

Tuesday, October 13, 2020, 6:00 p.m.  
Port Coquitlam Community Centre - Wilson Lounge  
2150 Wilson Avenue, Port Coquitlam, BC

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Pages

1. CALL TO ORDER

2. ADOPTION OF THE AGENDA

2.1. Adoption of the Agenda

Recommendation:

*That the Tuesday, October 13, 2020, Council Meeting Agenda be adopted as circulated.*

3. CONFIRMATION OF MINUTES

3.1. Minutes of Council Meetings

1

Recommendation:

*That the minutes of the following Council Meetings be adopted:*

- *September 22, 2020 - Special Council*
- *September 22, 2020 - Regular Council.*

4. PROCLAMATIONS

4.1. Foster Family Month - October 2020

6

5. DELEGATIONS

None.

6. PUBLIC HEARINGS

None.

7. BYLAWS

7.1. Zoning Amendment Bylaw for 1604 Pitt River Road - First Two Readings

7

Recommendation:

*That Council:*

1. Give first and second reading to Zoning Amendment Bylaw No. 4189 for the zoning of 1604 Pitt River Road be amended from RS1 (Residential Single Dwelling 1) to RS4 (Residential Single Dwelling 4); and
2. Prior to adoption of the amendment bylaw, the following conditions be met to the satisfaction of the Director of Development Services:
  - a. Demolition of the existing buildings; and
  - b. Completion of design and submission of fees and securities for off-site works and services including stairwell access from Pitt River Road.

**7.2. Property Standards and Nuisance Abatement Bylaw - First Three Readings** 15

Recommendation:

*That Council give Property Standards and Nuisance Abatement Bylaw No. 4190 first three readings.*

**7.3. Fees and Charges Amendment Bylaw - First Three Readings** 30

See item 7.2 for information.

Recommendation:

*That Council give Fees and Charges Amendment Bylaw No. 4191 first three readings.*

**7.4. Bylaw Notice Enforcement Amendment Bylaw - First Three Readings** 33

See item 7.2 for information.

Recommendation:

*That Council give Bylaw Notice Enforcement Amendment Bylaw No. 4192 first three readings.*

**7.5. Ticket Information Utilization Amendment Bylaw - First Three Readings** 36

See item 7.2 for information.

Recommendation:

*That Council give Ticket Information Utilization Amendment Bylaw No. 4193 first three readings.*

**7.6. Delegation of Authority Amendment Bylaw - First Three Readings** 39

Recommendation:

*That Council give Delegation of Authority Amendment Bylaw No. 4194 first three readings.*

**7.7. Cemetery Amendment Bylaw - Adoption**

43

Recommendation:

*That Council adopt Cemetery Amendment Bylaw No. 4169.*

**8. REPORTS**

None.

**9. NEW BUSINESS**

**10. OPEN QUESTION PERIOD**

**11. ADJOURNMENT**

**11.1. Adjournment of the Meeting**

Recommendation:

*That the Tuesday, October 13, 2020, Council Meeting be adjourned.*

**12. MEETING NOTES**



# Council Special Minutes

Tuesday, September 22, 2020  
Port Coquitlam Community Centre - Wilson Lounge  
2150 Wilson Avenue, Port Coquitlam, BC

Present: Chair - Mayor West  
Councillor Darling  
Councillor Dupont  
Councillor McCurrach  
Councillor Pollock  
Councillor Washington

Absent: Councillor Penner

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## 1. CALL TO ORDER

The meeting was called to order at 2:00 p.m.

## 2. ADOPTION OF THE AGENDA

### 2.1 Adoption of the Agenda

Moved-Seconded:

*That the Tuesday, September 22, 2020, Special Council Meeting Agenda be adopted as circulated.*

## 3. REPORTS

None.

## 4. RESOLUTION TO CLOSE

*That the Special Council Meeting of Tuesday, September 22, 2020, be closed to the public pursuant to the following subsections(s) of Section 90(1) of the Community Charter:*

Item 5.1

*e. the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.*

In Favour (6): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

**5. ADJOURNMENT**

Moved - Seconded:

*That the Tuesday, September 22, 2020, Special Council Meeting be adjourned at 3:55 p.m.*

In Favour (6): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

**6. MEETING NOTES**

None.

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Mayor

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Corporate Officer



# Council Minutes

Tuesday, September 22, 2020  
Port Coquitlam Community Centre - Wilson Lounge  
2150 Wilson Avenue, Port Coquitlam, BC

Present: Chair - Mayor West  
Councillor Darling  
Councillor Dupont  
Councillor McCurrach  
Councillor Pollock  
Councillor Washington

Absent: Councillor Penner

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## 1. CALL TO ORDER

The meeting was called to order at 6:02 p.m.

## 2. ADOPTION OF THE AGENDA

### 2.1 Adoption of the Agenda

Moved-Seconded:

*That the Tuesday, September 22, 2020, Council Meeting Agenda be adopted as circulated.*

In Favour (6): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

## 3. CONFIRMATION OF MINUTES

### 3.1 Minutes of Council Meetings

Moved-Seconded:

*That the minutes of the following Council Meetings be adopted:*

- September 8, 2020.

In Favour (6): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

**4. PROCLAMATIONS**

**4.1 Rett Syndrome Awareness Month - October 2020**

Mayor West proclaimed October 2020, "Rett Syndrome Awareness Month".

**4.2 Fire Prevention Week - October 4 - 10, 2020**

Mayor West proclaimed October 4 - 10, 2020, "Fire Prevention Week".

**4.3 UN International Day of Older Persons - October 1, 2020**

Mayor West proclaimed October 1, 2020, UN International Day of Older Persons".

**5. DELEGATIONS**

None.

**6. PUBLIC HEARINGS**

None.

**7. BYLAWS**

**7.1 Cemetery Amendment Bylaw - First Three Readings**

Moved-Seconded:

*That Council give Cemetery Amendment Bylaw No. 4169 first three readings.*

In Favour (6): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

**8. REPORTS**

**8.1 Appointment of Commissioner for taking Affidavits**

Moved-Seconded:

*That Council appoint Dominic Long as a Commissioner for Taking Affidavits for the City of Port Coquitlam.*

In Favour (6): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

**9. NEW BUSINESS**

Council provided updates related to community events.

Moved - Seconded:

*That Council advise the Liquor Control and Regulation Branch that the City supports temporary expansions to footprint of licensed establishments in accordance with Policy Directive 20-26 and 20-27, that permits food primary, liquor primary and manufacturing licensees to temporarily expand their service area until October 31, 2021, in order to meet social distance criteria.*

In Favour (6): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

**10. OPEN QUESTION PERIOD**

No public comments.

**11. ADJOURNMENT**

**11.1 Adjournment of the Meeting**

Moved-Seconded:

*That the Tuesday, September 22, 2020, Council Meeting be adjourned at 6:30 p.m.*

In Favour (6): Mayor West, Councillor Darling, Councillor Dupont, Councillor McCurrach, Councillor Pollock, and Councillor Washington

Absent (1): Councillor Penner

Carried

**12. MEETING NOTES**

None.

