

AGENDA ADDENDUM

SPECIAL MEETING OF COUNCIL

Monday, November 23, 2020

7:00 p.m.

To be held virtually but streamed at

<http://app.dnv.org/councillive/>

Council Members:

Mayor Mike Little

Councillor Jordan Back

Councillor Mathew Bond

Councillor Megan Curren

Councillor Betty Forbes

Councillor Jim Hanson

Councillor Lisa Muri



NORTH VANCOUVER
DISTRICT

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AGENDA ADDENDUM

THE FOLLOWING LATE ITEMS ARE ADDED TO THE PUBLISHED AGENDA

3. REPORTS FROM COUNCIL OR STAFF

3.5. Nuisance Abatement Bylaw 7325, 2002 - Amendment Bylaw 8473, 2020 (Amendment 5)

File No. 09.3900.20/000.000

Report: Chief Bylaw Officer, November 16, 2020

Attachment A: Nuisance Abatement Bylaw 7325, 2002, Amendment Bylaw 8473,
2020

Recommendation:




THAT "District of North Vancouver Nuisance Abatement Bylaw 7325, 2002
Amendment Bylaw 8473, 2020 (Amendment 5)" is given FIRST, SECOND, and
THIRD Readings;

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REPORTS

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AGENDA INFORMATION	
<input type="checkbox"/> Regular Meeting	Date: _____
<input checked="" type="checkbox"/> Other: Special Meeting	Date: November 23, 2020

 Dept. Manager	 GM/ Director	 CAO
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The District of North Vancouver REPORT TO COUNCIL

November 16, 2020
File: 09.3900.20/000.000

AUTHOR: Carol Walker, Chief Bylaw Officer

SUBJECT: Nuisance Abatement Bylaw 7325, 2002 – Amendment Bylaw 8473, 2020 (Amendment 5)

RECOMMENDATION:

THAT "District of North Vancouver Nuisance Abatement Bylaw 7325, 2002 Amendment Bylaw 8473, 2020 (Amendment 5)" is given FIRST, SECOND, and THIRD Reading;

BACKGROUND:

Staff recommend that Attachment E, the Nuisance Abatement Bylaw 7325, 2002, Amendment Bylaw 8473, 2020, in the Report to Council dated November 10, 2020 entitled "Standards and Regulations in Single Family Zones" (the "Report"), in the November 23, 2020 Special Meeting Council agenda package be replaced by the attached (Attachment A) amending bylaw which clarifies the time of day that holiday lighting may be turned on each day at 7:00 a.m.

At the November 19, 2019, Council Workshop, Council provided direction to address concerns and/or issues raised with regards to residential standards and "target area 3" of nuisance lighting.

The amending bylaw attached to the Report proposes a time that residents must turn off their holiday display lighting overnight at 11 p.m. until the following day.

"Christmas or holiday lights between November 15 and January 15, Halloween lights between October 15 and November 7, provided such lighting is turned off by 11:00 p.m. each day and remains off overnight the following day"

For clarity, it is further proposed that the bylaw require that such lighting remain off until 7:00 a.m. the following day:

"Christmas or holiday lights between November 15 and January 15, Halloween lights between October 15 and November 7, provided such lighting is turned off by 11:00 p.m. each day and remains off overnight until 7:00 a.m. the following day"

This change will help clarify requirements and expectations and will assist with enforcement, if required. Please refer to the Report for further discussion on nuisance lighting and the preferred options identified in the Council's Workshop. The proposed amending bylaw also includes varied housekeeping changes to update definitions, fine levels and references to the *Community Charter*.

Options:

1. Give District of North Vancouver Nuisance Abatement Bylaw 7325, 2002 Amendment Bylaw 8473, 2020 (Amendment 5) FIRST, SECOND, and THIRD Reading; or
2. Provide alternate direction to staff; or
3. Make no changes to the Nuisance Abatement Bylaw at this time.

Respectfully submitted,



Carol Walker
Chief Bylaw Officer

Attachment A: Nuisance Abatement Bylaw 7325, 2002, Amendment Bylaw 8473, 2020

REVIEWED WITH:					
<input type="checkbox"/> Community Planning	_____	<input type="checkbox"/> Clerk's Office	_____	External Agencies:	
<input type="checkbox"/> Development Planning	_____	<input type="checkbox"/> Communications	_____	<input type="checkbox"/> Library Board	_____
<input type="checkbox"/> Development Engineering	_____	<input type="checkbox"/> Finance	_____	<input type="checkbox"/> NS Health	_____
<input type="checkbox"/> Utilities	_____	<input type="checkbox"/> Fire Services	_____	<input type="checkbox"/> RCMP	_____
<input type="checkbox"/> Engineering Operations	_____	<input type="checkbox"/> ITS	_____	<input type="checkbox"/> NVRC	_____
<input type="checkbox"/> Parks	_____	<input checked="" type="checkbox"/> Solicitor	_____	<input type="checkbox"/> Museum & Arch.	_____
<input type="checkbox"/> Environment	_____	<input type="checkbox"/> GIS	_____	<input type="checkbox"/> Other:	_____
<input type="checkbox"/> Facilities	_____	<input type="checkbox"/> Real Estate	_____		
<input type="checkbox"/> Human Resources	_____	<input checked="" type="checkbox"/> Bylaw Services	_____		
<input type="checkbox"/> Review and Compliance	_____	<input type="checkbox"/> Planning	_____		

