw 1449 and Park Administration Bylaw 698 sent to applicant.
- Vendor requirements and checklist sent to applicant.
- Copy of permit sent to internal distribution list.

### IMPORTANT INFORMATION

Should weather conditions exist that severely undermines the health/ stability of the turf surface, the City may apply restrictions or revoke access at short notice (ground saturation/ prolonged extreme temperatures).

A request for supply of power will be assessed on a case-by-case basis taking into consideration local infrastructure at that location, and the nature of the request. The user will be responsible for ensuring the system is used correctly and must provide a plan for controlling any hazards to the public.

A request for the supply of water will be assessed on a case-by-case basis taking into consideration local infrastructure, nature of the request and the risk of freezing. *Water supply infrastructure will be closed during the period of Oct 15 – April 15 each year.*

A request for access to unheated washrooms will be assessed on a case-by-case basis taking into consideration local infrastructure, nature of the request and the risk of freezing. *Washroom facilities will be closed during the period of Oct 15 – April 15 each year.*

The costs of damage caused to City property, including but not limited to roads, sidewalks, park structures, landscaping, or facilities shall be at the permit holder's expense. A detailed billing will be provided by the City.

The permit holder at all times, accepts full responsibility for any accident that may occur, or damage that may be done to any person or property whatsoever, caused directly or indirectly by the use and occupation of the temporary closure area and shall save harmless and keep indemnified the City of Castlegar from all claims and demands whatsoever in respect of such use and occupation outlined in this application.

City parks are public spaces and permit holders cannot restrict the general public from the use of park areas.

### PERMIT HOLDER RESPONSIBILITIES

- Apply for a Park Use Permit at least one month in advance of the event. Parades and larger park events require minimum three months notice.
- Obtain liability insurance in the minimum amount determined by Bylaw 1410 for the event to include naming the City of Castlegar as an additional insured on the policy.
- Abide by all City of Castlegar Bylaws including but not limited to Good Neighbour Bylaw 1449, Park Administration Bylaw 698, and Fire Regulations Bylaw 905.
- The permit holder agrees to accept the event or activity area as is, and the permit holder will use the area at their own risk.
- The permit holder shall have total responsibility for the layout and shall take all steps to ensure that the event is properly supervised to prevent injury to participants, spectators and park users.
- No signs, markers or any other materials shall be nailed or tacked to trees or other vegetation or structures.
- The permit holder is responsible for ensuring the event or activity is conducted in a safe, orderly manner, is restricted to the park area identified in the permit and does not interfere with other park users.

- The permit holder must provide a site plan to the City. All temporary structures (tents, booths, staging, etc.) and activities on green spaces that could cause damage to the turf or buried infrastructure require pre-approval of the City.
- Vehicle access on green spaces is prohibited.
- The permit holder must remove all evidence of the event – signs, markers, temporary structures, garbage and recycling, and ensure that the area in which the event is held is left in a clean condition.
- The City does not supply dumpsters, garbage collection or hauling. Any site cleanup post event is the responsibility of the permit holder.
- Mobile food vendor(s) will be subject to following the Castlegar Fire Department Mobile Food Vendor Guideline/Checklist, if applicable.

**Traffic Control**

- The permit holder must make arrangements for appropriate certified traffic control for any parades and events on City streets to direct traffic along alternate routes.
- The permit holder must provide the City with a traffic control plan for any parade or events on City streets.
- The permit holder is responsible for providing at their own expense, personnel and temporary markers, (such as signs, barricades, cones, and parade marshals), which must be in place for the entire duration of the special event.



# **Special Event, Parade, and Park Use Permits**

Bylaw 1410

January, 2024

**CASTLEGAR**

# Special Event, Parade, and Park Use Permits

## Bylaw 1410

**A Bylaw pursuant to Sections 8 and 64 of the *Community Charter*, to regulate, prohibit and impose requirements in relation to public places and the protection and enhancement of the well-being of its community.**

**WHEREAS** the *Community Charter* provides that Council may, by bylaw, regulate, prohibit and impose requirements in relation to public places and the protection and enhancement of the well-being of its community,

**AND WHEREAS** Council deems it to be in the public interest to establish a bylaw governing the granting and regulation of permits for Special Events, Parades and Park Use in the City of Castlegar,

**NOW THEREFORE** the Council of the City of Castlegar, in open meeting assembled, enacts as follows:

1. **This Bylaw may be cited as the "Special Event, Parade, and Park Use Permits Bylaw 1410".**

### 2. **Definitions**

"**Applicant**" – means the person submitting the Application for a permit and the holder of the issued permit.

"**City**" – means all parts of the City of Castlegar contained within the boundaries of the City.

"**City owned property**" – means any real property or property subject to a right of occupation by the City for the purpose of pleasure, recreation, or community uses of the public, including but not limited to parks, playgrounds, sport courts, natural and landscaped areas, sports fields, trails, walkways, parking lots, and other public places.

"**Council**" – means the Council of the City of Castlegar.

"**Fee**" means any consideration paid, transferred, exchanged, assigned, or acknowledged, or to be paid, transferred, exchanged assigned, or acknowledged.

"**Fire Safety Plan**" – means a document or diagram that covers all aspects of fire safety for a specific event location.

"**Insurance**" – means insurance coverage/policy that provides liability coverage for but not limited to bodily injury and third-party property damage for the purpose of a special event or parade and includes the City of Castlegar as an additional insured for the special event or parade.

"**Park**" means any real property or property subject to a right of occupation by the City for the purpose of pleasure, recreation, or community uses of the public, including parks, playgrounds, sport courts, natural and landscaped areas, sports fields, trails, walkways, green space, and other public places.

"**Parade**" – means a public procession on City owned roads that may cause traffic disruptions, require redirecting of traffic, or road closures.

"**Permit**" – means a special event or parade permit issued under this Bylaw.

"**Person**" – means an individual, partnership, association, corporation, organization, business, cooperative, trustee, executor, administrator, or legal representative.

"**RCMP**" – means the Royal Canadian Mounted Police.

"Site" – means the land/location described in a permit, on which a special event or parade is to be held.

"Site Plan" – A drawing or diagram that shows the area that the event is being held on, and includes locations of temporary equipment that is being used to operate an event, including stage, vendors, and activity placement.

"Special Event" – means any special event or gathering, show, exhibition, fair, concert, market, sporting special event and/or performance of a temporary nature.

"Traffic Control Plan" means a plan created by a certified traffic safety company to clearly direct and control vehicular traffic disruptions and may call for coordinated actions from several services responsible for road and traffic management on roads.

### 3. Locations that Require a Permit

All City-owned property including parks, green space, playgrounds, sport courts, natural and landscaped areas, sports fields, trails, walkways, parking lots, roads, sidewalks, rights-of-ways, and other public places.