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Mayor

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Corporate Officer



# PROCLAMATION

**WHEREAS:** the City of Port Coquitlam wishes to recognize the care, compassion and unselfish commitment of BC's foster families who care for children who are temporarily unable to live with their families and extended families; and

**WHEREAS:** foster families are an integral and valued part of a team that helps children return to their families, live with extended family or make the transition to an adoptive family; and

**WHEREAS:** fostering is a community responsibility and provides opportunities for all community members to contribute to the support of children and youth

**NOW THEREFORE:** I, Brad West, Mayor of the Corporation of the City of Port Coquitlam,

**DO HEREBY PROCLAIM**

**October 2020 as**

**"FOSTER FAMILY MONTH  
IN PORT COQUITLAM"**

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Brad West  
Mayor



# Zoning Amendment Bylaw for 1604 Pitt River – First and Second Reading

## RECOMMENDATION:

### *That Council:*

1. Give first and second reading to Zoning Amendment Bylaw No. 4189 for the zoning of 1604 Pitt River Road be amended from RS1 (Residential Single Dwelling 1) to RS4 (Residential Single Dwelling 4); and
2. Prior to adoption of the amendment bylaw, the following conditions be met to the satisfaction of the Director of Development Services:
  - a. Demolition of the existing buildings; and
  - b. Completion of design and submission of fees and securities for off-site works and services including stairwell access from Pitt River Road.

## **Previous Committee Action:**


At the September 22, 2020, 2019, Committee of Council Meeting, the staff report, Rezoning Application – 1604 Pitt River Road was considered and the following motion was passed:

That Committee of Council recommend that Council:

1. The zoning of 1604 Pitt River Road be amended from RS1 (Residential Single Dwelling 1) to RS4 (Residential Single Dwelling 4); and
2. Prior to adoption of the amendment bylaw, the following conditions be met to the satisfaction of the Director of Development Services:
  - a. Demolition of the existing buildings; and
  - b. Completion of design and submission of fees and securities for off-site works and services including stairwell access from Pitt River Road.

The following motion is now before Council for decision:

## **OPTIONS** (✓ = Staff Recommendation)

	#	Description
	1	Give first and second reading to the bylaw.
	2	Delay first and second reading and request staff to provide additional information.
	3	Deny first and second reading of the bylaw.

CITY OF PORT COQUITLAM  
ZONING AMENDMENT BYLAW, 2020

Bylaw No. 4189

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The Council of the Corporation of the City of Port Coquitlam enacts as follows:

1. CITATION

This Bylaw may be cited as "Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2020, No. 4189".

2. ADMINISTRATION

2.1 The Zoning Map of the "Zoning Bylaw, 2008, No. 3630" be amended to reflect the following rezoning:

**Civic:** 1604 Pitt River Road

**Legal:** LOT 380, DISTRICT LOT 342, NEW WEST DISTRICT, PLAN  
NWP29298, GROUP 1

**From:** RS1 (Residential Single Dwelling 1)

**To:** RS4 (Residential Single Dwelling 4)

as shown on Schedule 1 attached to and forming part of this Bylaw.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2020

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2020

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Mayor

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Corporate Officer

## SCHEDULE 1



## 1604 Pitt River Road - Rezoning Application

### RECOMMENDATION:

That Committee of Council recommend to Council that:

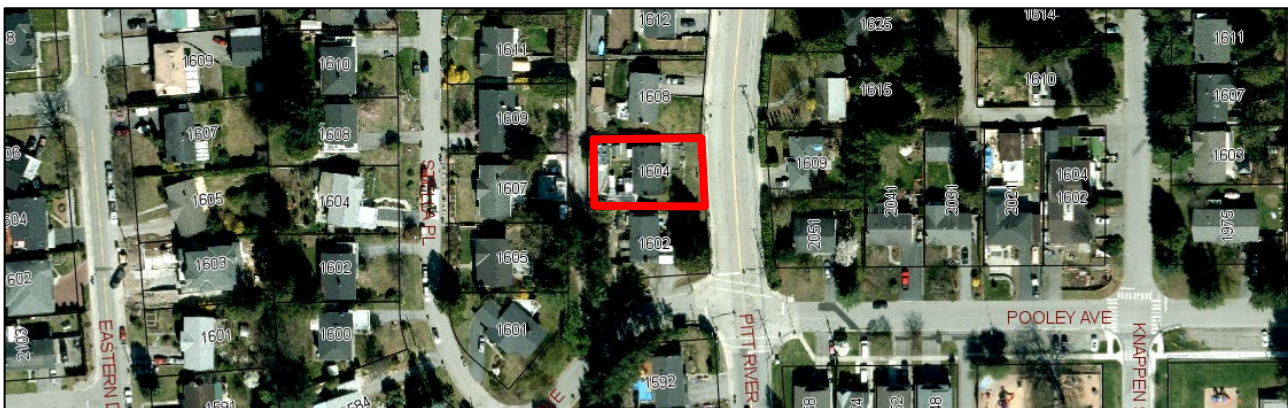
1. The zoning of 1604 Pitt River Road be amended from RS1 (Residential Single Dwelling 1) to RS4 (Residential Single Dwelling 4);
2. Prior to adoption of the amending bylaw, the following conditions be met to the satisfaction of the Director of Development Services:
  - a. Demolition of the existing buildings; and
  - b. Completion of design and submission of fees and securities for off-site works and services including stairwell access from Pitt River Road.

### REPORT SUMMARY

This report describes a rezoning application at 1604 Pitt River Road to facilitate its subdivision into two small lots. The proposed development is consistent with housing policies of the Official Community Plan and the site's Small Lot Residential land use designation. The report recommends the developer be required to demolish the existing buildings, upgrade infrastructure and ensure pedestrian access is provided to the lots from Pitt River Road. Staff recommend approval.

### BACKGROUND

**Proposal:** The applicant proposes to rezone 1604 Pitt River Road to enable subdivision into two lots. The subject property is a large 811 m<sup>2</sup> (8,730 ft<sup>2</sup>) lot located on the west side of Pitt River Road north of Pooley Avenue and is currently developed with an older single residential home. The sloped site is a predominately single residential neighbourhood.



Location Map

**Policy and Regulations:** The Official Community Plan (OCP) designated the site as Small Lot Residential and the property is currently zoned RS1 – Residential Single Dwelling 1.

# 1604 Pitt River Road - Rezoning Application



OCP Land Use Designation

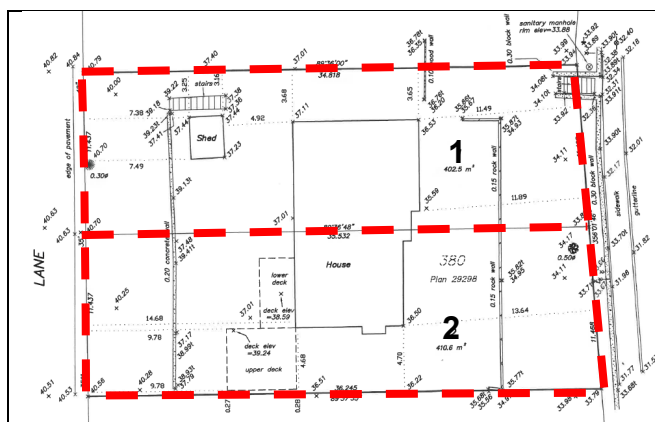


Current Zoning

OCP housing policy suggests the City should “permit small lot, single-detached residential uses in areas designated Small Lot Residential subject to City bylaw requirements”.

A Small Lot Development Permit will be required for each new house to be built on the subdivided lots. The design guidelines in the OCP encourage a high quality of design through a prominent front entrance, second floor articulation and differing appearance from adjacent buildings. The guidelines also encourage vehicle access from the lane, the planting of at least one tree in the front yard and landscaping that provides privacy and minimizes hard surfaces.

**Proposed Subdivision:** The applicant has provided a preliminary plan of subdivision to demonstrate the site would meet the minimum lot area and dimensions to comply with the zoning bylaw subdivision regulations of the proposed RS4 zone.



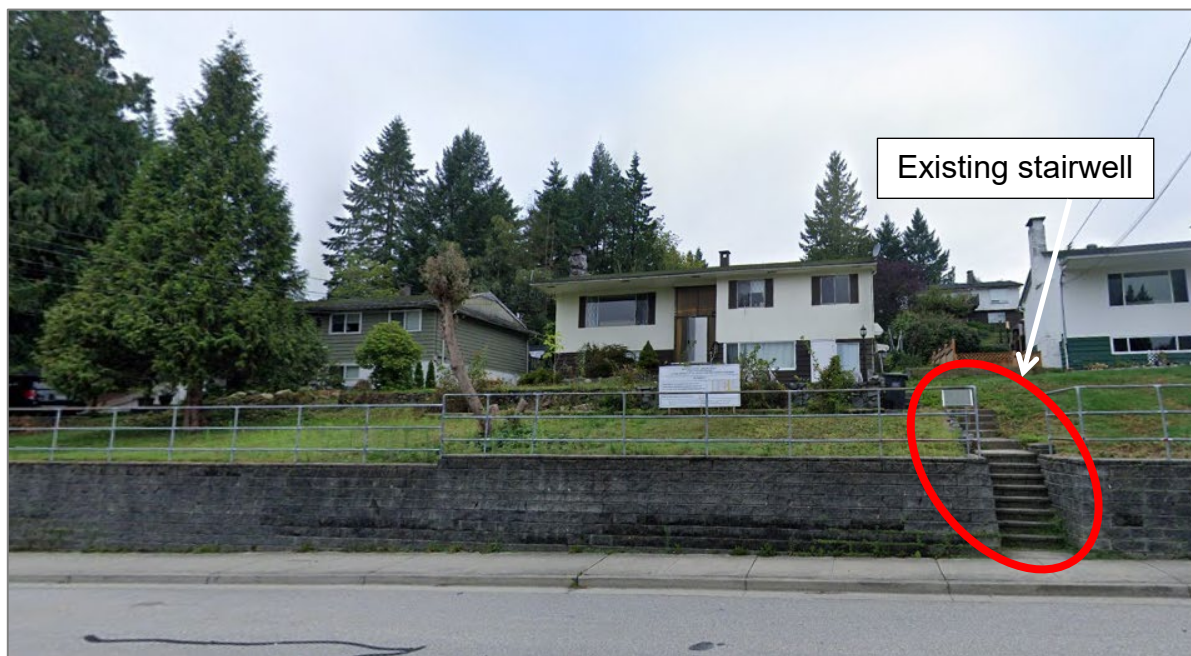
	RS4 Zone Regulation	Proposed Lot 1	Proposed Lot 2
Minimum Lot Area	300m <sup>2</sup> (3,230 sq.ft.)	402.5m <sup>2</sup> (4,332.5 sq.ft.)	410.6m <sup>2</sup> (4,419.7 sq.ft.)
Minimum Lot Width	9.5m (31.2ft)	11.4m (37.4ft)	11.4m (37.4ft)
Minimum Lot Depth	28m (91.9ft)	35.18m (115.4ft) Average lot depth	35.9m (117.8ft) Average lot depth



## 1604 Pitt River Road - Rezoning Application

**Trees:** There are two trees on the property, a deciduous in the front and a conifer in the rear yard near the lane. Parks staff have assessed the front tree and found it to be in poor condition and not a good candidate for retention. The rear tree, also in poor condition, is located within the vehicle access for Lot 1 and, due to the grade changes of the property; it is not possible to relocate the driveway to retain the tree. The property owner has applied for a tree cutting permit for both trees which has been approved. Each tree will be replaced in accordance with the Tree Bylaw.

**Off-site Infrastructure and Servicing:** The additional lot will require off-site upgrades to meet the standards of the Subdivision Servicing Bylaw including upsizing the sanitary and storm sewers from Pooley Avenue to the north property line of the site and reconstruction of half the road plus 1m fronting the site, curb and gutter, sidewalk, and street lighting. This property is also located along a segment of Pitt River Road with retaining walls along the street edge. When the retaining walls were constructed stairwells were created to allow pedestrian access to each existing lot. Subdivision will require consideration of street front pedestrian access to the new lot.



Street Front Retaining Wall

### DISCUSSION

## 1604 Pitt River Road - Rezoning Application

The Official Community Plan was amended in 2018 to allow greater opportunity for where smaller lots may be located within established neighbourhoods. This included extension of the Residential Small Lot designation to properties along Pitt River Road. The intent of this designation is to allow for consideration of rezoning for the purpose of subdivision to assist in meeting increasing demand for single residential housing in the community.

The proposed properties will be developed in accordance with the Small Lot design guidelines which require that new buildings complement the current form and character of the neighbourhood.

The OCP encourages the retention of mature trees. Typically, an arborist report is requested for rezoning applications; however, the two existing trees on the property have been assessed as poor candidates for retention by Parks staff through a tree cutting permit application submitted by the property owner. Parks staff have determined that the tree in the rear yard has been repeatedly topped and pruned along the side for lane clearance, and any grade changes due to the slope will also negatively impact the tree. Both trees will be replaced in accordance with the Tree Bylaw and a minimum of one tree should be located in the front yard of each lot in accordance with the small lot design guidelines in the OCP.

Submission of design, fees and securities for off-site works and services including the addition of a new stairwell access from Pitt River Road is a recommended condition of approval prior to adoption of the amending bylaw.

The proposed rezoning would be in keeping with policies of the OCP and the preliminary subdivision information provided by the applicant demonstrates the site would meet the minimum size requirements. Staff recommend approval.

### **FINANCIAL IMPLICATIONS**

The rezoning from one larger lot to two smaller lots has the potential for increased property assessment values resulting in an increase in property taxation revenue once development occurs.

### **PUBLIC CONSULTATION**


A development sign has been posted on the property fronting Pitt River Road. Planning staff have not received any comments in association with the rezoning application. If the application proceeds to Public Hearing, the city would provide notification by mail to residents located within 120m of the site and advertise the Public Hearing in the newspaper.



## 1604 Pitt River Road - Rezoning Application

### **OPTIONS**

(Check = Staff Recommendation)

	#	Description
	1	Recommend to Council that the zoning of 1604 Pitt River Road be amended from RS1 to RS4 and that the specified conditions be met prior to adoption of the rezoning bylaw.
	2	Request additional information or amendments to the application to address specified issues prior to making a decision on the application
	3	Recommend to Council that the rezoning application be refused.

**Lead author(s):** Natalie Coburn

## Property Standards and Nuisance Abatement Bylaw – First Three Readings


### RECOMMENDATION:

*That Property Standards and Nuisance Abatement Bylaw No. 4190 be given first three readings.*

### PREVIOUS COMMITTEE ACTION:

*At the October 13, 2020, Committee of Council meeting, Committee will be considering the Property Standards and Nuisance Abatement Bylaw. If Committee of Council recommends that Council consider the bylaw, then Property Standards and Nuisance Abatement Bylaw will be available for first three readings.*

### OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Give first three readings to the bylaw.
	2	Delay first three readings and request staff to provide additional information.
	3	Deny first three readings of the bylaw.

# CITY OF PORT COQUITLAM

## PROPERTY STANDARDS AND NUISANCE ABATEMENT BYLAW, 2020

### Bylaw No. 4190

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*A Bylaw of the City of Port Coquitlam to regulate, prohibit, and impose requirements in relation to property maintenance, the abatement of nuisance, and to provide for recovery of the costs of nuisance abatement where undertaken by the City.*

#### 1. CITATION

This Bylaw is cited as "Property Standards and Nuisance Abatement Bylaw, 2020, No. 4190".

#### 2. INTERPRETATIONS

- 2.1 Words or phrases defined in the British Columbia *Interpretation Act*, *Motor Vehicle Act*, *Community Charter* or *Local Government Act* or any successor legislation, shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.
- 2.2 If any part of this Bylaw is for any reason held invalid by any court of competent jurisdiction, the invalid portion shall be severed and the severance shall not affect the validity of the remainder.

#### 3. DEFINITIONS

3.1 In this Bylaw:

**"Building Materials"** means items used in the construction of structures or in landscaping, including, but not limited to lumber, gypsum board, windows, doors, roofing materials, scaffolding, equipment, tools, bricks, building blocks, fill, sand, and soil;

**"Building Inspector"** means any building inspector or official including Chief Building Inspector and Manager of Building;

**"Bylaw Enforcement Officer"** means every person employed by the City for the purpose of enforcement of the City's bylaws and includes members of the Royal Canadian Mounted Police;

**"Bylaw Services Manager"** means the person appointed as Bylaw Services Manager or their designate;

**"Council"** means the Municipal Council of the Corporation of the City of Port Coquitlam;

**"Derelict"** means

- a) physically wrecked or dilapidated;

- b) in the case of a Motor Vehicle, incapable of operating under its own power or lacking number plates for the current year pursuant to the regulations under the *Motor Vehicle Act*, RSBC 1996, c. 318; and
- c) in the case of a trailer, incapable of being towed in the manner a trailer is normally towed.

**“Discarded Materials”** include all materials not in use for the construction or maintenance of a building situated on that property, appliances, Motor Vehicle parts, machinery, firewood, unless it is neatly piled or stacked against a wall or fence, and any other chattels in a dismantled state or not in use for the purpose for which the manufacturer intended;

**“Fire Inspector”** means any Fire Prevention Officer including Fire Prevention Inspectors, Fire Prevention Captains or Deputy Fire Chief, Fire Protective Services & Public Education;

**“Graffiti”** includes one or more letters, symbols, writing, pictures or marks, however made, posted, scratched, etched, painted or drawn on any structure or thing but does not include any of the following:

- a) a sign, public notice or traffic control devices authorized by the Director of Engineering appointed by Council of the City of Port Coquitlam;
- b) a sign authorized by the Sign Bylaw, No. 2638 as amended or replaced from time to time;
- c) a public notice authorized by a City bylaw or by provincial or federal legislation; or
- d) a letter, symbol or mark on a building or structure for which the owner or tenant of the building or structure has given prior, written authorization, such as a mural;

**“Public Place”** includes every street, road, land, boulevard, sidewalk, lane, bridge, viaduct and any other way open to public use and any park, building, conveyance, private place or passageway to which the public has, or is permitted to have access or is invited;

**“Motor Vehicle”** means a device in, upon, or by which a person or thing is or may be transported or drawn upon a highway, except a device designed to be moved by human power or used exclusively upon stationary rails or tracks;

**“Noxious Weed”** means any weed designated by regulation to be a Noxious Weed pursuant to the *British Columbia Weed Control Act* RSBC 1996 Chapter 487;

**“Nuisance Abatement Fees”** means the fees, charges and amounts stated in the City's *Fees and Charges Bylaw No. 3892*;

**“Nuisance at Law”** means the essence of the tort of nuisance is interference with the enjoyment of land.

**“Nuisance Service Call”** means a response by a bylaw enforcement officer, building inspector member of the fire department or member of the RCMP to, or abatement of,

any activity, conduct or condition occurring on or near real property that is contrary to a provision within sections 3, 4, 5 or 6 of this bylaw;

**“Rubbish”** means solid and semi-solid wastes, dead animals, paper, trash, refuse, cardboard, waste material, demolition material, cans, bottles, yard clippings, wood, rubber, plastics, glass, bedding, mattresses, crates, pallets, rags, barrels, boxes, scrap iron and other metal, scrap paving material, broken flower pots, discarded tanks of fuel and propane, dilapidated motor vehicles, discarded household appliances, and discarded furniture.

#### 4. GENERAL PROHIBITION

- 4.1 No owner or occupier of real property shall cause or permit any act to be done on that real property which constitutes a nuisance at law.
- 4.2 No owner or occupier of real property shall cause or permit any act which unreasonably interferes with another person or owner's use and enjoyment of their property or of a public place.
- 4.3 No owner or occupier of real property shall cause or permit any act which is an offence under the *Controlled Drugs and Substances Act*, 1996 chapter 19, *Criminal Code of Canada R.S.C., 1985, c. C-46*, or the *Liquor Control and Licensing Act, R.S.B.C., c. 267*.

#### 5. LIGHTING

- 5.1 An owner or occupier of real property shall ensure that an outdoor light on the property is shielded by a shade or fixture such that the light source does not create a nuisance.
- 5.2 This section does not apply to outdoor lighting emanating from:
  - a) streetlights;
  - b) vehicle lights;
  - c) lights on playing fields;
  - d) lights on school playgrounds.

#### 6. GENERAL PROPERTY MAINTENANCE

- 6.1 An owner or occupier of real property must not cause, allow or permit with respect to that real property:
  - a) the storage of Discarded Materials, Rubbish, Derelict Vehicles or Motor Vehicle parts, household chattels and fixtures, furniture, appliances, and other household items of value unless the item is in a closed building or permitted temporary structure;
  - b) the parking or storage of a Motor Vehicle, boat, trailer or recreational vehicle:

- (i) on a landscaped portion of real property; or
  - (ii) on a landscaped portion of a boulevard; or
  - (iii) in a dismantled condition or state of disrepair including, but not limited to, mould growth or one or more flat tires unless the item is in a closed building or permitted temporary structure;
- c) grass, weeds or similar ground cover to be over 15 centimeters in height;
- d) a building or structure or parts thereof to become dilapidated, collapsed or unfinished, including to have holes, breaks, rot, crumbling, cracking, peeling, rusting, missing siding, one or more tarps or plastic covering a roof, or any other evidence of physical decay or neglect or excessive use or lack of maintenance;
- e) the accumulation of building materials for more than 15 days in a calendar year unless they are in a closed building or structure such that they are not visible from any other property or public place;
- f) a fence, retaining wall, or wood ties to become unstable or unsafe, or be rotting, crumbling, cracking, leaning, peeling, or rusting;
- g) the accumulation or growth of Noxious Weeds;
- h) the accumulation of uncontrolled growth, cut tree branches, dead trees, leaves, dead bushes or other growth, unstacked firewood, dirt piles, or uncontained compost material;
- i) Graffiti to remain on Motor Vehicles, buildings, walls, fences or elsewhere in, or visible from a public place;
- j) water to collect or accumulate in a pond, swimming pool, hot tub or as surface water such that it becomes sufficiently stagnant to permit the breeding of mosquitoes, other insects, mould, algae or other similar organisms.

6.2 For the purpose of section 6.1, storage within a building or structure does not include covering an item with a tarp or other cover.

## 7. OBJECTIONABLE NOISE

- 7.1 No owner or occupier of real property shall allow or permit such real property to be used so that noise or sound which emanates therefrom is liable to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public, including, but not limited to yelling, shouting, screaming or profane language.
- 7.2 No owner or occupier of real property shall make, cause, or permit to be made or caused, noise or bass sound of a radio, television, player, or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether live or recorded or live, whether

amplified or not, in or on private property in such manner that is liable to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public.