The Corporation of the District of North Vancouver

Bylaw 8473

A bylaw to amend Nuisance Abatement Bylaw 7325, 2002

The Council for The Corporation of the District of North Vancouver enacts as follows:

Citation

1. This bylaw may be cited as "Nuisance Abatement Bylaw 7325, 2002 Amendment Bylaw 8473, 2020 (Amendment 5)".

Amendments

2. Nuisance Abatement Bylaw 7325, 2002 is amended by:

- a) deleting "section 725 of the *Local Government Act*, R.S.B.C. 1996, c323" in the Preamble and substituting "section 8 of the *Community Charter*, SBC 2003, c. 26";
- b) deleting the definition of "Bylaw Enforcement Officer" in section 2 and substituting the following:

Bylaw Enforcement Officer means the person(s) appointed to this position by the District whose duties include enforcing and carrying out the provisions of this bylaw;

- c) adding the following definition of "Parcel" to section 2 in alphabetical order:

Parcel means a lot, block, or other area in which land is held or into which land is subdivided, including a strata lot and a lot created under the *Strata Property Act*, SBC 1998, c. 43, as amended or replaced;

- d) deleting the definition of "Real Property" in section 2 and substituting the following:

Real Property means a Parcel of land in the District;

- e) deleting the definitions for "Order to Comply" and "Treasurer" in section 2;

- f) deleting subsection 6(e)(i) and substituting the following:

- (i) the owner of the property is in possession of a valid building permit in respect of such Building Materials;

- g) deleting subsection 9(a) and substituting the following:

- (a) Christmas or holiday lights between November 15 and January 15, Halloween lights between October 15 and November 7, provided such lighting is turned off by 11:00 p.m. each day and remains off overnight until 7:00 a.m. the following day;
- h) deleting sections 10 through 22 inclusive and substituting the following and re-numbering the remaining sections accordingly:

PART X – OFFENCE AND ENFORCEMENT

Entry

- 10. Bylaw Enforcement Officers and members of the Royal Canadian Mounted Police are authorized, in accordance with section 16 of the *Community Charter*, SBC 2003, c. 26, as amended or replaced, to enter at any reasonable time onto property to inspect and determine whether the regulations of this bylaw are being complied with.

Obstruction

- 11. A person must not interfere with, delay, obstruct or impede a Bylaw Enforcement Officer or designate or other person lawfully authorized to enforce this bylaw in the performance of duties under this bylaw.

Violations

- 12. Every 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 neglects to do or refrains from doing any act or thing which violates any of the provisions of this bylaw will be liable to the penalties hereby imposed and each day that such violation is permitted to exist will constitute a separate offence.

Penalty

- 13. Every person who commits an offence contrary to the provisions of this bylaw is liable on summary conviction to a penalty of not more than \$50,000.00 in addition to the costs of the prosecution.

Designation of Bylaw

- 14. This bylaw is designated under section 264 of the *Community Charter* as a bylaw that may be enforced by means of a ticket in the form prescribed.

Designation of Bylaw Enforcement Officer

- 15. Bylaw Enforcement Officers, park rangers and members of the Royal Canadian Mounted Police are designated to enforce this bylaw by means of a ticket under section 264 of the *Community Charter*.

Ticketing

16. Pursuant to Sections 264(1)(c) and 265(1)(a) of the *Community Charter*, the table below sets out the designated expressions for offences under this bylaw with the corresponding bylaw section number and fine amount:

DESIGNATED EXPRESSION	SECTION	FINE (\$)
Causing a nuisance	3	200
Permit a nuisance	4	200
Unsightly property	5	200
Permitting rubbish to collect	6(a)	200
Depositing rubbish	6(b)	200
Run stationary vehicle	6(c)	100
Outdoor light visible	6(d)	100
Accumulation of building materials	6(e)	200
Unauthorized vehicle storage	6(f)	200
Accumulation of vehicle parts	6(f)	200
Shipping container stored in residential zone	6(g)	200
Fail to remove discarded material/rubbish	8(a)	200
Fail to clear noxious insects	8(c)	200
Fail to clear brush	8(d)	200
Fail to shield outdoor light	8(e)	100
Fail to turn off lighting	9(a)	100
Obstruction	11	300

READ a first time

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk