

# REQUEST FOR DECISION

## — REGULAR MEETING —



**To:** Mayor and Council

**From:** Bylaw Enforcement Officer

**Date:** November 14, 2017

**Subject:** Provide Owner and/or Tenant Opportunity to be Heard

**Recommendation:** **RESOLVED THAT Council provide the owner and/or tenant of the property an opportunity to explain their plans to clean-up the property known as 7746 McCallum View Drive, so that it is no longer a nuisance and the time frame within which to bring the property into compliance with the Unsightly Premises Bylaw. If council is not satisfied with the proposed actions of the owner or the owner fails to appear before council, the following resolution is in order.**

**Further resolve that council authorize staff to proceed with the third and final notice, with a date and time to bring the property into compliance with the Bylaw.**

---

**BACKGROUND:** The first notice was issued on September 5, 2017, requesting that the owner of the property clean up the premises and bring the property into compliance with the bylaw. A response was received from an owner of the property explaining that the situation was due to a mental illness. No noticeable improvements were made.

The second notice was issued by registered mail on September 22, 2017, but was returned unclaimed on October 13, 2017. The second notice was therefore hand delivered on November 2, 2017, providing an additional 10 days to remedy the situation.

The property owner does have an opportunity to appear before City Council at a show cause hearing with regards to the unsightly conditions that exist on the property. After the show cause hearing Council may choose to proceed with the third and final notice which will include a date and time that the property is to be brought into compliance with the bylaw.

---

### **Benefits or Impacts of the Recommendation:**

**General:** To achieve compliance with the Unsightly Premises Bylaw No. 1962

**Strategic Impact:** N/A

**Financial:** N/A

**Policy/Legislation:** N/A

# REQUEST FOR DECISION

— REGULAR MEETING —



**Attachments:**

Copy of the First Notice, Copy of the Owner's Response, Copy of the Second Notice, Photos taken on November 2, 2017, Copy of Bylaw No. 1962.


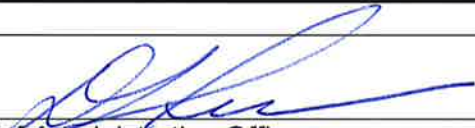
**Recommendation:**

**RESOLVED THAT Council provide the owner and/or tenant of the property an opportunity to explain their plans to clean-up the property known as 7746 McCallum View Drive, so that it is no longer a nuisance and the time frame within which to bring the property into compliance with the Unsightly Premises Bylaw. If council is not satisfied with the proposed actions of the owner or if the owner fails to appear before council, the following resolution is in order.**

**Further resolve that council authorize staff to proceed with the third and final notice, with a date and time to bring the property into compliance with the Bylaw.**

**OPTIONS:**

- 1. RESOLVED THAT COUNCIL RECEIVES THE STAFF REPORT.**
- 2. RESOLVED THAT COUNCIL DOES NOT ACCEPT THE STAFF REPORT.**
- 3. RESOLVED THAT COUNCIL REFERS THE MATTER BACK TO STAFF FOR FURTHER INFORMATION.**

	
Department Head or CAO	Chief Administrative Officer

# THE CORPORATION OF THE CITY OF GRAND FORKS



## BYLAW ENFORCEMENT OFFICE

7217 – 4TH STREET, BOX 220 · GRAND FORKS, BC V0H 1H0 · FAX 250-442-8000 · TELEPHONE 250-442-8266

2017-09-05

Lucy Demosky  
Ronald Demosky  
Wayne Demosky  
Leon Demosky  
7746 McCallum View Dr.  
Grand Forks B.C.  
V0H 1H2

*Copy*

### **FIRST NOTICE – REGISTERED MAIL**

You property located at 7746 McCallum View Dr in Grand Forks has been subject of a number of complaints from concerned citizens about the condition of the property. Upon investigation by the Bylaw Department, your property is deemed unsightly.

You are required remove the debris from your property by September 20<sup>th</sup>, 2017.

A copy of the Municipal Bylaw #1962 is included as well as a Copy of "Schedule 4" of the bylaw that includes the penalties if there continues to be noncompliance.

Your cooperation in this matter is appreciated.