## 8. COMPLIANCE ORDER

- 8.1 If an owner or occupier of real property fails to comply with a requirement of this Bylaw, then a Bylaw Enforcement Officer may issue an order requiring that an owner or occupier of the real property bring the real property into compliance with the provisions of this Bylaw within such time as a Bylaw Enforcement Officer considers appropriate in the circumstances.
- 8.2 If an owner or occupier of real property fails to comply with the Bylaw Enforcement Officer's Compliance Order within the time period specified in such notice, the City, by its workers or others, may, at all reasonable times and in a reasonable manner, enter the real property and bring about such compliance at the cost of the defaulting owner or other responsible person.
- 8.3 Such costs shall consist of all costs and expenses incurred by the City to achieve compliance with Section 6 of this Bylaw including, without limitation, administrative costs, costs to attend property by City employees or its contractors as stipulated in Schedule N, of the City's Fees and Charges No. 3892 and the costs of removal, clean up and disposal.
- 8.4 If an owner or occupier of real property defaults in paying the cost referred to in Section 8.2 to the City within 30 days after receipt of a demand for payment from the City, the City may either recover from the owner or occupier, in any court of competent jurisdiction, the cost as a debt due to the City, or if such costs remain unpaid by December 31 of the year in which they are owing, the costs may be recovered as property taxes in arrears in accordance with Part 14 of the *Community Charter*.
- 8.5 Service of the Compliance Order referred to in Section 8 will be sufficient if a copy of the order is:
  - a) served personally or mailed by prepaid registered mail to the owner of the real property as shown on the current year's real property assessment roll;
  - b) regular mail; and
  - c) either posted on the real property or delivered to the occupier of the real property.
- 8.6 When an order is not served in accordance with Section 8.5 (a), such order is deemed to have been served on the third day after mailing in accordance with Section 8.5 (b).

9. FIRST APPEAL AGAINST COMPLIANCE ORDER

- 9.1 The owner of real property who may be subject to a Compliance Order, may appeal to the Bylaw Services Manager at least 7 days prior to the expiration of the time given in the Compliance Order.
- 9.2 The owner of the real property may only appeal in written form.
- 9.3 The Bylaw Services Manager shall determine the appeal by confirming, amending or rescinding the Compliance Order.

10. FINAL APPEAL AGAINST COMPLIANCE ORDER

- 10.1 The owner of real property who may be subject to a Compliance Order, may appeal to Council at least 72 hours prior to the expiration of the time given in the Compliance Order.
- 10.2 The owner of the real property must be given 72 hours advance notice of the meeting at which Council will hear an appeal.
- 10.3 The owner of the real property may appeal in person or in written form.
- 10.4 Council shall determine the appeal by confirming, amending or rescinding the Compliance Order.
- 10.5 Council's decision shall be final.

11. REPEAT NUISANCE SERVICE CALLS

- 11.1 Where a Bylaw Enforcement Officer, member of the fire department or member of the RCMP are required to respond to real property for:

- a) more than one Nuisance Service Call within a 24 hour period; or
- b) more than three Nuisance Service Calls within a 12 month period;

the owner of the real property shall be liable to pay Nuisance Abatement Fees in accordance with the amounts set out in the City's *Fees and Charges Bylaw No. 3892* or each additional Nuisance Service Call responded to at that same real property within the 12 month period following the date of the notice referred to in Section 11.3.

- 11.2 Despite section 11.1 of this Bylaw, where legal title to the real property is transferred, Nuisance Service Calls occurring before the date the new owner obtains legal title to the real property shall not apply to the determination under section 11.1 of this bylaw whether Nuisance Abatement Fees are payable or with respect to the amount that is payable. The new owner shall, in any event, be liable for all unpaid Nuisance Abatement Fees imposed against the real property in respect of past Nuisance Service Calls.



- 11.3 Before an owner of real property is liable to pay Nuisance Abatement Fees, the City shall provide written notice to the owner that:
- a) describes the nature of the contravention or nuisance conduct, activity or condition that have resulted in Nuisance Service Calls; and
  - b) advises the owner of Nuisance Abatement Fees and that such fees are in addition to the City's right to seek other legal remedies or actions for abatement of the nuisance or contravention.
- 11.4 Service of the notice referred to in 11.3 will be sufficient if the notice:
- a) in the case of service on an individual, is served personally or mailed by prepaid registered mail to the address of the owner shown on the current year's real property assessment roll for the real property for which the notice is issued;
  - b) in the case of service on a corporation, is served personally on a director, officer or manager of the corporation or by leaving it at or mailing it by prepaid registered mail to the registered office of the corporation.
- 11.5 Nuisance Abatement Fees shall be paid by the owner within 30 days of receipt of an invoice from the City.
- 11.6 If Nuisance Abatement Fees are imposed in relation to real property remains unpaid by December 31 of the year in which it is owing, the fee may be recovered as property taxes in arrears in accordance with the *Community Charter*.
- 11.7 The City may impose Nuisance Abatement Fees despite a person not being charged with an offence relating to a contravention of this Bylaw or the person being charged with an offence relating to a contravention of this Bylaw being acquitted of any or all charges, including because the charges are withdrawn, stayed or otherwise do not proceed.

## 12. APPEAL AGAINST NUISANCE ABATEMENTS FEES

- 11.1 The owner of real property who may be subject to Nuisance Abatement Fees may appeal to Council within 14 days of receipt of a notice to pay.
- 11.2 The owner of the real property must be given 72 hours advance notice of the meeting at which Council will hear an appeal.
- 11.3 The owner of the real property may appeal in person or in written form.
- 11.4 Council shall determine the appeal by confirming, amending or rescinding the Nuisance Abatement Fees.
- 11.5 Council's decision shall be final.

13. ENFORCEMENT & INSPECTIONS

- 13.1 The provisions of this Bylaw may be enforced by any Bylaw Enforcement Officer.
- 13.2 Any Bylaw Enforcement Officer may enter, in accordance with Section 16 of the *Community Charter*, upon any property subject to this Bylaw in order to inspect and determine whether all regulations, restrictions and requirements are being met.
- 13.3 No person shall interfere with, or attempt to obstruct a Bylaw Enforcement Officer who is conducting an inspection or enforcement action in relation to this Bylaw.
- 13.4 No person shall provide false or misleading information to a Bylaw Enforcement Officer.

14. OFFENCE AND PENALTIES

- 14.1 Notwithstanding the offence and penalties as provided under the *Community Charter* or *Local Government Act*, the following will apply:
  - a) a violation of any of the provisions identified in this Bylaw will result in liability for penalties and late payment amounts established in the City's Bylaw Notice Enforcement Bylaw.
  - b) a Person who:
    - (i) contravenes, violates or fails to comply with any provision of this Bylaw;
    - (ii) suffers or allows any act or thing to be done in contravention or violation of this Bylaw; or
    - (iii) fails or neglects to do anything required to be done under this Bylaw;is deemed to have committed an infraction of, or an offence against, this Bylaw; and is liable on summary conviction to a fine of not more than \$50,000.00; and
  - c) each day such infraction is caused, or allowed to continue, constitutes a separate offence.

15. NO DUTY OF CARE

Neither failure to enforce this Bylaw, nor any error, omission, or other neglect in relation to the enforcement of this Bylaw, shall be interpreted as giving rise to a cause of action in favour of any person.

16. REPEAL

The City of Port Coquitlam Property Maintenance Bylaw, No. 2943 as amended, is repealed.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2020

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2020

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2020

Mayor

Corporate Officer

**RECOMMENDATION:**

*That Committee of Council recommend that Council adopt Property Standards and Nuisance Abatement Bylaw 4190.*

**REPORT SUMMARY**

This report outlines a proposed new bylaw to replace the existing property maintenance bylaw. A nuisance abatement component has been added to the bylaw that enables the City to impose abatement fees allowing for cost recovery on recurring problem properties. The proposed bylaw provides more efficient and effective ways to gain compliance in property standards and address the issue of problem properties that require significant time and resources.

**BACKGROUND**

In recent years many municipalities (such as New Westminster, Maple Ridge, Kelowna, Nanaimo, Surrey and Kamloops) have adopted bylaws referred to as a Good Neighbour Bylaw or a Nuisance Abatement Bylaw. These bylaws set the framework for dealing with nuisance properties and set criteria for making sure that properties in Port Coquitlam are maintained to a specific standard. While most property owners maintain their properties to a high standard, a few do not. These bylaws help ensure that residents can enjoy their home and property without being negatively affected by neighbours. When a property becomes a chronic or significant problem, this Bylaw will add a process to address the issue.

Additionally, these types of bylaws typically replace existing property maintenance bylaws and often incorporate other items that may be considered nuisance activities such as noise, graffiti and lighting. These bylaws also often contain nuisance abatement fees that can be captured in cost recovery by attaching them to property taxes for recurring problem properties. While Port Coquitlam does not have the voluminous amount of problem properties that other municipality have, it is faced with a consistent handful of problem properties at any given time requiring considerable staff resources.

**DISCUSSION**

The proposed bylaw will repeal and replace the current Property Maintenance Bylaw No. 2945 by updating and expanding on current standards for property maintenance. For example, it provides more expansive and detailed stipulations for what can be kept on properties and specify where or how it can be kept. It regulates for general unsightliness and includes standards for yard maintenance, discarded materials, noxious weeds, dilapidated vehicles, buildings, and fences, accumulated pools of water and rubbish.

## Property Standards and Nuisance Abatement Bylaw

The bylaw includes regulations for graffiti and its removal as well as the nuisance of lighting and the nuisance of noise. The nuisance of lighting is new and regulates lighting that is bothersome to others; however, it excludes street lights, vehicle lights, lights on playing fields and lights on school grounds.

The regulation of noise is intended to be specific to problem properties and recurring noise issues although it is not exclusive to problem properties. The proposed bylaw does not seek to replace the existing noise bylaw but rather to enhance the noise bylaw by providing another compliance tool. This can be managed by addressing common noises that result in police and bylaw attendance by increasing the fines and allowing abatement fees to be added.

### Compliance orders

The proposed bylaw outlines a process for compliance orders that have been issued under the bylaw. This detailed process stipulates how a compliance order is issued, the appeal process and the timeline for appeals. It also details the City's authority to recover costs for cleanup or any remediation work. Compliance orders can be used for any property that is not in compliance including problem properties that have recurring issues.

In order for this process to follow procedural fairness an appeal is filed to the Bylaw Services Manager in written form 7 days before the expiration of the compliance date. The Bylaw Services Manager shall determine the appeal by confirming, amending, or rescinding the compliance order. The second and final step of an appeal against a compliance order is to Council. The property owner may appeal to Council in writing up to 72 hours prior to the expiration date given on the compliance order. The property owner may appear before Council or appeal in writing and Council shall determine the appeal by confirming, amending, or rescinding the compliance order.

### Nuisance Service Calls

This Bylaw adds a new tool for addressing nuisance or problem properties by adding the definition of nuisance service calls and an abatement fee for repeated attendance by City Staff and RCMP. Nuisance service calls are defined in the bylaw as a response by a bylaw enforcement officer, building inspector, member of the fire department, or of the RCMP to, or abatement of, any activity, conduct or condition occurring on or near real property that is contrary to a provision within section 3, 4, 5, or 6 of this bylaw.

### Repeat Nuisance Calls

In order for a property to fall under a repeat nuisance it must meet the following threshold:

- More than one (1) nuisance Service Call within a 24-hour period; or

## Property Standards and Nuisance Abatement Bylaw

- More than (3) three Nuisance Service Calls within a 12-month period

If a property falls within the threshold outlined above, nuisance abatement fees will be applied to the property and if not paid within 30 days will be recoverable by attaching them to the property taxes on December 31 of the year that it is owing. Abatement fees are set at \$300.00 per attendance for the following:

Bylaw Enforcement Officers  
Fire Inspectors  
Building Inspectors  
RCMP

The total fees if all individuals listed above were in attendance for the same incident would be \$1200 plus a 15% administration fee as outlined in the amendment to the Fees and Charges Bylaw (attachment 2). This is in addition to any fines that may be issued at the time of attendance.

The fees are calculated by multiplying the hourly rate, time spent, and equipment used. Other municipalities have either set fees at a flat fee with an average of \$250.00 while other municipalities list an hourly wage and charge by the hour. Most municipalities charge \$250.00 flat fee have not recently updated their abatement fees and may explain why the fee is slightly lower. Upon reviewing the abatement fees in other municipalities, it was determined that a flat fee is easier to task administratively.

### Appeal Against Abatement Fees

As with compliance orders referred to in this bylaw, the appeal for abatement fees must also follow procedural fairness. The bylaw outlines an appeal process giving the property owner the right to appeal to Council within 14 days of a payment notice. The property owner must be given 72 hours notice of the meeting at which the appeal will be heard and may appeal in writing or in person. Council shall determine the appeal by confirming, amending, or rescinding the nuisance abatement Fees.

### Fines

Fines in the Bylaw Notice Enforcement Bylaw and the ticket information Bylaw were established by reviewing fines in other Municipalities such as Coquitlam, New Westminster, Abbotsford, Maple Ridge and Pitt Meadows. The proposed fines summarized below are set higher than the fines in the existing Property Maintenance Bylaw No. 2945 and the existing Noise Bylaw No. 2891 which set out fines for offences at \$150.00 with a reduced fine amount of \$100.00 if paid within 14 days.

The proposed fines are summarized as follows and reflect the fine amount and a discounted amount if paid within 14 days:

## Property Standards and Nuisance Abatement Bylaw

Nuisance at law	4.1	\$200.00	\$500.00
Act which unreasonably interferes	4.2	\$400.00	\$500.00
Offence under CDSA, CCC, LCLA	4.3	\$400.00	\$500.00
Lighting which creates nuisance	5.1	\$125.00	\$250.00
Storage of material	6.1(a)	\$200.00	\$250.00
Storage of vehicle	6.1(b)	\$200.00	\$250.00
Over height ground cover	6.1(c)	\$200.00	\$250.00
Dilapidated building	6.1(d)	\$200.00	\$250.00
Accumulated materials	6.1(e)	\$200.00	\$250.00
Dilapidated fence	6.1(f)	\$200.00	\$250.00
Noxious weeds	6.1(g)	\$200.00	\$250.00
Piles of natural material	6.1(h)	\$200.00	\$250.00
Graffiti	6.1(i)	\$200.00	\$250.00
Water collection	6.1(j)	\$200.00	\$250.00
Noise which disturbs	7.1	\$200.00	\$300.00
Noise from device which disturbs	7.2	\$200.00	\$300.00
Obstruct Officer	13.3	\$250.00	\$500.00
Provide false information to Officer	13.4	\$250.00	\$500.00

Staff recommends the following:

Property Maintenance Bylaw No. 2945 is repealed

Property Standards and Nuisance Abatement Bylaw No. 4190 (new)

Amendments to: Fees & Charges Bylaw No. 3892, Bylaw Notice Enforcement Bylaw No. 3814 &

Ticket Information Bylaw 2743

### **FINANCIAL IMPLICATIONS**

Revenue will likely be generated through fees and will go towards the City's general revenue.

