

**THE CORPORATION OF THE CITY OF GRAND FORKS
AGENDA – SPECIAL MEETING**

**Monday July 8th, 2013 – 10:00 AM
Council Chambers**

<u>ITEM</u>	<u>SUBJECT MATTER</u>	<u>RECOMMENDATION</u>
1. <u>CALL TO ORDER</u>	Call to Order	Call Meeting to Order at 10:00 AM
2. <u>ADOPTION OF AGENDA:</u>	Adoption of July 8 th , 2013 Special Meeting Agenda	Adopt Agenda
3. <u>UNFINISHED BUSINESS:</u> None		
4. <u>RECOMMENDATIONS FROM STAFF FOR DECISIONS:</u>		
a) Chief Administrator's Report	To discuss potential topics for Ministers meetings at UBCM and rank in order of importance (from 1-3) and further, prepare and submit background papers to appropriate Ministerial offices.	Staff recommends that Council resolve to support the Chief Administrative Officer in preparing the agreed upon background papers for UBCM Minister meetings and submitting to appropriate offices in preparation for UBCM.
5. <u>BYLAWS:</u>		
a) Corporate Officer – Bylaw No. 1984, a Bylaw to repeal Bylaw No. 1737	To adopt Bylaw No. 1984, a Bylaw to repeal Bylaw No. 1737	Staff recommends to Council to give final reading to Bylaw No. 1984.
b) Manager of Environmental & Building Services - Building and Plumbing Bylaw No. 1964	To adopt a new Building and Plumbing Bylaw	Staff recommends Council give the final reading to Building and Plumbing Bylaw No. 1964.
c) Manager of Environmental & Building Services - Unsightly Premises Bylaw No. 1962	To adopt a new Unsightly Premises Bylaw	Staff recommends Council rescind Bylaw No. 1680 cited as the "City of Grand Forks Unsightly Premises Bylaw" and all amendments Thereto numbered 1025 and 1036 associated with Bylaw No. 1680 and further, gives the first three readings to the Unsightly Premises Bylaw No. 1962.
6. <u>ADJOURNMENT:</u>		

THE CITY OF GRAND FORKS REQUEST FOR PRIMARY COMMITTEE RECOMMENDATION

DATE : July 2nd, 2013

TOPIC : Topics for Minister's Meetings at UBCM

PROPOSAL : Identify and rate in order of importance Topics of Discussion for UBCM Ministers Meetings

PROPOSED BY : Chief Administrative Officer

SUMMARY:

The CAO will be drafting letters for Ministers Meetings at UBCM and is requesting direction from Council in order to determine topics of discussion and relevance.

STAFF RECOMMENDATION:

Staff recommends to Council that three topics be identified and rated from 1-3 in order of importance and further direct staff to prepare reports to be submitted to the appropriate Ministers in advance of UBCM.

OPTIONS AND ALTERNATIVES:

Option 1: Staff recommends to Council that three topics be identified and rated from 1-3 in order of importance and further direct staff to prepare reports to be submitted to the appropriate Ministers in advance of UBCM.

BENEFITS, DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1:

The main advantage is that Council has identified the issues of importance to be discussed with Ministers at UBCM.

COSTS AND BUDGET IMPACTS – REVENUE GENERATION:

None

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

None



Department Head or CAO



Chief Administrative Officer



June 26, 2013

Dear Mayors and Regional District Chairs:

As we prepare for the upcoming UBCM Convention at the Vancouver Convention Centre in September, I wanted to let you know that my caucus colleagues and I are looking forward to listening to the discussions around the issues and initiatives that affect your communities. We will review and consider all of your recommendations with regard to provincial government matters and incorporate them into our discussions.

As governments at every level face difficult economic times, the theme of the 2013 Convention, *Navigating the Local Landscape*, and the symbol of *The Compass*, are good metaphors. Together you will identify the best course of action to navigate through the global economic downturn. Your discussions will guide you and your successes will be instructive.

If you would like to request a meeting with me or a Cabinet Minister on a specific issue during this year's convention, please fill out the online form at <http://www.fin.gov.bc.ca/UBCM/>.

I look forward to seeing you at the 2013 UBCM Convention.

Sincerely,

A handwritten signature in black ink that reads "Christy Clark". The signature is written in a cursive, flowing style.

Christy Clark
Premier

THE CITY OF GRAND FORKS REQUEST FOR COUNCIL DECISION

DATE : July 2nd, 2013
TOPIC : Bylaw 1984 – Bylaw to Repeal Bylaw No. 1737
PROPOSAL : Final Reading
PROPOSED BY : Corporate Officer

SUMMARY:

Council has been presented with a new Building and Plumbing Bylaw that is intended to replace the redundant Bylaw No. 1737.

In order to proceed with the adoption of the new Bylaw, Council must first repeal the old Bylaw by granting a final reading to bylaw no. 1984.

STAFF RECOMMENDATIONS:

Council proceeds with final reading of Bylaw No. 1984.

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

The authority to adopt this bylaw is contained in the Community Charter.



Department Head or CAO



Reviewed by Chief Administrative Officer

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1984

A Bylaw to Repeal Bylaw No. 1737

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WHEREAS it is deemed necessary and expedient to repeal Bylaw No. 1737 in its entirety;

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

1. That Bylaw No. 1737, cited for all purposes as the "City of Grand Forks Building & Plumbing Bylaw No. 1737, 2003", be hereby repealed.
2. This Bylaw may be cited as the "**The City of Grand Forks Building & Plumbing Repeal Bylaw No. 1984, 2013**".

Read a **FIRST** time this 24th day of June, 2013.

Read a **SECOND** time this 24th day of June 2013.

Read a **THIRD** time this 24th day of June, 2013.

FINALLY ADOPTED this _____ day of July, 2013.

Mayor Brian Taylor

Diane Heinrich – Corporate Officer

CERTIFICATE

I hereby certify the foregoing to be a true copy of Bylaw No. 1984 as adopted by the Municipal Council of the City of Grand Forks on the _____ day of July, 2013.

Clerk of the Municipal Council of the
City of Grand Forks

THE CITY OF GRAND FORKS REQUEST FOR COUNCIL DECISION

DATE : July 2, 2013

TOPIC : Building & Plumbing Bylaw No. 1964

PROPOSAL : To Adopt a New Building & Plumbing Bylaw

PROPOSED BY : Manager of Environmental & Building Construction Services

SUMMARY:

The City's Building & Plumbing Bylaw 1737 was adopted in 2003 and has currently being revised. The proposal is to have City Council adopt a new Building & Plumbing Bylaw 1964 which is similar to the bylaws recently adopted in other municipalities in the Province. This Bylaw along with the new Building Inspection Services will see the City streamline the development and inspection process within our municipality and maintain better control of bylaw compliance. The objective is to rescind the Building & Plumbing Bylaw 1737 and the Minimum Maintenance Standards Bylaw 999. Both of these bylaws are now addressed in the Building & Plumbing Bylaw 1964

STAFF RECOMMENDATIONS:

Option 1: Council gives final reading to Bylaw 1964,"City of Grand Forks Building & Plumbing Bylaw".

OPTIONS AND ALTERNATIVES:

Option 1: Council adopts a resolution to adopt the New Building & Plumbing Bylaw.
Council gives final reading to Bylaw 1964,"City of Grand Forks Building & Plumbing Bylaw".

Option 2: Council declines to adopt the new Bylaw. This option simply makes it difficult to enforce and apply tickets against offences that may occur with regards to the existing Building & Plumbing Bylaw.

BENEFITS, DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1: The new Building & Plumbing Bylaw 1964 will ensure that offence against the bylaw can be enforced, and will see the City streamline the development and inspection process within our municipality and maintain better control of bylaw compliance.

Option 2: The disadvantage of not bringing the new Building & Plumbing Bylaw 1964 forward is that several areas within the new bylaw are not currently covered in the existing Building & Plumbing Bylaw 1737 and the Minimum Maintenance Standards Bylaw 999.

COSTS AND BUDGET IMPACTS – REVENUE GENERATION:

None

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

Council's authority to regulate traffic on city streets comes from the Community Charter.



Department Head or CAO



Reviewed by CAO

THE CORPORATION OF THE CITY OF GRAND FORKS

BUILDING & PLUMBING BYLAW NO. 1964

A Bylaw to Provide for the Administration of the Building and Plumbing Codes

WHEREAS the Local Government Act authorizes the Council for the Corporation of the City of Grand Forks, for the health, safety and protection of persons and property to regulate the construction, alteration, repair, or demolition of buildings and structures by bylaw;

AND WHEREAS the Province of British Columbia has adopted a building code to govern standards in respect of the construction, alteration, repair and demolition of buildings in municipalities and regional districts in the Province;

AND WHEREAS it is deemed necessary to provide for the administration of the Building Code;

NOW THEREFORE THE COUNCIL of the City of Grand Forks, in open meeting assembled, **ENACTS**, as follows:

1. TITLE

- 1.1 This bylaw may be cited for all purposes as the “**City of Grand Forks Building and Plumbing Bylaw No. 1964, 2013.**”

2. DEFINITIONS

- 2.1 In this bylaw:

The following words and terms have the meanings set out in the British Columbia Building Code, 2012, assembly occupancy, building height, business and personal services occupancy, care or detention occupancy, constructor, coordinating registered professional, designer, field review, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, mercantile occupancy, medium hazard industrial occupancy, occupancy, owner, registered professional, and residential occupancy.

“**ACCESSORY**” means customarily incidental to the permitted use of land, buildings or structures, located on the same lot.

“AGENT” includes a person, firm or corporation representing the owner, by designation or contract; and including a hired tradesman and contractor who may be granted permits for work within the limitation of his licence.

“A.C.N.B.C.” means the Associate Committee on the National Building Code.

“AUTHORITY HAVING JURISDICTION” means the City of Grand Forks and the employees or contractors authorized by the City that have the authority over the subject that is regulated.

“BUILDING” means any structure used or intended for supporting or sheltering any use or occupancy.

“BUILDING CODE” means the British Columbia Building Code 2012, as adopted by the Minister pursuant to the Local Government Act, as amended or re-enacted from time to time.

“BUILDING OFFICIAL” means Building Inspectors, Plan Checkers and Plumbing Inspectors designated by City Council.

“CONSTRUCT” means erect, repair, alter, add, demolish, remove, excavate and shore.

“CONSTRUCTION” means erection, repair, alteration, enlargement, addition, demolition, removal and excavation.

“CITY” means the Corporation of the City of Grand Forks.

“COMPLEX BUILDING” means:

- (a) all building used for major occupancies classified as
 - i. assembly occupancies
 - ii. care or detention occupancies
 - iii. high hazard industrial occupancies
- (b) all building exceeding 600 square meters in building area or exceeding three storeys in building height used for major occupancies classified as:
 - i. residential occupancies
 - ii. business and personal services occupancies
 - iii. mercantile occupancies, or
 - iv. medium and low hazard industrial occupancies.

“LAND TITLE OFFICE” means the Land Title Office situated in Kamloops, Province of British Columbia.

“MEDICAL HEALTH OFFICER” means the Medical Health Officer appointed pursuant to the Health Act;

“NATURAL BOUNDARY” means the visible high-water mark of any lake, river, or stream, or other body of water, where the presence and action of the water are so common and usual, and so long continued, in all ordinary years, as to mark upon the soil of the bed of the lake, river, stream or other body of water a character distinct from that of the banks thereof, in respect to the vegetation, as well as, the nature of the soil itself.

“OWNER” means any person, firm or corporation controlling the property under consideration.

“PERGOLA” means a structure consisting of posts supporting an open roof in the form of a trellis.

“PERSON” means and includes any individual, corporation, partnership, firm, association, society or party.

“STANDARD BUILDING” means a building of three storeys or less in building height, having a building area not exceeding 600 square meters and used for major occupancies classified as:

- a) residential occupancies
- b) business and personal services occupancies
- c) mercantile occupancies, or
- d) medium and low hazard industrial occupancies.

“STRUCTURE” means a construction or portion thereof of any kind, whether fixed to supported by or sunk into land or water, but specifically excludes landscaping, fences, paving and retaining structures less than 1.2 meters in height.

3. PURPOSE OF BYLAW

- 3.1 This bylaw shall, notwithstanding any other provisions herein, be interpreted in accordance with this Section.

- 3.2 This bylaw is enacted and retained for the purpose of regulating construction, demolition or additions, within the City of Grand Forks in the general public interest.

The activities undertaken by or on behalf of the City of Grand Forks pursuant to this bylaw are for the sole purpose of providing a limited spot check for health, safety and protection of persons and property.

- (a) to the protection of owners, owner/builders or constructors from economic loss;
- (b) to the assumption by the City of Grand Forks or any Building Official of any responsibility for ensuring the compliance by any owners, his or her representatives or any employees, constructors, or designers retained by him or her, with the Building Code, the requirements of this bylaw or other applicable enactments respecting safety;
- (c) to providing any person a warranty of design or workmanship with respect to any building or structure for which a building permit or occupancy permit is issued under this bylaw.
- (d) to providing a warranty or assurance that construction undertaken pursuant to building permits issued by the City of Grand Forks is free from latent or any defects.

4. PERMIT CONDITIONS

- 4.1 A permit is required whenever work regulated under this bylaw is to be undertaken.
- 4.2 Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf of the City of Grand Forks shall in any way relieve the owner or his or her representatives from full and sole responsibility to perform the work in strict accordance with the Building Code, this bylaw and/or other enactments respecting safety.
- 4.3 It shall be the full and sole responsibility of the owner (and where the owner is acting through a representative, the representative) to carry out the work in respect of which the permit was issued in compliance with the Building Code, this bylaw and/or other enactments respecting safety.

- 4.4 Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf of the City of Grand Forks constitute in any way a representation, warranty, assurance or statement that the Building Code, this bylaw and/or other enactments respecting safety have been complied with.
- 4.5 No person shall rely upon any permit as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms. The person to whom the building permit is issued and his or her representatives are responsible for making such determination.

5. SCOPE AND EXEMPTIONS

- 5.1 This bylaw applies to the design, construction, installation and occupancy of new buildings, structures and plumbing systems and the alteration, reconstruction, demolition, removal, repair, relocation and occupancy of existing buildings and structures.
- 5.2 (a) This bylaw **does not apply** to:
- (i) one storey buildings less than 46 square meters intended for agriculture;
 - (ii) non-structural repairs valued at less than ten thousand dollars (\$10,000.00), including roofing, flooring, windows, siding, provided that the electrical and plumbing codes have been complied with;
 - (iii) when repairing or replacing fixtures or faucets;
 - (iv) storage sheds less than 10 square meters, one storey, the height of which does not exceed 3 meters;
 - (v) buildings and structures exempted under Part 1 of the Building Code;
 - (vi) signs less than 1.2 meters high or non-electrified signs less than 3 square meters in area;
 - (vii) pergola less than 3 meters high and a maximum of 10 square meters in area.

6. GENERAL PROVISIONS

- 6.1 The use, siting and size of all buildings shall conform to the Grand Forks Zoning bylaw.
- 6.2 Notwithstanding all provisions included in this bylaw, all construction must adhere to the provisions included in the Grand Forks Zoning bylaw and the City of Grand Forks Floodplain bylaw.

7. SEVERABILITY

- 7.1 If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

8. APPLICATION

- 8.1 This bylaw shall apply to the area located within the boundaries of the City of Grand Forks.

9. PROHIBITION

- 9.1 No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the occupancy of any building or structure, unless a Building Official has issued a valid and subsisting permit for the work.
- 9.2 No person shall occupy or use any building or structure unless a valid and subsisting occupancy permit or final inspection report has been issued by a Building Official for the building or structure, or contrary to the terms of any permit issued or any notice given by a Building Official.
- 9.3 No person shall knowingly submit false or misleading information to a Building Official in relation to any permit application or construction undertaken pursuant to this bylaw.
- 9.4 No person shall, unless authorized in writing by a Building Official, reverse, alter, deface, cover, remove or in any way tamper with any notice, permit, certificate posted upon or affixed to a building or structure pursuant to this bylaw.

- 9.5 No person shall do any work that is substantially at variance with the accepted design or plans of a building, structure or other works for which a permit has been issued, unless that variance has been accepted in writing of this bylaw.
- 9.6 No person shall obstruct the entry of a Building Official or other authorized official of the City of Grand Forks on property in the administration of this bylaw.

10. DUTIES

10.1 The authority having jurisdiction may:

- (a) administer this bylaw;
- (b) keep records of permit applications, permits, notices and orders issued, inspections and tests made, and shall retain copies of all documents related to the administration of this bylaw or microfilm copies of such documents;
- (c) establish, if requested to do so, whether the methods or types of construction and types of materials used in the construction of a building or structure for which a permit is sought under this bylaw substantially conform to the requirements of the Building Code.
- (d) issue occupancy permits as set out in Appendix B or issue final inspection report in lieu of when the Building Official is satisfied construction is in substantial compliance with the bylaw.

11. POWERS

11.1 The authority having jurisdiction may:

- (a) ensure that employees or persons charged with administration of this bylaw carry proper identification;
- (b) may enter any land, building, structure, or premises at any reasonable time for the purpose of ascertaining that the terms of this bylaw are being observed;
- (c) where any residence is occupied, shall obtain the consent of the occupant or provide written notice to the occupant 24 hours in advance of entry;

- (d) direct that tests of materials, devices, construction methods, structural assemblies or foundation conditions to be made, or sufficient evidence or proof is necessary to determine whether the material, devices, construction or foundation substantially meet the requirements of this bylaw. The records of such tests shall be kept available for inspection during the construction of the building.
- (e) direct written notice, or by attaching a placard to the premises, the correction of any condition, where in the opinion of the authority having jurisdiction, such condition contravenes the provisions of this bylaw, order the cessation of work that is proceeding in contravention of this bylaw.

12. PERMITS

12.1 Every person shall apply for and obtain:

- (a) a building permit before constructing, repairing, moving, installing or altering a building, structure, sign, change in occupancy or plumbing system;
- (b) a demolition permit before demolishing a building or structure.

12.2 Applications for the permits noted in 12.1 shall be made in the form prescribed from time to time by the City of Grand Forks.

12.3 All plans submitted with permit applications shall bear the name and address of the designer of the building or structure.

12.4 Each building or structure to be constructed on a site requires a separate building permit and shall be assessed a separate building permit fee based on the value of that building or structure as determined in accordance with Schedule "A" attached to this bylaw.

12.5 Every person, making application for a building permit in the City of Grand Forks must also make application for an "access permit" to allow for access to a City street or road.

12.6 Applications for the permits noted in 12.5 shall be made in the form prescribed from time to time by the City of Grand Forks.

13. APPLICATIONS FOR COMPLEX BUILDINGS

13.1 An application for a building permit with respect to a complex building shall;

- (a) be made in the form prescribed from time to time by the City of Grand Forks, signed by the owner, or a signing officer if the owner is a corporation, and the co-coordinating registered professional; and

be accompanied by the owner's acknowledgement of responsibility and undertakings made in the form prescribed from time to time by the City of Grand Forks, signed by the owner, or a signing officer if the owner is a corporation.

- (b) floor plans showing dimensions and uses of all areas; the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions.

- (c) a site plan prepared by a British Columbia Land Surveyor showing:

- (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
- (ii) the legal description and civic address of the parcel;
- (iii) the location and dimensions of all statutory rights-of-way, easements and setback requirements;
- (iv) the location and dimensions of all existing and proposed buildings or structures on the parcel;
- (v) setbacks to the natural boundary of any lake, swamp, pond or watercourse where the City of Grand Forks land use regulations establish siting requirements related to flooding;
- (vi) the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a building or structure where the City of Grand Forks land use regulations establish siting requirements related to minimum floor elevation; and

- (vii) the location, dimension and gradient of parking and driveway access;
- (viii) the Building Official may waive the requirements for a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing building or structure.
- (d) a cross section through the building or structure illustrating foundations, drainage, ceiling heights and construction systems;
- (e) elevations of all sides of the building or structure showing finish details, roof slopes, windows, doors, and finished grade;
- (f) cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the building or structure substantially conforms to the Building Code;
- (g) copies of approval required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and/or municipal access permits Ministry of Health Approval;
- (h) a letter of assurance in the form of Schedule A as referred to in Section 2.6 of Part 2 of the Building Code, signed by the owner, or a signing officer of the owner if the owner is a corporation, and the coordinating registered professional;
- (i) letters of assurance in the form of Schedules B-1 and B-2,–B, as referred to in Section 2.6 of Part 2 of the Building Code, each signed by such registered professionals as the Building Official or Building Code may require to prepare the design for and conduct field reviews of the construction of the building or structure;
- (j) two sets of drawings at a suitable scale of the design prepared by each registered professional and including the information set out in Sections 13.1.5 – 13.1.8 of this bylaw;

13.2 In addition to the requirements of Section 13.1, the following may be required by a Building Official to be submitted with a building permit application for the construction of a complex building where the complexity of the proposed building or structure or siting circumstances warrant;

- (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional, in accordance with the City of Grand Forks Subdivision bylaw;

- (b) a section through the site showing grades, buildings, structures, parking areas and driveways;
- (c) any other information required by the Building Official or the Building Code to establish substantial compliance with this bylaw, the Building Code and other bylaws and enactments relating to the building or structure.

14. APPLICATIONS FOR STANDARD BUILDINGS

14.1 An application for a building permit with respect to a standard building shall;

- (a) be made in the form prescribed from time to time by the City of Grand Forks, signed by the owner, or a signing officer if the owner is a corporation;
- (b) be accompanied by the owner's acknowledgement of responsibility and undertakings made in the form prescribed from time to time by the City of Grand Forks, signed by the owner, or a signing officer if the owner is a corporation;
- (c) a site plan showing:
 - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - (ii) the legal description and civic address of the parcel;
 - (iii) the location and dimensions of all statutory rights-of-way, easements and setback requirements;
 - (iv) the location and dimensions of all existing and proposed buildings or structures on the parcel;
 - (v) setbacks to the natural boundary of any lake, swamp, pond or watercourse where the City of Grand Forks land use regulations establish citing requirements related to the Floodplain bylaw;
 - (vi) the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a building or structure where the City of Grand Forks land use regulations establish citing regulations related to minimum floor elevation; and the

location, dimension and gradient of parking and driveway access;

- (vii) the Building Official may waive the requirements for a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing building or structure.
- (d) floor plans showing the dimensions and uses of all areas: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions.
- (e) a cross section through the building or structure illustrating foundations, drainage, ceiling heights and construction systems;
- (f) elevations of all sides of the building or structure showing finish details, roof slopes, windows, doors, and finished grade;
- (g) cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the building or structure substantially conforms to the Building Code;
- (h) copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health Approval;
- (i) two sets of drawings at a suitable scale of the design including the information set out in Sections 14.1.5 – 14.1.8.

14.2 In addition to the requirements of Section 14.1, the following may be required by a Building Official to be submitted with a building permit application for the construction of a standard building where the project involves two or more buildings, which in the aggregate total more than 1,000 square meters, or two or more buildings that will contain four or more dwelling units, or otherwise where the complexity of the proposed building or structure or siting circumstances warrant:

- (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional, in accordance with the City of Grand Fork Subdivision bylaw.
- (b) a section through the site showing grades, buildings, structures, parking areas and driveways;

- (c) a roof plan and roof height calculations;
- (d) structural, electrical, mechanical or fire suppression drawings prepared and sealed by a registered professional;
- (e) letters of assurance in the form of Schedules B-1 and B-2 B, as referred to in Section 2.6 of Part 2 of the Building Code, signed by the registered professional;
- (f) a foundation design prepared by a registered professional in accordance with Section 4.2 and Part 4 of the Building Code, accompanied by letters of assurance in the form of Schedules B-1 and B-2 B as referred to in section 2.6 of Part 2 of the Building Code, signed by the registered professional.
- (g) the requirements of Section 14.2.6, may be waived by a Building Official in circumstances where the Building Official has required a professional engineer's report pursuant to the Local Government Act, the building permit is issued in accordance with the Local Government Act;
- (h) the requirements of section 14.2.7 may be waived by a Building Official if documentation, prepared and sealed by a registered professional, is provided assuring that the foundation design substantially complies with Section 9.4.4 of Part 9 of the Building Code and the foundation excavation substantially complies with Section 9.12 of Part 9 of the Building Code;
- (i) any other information required by the Building Official or the Building Code to establish substantial compliance with this bylaw, the Building Code and other bylaws and enactments relating to the building or structure.

15. PROFESSIONAL PLAN CERTIFICATION

- 15.1 The letters of assurance in the form of Schedules B-1 and B-2 B, referred in Section 2.6 of Part 2 of the Building Code and provided pursuant to Sections 13.1.9, 14.2.5, and 15.1 of this bylaw are relied upon by the City of Grand Forks and its Building Official's as certification that the design and plans to which the letters of assurance relate, comply with the Building Code and other applicable enactments relating to safety.

- 15.2 A building permit issued for the construction of a complex building, or for a standard building for which a Building Official required professional design pursuant to Section 13.2 and letter of assurance pursuant to Section 13.1.9 of this bylaw shall be in the form prescribed from time to time by the City of Grand Forks.
- 15.3 A building permit issued pursuant to Section 15.2 of this bylaw shall be deemed to include a notice to the owner that the building permit is issued in reliance upon the certification of the registered professionals that the design and plans submitted in support of the application for the building permit comply with the Building Code and other applicable enactments relating to safety.
- 15.4 When a building permit is issued in accordance with Section 15.2 of this bylaw the permit fee shall be reduced by 10% of the fees payable pursuant to this bylaw, up to a maximum reduction of \$5,000 (five thousand dollars).

16. FEES AND CHARGES

- 16.1 In addition to applicable fees and charges required under other bylaws, a permit fee calculated in accordance with this bylaw shall be paid in full prior to the issuance of any permit under this bylaw.
- 16.2 An application made for a building permit shall be accompanied by the appropriate plan –processing fee as determined in accordance with Section 12.4 of this bylaw.
- (a) The plan-processing fee is non-refundable and shall be credited against the building permit fee when the permit is issued.
 - (b) An application shall be cancelled and the plan-processing fee forfeited, if the building permit has not been issued and the permit fee paid within 180 days of the date of written notification to the owner that the permit is ready to be issued.
 - (c) When an application is cancelled the plans and related documents submitted with the application may be destroyed.
- 16.3 The owner may obtain a refund of the permit fees set out in this Bylaw when a permit is surrendered and cancelled before any construction begins, provided:
- (a) the refund shall not include the plan processing fee paid pursuant to Section 16.2 of this bylaw; and

- (b) no refund shall be made where construction has begun or an inspection has been made.
- 16.4 Where, due to non-compliance with this bylaw, more than two inspections are necessary when one inspection is normally required, for each inspection after the second inspection, a re-inspection charge as set out in Schedule "A" attached to this bylaw shall be paid prior to additional inspections being performed.
- 16.5 For a required permit inspection requested to be done after hours during which the offices of the Building Officials are normally open, an inspection charge shall be payable based on the time actually spent in making such inspection, including travel time, as set out in Schedule "A" to this bylaw.
- 16.6 An inspection charge, as set out in this bylaw, shall be payable in advance for a voluntary inspection to establish compliance of or obtain a report on the status of an existing building or structure for which a permit is sought under this bylaw.

17. BUILDING PERMITS

17.1 When:

- (a) a completed application including all required supporting documentation has been submitted;
- (b) the proposed work set out in the application substantially conforms with the Building Code, this bylaw and all other applicable bylaws and enactments;
- (c) the owner or his or her representative has paid all applicable fees set out in Section 12.4 of this bylaw;
- (d) the owners or his or her representative has paid all charges and met all requirements imposed by any other enactment or bylaw;
- (e) no enactment, covenant, agreement, or regulation in favor of, or regulation of, the City of Grand Forks authorizes the permit to be withheld;

a Building Official shall issue the permit for which the application is made.

17.2 When the application is in respect of a building that includes, or will include, a residential occupancy, the building permit must not be issued unless the owner provides evidence pursuant to the Homeowner Protection Act that the proposed building:

- (a) is covered by home warranty insurance, and
- (b) the constructor is a licensed residential builder.

17.3 Section 17.2 of this bylaw does not apply if the owner is not required to be licensed and to obtain home warrant insurance in accordance with the Homeowner Protection Act.

17.4 Every permit is issued upon the condition that:

- (a) the work is to be started within six months from the date of issuing the permit;
- (b) the work is not to be discontinued or suspended for a period of more than one year;
- (c) the permit shall lapse in the event that either of the conditions in (a) or (b) above is not met;
- (d) all permits expire after 36 months from the date of issuance, unless the permit has previously expired or the permit has been renewed in accordance with Section 17.5.

17.5 Provision for renewal of permits shall be as follows:

- (a) every application for permit renewal shall be considered on the basis of the building regulations in effect on the date of the application for renewal;
- (b) application for renewal must be made prior to expiry of the original permit.
- (c) the permit renewal shall be for the same period as the original permit;
- (d) no permit shall be renewed more than once;

- (e) an additional fee as set out in this bylaw shall be paid for renewal of a permit under the provisions of this section;
 - (i) notwithstanding 17.5(c), when a permit for a one or two-family dwelling is about to expire under the provisions of 17.4(d) and the exterior finish of the structure has been completed, the applicant may be granted a renewal at no additional cost.
- 17.6 An incomplete building permit shall expire 6 months after the date of application.
- 17.7 When a site has been excavated and a building permit is not subsequently issued or a subsisting building permit has expired in accordance with the requirements of Section 17.4, but without the construction of the building or structure for which the building permit was issued having commenced, the owner shall fill in the excavation to restore the original gradients of the site within 60 days of being served notice by the City of Grand Forks to do so.

18. DISCLAIMER OR WARRANTY OR REPRESENTATION

- 18.1 Without in any way limiting the generality of the foregoing or the following, neither the issuance of a permit under this bylaw, the review and acceptance of the design, drawings, plans or specifications, nor inspections made by a Building Official, shall constitute a representation or warranty that the Building Code or the bylaw have been complied with or the building or structure meets any standard of materials or workmanship, and no person shall rely on any of those acts as establishing compliance with the Building Code or this bylaw or any standard of construction.

19. PROFESSIONAL DESIGN AND FIELD REVIEW

- 19.1 When a Building Official considers that the site conditions, size or complexity of a development or an aspect of a development warrant, he or she may require a registered professional provide design and plan certification and field reviews by means of letters of assurance in the form of Schedules B-1 and B-2 B and C-B, referred to in Section 2.6 of Part 2 of the Building Code.
- 19.2 Prior to issuance of an occupancy permit for a complex building, or standard building in circumstances where letters of assurance have been required in accordance with Sections 13.1.9, 14.2.5 or 19.1 of this bylaw, the owner shall provide the City of Grand Forks with letters of assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in Section 2.6 of Part 2 of the Building Code.

- 19.3 When a registered professional provides letters of assurance in accordance with 13.1.9, 14.2.5, 19.1 or 19.2 of this bylaw, he or she shall also provide proof of professional liability insurance to the Building Official in the form prescribed from time to time.

20. RESPONSIBILITIES OF THE OWNER

- 20.1 Every owner shall ensure that all construction complies with the Building Code, this bylaw and other applicable enactments respecting safety.
- 20.2 Every owner to whom a permit is issued shall be responsible for the cost of repair of any damage to municipal works that occurs in the course of the work authorized by the permit.
- 20.3 Every owner to whom a permit is issued shall, during construction:
- (a) post and maintain the permit in a conspicuous place on the property in respect of which the permit was issued;
 - (b) keep a copy of the accepted designs, plans and specifications on the property; and
 - (c) post the civic address on the property in a location visible from any adjoining streets

21. INSPECTIONS

- 21.1 When a registered professional provides letters of assurance in accordance with Sections 13.1.9, 14.2.5, 19.1 and 19.2 of this bylaw, the City of Grand Forks will rely solely on field reviews undertaken by the registered professional and the letters of assurance submitted pursuant to Section 19.2 of this bylaw as assurance that the construction substantially complies with the Building Code, this bylaw and other applicable enactments respecting safety.
- 21.2 Notwithstanding Section 21.1 of this bylaw, a Building Official may attend the site from time to time during the course of construction to ascertain that the field reviews are taking place and to monitor the field reviews undertaken by the registered professionals.
- 21.3 A Building Official may attend periodically at the site of the construction of standard buildings or structures to ascertain whether the health and safety aspects of the work are being carried out in substantial conformance with those portions of the Building Code, this bylaw and any other applicable enactment concerning safety.

21.4 The owner or his or her representative shall give at least 24 hours notice to the Building Official when requesting an inspection and shall obtain an inspection and receive a Building Official's acceptance of the following aspects of the work, prior to concealing it:

- (a) when the forms for footings and/or foundation walls are complete, but prior to placing any concrete therein;
- (b) installing perimeter drain tiles and damp proofing, prior to backfilling
 - (i) first inspection is drain tile and damp proofing, prior to backfilling (no footing inspection is required);
 - (ii) no plumbing inspection is required.
- (c) the preparation of ground, including ground cover, when required, prior to the placing of a concrete slab;
- (d) the framing and sheathing;
- (e) when the plumbing system has been installed but prior to any other interior or exterior work being undertaken that would conceal the plumbing system;
- (f) rough in of factory built chimneys and fireplaces and solid fuel burning appliances (for new construction only);
- (g) insulation and vapor barrier;
- (h) when the building or structure is substantially complete and ready for occupancy, but before occupancy takes place, of the whole or part of the building or structure.

21.6 The requirements of Section 21.4 of this Bylaw do not apply to any aspect of the work that is the subject of a registered professional's letter of assurance provided in accordance with Sections 13.1.9, 14.2.5, 19.1 or 19.2 of this bylaw.

22. OCCUPANCY PERMITS

22.1 No person shall occupy a building or structure or part of a building or structure until an occupancy permit or final inspection report has been issued in the form prescribed from time to time.

22.2 An occupancy permit or final inspection report shall not be issued unless:

- (a) all letters of assurance have been submitted when required in accordance with Sections 13.1.9, 14.2.5, 19.1 and 19.2 of this bylaw.
- (b) all aspects of the work requiring inspection and acceptance pursuant to Section 21.4 of this bylaw have both been inspected and accepted or the inspections and acceptance are not required in accordance with Section 21.5 of this bylaw.

22.3 A Building Official may issue an occupancy permit or final inspection report for part of a building or structure when the part of the building or structure is self-contained, provided with essential services and the requirements set out in Section 22.2 of this bylaw have been met with respect to it.

23. RETAINING STRUCTURES

23.1 A registered professional shall undertake the design and conduct field reviews of the construction of a retaining structure greater than 1.2 meters in height. Sealed copies of the design plan and field review reports prepared by the registered professional for all retaining structures greater than 1.2 meters in height shall be submitted to a Building Official prior to acceptance of the works.

24. PENALTIES AND ENFORCEMENT

24.1 Every person who contravenes any provision of this bylaw commits an offence punishable on summary conviction and shall be liable to a fine of not more than \$10,000.00 (Ten Thousand Dollars) or to imprisonment for not more than six months.

24.2 Every person who fails to comply with any order or notice issued by a Building Official, or who allows a violation of this bylaw to continue, contravenes this bylaw.

24.3 A Building Official may order the cessation of any work that is proceeding in contravention of the Building Code or this bylaw by posting a "Stop Work" notice in the form prescribed from time to time by the City of Grand Forks.

- 24.4 The owner of property on which a "Stop Work" notice has been posted, and every other person, shall cease all construction work immediately and shall not do any work until all applicable provisions of this bylaw have been substantially complied with and the "Stop Work" notice has been rescinded in writing by a Building Official.
- 24.5 Where a person occupies a building or structure or part of a building or structure in contravention of Section 9.4 of this bylaw, a Building Official may post a "Stop Work" notice in the form prescribed from time to time.
- 24.6 The owner of property on which a "Stop Work" notice has been posted, and every person shall cease occupancy of the building or structure immediately and shall refrain from further occupancy until all applicable provisions of the Building Code and this bylaw have been substantially complied with and the "Stop Work" notice has been rescinded in writing by a Building Official.
- 24.7 Every person who commences work requiring a building permit without first obtaining such a permit, shall, if a "Stop Work" notice is issued and remains outstanding for 30 days, pay double the building permit fee prescribed from time to time prior to obtaining the required building permit, provided however that the maximum additional fee shall not exceed \$1,000.00.