### 4. Application for Permits

- a. Written applications for permits to host Special events, Parades, or use of a specified location(s) within the City boundaries must be submitted at least one month in advance of the special event, to the Corporate Services Department.
- b. The Applicant must obtain liability insurance in the minimum amount in accordance with Schedule A of this Bylaw, and name the City as an additional insured on the policy, prior to approval and issuance of the permit.
- c. Parades or special events that require the closure of a portion of any City road, requires that the Applicant must provide, at their cost, a Traffic Control Plan, and certified traffic control at every intersection for any Parade or Special Event that takes place on City roads and that could potentially disrupt traffic.
- d. The Applicant will ensure certified traffic control are located at every intersection prior to the beginning of the Parade or Special Event or the Parade or Special Event will be immediately cancelled.
- e. The Applicant must provide a site plan to the City for any and all temporary structures (tents, booths, staging, etc.) and activities located on any City-owned green space that could cause damage to the turf or buried infrastructure will require pre-approval of the City.
- f. The Applicant must provide a fire safety plan to the City showing location of exits, hydrants, fire extinguishers, and evacuation routes.
- g. Mobile food vendor(s) will be subject to following the Castlegar Fire Department Mobile Food Vendor Guideline/Checklist, as is applicable.
- h. The City may impose specific terms and conditions with respect to a Permit in relation to:
  - i) Duration of the Special Event;
  - ii) Maximum attendance;
  - iii) Waste management and clean-up;
  - iv) Damage deposits and fees;

- v) Damage to property;
- vi) Public health and safety;
- vii) Vehicular and traffic control, parking control and crowd control;
- viii) The protection of public or private property;
- ix) The presence of security, police or other emergency services;
- x) The presence of medical services and / or first aid;
- xi) Arrangements for public transit and emergency vehicle access;
- xii) The consumption and use of liquor and cannabis products;
- xiii) The sale, service and consumption of liquor or cannabis products;
- xiv) Notification of neighbours or other persons who may be impacted by the Special Event or Parade.

## 5. Exemptions

- a. This Bylaw does not apply to the following:
  - i) Special events held on private property that nonetheless are required to follow relevant Municipal Bylaws.
  - ii) The City of Castlegar.
  - iii) The Provincial Government and Federal Government, and its Ministries.

## 6. General Permit Conditions

- a. No person shall hold or prepare public property for holding a Special Event or Parade unless the Applicant or person holding the Special Event has a valid City approved Permit.
- b. The Applicant must follow all rules and regulations as defined in the City approved Permit.
- c. Public places such as parks or City-owned roads will always be accessible to the public and a Permit will not limit or restrict the public from use of those public places.
- d. A Permit issued under this Bylaw is non-transferrable.
- e. A Permit issued under this Bylaw is issued on the understanding and condition that it is not automatically renewable, that it implies no expectation of renewal and that it ceases absolutely at the end of the period outlined on the Permit.
- f. A Permit issued under this Bylaw provides no suggestion or warranty as to the suitability of the location for the successful operation of the Special Event or Parade.
- g. The costs of damage caused to City property, including but not limited to roads, sidewalks, park structures, landscaping, infrastructure, or facilities shall be at the Applicant's expense. A detailed billing will be provided by the City.
- h. The Applicant must comply with all applicable laws, bylaws, orders, directions, ordinances, and regulations of any governmental authority having jurisdiction in any way with respect to the site, Special event, and Parade, including, but not limited to, the Province of British Columbia and all its Ministries, BC Wildfire Service, RCMP, the Castlegar Fire Department, WorkSafe BC, Interior Health Authority, and British Columbia Liquor and Cannabis Regulation Branch (LCRB), unless an authorized exemption is obtained by the Applicant, in writing from the applicable authority having jurisdiction.

- i. The City reserves the right to not accept applications that promote or support a particular religious or political view or belief, or which promote or support discrimination, contempt, or hate speech.
- j. The City may refuse to issue or revoke a Permit to the Applicant where the Applicant has not complied with the requirements of this Bylaw, or in circumstances where there are outstanding invoices owed to the City as a result of damages or contravention of this Bylaw by the applicant group.
- k. Should weather conditions exist that severely undermines the health/ stability of the turf surface, the City may apply restrictions or revoke access to City property at short notice (ground saturation/ prolonged extreme temperatures).
- l. A request for supply of power will be assessed on a case-by-case basis taking into consideration local infrastructure at that location, and the nature of the request. The Applicant will be responsible for ensuring the system is used correctly and must provide a plan for controlling any potential hazards to the public.
- m. A request for the supply of water will be assessed on a case-by-case basis taking into consideration local infrastructure, nature of the request and the risk of freezing. Water supply infrastructure will be closed during the period of Oct 15 – April 15 each year. Activities pertaining to permits are subject to the City's water regulations in accordance with the Water Regulation and Rates Bylaw, and any amendments thereto, if applicable.
- n. A request for access to unheated washrooms will be assessed on a case-by-case basis taking into consideration local infrastructure, nature of the request and the risk of freezing. Washroom facilities will be closed during the period of Oct 15 – April 15 each year.
- o. The Applicant at all times, accepts full responsibility for any accident that may occur, or damage that may be done to any person or property whatsoever, caused directly or indirectly by the use and occupation of the temporary closure area and shall save harmless and keep indemnified the City of Castlegar from all claims and demands whatsoever in respect of such use and occupation outlined in the Special Event or Parade application.
- p. The Applicant shall have total responsibility for the layout of the Special Event or Parade and shall take all steps to ensure that the Special Event is properly supervised to prevent injury to participants, spectators and those in attendance.
- q. No signs, markers or any other materials shall be nailed or tacked to trees or other vegetation or structures.
- r. Vehicle access on green spaces is strictly prohibited.
- s. The Applicant must remove all evidence of the Special Event or Parade such as signs, markers, temporary structures, garbage and recycling, and ensure that the area in which the Special Event or Parade is held is left in a clean condition.
- t. The City does not supply dumpsters, garbage collection or hauling. Any site cleanup post Special Event or Parade is the responsibility of the Applicant.

## 7. Security Deposits

- a. The City reserves the right to charge a security deposit in the form of a standby irrevocable letter of credit, cash or another form of security in the amount reasonably determined by the City on the basis of size, duration, impact, nature, and history of the Special Event or Parade for:

- i) Any loss or damage to land or property due to the Special Event or Parade.
  - ii) Any fines or penalties owed by the Applicant as a result of a contravention to this Bylaw or any other relevant City Bylaws, if the fines or penalties are owed in relation to promoting or holding the Special Event or Parade, and which amounts may be deducted from the security deposit once the fine or penalty becomes due and payable to the City.
  - iii) Any costs incurred by the City arising from or related to the Special Event or Parade, including the cost to provide emergency services or any other services, including but not limited to any necessary civic works provided by the City.
  - iv) Any costs to restore the site of the Special Event or Parade to the condition that it was in prior to the Special Event or Parade.
  - v) Any costs and damages incurred by the City arising from specified terms in a written agreement with the City or in the terms and conditions of the permit.
- b.** The City will hold the security deposit without interest for a maximum of 60 days following the conclusion of the Special Event or Parade, at which time the City will return the security deposit subject to section 7(a) of this Bylaw.
- c.** If the Applicant fails to comply with the terms and conditions of the Special Event or Parade Permit or, if the Special Event or Parade results in damage to the site, public property or infrastructure which the Applicant fails to remedy, then the City or its agents may enter onto the site and perform such work as is necessary to cleanup, repair, reconstruct or replace the site, public property or infrastructure and the City may draw upon and use all or a portion of the security deposit to cover the costs of such work. Damage includes, but is not limited to, damage caused by a participant or spectator at the special event.

**8. Severability**

Should any section, subsection, clause, paragraph or sentence of this Bylaw be declared invalid by a court of competent jurisdiction, no other part of this Bylaw shall be deemed to be invalid, and the balance of the Bylaw shall remain in force as a whole except for the part declared invalid.

**9. Repeal**

Special events Bylaw No. 655, 1993 and all amendments thereto are hereby repealed.

READ A FIRST TIME this 18<sup>th</sup> day of December, 2023.

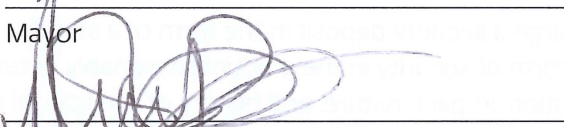
READ A SECOND TIME this 18<sup>th</sup> day of December, 2023.

READ A THIRD TIME this 18<sup>th</sup> day of December, 2023.

ADOPTED this 15<sup>th</sup> day of January, 2024.



Mayor



Director of Corporate Services

**Schedule A  
Special Events, Parade and Park Use Permits  
Bylaw 1410**

<b>Special Event/Park Use Type Risk Level and recommended liability insurance</b>			
<b>Minimal \$2 Million</b>	<b>Low \$2 Million</b>	<b>Medium \$2 Million</b>	<b>High \$5 Million</b>
<ul style="list-style-type: none"> <li>• Health and wellness special events.</li> <li>• Leisure and recreation classes and workshops.</li> <li>• Non-contact recreational sports.</li> <li>• Social activities.</li> <li>• Art, cultural, or general interest programs.</li> <li>• Community involvement activities (community meetings).</li> <li>• Artists and small outdoor performances in parks.</li> <li>• Block parties, picnics, and small group demonstrations and rallies.</li> <li>• Photography, videography, or filming – less than one day.</li> <li>• Walks and other non-competitive runs.</li> <li>• Small to medium size meetings in local government facilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Farmers' markets.</li> <li>• Special event, community celebrations – NO alcohol consumption.</li> <li>• Occupancy of streets at one single location.</li> <li>• Photography, videography, or filming – less than one week.</li> <li>• Private or non-profit Special event functions – NO alcohol consumption.</li> <li>• Small theatrical, artistic, or cultural performances on local government streets or in parks.</li> <li>• Small-scale parades on local government side streets or in parks.</li> <li>• Special events involving rental of local government building facilities for less than one day.</li> <li>• Temporary use of streets.</li> <li>• Larger walks and other non-competitive runs.</li> </ul>	<ul style="list-style-type: none"> <li>• Competitive runs and cycling special events.</li> <li>• Corporate functions – with or without alcohol consumption.</li> <li>• Field sporting special events organized by community groups.</li> <li>• Special events or filming involving rental of local government facilities – six or more calendar days or recurring annually.</li> <li>• Large walk-a-thons and other non-competitive runs.</li> <li>• Sport tournaments.</li> <li>• Bike riding (not mountain biking).</li> <li>• Boating, canoeing, kayaking, sailing and skim boarding.</li> <li>• Programs for adults and youth involving use of inflatables, bouncy castles, or trampolines.</li> </ul>	<ul style="list-style-type: none"> <li>• Boxing and combative martial arts.</li> <li>• Rock climbing.</li> <li>• Snowboarding and ski lessons, and winter tubing/tobogganing.</li> <li>• Special events that require special set-up, modification to the premises.</li> <li>• Fireworks displays.</li> <li>• Large-scale special events, concerts, festivals, or parades, vehicle parades on local government streets or in parks.</li> <li>• Special events, festivals, community celebrations – involving alcohol consumption.</li> </ul>

	<ul style="list-style-type: none"> <li>• Large meetings in local government facilities.</li> <li>• No-contact, low-impact, self-defence martial arts.</li> <li>• Personal training sessions.</li> <li>• Small, limited attendance performances that do not require special set-up, modification to the premises, or specialized equipment; or that do not involve high risk activities.</li> </ul>		
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*\*\*This is a general list of activities/special events and is not limited to the above.*

CITY OF CASTLEGAR

BYLAW 698

A bylaw to regulate and govern the operation and use of parks in the City of Castlegar.

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WHEREAS Section 679 of the *Municipal Act* provides that Council may, by bylaw, make rules and regulations governing the management, maintenance, improvements, operation, control and use of any property in the municipality, owned or operated by the municipality, which is used for pleasure, recreation or community use;

AND WHEREAS Section 120 of the Motor Vehicle Act provides that Council may, by bylaw, provide for various matters referred to therein;

AND WHEREAS Council deems it expedient to regulate the use of parks within the City of Castlegar;

NOW THEREFORE, the Council of the City of Castlegar, in open meeting assembled, hereby enacts as follows:

Citation

1. This bylaw may be cited as "Parks Administration Bylaw No. 698, 1994".

Definitions

2. In this bylaw unless the context otherwise requires:
  - a) "Device" means a device designed to be moved by human power in, or on by which a person or thing is or may be transported or drawn.
  - b) "Emergency Vehicle" means a vehicle carrying rescue or first aid equipment or a vehicle operated by a Park Enforcement Officer or Fire Department personnel.
  - c) "Park" means all parks, playgrounds, heritage sites, beaches, swimming pools and other places of outdoor recreation owned or operated by the City of Castlegar.
  - d) "Park Enforcement Officer" includes a Peace Officer, a Bylaw Enforcement Officer, an Animal Control Officer, the Fire Chief and any person or class of persons designated as a Park Enforcement Officer by resolution of the Council.
  - e) "Sign" means a sign placed or erected by authority of the Council or the Superintendent of Public Works.
  - f) "Vehicle" has the meaning defined in the Motor Vehicle Act.

