



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

SPECIAL MEETING OF THE COUNCIL

OF THE VILLAGE OF LIONS BAY

HELD ON TUESDAY, JUNE 9, 2015 at 5:00 P.M.

COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY

AGENDA

- 1. Call to Order**
- 2. Approval of Agenda**
- 3. Public Participation**
- 4. Adoption of Minutes**
- 5. Business Arising from the Minutes**
- 6. Unfinished Business**
- 7. New Business**
 - A. Amending Bylaw Notice Enforcement Bylaw No. 495 – First, Second, Third Reading
 - B. Appointment of Bylaw Enforcement Screening Officer
 - C. Appointment of "Freedom of Information Privacy Protection Act" Officer
 - D. Appointment of Acting CAO's
 - E. Update on Interim CAO
- 8. Public Questions & Comments**
- 9. Adjournment**

Pursuant to Council Procedures Bylaw No. 453, section 7(2), this notice is signed by:

Karl Buhr, Mayor

Pamela Rooke, Corporate Officer

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Amending Bylaw Notice Enforcement Bylaw

Bylaw No. 495

Adopted:

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0
Phone: 604-921-9333 Fax: 604-921-6643
Email: office@lionsbay.ca Web: www.lionsbay.ca

Bylaw No. 495, 2015
Amending Bylaw Notice Enforcement Bylaw

The Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

Citation

1. This Bylaw may be cited as "Bylaw Number 495, Amending Bylaw Notice Enforcement Bylaw, No. 415, 2015"
2. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Amendments

1. Schedule A to Bylaw No. 415 is deleted and is replaced with the new Schedule A, which is attached.

READ A FIRST TIME on **xxxx**

READ A SECOND TIME on **xxxx**

READ A THIRD TIME on **xxxx**

ADOPTED by the Council on **xxxx**

Mayor

Corporate Officer

**Certified a true copy of
Bylaw 495, 2015 as adopted**

Corporate Officer

SCHEDULE A – BYLAW NOTICE ENFORCEMENT BYLAW NO. 495, 2015

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
BUILDING REGULATION BYLAW, NO. 234, 1994						
234	5 (a)	Construct without a building permit	\$300	\$280	\$320	YES
234	5 (c)	Tamper with posted notice	\$500	\$475	\$500	NO
234	5 (d)	Work contrary to approved plans	\$300	\$280	\$320	YES
234	5 (e)	Obstruct Village officer or employee	\$500	\$475	\$500	NO
234	5 (f)	Fail to stop work	\$500	\$475	\$500	YES
234	5 (h)	Submit false information	\$500	\$475	\$500	YES
234	6 (b)	Unauthorized use of Village property	\$100	\$90	\$110	YES
234	12	Fail to post building permit	\$300	\$280	\$320	NO
234	16 (a)	Occupy without approval	\$300	\$280	\$320	YES
NOISE CONTROL BYLAW NO. 283, 1998						
283	2	Sound which disturbs	\$110	\$100	\$120	NO
283	3	Decibel level	\$110	\$100	\$120	NO
283	4 (a)	Continuous sound	\$110	\$100	\$120	NO
283	4 (b)	Construction sound	\$220	\$200	\$240	YES
283	5 (a)	Improper use of vehicle horn	\$110	\$100	\$120	NO
283	5 (b)	Car alarm noise	\$110	\$100	\$120	NO
ZONING BYLAW NO. 362, 2004						
362	8	Unlawful use	\$300	\$280	\$320	YES
362	15 (a)	Unlawful encroachment into setback	\$300	\$280	\$320	YES
362	17	Unlawful use of setback	\$300	\$280	\$320	YES
362	20 (b)	More than one principal building	\$300	\$280	\$320	YES
362	21 (a)	Exceed height limitation	\$300	\$280	\$320	YES
362	23 (b)	Home occupation use outside principal building	\$300	\$280	\$320	YES
362	23 (c)	Home occupation use by person not resident at site	\$300	\$280	\$320	NO
362	24 (a)	Outdoor storage of materials or equipment	\$100	\$90	\$110	YES
362	24 (b)	Obnoxious or dangerous use	\$300	\$280	\$320	NO
362	24 (c)	Sign for home occupation use	\$100	\$90	\$110	YES
362	26 (a)	Fail to provide/maintain parking space	\$300	\$280	\$320	YES
362	28	Store boat over 7 metres on parcel	\$300	\$280	\$320	YES
362	32-b-ix-A	Too many accessory structures	\$300	\$280	\$320	YES