### **OPTIONS** (✓ = Staff Recommendation)

	#	Description
<input checked="" type="checkbox"/>	1	Recommend Council adopt the bylaw.
<input type="checkbox"/>	2	Request further information.

## Property Standards and Nuisance Abatement Bylaw

	3	Take no action (maintain status quo).
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### **ATTACHMENTS**

Att#1: Property Standards Nuisance Abatement Bylaw Draft

Att#2: Fees & Charges Amendment Draft

Att#3: Bylaw Notice Enforcement Bylaw Amendment draft

Att#4 Ticket Information Bylaw Amendment draft

**Lead author(s):** Paula Jones

**Contributing author(s):** Dominic Long



## Fees and Charges Amendment Bylaw – First Three Readings


### RECOMMENDATION:

*That Fees and Charges Amendment Bylaw No. 4191 be available for first three readings.*

### PREVIOUS COMMITTEE ACTION:

*At the October 13, 2020, Committee of Council meeting, Committee will be considering the Fees and Charges Amendment Bylaw. If Committee of Council recommends that Council consider the bylaw, then Fees and Charges Amendment Bylaw will be available for first three readings.*

### OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Give first three readings to the bylaw.
	2	Delay first three readings and request staff to provide additional information.
	3	Deny first three readings of the bylaw.

CITY OF PORT COQUITLAM  
FEES AND CHARGES AMENDMENT BYLAW, 2020

Bylaw No. 4191

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1. CITATION

This Bylaw is cited as "Fees and Charges Bylaw, 2015, No. 3892, Amendment Bylaw, 2020, No. 4191".

2. ADMINISTRATION

2.1 Fees and Charges Amendment Bylaw, 2015, No. 3892 is amended by adding "Schedule N" which is attached hereto and forming part of this Bylaw.

READ A FIRST TIME this	day of	, 2020
READ A SECOND TIME this	day of	, 2020
READ A THIRD TIME this	day of	, 2020

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Mayor

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Corporate Officer

## SCHEDULE "N"

### Property Standards and Nuisance Abatement Fees & Charges

*This Schedule to the Fees and Charges Bylaw implements costs referred to in Section 7 and 10 of the Property Standards and Nuisance Abatement Bylaw No. 4190 and are determined in part by a flat fee for each separate attendance, time spent and equipment used by individuals involved in the abatement of a nuisance. They are calculated in part by multiplying average hourly rates and vehicle costs.*

	<b>INSPECTION FEES</b>
Bylaw Enforcement Officer	\$300.00
RCMP	\$300.00
Fire Inspector	\$300.00
Building Inspector	\$300.00
** An administrative fee of 15% will be added to the rates above	

## Bylaw Notice Enforcement Amendment – First Three Readings


### RECOMMENDATION:

*That Bylaw Notice Enforcement Amendment Bylaw No. 4192 be given first three readings.*

### PREVIOUS COMMITTEE ACTION:

*At the October 13, 2020, Committee of Council meeting, Committee will be considering the Bylaw Notice Enforcement Amendment Bylaw. If Committee of Council recommends that Council consider the bylaw, then Bylaw Notice Enforcement Amendment Bylaw will be available for first three readings.*

### OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Give first three readings to the bylaw.
	2	Delay first three readings and request staff to provide additional information.
	3	Deny first three readings of the bylaw.

## BYLAW NOTICE ENFORCEMENT AMENDMENT BYLAW, 2020

This Bylaw is cited as “Bylaw Notice Enforcement Bylaw, 2020, No. 3814, Amendment Bylaw, 2020, No. 4192”.

## 2. ADMINISTRATION

2.2 That Schedule "A" – Property Maintenance Bylaw No. 2945 (now repealed) be replaced with Schedule "A" - Property Standards and Nuisance Abatement Bylaw No. 4190 attached hereto and forming part of this Bylaw.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2020

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2020

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2020

Mayor

Corporate Officer

**SCHEDULE "A"**  
**Designated Bylaw Contraventions and Penalties**

**Property Standards and Nuisance Abatement Bylaw No. 4190**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>
<b>OFFENCE</b>	<b>SECTION NO. IN BYLAW</b>	<b>DISCOUNTED PENALTY IN \$ (within 14 days)</b>	<b>FULL PENALTY IN \$ (after 14 days)</b>	<b>COMPLIANCE AGREEMENT DISCOUNT<sup>1</sup></b>
Nuisance at law	4.1	\$200.00	\$250.00	N/A
Act which unreasonably interferes	4.2	\$400.00	\$500.00	N/A
Offence under CDSA, CCC, LCLA	4.3	\$400.00	\$500.00	N/A
Lighting which creates nuisance	5.1	\$125.00	\$250.00	N/A
Storage of material	6.1 (a)	\$200.00	\$250.00	N/A
Storage of vehicle	6.1 (b)	\$200.00	\$250.00	N/A
Over height ground cover	6.1 (c)	\$200.00	\$250.00	N/A
Dilapidated building	6.1 (d)	\$200.00	\$250.00	N/A
Accumulated materials	6.1 (e)	\$200.00	\$250.00	N/A
Dilapidated fence	6.1 (f)	\$200.00	\$250.00	N/A
Noxious weeds	6.1 (g)	\$200.00	\$250.00	N/A
Piles of natural material	6.1 (h)	\$200.00	\$250.00	N/A
Graffiti	6.1 (i)	\$200.00	\$250.00	N/A
Water collection	6.1 (j)	\$200.00	\$250.00	N/A
Noise which disturbs	7.1	\$200.00	\$300.00	N/A
Noise from device which disturbs	7.2	\$200.00	\$300.00	N/A
Obstruct Officer	13.3	\$250.00	\$500.00	N/A
Provide false information to Officer	13.4	\$250.00	\$500.00	N/A

## Ticket Information Utilization Amendment Bylaw – First Three Readings


### RECOMMENDATION:

*That Ticket Information Utilization Amendment Bylaw No. 4193 be given first three readings.*

### PREVIOUS COMMITTEE ACTION:

*At the October 13, 2020, Committee of Council meeting, Committee will be considering the Ticket Information Utilization Amendment Bylaw. If Committee of Council recommends that Council consider the bylaw, then Ticket Information Utilization Amendment Bylaw will be available for first three readings.*

### OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Give first three readings to the bylaw.
	2	Delay first three readings and request staff to provide additional information.
	3	Deny first three readings of the bylaw.

CITY OF PORT COQUITLAM

TICKET INFORMATION UTILIZATION AMENDMENT BYLAW, 2020

Bylaw No. 4193

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1. CITATION

This Bylaw is cited as "Ticket Information Utilization Bylaw, 1992, No. 2743, Amendment Bylaw, 2020, No. 4193".

2. ADMINISTRATION

2.1 That Schedule 6 – Property Maintenance Bylaw No. 2945 (now repealed) be replaced with Schedule "A" - Property Standards and Nuisance Abatement Bylaw No. 4190 attached hereto and forming part of this Bylaw.

2.2 That Schedule 18 be amended to reflect the City's current "Controlled Substance Nuisance Bylaw, 2017, No. 3972".

READ A FIRST TIME this	day of	, 2020
READ A SECOND TIME this	day of	, 2020
READ A THIRD TIME this	day of	, 2020

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Mayor

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Corporate Officer



## SCHEDULE 6

### Property Standards & Nuisance Abatement Bylaw No. 4190

	<b><u>SECTION</u></b>	<b><u>FINE</u></b>	<b><u>REDUCED FINE</u></b>
			If paid within 30 Days of Service
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
• Nuisance at law	4.1	\$250.00	\$200.00
• Act which unreasonably interferes	4.2	\$500.00	\$400.00
• Offence under CDSA, CCC, LCLA	4.3	\$500.00	\$400.00
• Lighting which creates nuisance	5.1	\$250.00	\$125.00
• Storage of material	6.1 (a)	\$250.00	\$200.00
• Storage of vehicle	6.1 (b)	\$250.00	\$200.00
• Over height ground cover	6.1 (c)	\$250.00	\$200.00
• Dilapidated building	6.1 (d)	\$250.00	\$200.00
• Accumulated materials	6.1 (e)	\$250.00	\$200.00
• Dilapidated fence	6.1 (f)	\$250.00	\$200.00
• Noxious weeds	6.1 (g)	\$250.00	\$200.00
• Piles of natural material	6.1 (h)	\$250.00	\$200.00
• Graffiti	6.1 (i)	\$250.00	\$200.00
• Water collection	6.1 (j)	\$250.00	\$200.00
• Noise which disturbs	7.1	\$300.00	\$200.00
• Noise from device that disturbs	7.2	\$300.00	\$200.00
• Obstruct Officer	13.3	\$500.00	\$250.00
• Provide false information to Officer	13.4	\$500.00	\$250.00

## Delegation of Authority Amendment Bylaw – First Three Readings


### RECOMMENDATION:

*That Delegation of Authority Amendment Bylaw No. 4194 be given first three readings.*

### PREVIOUS COMMITTEE ACTION:

*At the October 13, 2020, Committee of Council meeting, Committee will be considering the Delegation of Authority Amendment Bylaw. If Committee of Council recommends that Council consider the bylaw, then Delegation of Authority Amendment Bylaw No. 4194 will be available for first three readings.*

### OPTIONS (✓ = Staff Recommendation)

	#	Description
	1	Give first three readings to the bylaw.
	2	Delay first three readings and request staff to provide additional information.
	3	Deny first three readings of the bylaw.

# CITY OF PORT COQUITLAM

## DELEGATION OF AUTHORITY AMENDMENT BYLAW, 2020

### Bylaw No. 4194

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#### 1. CITATION

This Bylaw is cited as “Delegation of Authority Bylaw, 2014, No. 3876, Amendment Bylaw, 2020, No. 4194”.

#### 2. ADMINISTRATION

- 2.1 Delegation of Authority Bylaw, 2014, No. 3876 is amended by removing section 3 and replacing it with the following section 3:

#### BYLAW ENFORCEMENT

3. It is acknowledged by the Council of the City of port that by virtue of their appointment, Bylaw Officers are “Peace Officers” in the course of performing their duties. A Bylaw Enforcement Officer may exercise the following powers on behalf of the City:
- a) enforcement of the City’s regulatory bylaws and related policies;
  - b) entry onto or into private premises to verify compliance with the Council’s regulations, prohibitions or requirements pursuant to Section 16 of the *Community Charter*;
  - c) the service of summons pursuant to Section 28 of the *Offence Act*;
  - d) for certainty, the issuance of Municipal Ticket Information as provided by the Ticket Information Utilization Bylaw, 1992, No. 2743 and the Bylaw Notice Enforcement Bylaw, 2012, No. 3814.
  - e) in accordance with Section 70(1)(b) of the *Police Act* upon the appointment of a Bylaw Officer by the City of Port Coquitlam Council or delegate, each employee must complete the Oath/Affirmation in BC Regulation 136/2002M199/2002 (see Schedule A).
- 2.2 Delegation of Authority Bylaw, 2014, No. 3876 is amended by adding “Schedule A” attached hereto and forming part of this Bylaw.
- 2.3 Delegation of Authority Bylaw, 2014, No. 3876 is further amended in the LAND USE AND DEVELOPMENT APPROVALS section by:
- a) adding the words “or a temporary use permit” after ‘development variance permit’ in clause 9 (e);

- b) removing the words “issue and” in clause 9. (b); and
- c) removing the words “temporary use permits” in clause 19.

READ A FIRST TIME this	day of	, 2020
READ A SECOND TIME this	day of	, 2020
READ A THIRD TIME this	day of	, 2020

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Mayor

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Corporate Officer

## SCHEDULE A

### PEACE OFFICER RESOLUTION

1. As per the authority at section 36 of the Police Act, R.S.B.C. 1996, c. 367, as amended, the City of Port Coquitlam ("City") through its Mayor and Council or delegate appoints **(INSERT NAME)** as a bylaw enforcement officer for the City commencing **(DATE)** for the purposes of enforcing all City's bylaws and in accordance with the statutory authority granted within the Community Charter, S.B.C. 2003, c. 26, as amended, is authorized to exercise such statutory authority.
2. For the purposes of this resolution the City also designates (insert full legal name here) as a peace officer, as that term is defined in section 29 of the Interpretation Act, R.S.B.C. 1996, c. 238, as amended, for the preservation and maintenance of public peace within the City, with the full powers, privileges and responsibilities of a peace officer while carrying out their duties for the City.
3. This appointment will expire immediately when (insert full legal name here) is either no longer employed by the City; is no longer appointed to the position of bylaw enforcement officer; or if City Council rescinds their appointment.

As per the oath of office, it is taken under the authority of section 70 of the *Police Act* and B.C. Reg. 136/2002. Consider the following:

I, **(insert full legal name here)**, do solemnly affirm that:

- a) I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Queen of Canada, Her Heirs and Successors; and
- b) I will faithfully, honestly and impartially perform my duties as bylaw enforcement officer for the City of Port Coquitlam.

Solemnly affirmed by me, at the City of Port Coquitlam, Province of British Columbia, on

**(insert day, month, year here).**

\_\_\_\_\_  
(Insert full legal name here), Bylaw Enforcement Officer


\_\_\_\_\_  
A Commissioner for Administering Oaths

## Cemetery Amendment Bylaw No. 4169 – Adoption

**RECOMMENDATION:**

*That Council adopt Cemetery Amendment Bylaw No. 4169.*

**OPTIONS** (✓ = Staff Recommendation)

	#	Description
	1	Adopt the bylaw.
	2	Delay adoption and request staff to provide additional information.
	3	Deny adoption of the bylaw.

CITY OF PORT COQUITLAM  
CEMETERY AMENDMENT BYLAW, 2020

Bylaw No. 4169

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The Council of the Corporation of the City of Port Coquitlam enacts as follows:

1. CITATION

This Bylaw is cited as “Cemetery Bylaw, 2015, No. 3920, Amendment Bylaw, 2020, No. 4169”.

2. ADMINISTRATION

2.1 That “Cemetery Bylaw, 2015, No. 3920” be amended in the “Cancellations and Refunds” section, clause 4. 3) i) and ii) by deleting the words “original License fees and the current License Fee as set out in Schedule “H” of the Fees and Charges Bylaw” and replacing them with the words “remaining purchase price as set out in the City’s Fees and Charges Bylaw (Schedule H)”.

2.2 That “Cemetery Bylaw, 2015, No. 3920” be further amended by removing Section 14 and replacing it with the following:

“14) Additional decorations (placed adjacent to the individual gravesite) for the following recognized events will be allowed for seven (7) days after the day of the event; with the exception of Remembrance Day commencing two weeks prior and ending seven (7) days after the day of the event:

- a) Valentine’s Day
- b) Easter
- c) Mother’s Day
- d) Father’s Day
- e) Thanksgiving”

READ A FIRST TIME this	22 <sup>nd</sup> day of	September, 2020
READ A SECOND TIME this	22 <sup>nd</sup> day of	September, 2020
READ A THIRD TIME this	22 <sup>nd</sup> day of	September, 2020

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Mayor

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Corporate Officer