General Regulations

3. All parks shall be open for use by the general public between the hours of 7:00 a.m. and 10:00 p.m. each day of the week.

4. The City Clerk may authorize a temporary exception from the provisions of Section 3 and Section 7 by granting a permit in the form attached hereto as Schedule "A" and forming part of this bylaw.
5. The Superintendent of Public Works is authorized to make, revoke, and amend orders for the placement and erection of any signs referred to in this bylaw.

Prohibitions

6. No person shall, in any park:
  - a) Destroy or damage any tree, shrub, plant, turf or flower;
  - b) Destroy, damage or deface any building, fence, bench, sign, ornament or other structure;
  - c) Foul or pollute any fountain, lake, pool, pond, stream or other body of water;
  - d) Cross any area where signs have been erected forbidding such crossing;
  - e) Deposit any waste or offensive matter except in receptacles provided for such purposes;
  - f) Play any game in an area where signs have been erected prohibiting such use;
  - g) Permit any animal under their ownership or custody to run at large or to feed upon any vegetation;
  - h) Conduct himself in any disorderly manner;
  - i) Enter or remain in a park except during the periods when parks are open for use by the general public;
  - j) Obstruct the free use and enjoyment of the park by any other person;
  - k) Enter or bathe in any pool, stream or other water designed for bathing without being properly clothed in a swim suit;
  - l) Operate any boat, water-ski or other contrivance so as to endanger or interfere with persons use of the water for swimming or wading;
  - m) Interfere with or obstruct any employee of the City in the performance of his duty;
  - n) Operate any vehicle or device except an emergency vehicle at a speed greater than 10 km per hour;
  - o) Operate any vehicle or device in such a manner as to disturb the enjoyment of the park by other persons;
  - p) Park any vehicle except in a place designated for parking by a sign;

- q) Park a vehicle between the hours of 10 pm and 7 am or for a period exceeding that provided for on any sign setting out the length of time permitted for parking in that area;
  - r) Operate any vehicle or device except in an area specifically designated by a sign or signs;
  - s) Operate any vehicle or device in such a manner as to do damage to the park.
7. No person, shall except as authorized pursuant to Section 4, in any park:
- a) Sell or expose for sale, any refreshments or other articles or service;
  - b) Discharge, fire or explode any firearms, fireworks or other pyrotechnics;
  - c) Light a fire except in places specifically provided for that purpose by the City;
  - d) Molest, trap, injure or catch any bird, or other animal;
  - e) Perform or take part in any procession, ceremony, concert or other performance;
  - f) Erect any structure;
  - g) Advertise any product or service;
  - h) Consume, or offer for sale, alcohol.

Enforcement

- 8. A Park Enforcement Officer may remove from any park, any unattended animal or an animal found in a prohibited area of any park.
- 9. Where a Park Enforcement Officer finds any person to be in violation of this bylaw he may direct that person to leave the park. Any person who is directed by a Park Enforcement Officer to leave a park shall obey forthwith.
- 10. Where any Park Enforcement Officer finds any vehicle to be in violation of this bylaw, he may cause the said vehicle to be removed and stored in a safe and otherwise suitable location and the owner of the said vehicle shall pay all charges for such removal and storage.
- 11. The City may recover the fees, costs, and expenses payable pursuant to Section 10 by sale of the vehicle at public auction or by action in a Court of competent jurisdiction.
- 12. Any person who violates any provision of this bylaw, or who suffers or permits any act to be done in contravention or violation of any of the provisions of this bylaw, or who neglects or refrains from doing anything required to be done by any provision of this bylaw, commits an offence and is liable on conviction to a fine of not more than \$2,000.00.

13. Bylaw No. 557 cited as "Public Park Closure Bylaw" is hereby repealed.

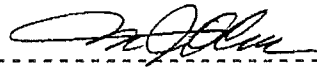
14. This bylaw shall come into full force and effect upon adoption.

READ A FIRST TIME on the 16th day of August, 1994.

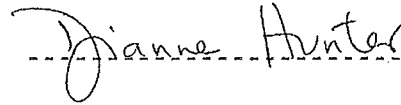
READ A SECOND TIME on the 16th day of August, 1994.

READ A THIRD TIME AND PASSED on the 16th day of August, 1994.

ADOPTED on the 6th day of September, 1994.



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Mayor



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Clerk

CITY OF CASTLEGAR

Parks Administration Bylaw No. 698, 1994

Schedule "A"

Exemption Permit (Section 4)

Name of Applicant or Organization:

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Name of Contact Person:

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Address:

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Event:

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Location and Name of Park:

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Date and Time of Event:

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Permission is hereby granted for the above exemption from the provisions of Section 3 and/or Section 7.

Date at Castlegar, B.C. this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

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City Clerk



**Good Neighbour Bylaw**  
Bylaw 1449  
Effective March 2026

**CASTLEGAR**

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### **A Bylaw to regulate, prohibit, and impose requirements in relation to public space, noise, nuisance, health and safety, and to enhance the well-being of the community.**

WHEREAS Section 8 of the *Community Charter* provides municipalities with fundamental powers to regulate, prohibit, and impose requirements in relation to public spaces, health and safety of persons and property, and the protection and enhancement of the well-being of the community, and other matters;

AND WHEREAS Section 64 of the *Community Charter* provides municipalities with fundamental powers to exercise authority in respect to nuisances, unsanitary conditions, and other offensive activities;

AND WHEREAS under Section 17 of the *Community Charter*, Council directs that if a person subject to a requirement fails to take the required action the municipality may fulfill the requirement at the expense of the person and recover the costs incurred from that person as a debt;

AND WHEREAS the Council of the City of Castlegar desires to protect the quality of life for its citizens, and endeavors to promote civic responsibility, and further, strive to encourage good relationships between neighbours;

AND WHEREAS Council of the City of Castlegar has deemed it desirable to pass a bylaw regulating, prohibiting, and imposing requirements in relation to public space, noise, nuisance, health and safety, and to enhance the well-being of the community;

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

#### **PART 1 – INTERPRETATION**

- 1.1 This Bylaw may be cited as the "*City of Castlegar Good Neighbour Bylaw 1449, 2026.*"
- 1.2 Words or phrases defined in the British Columbia *Community Charter, Interpretation Act, Motor Vehicle Act* or *Local Government Act* or any successor legislation, shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.
- 1.3 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.
- 1.4 If any provision or part of this Bylaw is declared by any court of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the illegal or inoperative portion shall be severed from the Bylaw and the balance of the Bylaw, or its application in any circumstances, shall not be affected and shall continue to be in full force and effect.

## PART 2- DEFINITIONS

**Accumulation** means a collection, either built-up, gathered, scattered, amassed, or piled and "accumulate" shall have a corresponding meaning.

**Authorized Representative** means the person designated by the City for purposes of administering and enforcing this Bylaw and includes the City's Bylaw Enforcement Officer.

**Bylaw Enforcement Officer** means the person duly appointed or authorized by the Chief Administrative Officer for the purpose of enforcing the City's bylaws, including this Bylaw, and includes any Peace Officer.

**Chief Administrative Officer** means that person appointed by Council and any person delegated to assist in carrying out their duties under this Bylaw.

**City** means the City of Castlegar or the area within the municipal boundaries as the context may require.

**Corporate Officer** means that person appointed by Council and any person delegated to assist in carrying out their duties under this Bylaw.

**Commercial Vehicle** means trucks, tractors, or trailers, or any combination of them, that have a registered gross vehicle weight exceeding 4,500 kilograms; or buses with a seating capacity of more than 10 person.

**Council** means the Council of the City of Castlegar.

**Graffiti** means writing or pictures scratched, painted or drawn by any means on a City-owned space such as a wall, fence, building, or structure of any kind, or sidewalk or road, but does not include public art, murals etc. that may be approved by resolution of Council from time to time.

**Hazardous objects or material** includes, without limiting the generality of that term, anything that causes a health or safety risk, broken glass, hypodermic needles, other objects or materials with sharp edges or capable of breaking or skin, and any other hazardous material.

**Motor Vehicle** means a vehicle, not run on rails, that is designed to be self-propelled or propelled by electric power obtained from overhead trolley wire pursuant to the British Columbia *Motor Vehicle Act*.

**Municipal Ticket Information Bylaw** means the City of Castlegar Municipal Ticket Information Bylaw as amended from time to time, and including any successor thereto.

**Noxious Weed** means any weed designated by regulation to be a Noxious Weed pursuant to the British Columbia *Weed Control Act*.

**Nuisance**, without limiting its general meaning, includes anything that substantially and unreasonably interferes with, or disturbs a person's use and enjoyment of that person's real property, or the surrounding neighbourhood, or a street, park, or public space.

**Nuisance Abatement Fees** include, but are not limited to the following, costs and expenses incurred while by or on behalf of the City while responding to a nuisance service call for the purpose of abating nuisance conduct, activity or condition, and include but are not limited to:

- a) the cost of police and City staff salaries, including benefits, pro-rated to the time spent by those individuals in responding to a nuisance service call and abating that conduct;
- b) the cost of using police, fire and City equipment and vehicles;
- c) the administration costs incurred by the City in responding to a nuisance service call and abating a nuisance; and
- d) the cost of repairs to damaged City equipment, vehicles or property.

**Occupant or Occupier**, when used with reference to real property, has the same meaning as under the *Community Charter*.

**Owner**, when used with reference to real property, has the same meaning as under the *Community Charter*.

**Park** means, in addition to its general meaning, any property or area of land used or designated as a park by the City, and includes property owned or held by, or leased or granted to the City for that purpose, and includes lands to be used as a park by reason of a restrictive covenant or covenant on title or similar instrument, and also includes any lands designated as a park by a sign posted by the City.

**Person** means 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.

**Property**, and **Premises**, and **Real Property** all mean, unless context requires otherwise, lands, any buildings or structures or improvements on the lands, and any individual premises located on the lands.

**Public Place** means any place typically open or accessible to public, or to which members of the public are entitled or permitted to have access without payment, and includes without limitation any highway, park or campground, civic building, areas around civic buildings, transit shelter or bus stop, parking lots and any lands or property owned by the City, the Province of British Columbia, or the Government of Canada, and any improvement on those lands.

**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, and includes, as the context requires, individual premises located on the real property.

**Unightly** means property having any one or more of the following characteristics:

- a) the accumulation of filth, discarded materials, rubbish or graffiti;
- b) fences characterized by holes, breaks, rot, crumbling, cracking, leaning, peeling or rusting;

- c) landscaping that is dead or characterized by uncontrolled growth;
- d) grass of a height in excess of 30 centimetres;
- e) wrecked or dilapidated vehicles, parked or stored outside buildings on property, or inside a building but visible from a property line;
- f) deteriorated lumber or building supplies, old materials, unused furniture or furniture parts, appliances, cabinets, fixtures, abandoned, broken or neglected equipment, or the scattered remains of items stored outside buildings on residential property visible from a property line;
- g) construction material stored outside a building or inside a building but visible from a property line except where there is an active building permit for construction to be carried out on the property;
- h) upon which there is one or more unsightly building.

**Unsightly building** means any building or structure that has:

- a) broken window or windows;
- b) exterior damage to the brickwork, cladding, siding or shingles visible from an adjacent roadway;
- c) rot or other deterioration in its construction materials;
- d) includes a building or structure that has been boarded up for a continuous period of over forty-five (45) days within a consecutive sixty (60) day period.

**Wrecked vehicle** means motor vehicle as defined in the *Motor Vehicle Act* that is:

- a) not licensed for the current year; or
- b) not capable of being moved by its own motive power; or
- c) reduced to parts, frames, or bodies of a motor vehicle, unless such vehicle or parts thereof are situated in or enclosed by a building.

### **PART 3 – GENERAL REGULATIONS**

- 3.1 No person shall obstruct or interfere with a Bylaw Enforcement Officer in the exercise of their duties.
- 3.2 The City, including its Bylaw Enforcement Officers, and others acting on behalf of the City, shall have the right to enter upon the Property of any Owner or Occupant at all reasonable times and in a reasonable manner for the purposes of inspecting Property and declaring whether the Property is unsightly or otherwise not in compliance with the provisions of this Bylaw.
- 3.3. No failure to enforce this Bylaw, nor any error, omission or other neglect in relation to any permit issued under this bylaw, shall be interpreted as giving rise to any cause of action in favour of any Person, or any duty of care owed to any Person by the City.

### **PART 4 – PARKS AND PUBLIC SPACES**

- 4.1 This Part does not apply to any:
  - a) highway designated as an arterial highway under the *Transportation Act*, [SBC 2004], or

- b) lands owned by the Province, Crown, School District as a park or open space, and not leased to the City.