Adopted:

SCHEDULE A – BYLAW NOTICE ENFORCEMENT BYLAW NO. 495, 2015

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
ZONING BYLAW NO. 362, 2004 AMENDMENT BYLAW NO. 475, 2014, SECONDARY SUITES						
362	32-b-xi-(1)	More than one Secondary Suite per parcel	\$300	\$280	\$320	YES
362	32-b-xi-(2)	Secondary Suite detached from principal building	\$300	\$280	\$320	YES
362	32-b-xi-(3)	Secondary Suite over maximum for floor area	\$300	\$280	\$320	YES
362	32-b-xi-(4)	Fail to meet occupancy criteria re Secondary Suite	\$300	\$280	\$320	YES
362	32-b-xi-(5)	Existing suite not compliant with minimum safety standards	\$300	\$280	\$320	YES
362	32-b-xi-(6)	Secondary Suite not compliant with BC Building Code	\$300	\$280	\$320	YES
362	32-b-xi-(7)	Construct Secondary Suite without building permit	\$400	\$380	\$420	YES
362	32-b-xi-(8)	Secondary Suite exceeds residence's septic capacity	\$300	\$280	\$320	YES
362	32-b-xi-(9)	No separate entrance for Secondary Suite	\$300	\$280	\$320	YES
362	32-b-xi-(10)	Subdivide Secondary Suite	\$300	\$280	\$320	YES
362	32-b-xi-(11)	Separate water or electrical service for Secondary Suite	\$300	\$280	\$320	YES
362	32-b-xi-(12)	Fail to meet construction criteria re tenant parking	\$400	\$380	\$420	YES
GOOD NEIGHBOR BYLAW NO. 412, 2009						
412	5.1.1	Create or cause a nuisance	\$200	\$185	\$215	YES
412	5.1.2	Permit a nuisance	\$200	\$185	\$215	YES
412	5.1.3	Allow unsightly parcel	\$200	\$185	\$215	YES
412	5.1.4 (a)	Allow an unsightly accumulation	\$200	\$185	\$215	YES
412	5.1.4 (b)	Permit or cause water to collect	\$200	\$185	\$215	YES
412	5.1.4 (c)	Store rubbish where visible	\$200	\$185	\$215	YES
412	5.1.4 (d)	Place graffiti	\$100	\$90	\$110	YES
412	5.1.4 (g)	Accumulate building materials	\$100	\$90	\$110	YES
412	5.1.4 (h)	Storage or accumulation of motor vehicle	\$100	\$90	\$110	YES

SCHEDULE A – BYLAW NOTICE ENFORCEMENT BYLAW NO. 495, 2015

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
412	5.2.1	Fail to abate nuisance	\$100	\$90	\$110	YES
412	5.2.2 (a)	Fail to remove unsightly accumulation	\$100	\$90	\$110	YES
412	5.2.2 (b)	Fail to prevent or clear insect infestation	\$100	\$90	\$110	YES
412	5.2.2 (d)	Fail to clear parcel of brush, noxious weeds and grass	\$100	\$90	\$110	YES
412	5.2.2 (e)	Fail to shield or deflect outdoor light	\$100	\$90	\$110	YES
412	5.2.2 (f)	Fail to repair or remove fence	\$200	\$185	\$215	YES
412	7.3.2	Interfere with, resist or obstruct authorized person	\$500	\$475	\$500	NO
TRAFFIC AND PARKING BYLAW NO. 413, 2009						
413	8 (1)	Fail to obey traffic control device	\$100	\$90	\$110	NO
413	8 (2)	Interfere with traffic control device	\$45	\$35	\$55	NO
413	8 (3)	Plant interferes with traffic control device	\$45	\$35	\$55	YES
413	8 (4)	Illegal traffic control device	\$45	\$35	\$55	YES
413	10 (a)	Park in contravention of a traffic control device	\$45	\$35	\$55	NO
413	10 (b)	Fail to display insurance decal	\$45	\$35	\$55	NO
413	10 (c)	Park on or too near crosswalk	\$45	\$35	\$55	NO
413	10 (d)	Park near traffic control device	\$45	\$35	\$55	NO
413	10 (e)	Park on bridge	\$45	\$35	\$55	NO
413	10 (f)	Park near fire hydrant/equipment	\$80	\$70	\$90	NO
413	10 (g)	Park to obstruct or interfere with traffic/maintenance	\$80	\$70	\$90	NO
413	10 (h)	Park without permit for zone	\$45	\$35	\$55	YES
413	10 (i)	Park too near driveway	\$45	\$35	\$55	NO
413	10 (j)	Failure to park off roadway	\$45	\$35	\$55	NO
413	10 (k)	Park more than 72 hours	\$45	\$35	\$55	NO
413	10 (l)	Park more than 24 hours in snow	\$45	\$35	\$55	NO
413	10 (m)	Park in intersection	\$45	\$35	\$55	NO
413	11 (1)	Park extraordinary vehicle overnight	\$100	\$90	\$100	YES
413	11 (2)	Unattached trailer	\$100	\$90	\$110	YES
413	12	Park near school	\$45	\$35	\$55	NO

