

**CITY OF PRINCE GEORGE**  
**BYLAW NO. 8819**

**A Bylaw of the City of Prince George to amend City of Prince George Property Maintenance Bylaw No. 8425, 2012**

**WHEREAS** Council enacted "City of Prince George Property Maintenance Bylaw No. 8425, 2012" to protect the community from unsightly, hazardous, and blighting conditions that contribute to the deterioration of neighbourhoods; to provide for the abatement of such conditions; and to prescribe standards for the maintenance of property;

**AND WHEREAS** Council deems it desirable to amend the "City of Prince George Property Maintenance Bylaw No. 8425, 2012" by removing the fines schedule set out in the Bylaw and to authorize bylaw contraventions that may be dealt with by Bylaw Notice;

**NOW THEREFORE** the Council of the City of Prince George, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. That the "City of Prince George Property Maintenance Bylaw No. 8425, 2012", be amended as follows:
  - 1.1. Delete sections 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30 in their entirety and replace them with sections 19 through 28 as follows:

**"ENFORCEMENT AND PENALTIES**

19. This Bylaw may be enforced,

- a) by an Information laid in accordance with the *Offence Act*;
- b) by means of a ticket under the *Community Charter*;
- c) by Bylaw Notice in accordance with the "*Local Government Bylaw Notice Enforcement Act*"; or
- d) by a combination of the above noted methods in (a), (b) and (c).

20. With respect to enforcement further to a ticket issued pursuant to the *Community Charter*, the fines outlined in the "City of Prince George Ticket Information Utilization Bylaw No. 5422, 1990", as amended or replaced from time to time, shall apply.

21. With respect to enforcement further to a Bylaw Notice issued pursuant to the *Local Government Bylaw Notice Enforcement Act*, the fines outlined in Schedule "B" of the "City of Prince George Bylaw Notice Enforcement Bylaw No. 8813, 2016", as amended from time to time, shall apply.

22. Except as otherwise provided in this Bylaw or the "City of Prince George Bylaw Notice Enforcement Bylaw No. 8813, 2016", and amendments thereto, any person who violates any of the provisions of this Bylaw or who suffers or

permits any act or thing to be done in contravention of this Bylaw, or who refuses, or omits or neglects to fulfill, observe, carryout or perform any duty or obligation imposed by the Bylaw shall be liable on summary conviction to a fine not exceeding Ten Thousand Dollars (\$10,000.00), the cost of prosecution and any other penalty or order imposed pursuant to the *Community Charter, S.B.C., 2003, c.26* or the *Offence Act, R.S.B.C., 1996, c.338*. Each day that an offence against the Bylaw continues or exists shall be deemed to be a separate and distinct offence.

23. If a Bylaw Enforcement Officer determines that the regulations, prohibitions, and requirements of this Bylaw are not being met with respect to the Lands of an Owner or Occupier, the Bylaw Enforcement Officer may, by Bylaw notice, require the Owner or Occupier of the Land to comply with this Bylaw within the time period stated in the notice.
24. If an Owner or Occupier fails to comply with the direction from the Bylaw Enforcement Officer given under section 23 of this Bylaw, the Authorized Person may issue a written order directing that the Owner or Occupier comply within a time specified in the Authorized Person's order, with the specific regulations, prohibitions and requirements of this Bylaw that are not being met in respect of the Land of the Owner or Occupier.
25. If the Owner or Occupier fails to comply with an order of the Authorized Person issued under paragraph 24 of this Bylaw, the City, by its employees, contractors and agents may take action in accordance with section 17 of the *Community Charter, S.B.C., 2003, c.26* to fulfill the requirements of the order of the Authorized Person and to recover the costs, including the administrative costs provided in Schedule "A" to this bylaw, from the Owner or Occupier of the Land which is subject to the order.

#### **TICKETING**

26. Pursuant to section 264(1)(b) of the *Community Charter*, a Bylaw Enforcement Officer, and the RCMP are designated to enforce this Bylaw; and any Conservation Officer, employed by the Province of British Columbia are designated to enforce Section 11 of this bylaw only.

#### **SCHEDULE**

27. "Schedule "A" as attached forms part of this Bylaw.

#### **SEVERABILITY**

28. If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion may be severed and such invalidity shall not affect the validity of the remaining portions of this bylaw."

1.2. Delete Schedule "B" Property Maintenance Bylaw Fine Schedule in its entirety.

2. The Mayor and Corporate Officer are hereby empowered to do all things necessary to give effect to this bylaw.

3. This bylaw may be cited for all purposes as "City of Prince George Property Maintenance Bylaw No. 8425, 2012, Amendment Bylaw No. 8819, 2017".

READ A FIRST TIME THIS 23<sup>rd</sup> DAY OF JANUARY, 2017.

READ A SECOND TIME THIS 23<sup>rd</sup> DAY OF JANUARY, 2017.

READ A THIRD TIME THIS 23<sup>rd</sup> DAY OF JANUARY, 2017.

All three readings passed by a UNANIMOUS decision of Members of City Council present and eligible to vote.

ADOPTED THIS 6<sup>th</sup> DAY OF FEBRUARY, 2017,  
BY A UNANIMOUS DECISION OF ALL MEMBERS OF CITY COUNCIL  
PRESENT AND ELIGIBLE TO VOTE.

  
MAYOR

  
DEPUTY CORPORATE OFFICER