- 4.2 Unless done by an employee or agent of the City in the performance of their duties, or if authorized by the City, no person shall in any park or other public place:
- a) cut, destroy, damage, climb, break, remove or injure any tree, sapling, shrub, plant, turf, or flower;
  - b) plant any tree, sapling, shrub, plant, turf, or flower;
  - c) damage, destroy, break, remove, or deface any wall, fence, sign, traffic control device or signal, or other structure;
  - d) paint, write, place, or cause there to be any unauthorized writing or graffiti placed on any wall, fence or other structure;
  - e) foul or pollute any fountain, beach, pool, spray park, pond, stream or other body of water;
  - f) use or operate any device in such a manner as to disturb the enjoyment of a park by other person;
  - g) deposit, leave, discard or place litter, personal belongings, or debris of any kind, except within designated recycling or refuse receptacles;
  - h) deposit or leave any hazardous objects or hazardous material, except in a receptacle authorized for those items;
  - i) cause or permit any animal to roam at large, create a nuisance, or injure another animal or individual;
  - j) carry on any activity of a hazardous or unsafe nature which may cause injury, harm, or damage to a person, structure, animal, or other thing in a public place;
  - k) engage in any related activity which causes a disturbance or nuisance;
  - l) urinate or defecate or vomit in a public place, except in a washroom facility provided by, or on behalf, of the City for that purpose, or if doing so was inevitable or unavoidable and the person had no reasonable opportunity to avoid doing so;
  - m) make or cause to be made any excessive noise, vibration, odour, illumination, or any other thing that is liable to create a nuisance or otherwise disturb the peace, rest, enjoyment, comfort, or convenience of individuals or the public;
  - n) use or permit the use of equipment to amplify music, announcements or performances, unless authorized by a permit issued by the City; or
  - o) cause, permit, or engage in any activity that is prohibited by a sign posted by the City;

## PART 5 – NOISE REGULATIONS

### General Prohibitions

- 5.1 No Person shall make, cause to be made, permit, or continue to be made any nuisance noise or sound within the City that disturbs or tends to disturb the peace, rest, enjoyment, comfort, or convenience of the neighbourhood, the public, or of any person within the neighbourhood or vicinity.
- 5.2 No Owner or Occupier of property shall cause, allow, or permit that property to be used in a manner so that nuisance noise or sound occurs on or is emitted from that property

which disturbs or tends to disturb the peace, rest, enjoyment, comfort, or convenience of the neighbourhood, the public, or of any person within the neighbourhood or vicinity.

### Specific Prohibitions

- 5.3 Without limiting the generality of Sections 5.1 and 5.2:
- a) unless authorized by the City no Person shall play, cause, permit, or allow the operation of any radio, television, computer, speaker, stereophonic equipment, amplifier, voice amplification equipment or similar equipment on or in any private property, or in any public place, in such a manner that the sound or noise generated from that equipment disturbs or tends to substantially or unreasonably disturb the peace, rest, enjoyment, comfort, or convenience of the neighbourhood, the public, or of any person within the premises, neighbourhood, or vicinity;
  - b) no Person shall own, keep, harbor or permit any animal or bird to cry, bark, or howl continuously for a period of more than 15 minutes, or sporadically for a period of more than 60 minutes consecutively, in a manner which disturbs or tends to unreasonably disturb the peace, rest, enjoyment, comfort, or convenience of the neighbourhood, the public, or of any person within the premises, neighbourhood or vicinity;
  - c) no Person shall operate a motor vehicle which, by its operation, engine, muffler, stereophonic system, or otherwise, substantially or unreasonably disturbs or tends to disturb the peace, rest, enjoyment, comfort, or convenience of the neighbourhood, the public, or of any person within the neighbourhood or vicinity;
  - d) no Person shall, idle or leave continuous running of the engine of an unattended motor vehicle or bus for more than 15 minutes at the same location, except where the truck or bus is located within a garage or depot intended to be used for the long-term parking of that vehicle;
  - e) no Person shall, on any day before 7:00 a.m. or after 9:00 p.m. operate any motorized landscaping or lawn-grooming equipment, including leaf-blowers, lawnmowers, riding mowers, chainsaws, or string trimmers;
  - f) no Person shall, on any day before 7:00 a.m. or after 9:00 p.m. undertake any construction, alteration, repair, demolition, or excavation of any building or property, or operate any machinery for that purpose, except that a person may undertake construction or repair work provided that activity does not cause noise or sound which disturb or tends to disturb the peace, rest, enjoyment, comfort, or convenience of the neighbourhood, the public, or of any person within the neighbourhood or vicinity;

### General Exceptions

- 5.4 The provisions of this Part do not apply to:
- a) any noise generated by the City, including its civic and maintenance operations, highway maintenance operations, waste removal operations, snow removal operations, and any police, fire, ambulance, bylaw, or other emergency services, operating within the City, or their agents, if that noise is generated within the furtherance of their duties;
  - b) snow removal undertaken by a person or business in immediate response to a accumulation of snow;

- c) noise or sound arising from a trade, business, or industry which is lawfully carried out in an area zoned for that activity provided that the level and nature of the noise generated does not exceed the level and nature customary or generally accepted in that trade, business or industry using equipment that is in good working order and used in accordance with generally accepted or customary standards;
- d) the operation of household equipment such as a pool or hot tub pump motors, vacuum cleaners, air conditioning units, and exhaust fans, provided the level and nature of the sound generated by that equipment does not exceed the level customary for similar equipment in good working order and used in accordance with generally accepted or customary standards;
- e) church or place of worship bells;
- f) participating in a lawfully authorized parade or assembly;
- g) noise that is reasonably necessary to be generated by any Person in relation to any emergency situation, provided that the Person generating the noise has the onus of demonstrating that an emergency situation exists and that the noise is reasonably necessary as a result.

## Permits

- 5.5 If a person wishes to generate sound or noise which would contravene this part of the bylaw, or to engage in an activity that would contravene this part, that person may apply in writing to the City of Castlegar Corporate Officer, and paying any potential prescribed fee, for consideration of authorization to generate the sound or noise, or to engage in the activity that would generate the sound or noise, that would otherwise contravene this Part of the bylaw, and any such application must specify:
- a) the name of the applicant;
  - b) the expected nature and duration of the sound or noise expected, and of the activity that would generate the sound or noise;
  - c) why the sound or noise is expected to contravene this Part of the bylaw;
  - d) why it is impossible or impracticable to comply with this Part of the bylaw;
  - e) any measures the applicant has taken or will take to mitigate or reduce noise;
  - f) the degree to which the sound or noise is expected to disturb the peace, enjoyment, comfort, or convenience of individuals, the neighbourhood, and the public; and
  - g) the conditions, durations, and other terms sought or proposed by the applicant.
- 5.6 The City, when considering an application submitted under this bylaw may decline the application, grant the application in accordance with this Part, or request more information from the applicant prior to granting or declining an application, but any decision to grant, decline, or request more information must be made in writing stating the decision and, if not granted, the reasons for it and any further information that may be required.
- 5.7 The City when considering an application submitted to the City under this Bylaw may give written approval to generate the sound or noise, or to carry out the activity that would generate the sound or noise, and may:
- a) designate specific hours, times, days, or dates on which the noise, sound, or other activity permitted, or is prohibited, or both;

- b) specify stipulated duration of time the noise or sound may be generated, or on which the activity generating the noise or sound may be undertaken;
- c) specify maximum permitted decibel limits for any such noise or sound or activity, which decibel limits may vary by time, date, or other circumstance;
- d) specify the expiry date of the permit, which must not be greater than one year from the date of issuance;
- e) specify the location at which the sound or noise or associated activity may occur, or will be prohibited from occurring; and
- f) impose any other condition reasonably necessary to ensure the anticipated noise or sound or activity does not unduly disturb the peace, rest, enjoyment, comfort, or convenience of individuals, the neighbourhood, or the public.

5.8 A permit issued under this Part may be revoked by the City if any information in support of the permit application was untrue or inaccurate, or if the applicant fails to comply with any term or condition of the permit, or if the permit was granted in error. Any such revocation must be made in writing and delivered to the address specified by the applicant on the permit application.

## PART 6 – PROPERTY MAINTENANCE

### Private Property

- 6.1 No Owner or Occupier of Real Property shall cause, suffer or permit:
- a) the property to become or remain Unsightly;
  - b) water to accumulate on or around the property;
  - c) filth, discarded noxious, or offensive materials, or rubbish to collect or accumulate on or around the property, or to overflow from or to accumulate around any waste receptacle or other similar container on the property;
  - d) dead landscaping, vegetation, weeds, wild grasses, or similar unattended and characterized by uncontrolled growth to occur, accumulate, or remain on the property;
  - e) the infestation of the property by rodents, termites, or other destructive insects or animals;
  - f) the accumulation or storage of demolition waste, construction waste, or trade waste on any property;
  - g) the accumulation or untidy storage of building materials on a site, unless those materials cannot be seen from a highway or public place or adjacent private property, whether or not the City has issued a valid or subsisting building permit in respect of the property;
  - h) graffiti to be placed or to remain on the property, including any fence, tree, or structure on the property;
  - i) any derelict vehicle to be placed, parked, or stored on the property, unless contained within a fully enclosed and lawful building or structure;
  - j) a structure on the property to become a derelict structure, or to otherwise fall into a state of decay or disrepair;
  - k) items left for free to others to remain out for pick up for more than 48 hours;
  - l) the property to depart from the standards set out in this bylaw.

### Private and Public Property

- 6.2 No person shall:
- a) place graffiti on private property, signs, buildings, structures or any kind, including fences or streets on or adjacent to any public property;
  - b) deposit or throw any filth, discarded materials, or rubbish, including garbage, bottles, broken glass, or any similar item, in any open place upon private or public property;
  - c) abandon a vehicle on or in any highway, street, sidewalk, alley, or public right of way; or,
  - d) discard or leave out free or for sale items on highway or public places;
  - e) undertake any activity on any highway, public place, or private property in the City that creates or causes dust or effluent that tends to disturb the peace, rest, enjoyment, comfort, or convenience of persons in the neighbourhood.

### Sidewalk and Boulevard Maintenance

- 6.3 Every Owner or Occupier of Real Property adjacent to a boulevard or lane shall:
- a) maintain the safety and remove obstructions from the sidewalk and boulevard adjacent to their property;
  - b) remove accumulations of leaves, hazardous objects or material, filth, discarded materials, or rubbish, and any similar materials that obstruct a draining facility immediately adjacent to the owner's property;
  - c) where directed by the City, cut, trim or remove any tree, fence, hedge or other item that obstructs or could reasonably be expected to obstruct the vision or safety of all pedestrians, cyclists, or vehicles using streets or sidewalks adjacent to the property.
- 6.4 No Person shall deposit any snow, ice, leaves, hazardous objects or material, filth, discarded materials, or rubbish, or any similar materials or objects onto any road, highway, sidewalk or City property.
- 6.5 Without limiting the generality of other sections of this Part, every Owner or Occupier of property zoned for a commercial or industrial use under the Zoning Bylaw, and every Owner or Occupier of property which is used for a commercial or industrial purpose, whether or not zoned for that purpose, must each day:
- a) remove all snow, ice, slush, rubbish, and similar accumulations from any sidewalk or footpath on or adjacent to the property;
  - b) remove snow, ice, and similar rubbish from roofs adjacent to any sidewalk or footpath on or adjacent to the property;
  - c) sweep and otherwise remove all accumulations of leaves, hazardous objects or material, filth, discarded materials, or rubbish, and any similar materials from any sidewalk or footpath on or adjacent to the property, otherwise the sidewalks and footpaths in front of, on, or adjacent to the property;

### Grass

- 6.6 No Owner or Occupier of Real Property shall allow grass or weeds on their Real Property to exceed a height of 30 centimetres.

- 6.7 Section 6.6 shall also apply to vacant lots and the grass on any boulevard that lies directly between the boundary of a Real Property and an adjacent highway, road or lane.
- 6.8 Section 6.6 shall not apply to:
- a) parks and natural areas under the direction and control of the City;
  - b) areas under the direction and control of the City including Boulevards adjacent to major roadways, areas subject to naturalization efforts, and areas adjacent to sound attenuation berms.

### Exceptions (Property Maintenance)

- 6.9 If a parcel of property is zoned and lawfully used for industrial or commercial use, and the business conducted on that property requires or ordinarily entails the accumulation of discarded materials, or rubbish, then the accumulation of those materials on that property shall not be considered to be unsightly if done in furtherance of that lawful industrial or commercial use, approved by the City, and screened or enclosed in such a way that they are not visible from the outside of the property.

### Property Maintenance Enforcement

- 6.10 Authorized Representative of the City may, by notice in writing sent by registered mail, posted on the property, or delivered in person, order the owner or occupier of real property, at their expense and within thirty (30) days of the mailing or posting of the Order, to:
- a) remove any accumulation of filth, discarded materials, rubbish, or other noxious, offensive, or unwholesome matter described in the Order from the property;
  - b) remove any graffiti described in the Order from any wall, fence, or other structure on the property;
  - c) clear any brush, noxious weeds, or other growths described in the order from the property; or,
  - d) take any other measures described in the Order to remedy unsightliness on the property.
- 6.11 Upon any failure by the owner or occupier of real property to comply with any part of this Bylaw, and after the owner or occupier of the property has been given an opportunity to be heard by Council in respect of such failure, the City may by its own forces or those of a contractor:
- a) at a reasonable time, in a reasonable manner, enter the Property and perform the steps necessary to abate the non-compliance or fulfill the requirements of the Compliance Order at the expense of Owner;
  - b) invoice the Owner for any work done or services performed in respect of the subject property to fulfill the requirements of the Compliance Order, in accordance with the *Local Government Act* and/or *Community Charter*, and
  - c) if the costs of doing so remain unpaid by December 31 of the year in which the requirement was fulfilled, treat the costs of doing so as unpaid property taxes owing

against the property for which the work was performed, to be collected in the same manner as unpaid property taxes owing against the property.

## **PART 7 – NUISANCE ABATEMENT AND COMPLIANCE ORDERS**

### **Nuisance Abatement**

- 7.1 No person shall cause or permit a Nuisance to occur on any Property.
- 7.2 No Owner or Occupier of Property shall cause or permit that Property to become or to cause a Nuisance, or to be used in a manner that causes a Nuisance.
- 7.3 Every Owner or Occupier of Property which is, causes, or is used in a manner which causes a Nuisance, shall abate the Nuisance or the activity or thing that causes or creates the Nuisance.

### **Compliance Orders**

- 7.4 If a Bylaw Enforcement Officer determines that an Owner or Occupier of Property has failed to comply with any obligation or requirement under this bylaw, the Bylaw Enforcement Officer may issue that person a Compliance Order requiring that person to comply with the obligations or requirements of this bylaw.
- 7.5 Service of a Compliance Order is deemed to take effect the earlier of:
- when personal service is effective,
  - when the notice is posted on the property,
  - the registered mail being delivered, accepted, or refused.
- 7.6 Any person who is issued and served with a Compliance Order must remedy the non-compliance and otherwise fulfill the requirements of the Compliance Order within the date and time specified in the Compliance Order.
- 7.7 If a person issued and served with a Compliance Order fails to remedy the non-compliance or otherwise fulfill the requirements of the Compliance Order by the date and time specified by the Compliance Order, the City may issue fines in accordance with the Municipal Ticketing Bylaw and all applicable Bylaws and legislation.
- 7.8 If the non-compliance or other issue that is the subject of a Compliance Order arises again or resumes within 30 days after the requirements of the Compliance Order were performed:
- the Compliance Order is deemed not to have been complied with;
  - the new or resumed non-compliance shall be deemed to be a continuation of the non-compliance giving rise to the Compliance Order; and
  - the City may enforce the Compliance Order, including by performing the requirements of the Compliance Order and recovering the cost of doing so.

### Repeat Nuisance Service Calls

- 7.9 If a Bylaw Enforcement Officer, or other City official, is reasonably required to respond to or attend a property for:
- a) more than one nuisance service call within a twenty-four (24) hour period in relation to a nuisance on that property; or
  - b) more than three nuisance service calls within a twelve (12) month period in relation to a nuisance on that property;
- the Owner of that property shall be liable to pay an Excessive Nuisance Abatement Fee to the City in accordance with the amounts prescribed the Municipal Ticketing Bylaw or other applicable Bylaws and legislation, for each additional nuisance service call responded to at the same Real Property within the twelve (12) month period following the date of the notice.
- 7.10 Before imposing an Excessive Nuisance Abatement Fee, the City must first provide written notice to the Owner of the Real Property;
- a) describing the civic address and legal description of the property that is the subject of repeated nuisance service calls;
  - b) describing in reasonable detail the nature of the nuisances that gave rise to the service calls in relation to the property; and
  - c) advising the Owner that an Excessive Nuisance Abatement Fee will be imposed for each additional service call to the same property in relation to a nuisance, and that the imposition of such fees is in addition to the City's right to seek other legal remedies or actions for abatement of the nuisance.
- 7.11 If there is a further attendance on a property in relation to a nuisance, and that attendance is within one year of a written notice being served on the Owner of that property in accordance with this Part, the costs of responding to that service call including but not limited to the attendance, are Excessive Nuisance Abatement Fees.
- 7.12 Without limiting other rights and remedies available to the City, the City may issue an invoice to the Owner for Excessive Nuisance Abatement Fees and treat those amounts as a debt owing to the City by the Owner.

### Reconsideration

- 7.13 In accordance with the *Community Charter*, any Person affected may request reconsideration by Council.
- 7.14 A Person may request that Council reconsider:
- a) the issuance or terms of a Compliance Order;
  - b) a demand for payment of Excessive Nuisance Abatement Fees; or
  - c) a demand for payment of Repeat Nuisance Service Call Fees;
  - d) by submitting a written request for reconsideration to the City's Corporate Officer in accordance with this Bylaw.
- 7.15.1 All requests for reconsideration must:

- a) be submitted in writing to the Corporate Officer within:
- b) ten (10) days of the Compliance Order being served in accordance with section 10.6 of this bylaw; or
- c) ten (10) days of the demand for payment of Excessive Nuisance Abatement Fees or the demand for payment of Repeat Nuisance Service Call Fees is issued by the City.
- d) and include a description of the grounds upon which the request for Council reconsideration is made.

7.16 Upon receipt of a compliant written request for reconsideration, the Corporate Officer shall schedule the time, date, and place for Council to hear the matter.

7.17 Upon reconsidering the issuance or terms of a Compliance Order or a demand for payment of Excessive Nuisance Abatement Fees or Excess Nuisance Service Call Fees issued under this bylaw, Council may confirm, set aside, or alter the order or demand, as it may deem appropriate in the circumstances.

**PART 8– ENFORCEMENT AND PENALTIES**

8.1 The provisions of this bylaw may be enforced by a Bylaw Enforcement Officer, Peace Officer, or any other person designated or appointed by Council to enforce this bylaw.

8.2 Every Person who violates any provision of this bylaw, or who permits any act or thing to be done in contravention of this bylaw, or who fails to do any act or thing required by this bylaw, is guilty of an offence under this bylaw and:

- a) shall be liable to a fine set out in the Municipal Ticket Information Bylaw;
- b) any combination of the above.

8.3 Any fine or penalty or remedy imposed under this bylaw shall be in addition to and not a substitute for any other penalty or remedy imposed pursuant to any other applicable enactment.

8.4 Each day an offence against this bylaw continues or exists shall be deemed to be a separate and distinct offence.

**PART 9 – REPEAL**


Property Maintenance Bylaw 1120 and all amendments to are hereby repealed.  
Noise Control Bylaw 622 and all amendments to are hereby repealed.

READ A FIRST TIME 2<sup>nd</sup> this day of March 2026

READ A SECOND TIME this 2<sup>nd</sup> day of March 2026

READ A THIRD TIME this 2<sup>nd</sup> day of March 2026

ADOPTED this 23<sup>rd</sup> day of March, 2026

  
 \_\_\_\_\_  
 Mayor

  
 \_\_\_\_\_  
 Director of Corporate Services