Adopted:

SCHEDULE A – BYLAW NOTICE ENFORCEMENT BYLAW NO. 495, 2015

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
413	16	Fail to comply with direction of enforcement officer	\$100	\$90	\$110	NO
413	17	Hinder, obstruct or delay enforcement officer	\$100	\$90	\$110	NO
413	19	Operate sound broadcasting vehicle	\$45	\$35	\$55	NO
413	20	Drive over fire hose	\$80	\$70	\$90	NO
413	21 (a)	Drop or spill on highway	\$45	\$35	\$55	NO
413	21 (b)	Noxious flow on highway	\$45	\$35	\$55	NO
413	21 (c)	Damage plants/grass on highway	\$100	\$90	\$100	NO
413	21 (d)	Damage or deface highway	\$100	\$90	\$110	NO
413	21 (e)	Dead animal on highway	\$45	\$35	\$55	NO
413	21 (f)	Camp on highway	\$45	\$35	\$55	NO
413	21 (g)	Make fire on highway	\$100	\$90	\$110	NO
413	21 (h)	Unsecure load	\$100	\$90	\$100	NO
413	21 (i)	Urinate/defecate on highway	\$100	\$90	\$100	NO
413	21 (j)	Overweight vehicle on highway	\$100	\$90	\$100	NO
413	21 (k)	Operate vehicle with lugged wheels	\$100	\$90	\$100	NO
413	24	Sell/display goods/services on highway	\$100	\$90	\$100	YES
413	25	Chattel/structure on highway	\$100	\$90	\$100	YES
413	26	Dumpster on highway	\$100	\$90	\$100	YES
413	27	Accumulations on highway	\$100	\$90	\$100	YES
413	28	Unfenced excavation near highway	\$100	\$90	\$100	YES
413	29	Construction obstructing highway	\$100	\$90	\$100	YES
413	31	Fail to disperse on highway when directed	\$100	\$90	\$100	NO
413	32	Skate/blade/scoot without helmet	\$45	\$35	\$55	NO
ANTI-IDLING BYLAW NO. 416, 2010						
416	3	Unlawful idling	\$100	\$90	\$110	YES
FIRE BYLAW NO. 428, 2011						
428	27	Unauthorized entry to area limited for Fire Rescue purposes	\$100	\$80	\$120	NO
428	28	Hinder Fire Rescue operations	\$450	\$425	\$120	NO
428	29	Damage or destroy Fire Rescue apparatus or equipment	\$450	\$425	\$120	NO

SCHEDULE A – BYLAW NOTICE ENFORCEMENT BYLAW NO. 495, 2015

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
428	30	Drive vehicle over Fire Rescue equipment without permission	\$100	\$80	\$120	NO
428	31	Falsely represent to be Fire Rescue member	\$100	\$80	\$120	NO
428	32	Obstruct/interfere with approach to Fire Rescue incident	\$100	\$80	\$120	NO
428	33	Interfere with fire hydrant	\$450	\$425	\$120	NO
428	34	Fail to maintain clearance around fire hydrant	\$50	\$40	\$60	YES
428	35	Fail to address fire hazard when ordered	\$450	\$425	\$120	YES
428	36	Construct fire pit or fire ring	\$100	\$80	\$120	YES
428	37	Burn wood outside a building	\$100	\$80	\$120	NO
428	38	Open burning	\$100	\$80	\$120	NO
428	39	Drop burning substance into or near combustible material	\$100	\$80	\$120	NO
428	40	Burn or use combustion device outside when banned	\$100	\$80	\$120	YES
428	41	Burn unauthorized material inside or outside a building	\$100	\$80	\$120	NO
428	42	Use water contrary to designated purpose, hours or methods	\$100	\$80	\$120	NO
428	44	Fail to install sprinklers in new residence	\$450	\$425	\$475	YES
428	45	Fail to install sprinklers during alteration to residence	\$450	\$425	\$475	YES
428	46	Fail to install fire extinguisher	\$100	\$80	\$120	YES
428	47	Fail to install smoke alarms	\$100	\$80	\$120	YES
428	48	Use fireworks when under age 18	\$50	\$40	\$60	NO
428	49	Use unauthorized Consumer Fireworks	\$100	\$80	\$120	NO

SCHEDULE A – BYLAW NOTICE ENFORCEMENT BYLAW NO. 495, 2015

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
428	50	Use High Hazard Fireworks	\$200	\$180	\$220	NO
428	52	Fail to comply with order to address violations, requiring re-inspection	\$450	\$425	\$220	YES
PESTICIDES BYLAW NO. 430, 2011						
430	3	Use of pesticide for cosmetic purposes	\$250	\$225	\$275	NO
430	4	Use of non-permitted pesticide	\$250	\$225	\$275	NO
PARKS REGULATIONS BYLAW NO. 448, 2012						
448	5.1	Damage park	\$500	\$475	\$500	YES
448	5.2	Molest animals or birds	\$100	\$90	\$100	NO
448	5.3	Contaminate water in park	\$500	\$465	\$500	NO
448	5.4	Release water in park	\$500	\$465	\$500	NO
448	5.5	Improper climbing on structure	\$100	\$90	\$100	NO
448	5.6	Litter in park	\$100	\$90	\$100	NO
448	5.7	Unlawful waste in park receptacle	\$100	\$90	\$100	NO
448	6.1	Fireworks in park	\$250	\$230	\$270	NO
448	6.2	Make fire in park	\$100	\$90	\$100	NO
448	6.3	Improper barbecue in park	\$100	\$90	\$100	NO
448	6.5	Place burning substance in park	\$250	\$230	\$270	NO
448	6.6	Enter park at fire risk	\$250	\$230	\$270	NO
448	7.1	Sell/display goods/services in park	\$100	\$90	\$100	YES
448	7.2	Advertise in park	\$100	\$90	\$100	YES
448	7.3	Amplified noise in park	\$100	\$90	\$100	NO
448	8.1	Organized activity in park with no contract	\$100	\$90	\$100	NO
448	9.1	Operate motorized watercraft near beach	\$250	\$230	\$270	NO
448	9.2	Motorized vehicle or device in park	\$250	\$230	\$270	NO
448	9.3	Unauthorized entry to closed park	\$100	\$90	\$100	NO
448	10.1	In park outside open hours	\$100	\$90	\$100	NO
448	10.3	Enter or remain in closed park	\$100	\$90	\$100	NO
448	11.1	Create a nuisance in park	\$100	\$90	\$100	NO
448	11.2	Obstruct use and enjoyment of park	\$100	\$90	\$100	NO
448	11.3	Fail to comply with direction of	\$100	\$90	\$100	NO

Adopted:

SCHEDULE A – BYLAW NOTICE ENFORCEMENT BYLAW NO. 495, 2015

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
		enforcement officer				
448	11.4	Obstruct or delay enforcement officer	\$100	\$90	\$100	NO
448	11.5	Urinate/defecate in park	\$100	\$90	\$100	NO
448	12.1	Store watercraft on beach	\$100	\$90	\$100	YES
448	12.2	Camp in park	\$100	\$90	\$100	NO
448	12.3	Prohibited sport in park	\$100	\$90	\$100	NO
WASTE COLLECTION BYLAW NO. 455, 2013						
455	5	Excess garbage	\$60	\$50	\$70	NO
455	6	Fail to securely house wildlife attractants	\$300	\$280	\$320	YES
455	6	Garbage receptacle encroaching on street	\$60	\$50	\$70	NO
455	10	Solid waste out before 5 AM	\$60	\$50	\$70	NO
455	11	Placing for collection inappropriate substance	\$60	\$50	\$70	NO
455	18	Storage not wildlife resistant, single family residential	\$60	\$50	\$70	NO
455	19	Storage not wildlife resistant, multi-family and commercial	\$60	\$50	\$70	NO
455	21	Fail to repair wildlife resistant containment	\$60	\$50	\$70	NO
455	22 (a)	Feeding dangerous wildlife	\$300	\$280	\$320	NO
455	22 (a)(b)	Storing edible wildlife attractants	\$300	\$280	\$320	YES
455	22 (c)	Bee hives accessible to wildlife	\$60	\$50	\$70	NO
455	22 (d)	Outdoor fridge or freezer accessible to wildlife	\$60	\$50	\$70	NO
455	22 (e)	Meat waste in compost	\$60	\$50	\$70	NO
ANIMAL CONTROL & LICENSING BYLAW NO. 461, 2014						
461	5.1	No dog license	\$85	\$75	\$95	YES
461	5.5	No dog tag	\$40	\$30	\$50	YES
461	6.2	Dog at large	\$85	\$75	\$95	NO
461	6.3	Fail to remove dog waste	\$60	\$50	\$60	NO
461	6.6.5	Allow dog barking	\$85	\$75	\$95	NO
461	6.6.6	Keep more than three dogs	\$110	\$100	\$120	YES
461	6.7.1	Dog in prohibited area	\$60	\$50	\$60	NO

Adopted:

SCHEDULE A – BYLAW NOTICE ENFORCEMENT BYLAW NO. 495, 2015

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
461	7.1(a)	Fail to provide food or water	\$60	\$50	\$60	NO
461	7.1(c)	Fail to exercise dog	\$60	\$50	\$60	NO
461	7.1(e)	Fail to provide medical care for dog	\$60	\$50	\$60	NO
461	7.2	Fail to provide proper shelter for dog	\$60	\$50	\$60	NO
461	7.4	Choke collar/neck cord used to tether	\$60	\$50	\$60	NO
OUTDOOR WATER USE BYLAW NO. 484, 2015						
484	6.1	Fail to Follow Water Conservation Level 1	\$100	\$75	\$125	NO
484	6.1	Fail to Follow Water Conservation Level 2	\$150	\$125	\$175	NO
484	6.1	Fail to Follow Water Conservation Level 3	\$200	\$175	\$225	NO

Adopted:



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Report to Council		
Title	Resolution to Appoint Bylaw Enforcement Screening Officer		
Author	S. Gilroy	Reviewed By:	P. Rooke
Date	June 2, 2015	Version	
Issued for	June 9, 2015 Special Council Meeting		

1. RECOMMENDATION

THAT the Village of Lions Bay Council appoints the Chief Administrative Officer as the Bylaw Enforcement Screening Officer.

2. BACKGROUND

As part of the North Shore adjudication process, the Village of Lions Bay may appoint a screening officer in order to avoid too many disputes going straight to the adjudication process. The screening officer has the power to cancel a bylaw notice on a ground of cancellation authorized by the Village pursuant to section 10(2)(a)(iii) of the Local Government Bylaw Notice Enforcement Act.

For Council's consideration.

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Report to Council		
Title	Resolution to Appoint "Freedom of Information Privacy Protection Act" Officer		
Author	S. Gilroy	Reviewed By:	P. Rooke
Date	June 2, 2015	Version	
Issued for	June 9, 2015 Special Council Meeting		

1. RECOMMENDATION

THAT the Village of Lions Bay Council resolves to reassign the role of the FOIPPA officer to the CAO role.

For Council's consideration.

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Report to Council		
Title	Appointment of Acting CAO's		
Author	S. Gilroy	Reviewed By:	P. Rooke
Date	June 2, 2015	Version	
Issued for	June 9, 2015 Special Council Meeting		

1. RECOMMENDATION

THAT the Chief Financial Officer and the Public Works Manager be authorized to act as the Statutory Corporate Officer and Approving Officer in the Chief Administrative Officer's role during any CAO absence.

For Council's Consideration

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