### **UNSIGHTLY PREMISES BYLAW 1962**

#### **3. *Unsightly Premises***

**3.1** *No owner shall cause, allow or permit a parcel to become or to remain unsightly, and, specifically:*

*(a) No owner of a parcel shall cause, allow or permit the accumulation of building material on the parcel unless;*

*(i) The owner or occupier of the parcel is in possession of a valid building permit in respect of the accumulation; or*

*(ii) The accumulation is stored in a closed building or structure such that the accumulation is not visible from another parcel or highway*

**Website:** [www.grandforks.ca](http://www.grandforks.ca)

**Email:** [info@grandforks.ca](mailto:info@grandforks.ca)

# THE CORPORATION OF THE CITY OF GRAND FORKS



## BYLAW ENFORCEMENT OFFICE

7217 – 4TH STREET, BOX 220 · GRAND FORKS, BC V0H 1H0 · FAX 250-442-8000 · TELEPHONE 250-442-8266

(b) *No owner of a parcel shall cause, allow or permit the storage or accumulation, on the parcel, of all or part of a vehicle, as defined in the Motor Vehicle Act, which is not:*

(i) *validly registered or licensed in accordance with the Motor Vehicle Act for a period of 12 months and which is not housed in a garage or carport or*

(ii) *capable of movement under its own power;*

*unless it is stored in a closed building or structure such that the vehicle, or any portion of a vehicle, is not visible from another parcel or a highway;*

(c) *No owner of a parcel shall cause, allow or permit the accumulation on the parcel of filth, discarded materials, unwholesome matter, or rubbish of any kind, whether or not for commercial purposes or as part of a trade or calling, including but not limited to dead animals, paper products, crockery, glass, metal, plastics, plastic containers, wire, ropes, machinery, tires, appliances, and any other scrap or salvage;*

(d) *No owner of a parcel shall cause, allow or permit a building or structure, or part of a building or structure, which is missing all or a portion of its surface, covering, or coating materials to be on the parcel unless the owner is in possession of a valid building permit in respect of the building or structure;*

(e) *No owner of a parcel shall cause, allow or permit the presence of graffiti, whether in the form of pictures or words, on the parcel or on the surface of a structure on the parcel;*

(f) *No owner of a parcel shall cause, allow or permit the accumulation on the parcel of garbage not contained in a covered receptacle.*

3.2 *Owners of a parcel shall remove or cause to be removed from the parcel any accumulations of filth, discarded material, or rubbish of any kind.*

If you choose to ignore or not comply with the bylaw as stipulated above, please be advised that you may be subject to fines under the Municipal Ticketing Bylaw #1957 which allows for ticketing at a rate of \$100 per day of non-compliance for each offence described.

# THE CORPORATION OF THE CITY OF GRAND FORKS



## BYLAW ENFORCEMENT OFFICE

7217 – 4TH STREET, BOX 220 • GRAND FORKS, BC V0H 1H0 • FAX 250-442-8000 • TELEPHONE 250-442-8266

The Municipal Ticketing Bylaw Schedule 4 is attached.

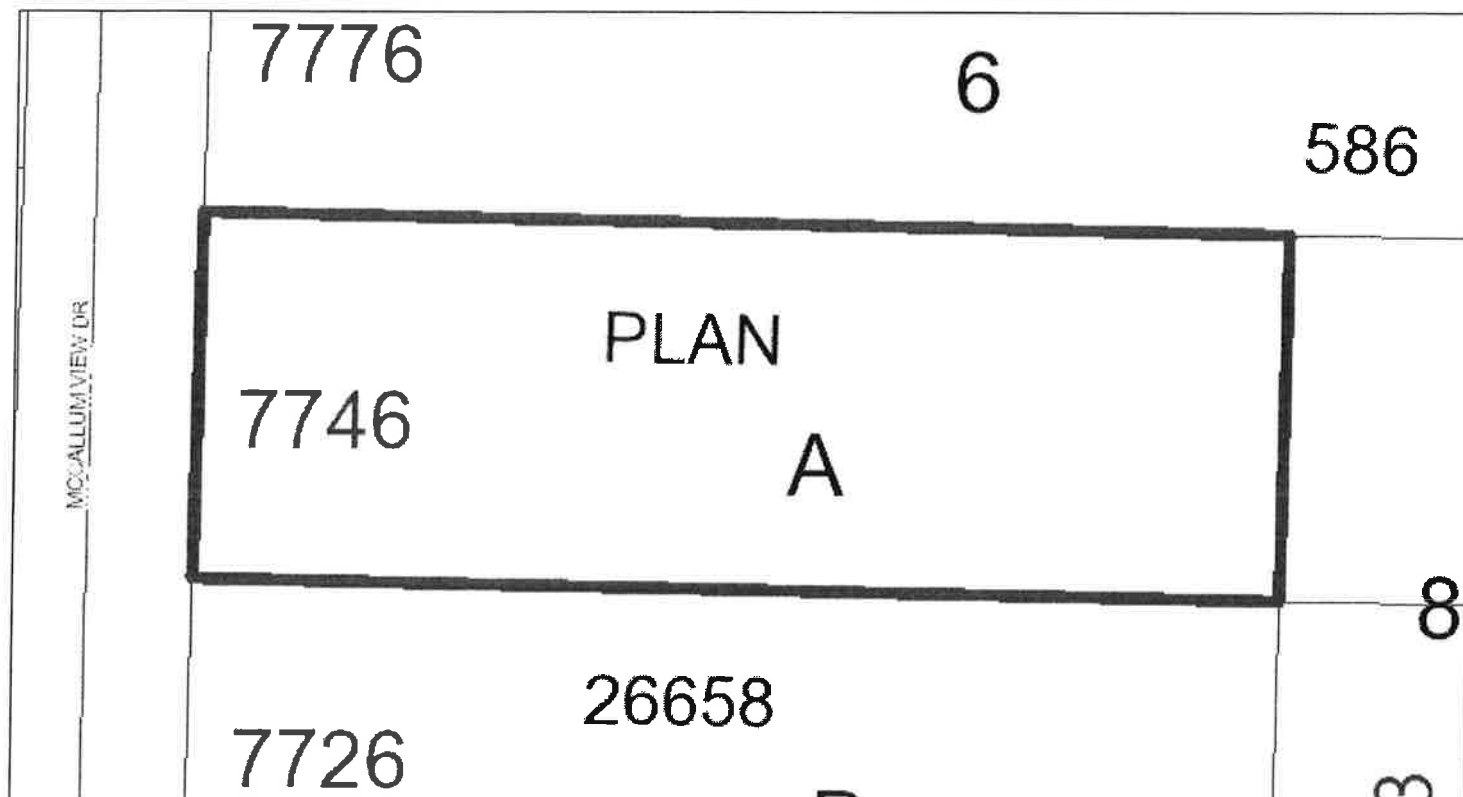
At this time the City of Grand Forks would appreciate your cooperation in cleaning up this property. All materials shall be removed within 10 days of the receipt of this letter. The entire bylaw can be reviewed on the City's Website.

The City of Grand Forks would like to thank you in advance for your cooperation in this matter.

A handwritten signature in black ink, appearing to be "R.V. Alcock", written in a cursive style.

R.V. (Bud) Alcock  
Bylaw Enforcement Officer

cc. D.Bruce, Manager Building Inspection and Bylaw Services



Scale 1: 806

## Legal Informations

<b>Plan:</b> KAP26658	<b>Section:</b>	<b>Jurs:</b> 210	<b>Lot Area:</b> 1.2
<b>Block:</b>	<b>Township:</b>	<b>Roll:</b> 1226000	<b>Area Unit:</b> acr
<b>Lot:</b> A	<b>Land District:</b> 54	<b>PID:</b> 005-062-101	<b>Width (ft):</b> 0
<b>District Lot:</b> 380	<b>Electoral Area:</b>		<b>Depth (ft):</b> 0
<b>Street:</b> 7746 MCCALLUM VIEW DR			
<b>Description:</b>			

## Owner Information:

LUCY DEMOSKY  
RONALD DEMOSKY

7746 MCCALLUM VIEW DR  
GRAND FORKS BC  
V0H1H2

WAYNE DEMOSKY  
LEON DEMOSKY

7746 MCCALLUM VIEW DR  
GRAND FORKS BC  
V0H1H2

**THE CORPORATION OF THE CITY OF GRAND FORKS**

**BYLAW NO. 1957-A4**

**A Bylaw to Amend the City of Grand Forks  
Municipal Ticket Information Bylaw No. 1957, 2013**

=====

**WHEREAS** Council may, by bylaw, amend the provisions of the Municipal Ticket Information Bylaw No. 1957, pursuant to the Local Government Act;

**AND WHEREAS** Council desires to amend the Municipal Ticket Information Bylaw No. 1957, 2013 by adding a Schedule 4, as described below;

**NOW THEREFORE** Council for the Corporation of the City of Grand Forks, in open meeting assembled, **ENACTS**, as follows:

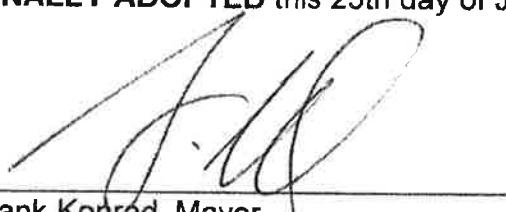
1. That the Municipal Ticketing Information Bylaw No. 1957, 2013 be amended by adding Schedule 4, as attached.
2. That this bylaw may be cited as the "**City of Grand Forks Municipal Ticket Information Amendment Bylaw No. 1957-A4, 2015**".

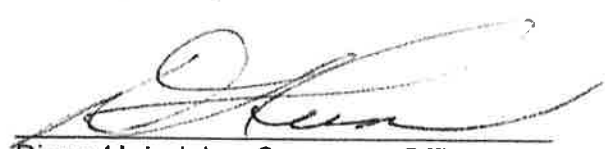
**READ A FIRST TIME** this 11th day of January, 2016.

**READ A SECOND TIME** this 11<sup>th</sup> day of January, 2016.

**READ A THIRD TIME** this 11<sup>th</sup> day of January, 2016.

**FINALLY ADOPTED** this 25th day of January, 2016.

  
Frank Konrad, Mayor

  
Diane Heinrich – Corporate Officer

**CERTIFICATE**

I hereby certify the foregoing to be a true copy of Bylaw No. 1957-A4 as passed by the  
Municipal Council of the City of Grand Forks on the  
25th day of January, 2016.

---

Corporate Officer for the  
Municipal Council of the City of Grand Forks



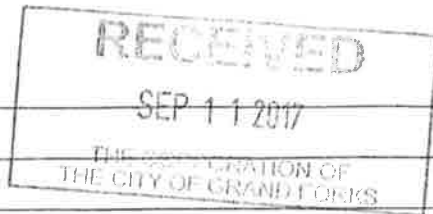
**SCHEDULE 4**

**OF THE MUNICIPAL TICKETING BYLAW NO. 1957**

**(Amendment Bylaw 1957 – A4, Schedule 4)**

**Bylaw No. 1962 “Unsightly Premises Bylaw”**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Accumulation of Building Materials	3.1 (a)	\$ 100.00
Unlicensed Vehicle	3.1 (b)	\$ 100.00
Parts of a Vehicle	3.1 (b)	\$ 100.00
Accumulation of Rubbish	3.1 (c)	\$ 100.00
Exterior Finishes (buildings)	3.1 (d)	\$ 100.00
Graffiti	3.1 (e)	\$ 100.00
Accumulation of Garbage	3.1 (f)	\$ 100.00
Failure to Comply	5.2	\$ 100.00



7746 McCallum Dr.  
Grand Forks, BC.  
V0H 1H0

Oct. 6 2017

To - the City of Grand Forks, BC.  
To - Bylaw Enforcement Officer R. V. (Bud) Alcock

I am Lucy Demosky, the part owner of  
the house on McCallum St.

I received your registered letter complaining  
of the unsightly material on the premises.  
I would like to explain. My son Staya  
has a mental illness called Bipolar and has  
to be on medication. He was in Trail Hospital  
in mental unit. They do not keep him long just  
a few days and discharge him, that happened  
several times. When he is home he collects  
useless material, which becomes unsightly, we  
tried clearing it but it gets worse. ~~He does not~~  
~~have a truck. I am asking you the City to~~  
~~help us. Please a truck and a worker to~~  
~~clean up.~~ I am quite old and feeble  
I would like to thank you in advance  
in this matter.

Sincerely  
Lucy Demosky

**FILE CODE**

Demosky, Lucy  
C10 - re 7746 McCallum  
(Unofficially...) View Dr. Response

# THE CORPORATION OF THE CITY OF GRAND FORKS



## BYLAW ENFORCEMENT OFFICE

7217 – 4TH STREET, BOX 220 · GRAND FORKS, BC V0H 1H0 · FAX 250-442-8000 · TELEPHONE 250-442-8266

Lucy Demosky  
Ronald Demosky  
Wayne Demosky  
Leon Demosky  
7746 McCallum View Dr.  
Grand Forks B.C.  
V0H 1H2

CANADA POSTES  
POST CANADA

**REGISTERED DOMESTIC**  
CUSTOMER RECEIPT

**RECOMMANDÉ RÉGIME INTÉRIEUR**  
REÇU DU CLIENT

**R**

17-09-22

To / Destinataire  
Name / Nom  
Lucy Demosky  
Address / Adresse  
7746 McCallum View  
City / Prov. / Postal Code  
G.F. V0H 1H2

FOR DELIVERY CONFIRMATION  
www.canadapost.ca  
OR/OU  
www.postescanada.ca  
1 888 550-6333

Declared Value / Valeur Déclarée \$  
33-086-584 (14-06)

CPC Tracking Number / Numéro de repérage de la SCP  
**RN 152 596 674 CA**

### SECOND NOTICE – REGISTERED MAIL

You property located at 7746 McCallum View Dr in Grand Forks has been subject of a number of complaints from concerned citizens about the condition of the property. Upon investigation by the Bylaw Department, your property is deemed unsightly.

You are required remove the debris from your property by October 2nd, 2017.

A copy of the Municipal Bylaw #1962 is included as well as a Copy of "Schedule 4" of the bylaw that includes the penalties if there continues to be noncompliance.

Your cooperation in this matter is appreciated.

### UNSIGHTLY PREMISES BYLAW 1962

#### **3. Unsightly Premises**

3.1 No owner shall cause, allow or permit a parcel to become or to remain unsightly, and, specifically:

(a) No owner of a parcel shall cause, allow or permit the accumulation of building material on the parcel unless;

(i) The owner or occupier of the parcel is in possession of a valid building permit in respect of the accumulation; or

(ii) The accumulation is stored in a closed building or structure such that the accumulation is not visible from another parcel or highway

Website: [www.grandforks.ca](http://www.grandforks.ca) Email: [info@grandforks.ca](mailto:info@grandforks.ca)

# THE CORPORATION OF THE CITY OF GRAND FORKS



## BYLAW ENFORCEMENT OFFICE

7217 – 4TH STREET, BOX 220 · GRAND FORKS, BC V0H 1H0 · FAX 250-442-8000 · TELEPHONE 250-442-8266

(b) *No owner of a parcel shall cause, allow or permit the storage or accumulation, on the parcel, of all or part of a vehicle, as defined in the Motor Vehicle Act, which is not:*

(i) *validly registered or licensed in accordance with the Motor Vehicle Act for a period of 12 months and which is not housed in a garage or carport or*

(ii) *capable of movement under its own power;*

*unless it is stored in a closed building or structure such that the vehicle, or any portion of a vehicle, is not visible from another parcel or a highway;*

(c) *No owner of a parcel shall cause, allow or permit the accumulation on the parcel of filth, discarded materials, unwholesome matter, or rubbish of any kind, whether or not for commercial purposes or as part of a trade or calling, including but not limited to dead animals, paper products, crockery, glass, metal, plastics, plastic containers, wire, ropes, machinery, tires, appliances, and any other scrap or salvage;*

(d) *No owner of a parcel shall cause, allow or permit a building or structure, or part of a building or structure, which is missing all or a portion of its surface, covering, or coating materials to be on the parcel unless the owner is in possession of a valid building permit in respect of the building or structure;*

(e) *No owner of a parcel shall cause, allow or permit the presence of graffiti, whether in the form of pictures or words, on the parcel or on the surface of a structure on the parcel;*

(f) *No owner of a parcel shall cause, allow or permit the accumulation on the parcel of garbage not contained in a covered receptacle.*

3.2 *Owners of a parcel shall remove or cause to be removed from the parcel any accumulations of filth, discarded material, or rubbish of any kind.*

If you choose to ignore or not comply with the bylaw as stipulated above, please be advised that you may be subject to fines under the Municipal Ticketing Bylaw #1957 which allows for ticketing at a rate of \$100 per day of non-compliance for each offence described.

# THE CORPORATION OF THE CITY OF GRAND FORKS



## BYLAW ENFORCEMENT OFFICE

7217 – 4TH STREET, BOX 220 • GRAND FORKS, BC V0H 1H0 • FAX 250-442-8000 • TELEPHONE 250-442-8266

The Municipal Ticketing Bylaw Schedule 4 is attached.

At this time the City of Grand Forks would appreciate your cooperation in cleaning up this property. All materials shall be removed within 10 days of the receipt of this letter. The entire bylaw can be reviewed on the City's Website.

The City of Grand Forks would like to thank you in advance for your cooperation in this matter.

R.V.(Bud) Alcock  
Bylaw Enforcement Officer

cc. D.Bruce, Manager Building Inspection and Bylaw Services

# THE CORPORATION OF THE CITY OF GRAND FORKS



## BYLAW ENFORCEMENT OFFICE

7217 – 4TH STREET, BOX 220 · GRAND FORKS, BC V0H 1H0 · FAX 250-442-8000 · TELEPHONE 250-442-8266

2017-11-02

Lucy Demosky  
Ronald Demosky  
Wayne Demosky  
Leon Demosky  
7746 McCallum View Dr.  
Grand Forks B.C.  
V0H 1H2

*file copy*

### **SECOND NOTICE – HAND DELIVERED/POSTED AT RESIDENCE**

You property located at 7746 McCallum View Dr in Grand Forks has been subject of a number of complaints from concerned citizens about the condition of the property. Upon investigation by the Bylaw Department, your property is deemed unsightly.

You are required remove the debris within 10 days of the receipt of this letter.

A copy of the Municipal Bylaw #1962 is included as well as a Copy of "Schedule 4" of the bylaw that includes the penalties if there continues to be noncompliance.

You will have an opportunity to appear before City Council on at the regular meeting of City Council for a show cause hearing to represent your case in regards to the unsightly condition of this property. The date of the meeting is November 14<sup>th</sup> at 7:00 PM

### **UNSIGHTLY PREMISES BYLAW 1962**

#### **3. *Unsightly Premises***

3.1 *No owner shall cause, allow or permit a parcel to become or to remain unsightly, and, specifically:*

(a) *No owner of a parcel shall cause, allow or permit the accumulation of building material on the parcel unless;*

(i) *The owner or occupier of the parcel is in possession of a valid building permit in respect of the accumulation; or*

**Website:** [www.grandforks.ca](http://www.grandforks.ca)

**Email:** [info@grandforks.ca](mailto:info@grandforks.ca)

# THE CORPORATION OF THE CITY OF GRAND FORKS



## BYLAW ENFORCEMENT OFFICE

7217 – 4TH STREET, BOX 220 • GRAND FORKS, BC V0H 1H0 • FAX 250-442-8000 • TELEPHONE 250-442-8266

- (ii) *The accumulation is stored in a closed building or structure such that the accumulation is not visible from another parcel or highway*
- (b) *No owner of a parcel shall cause, allow or permit the storage or accumulation, on the parcel, of all or part of a vehicle, as defined in the Motor Vehicle Act, which is not:*
  - (i) *validly registered or licensed in accordance with the Motor Vehicle Act for a period of 12 months and which is not housed in a garage or carport or*
  - (ii) *capable of movement under its own power;*

*unless it is stored in a closed building or structure such that the vehicle, or any portion of a vehicle, is not visible from another parcel or a highway;*
- (c) *No owner of a parcel shall cause, allow or permit the accumulation on the parcel of filth, discarded materials, unwholesome matter, or rubbish of any kind, whether or not for commercial purposes or as part of a trade or calling, including but not limited to dead animals, paper products, crockery, glass, metal, plastics, plastic containers, wire, ropes, machinery, tires, appliances, and any other scrap or salvage;*
- (d) *No owner of a parcel shall cause, allow or permit a building or structure, or part of a building or structure, which is missing all or a portion of its surface, covering, or coating materials to be on the parcel unless the owner is in possession of a valid building permit in respect of the building or structure;*
- (e) *No owner of a parcel shall cause, allow or permit the presence of graffiti, whether in the form of pictures or words, on the parcel or on the surface of a structure on the parcel;*
- (f) *No owner of a parcel shall cause, allow or permit the accumulation on the parcel of garbage not contained in a covered receptacle.*

3.2 *Owners of a parcel shall remove or cause to be removed from the parcel any accumulations of filth, discarded material, or rubbish of any kind.*

If you choose to ignore or not comply with the bylaw as stipulated above, please be advised that you may be subject to fines under the Municipal Ticketing Bylaw #1957

Website: [www.grandforks.ca](http://www.grandforks.ca)

Email: [info@grandforks.ca](mailto:info@grandforks.ca)

# THE CORPORATION OF THE CITY OF GRAND FORKS



## BYLAW ENFORCEMENT OFFICE

7217 – 4TH STREET, BOX 220 • GRAND FORKS, BC V0H 1H0 • FAX 250-442-8000 • TELEPHONE 250-442-8266

which allows for ticketing at a rate of \$100 per day of non-compliance for each offence described.

The Municipal Ticketing Bylaw Schedule 4 is attached.

At this time the City of Grand Forks would appreciate your cooperation in cleaning up this property. All materials shall be removed within 10 days of the receipt of this letter. The entire bylaw can be reviewed on the City's Website.

The City of Grand Forks would like to thank you in advance for your cooperation in this matter.

R.V.(Bud) Alcock  
Bylaw Enforcement Officer

cc. D.Bruce, Manager Building Inspection and Bylaw Services













**THE CORPORATION OF THE CITY OF GRAND FORKS**

**UNSIGHTLY PREMISES BYLAW NO. 1962**

**A BYLAW TO CONTROL UNSIGHTLY PREMISES**

---

**WHEREAS** the Local Government Act allows Council, by bylaw, to prohibit persons from causing or permitting unsightliness on real property;

**THEREFORE** the Municipal Council of the Corporation of the City of Grand Forks in open meeting, **ENACTS** as follows:

**1. Title**

- 1.1 This bylaw may be cited, for all purposes, as the “**Unsightly Premises Bylaw No. 1962, 2013**”.

**2. Interpretation**

2.1 In this bylaw:

- (a) “**Bylaw Enforcement Officer**” means every person designated by Council as a Bylaw Enforcement Officer for the City and every Peace Officer;
- (b) “**City**” means the Corporation of the City of Grand Forks;
- (c) “**Council**” means the Municipal Council of the City;
- (d) “**Municipality**” means the area within the Municipal boundaries of the City.
- (e) “**Owner**” means an owner or occupier of a parcel of land, or both.

**3. Unsightly Premises**

- 3.1 No owner shall cause, allow or permit a parcel to become or to remain unsightly, and, specifically:
- (a) No owner of a parcel shall cause, allow or permit the accumulation of building material on the parcel unless;
    - (i) The owner or occupier of the parcel is in possession of a valid building permit in respect of the accumulation; or

## Unsightly Premises Bylaw No. 1962

- (ii) The accumulation is stored in a closed building or structure such that the accumulation is not visible from another parcel or highway
- (b) No owner of a parcel shall cause, allow or permit the storage or accumulation, on the parcel, of all or part of a vehicle, as defined in the Motor Vehicle Act, which is not:
  - (i) validly registered or licensed in accordance with the Motor Vehicle Act for a period of 12 months and which is not housed in a garage or carport or
  - (ii) capable of movement under its own power;unless it is stored in a closed building or structure such that the vehicle, or any portion of a vehicle, is not visible from another parcel or a highway;
- (c) No owner of a parcel shall cause, allow or permit the accumulation on the parcel of filth, discarded materials, unwholesome matter, or rubbish of any kind, whether or not for commercial purposes or as part of a trade or calling, including but not limited to dead animals, paper products, crockery, glass, metal, plastics, plastic containers, wire, ropes, machinery, tires, appliances and any other scrap or salvage;
- (d) No owner of a parcel shall cause, allow or permit a building or structure, or part of a building or structure, which is missing all or a portion of its surface, covering, or coating materials to be on the parcel unless the owner is in possession of a valid building permit in respect of the building or structure;
- (e) No owner of a parcel shall cause, allow or permit the presence of graffiti, whether in the form of pictures or words, on the parcel or on the surface of a structure on the parcel;
- (f) No owner of a parcel shall cause, allow or permit the accumulation on the parcel of garbage not contained in a covered receptacle.

- 3.2 Owners of a parcel shall remove or cause to be removed from the parcel any accumulations of filth, discarded material, or rubbish of any kind.

## **4. Inspection**

- 4.1 A Bylaw Enforcement Officer may enter on a parcel at all reasonable times, to ascertain whether this bylaw is being observed, to gather evidence on any violation, or to serve any notice related to any violation of this bylaw.

## Unightly Premises Bylaw No. 1962

- 4.2 No person shall obstruct a Bylaw Enforcement Officer from entering a parcel in accordance with Section 3.1.

### **5. Notice**

- 5.1 Where a Bylaw Enforcement Officer observes that a parcel is or has become unsightly, the Bylaw Enforcement Officer may deliver written notice to the owner, requiring the removal of any thing or things, including a class of things that render the parcel unsightly.

- 5.2 Where a Bylaw Enforcement Officer provides written notice under Section 4.1 of this bylaw, the owner must remove from the parcel anything that, as stated in the notice, renders the parcel unsightly, within 10 days of delivery of the notice.

### **5.0 Default**

- 5.1 In the event the owner fails within ten days of delivery of a written notice under Section 4.1 to comply with the notice, the City may deliver a second notice to the owner stating that:

- (a) the owner is in default of this bylaw;
- (b) the owner may appear before Council to be heard on a date specified in the second notice, being not less than ten days after delivery of the second notice; and
- (c) after the date specified in the second notice the City, by its officers, employees, contractors, or agents may, at the expense of the owner, enter on the parcel and remove any thing or things that render the parcel unsightly.

- 5.2 Unless Council directs otherwise, after the date specified in the second notice under Section 5.1(b), the City may deliver to the owner a third notice stating that the City will enter the affected parcel and remove any thing or things that render the parcel unsightly on a specified date between the hours of 8:00 a.m. and 8:00 p.m.

- 5.3 Where a third notice is delivered to the owner under Section 5.2, on the date specified in the third notice, the City, by its officers, employees, contractors, or agents may enter on the parcel and remove anything or things specified in the first notice that render the parcel unsightly.

- 5.4 The owner shall owe to the City, as a debt, the cost of removing anything or things from the affected parcel under Section 3.

## Unsightly Premises Bylaw No. 1962

- 5.5 If the cost under Section 5.4 remains unpaid on December 31 in the year of the removal, the cost will be added to and form part of the taxes on the parcel affected, as taxes in arrears.

### **6.0 Offence**

- 6.1 Every person who violates a provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of or in violation of any provision of this bylaw, or who neglects to or refrains from doing anything required to be done by any provision of this bylaw, is guilty of an offence against this bylaw and is liable to the penalties imposed under this bylaw.
- 6.2 Each day that a violation continues to exist ***after the second notice***, is considered a separate offence against this bylaw as per Schedule 4 of the Municipal Ticketing Information Bylaw.
- 6.3. If at any time, an offence against this bylaw occurs, it may be at the discretion of the Bylaw Enforcement Officer and/or Acting Official, to determine if an extension is required.

### **7.0 Penalty**

- 7.1 Every person who commits an offence against this bylaw is liable on summary conviction, to a penalty of not more than \$10,000.00.

### **8.0 Severability**

- 8.1 If at any time, any provision of this bylaw is declared or held to be illegal, invalid, or ultra vires, in whole or in part, then the provision shall not apply and the remainder of this bylaw shall continue in full force and effect and be construed as if it had been enacted without the illegal, invalid, or ultra vires provision.
- 8.2 Every person or persons, who violates or breaches or who causes or allows to be violated or breached any of the provisions of this bylaw shall be guilty of an offence against this bylaw and each day that such violation is caused or allowed to continue shall constitute a separate offence.

### **9. Repeal**

- 9.1 Bylaw No. 1680, 2001, cited as the "City of Grand Forks Unsightly Premises Bylaw" and all amendments thereto are hereby repealed.



Unsightly Premises Bylaw No. 1962

**READ A FIRST TIME** this 8th day of July, 2013.

**READ A SECOND TIME** this 8th day of July, 2013.

**READ A THIRD TIME** this 8th day of July, 2013.

**FINALLY ADOPTED** this 22<sup>nd</sup> day of July, 2013.

---

Mayor-Brian Taylor

---

Corporate Officer-Diane Heinrich

### **C E R T I F I C A T E**

I hereby certify the foregoing to be a true copy of the Unsightly Premises Bylaw  
No. 1962, as passed by the Municipal Council of the City of Grand Forks  
on the 22nd day of July, 2013.

---

Corporate Officer  
of the Municipal Council of the City of Grand Forks



Unsightly Premises Bylaw No. 1962

**SCHEDULE 4**  
**OF THE MUNICIPAL TICKETING BYLAW NO. 1957**

**Bylaw No. 1962" Grand Forks Unsightly Premises Bylaw"**

COLUMN 1	COLUMN 2	COLUMN 3
Offence	Section	Fine
Accumulation of building Materials	2.1(a)	\$100.00
Unlicensed Vehicles	2.1(b)	\$100.00
Parts of a vehicle	2.1(b)	\$100.00
Deposit or accumulation of rubbish	2.1(d)	\$100.00
Unsightly premises	5	\$100.00
Place graffiti	2.1(e)	\$100.00
Failure to remove garbage	2.1(f)	\$100.00