25. FORMS AND SCHEDULES

- 25.1 The following Schedule, attached to this bylaw, forms part of the bylaw.
- Schedule "A" – Building Permit Fee Schedule
 - Schedule "B" – "Certificate of Occupancy"

26. REPEAL OF EXISTING BYLAW

26.1 City of Grand Forks Building & Plumbing Bylaw No. 1737 and all amendments thereto are hereby repealed upon the adoption of this bylaw.

READ A FIRST time this _____ day of _____, 2013.

READ A SECOND time this _____ day of _____, 2013.

READ A THIRD time this _____ day of _____, 2013.

RECONSIDERED AND FINALLY ADOPTED this _____ day of _____, 2013.

Mayor

Corporate Officer

CERTIFICATE

I hereby certify the foregoing to be a true copy of "City of Grand Forks Building and Plumbing Bylaw No. 1964, 2013"

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

Dated this _____ day of _____, 2013.

SCHEDULE "A"

BUILDING PERMIT FEE SCHEDULE – City of Grand Forks

A. BUILDING PERMIT FEES

The schedule of fees to be charged for the issuance of a permit under this bylaw is as follows:

Declared or Assessed Value

The permit fee for the construction, reconstruction, addition, extension, alteration and repair of any buildings or any other work requiring a permit and not specifically listed here;

Minimum fee: \$40.00

- \$8.00 per \$1,000.00 or portion thereof.

The fee for each plumbing fixture, which includes all traps and hot water tanks, shall be:

- \$10.00 per fixture when issued in conjunction with a building permit, or
- \$10.00 per fixture plus \$75.00 flat rate when issued separately from a building permit.

B. NON-REFUNDABLE APPLICATION FEE

Every permit application shall include a non-refundable application fee:

Actual Permit Fee up to \$10,000.00 of construction cost;

- \$50.00 for each application \$10,000.00 to \$50,000.00
- \$150.00 for each application valued over \$50,000.00.
- This fee will be applied against the cost of the permit.

C. RELATED BUILDING PERMIT FEES

Renewal of a building permit:

- Construction Value up to \$50,000.00 \$50.00
- Construction Value in excess of \$50,000.00 \$2.00/\$1,000

Additional related permit fees:

- | | |
|---|-----------|
| • Re-inspection Fee | \$75.00 |
| • Demolition Fee | \$50.00 |
| • Moving Permit | \$75.00 |
| • Temporary Building Permit | \$75.00** |
| • Mobile Home or Modular Home Placement | \$75.00** |
| • Minimum Inspection Fee | \$50.00 |

After Hours Building Inspection Fee

- based on time actually spent making the inspection, including travel time.

**Plus construction values of new work on-site such as foundations, basements, additions and plumbing.

D. BUILDING PERMIT REFUNDS

Where a Permit has been issued pursuant to this Bylaw and construction has not commenced:

- 75% of the permit fee may be refunded upon application for the cancellation of the permit;
- No refund in the amount of less than \$50.00 shall be made.
- Applications for refunds must be received within 12 months of permit issuance.

E. REDUCED PERMIT FEE

When a building permit is issued in accordance to Section 15.2 where a professional design is required, Section 15.4 applies. The permit fee shall be reduced by 10% to a maximum reduction of \$5,000.00 (five thousand dollars).

F. NOTICE ON TITLE

Administrative Charge to Remove	\$200.00
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SCHEDULE "B"

CERTIFICATE OF OCCUPANCY OF A BUILDING

**ISSUED PURSUANT TO THE CITY OF GRAND FORKS BUILDING
& PLUMBING BYLAW NO. 1964, 2013.**

APPLICANT/OWNER: _____

ADDRESS OF BUILDING: _____

LEGAL DESCRIPTION: _____

APPROVED OCCUPANCY DATE: _____

THE BUILDING CONSTRUCTED AND UNDER AUTHORITY OF THE
BUILDING & PLUMBING BYLAW NO. 1964 MAY NOW BE OCCUPIED. IT IS
UNLAWFUL TO CHANGE THE CLASS OF OCCUPANCY OF ANY BUILDING
OR PART THEREOF WITHOUT FIRST OBTAINING AN OCCUPANCY PERMIT
FROM THE BUILDING OFFICIAL.

THIS PERMIT BE AFFIXED TO A CONSPICUOUS AND PERMANENT PLACE
IN THE SAID BUILDING AND SHALL NOT BE REMOVED.

BUILDING OFFICIAL

NAME: _____
(please print)

DATE: _____

THE CITY OF GRAND FORKS REQUEST FOR COUNCIL DECISION

DATE : June 12, 2013

TOPIC : Unsightly Premises Bylaw No. 1962

PROPOSAL : To Adopt a New Unsightly Premises Bylaw

PROPOSED BY : Manager of Environmental & Building Construction Services

SUMMARY:

The City's Unsightly Premises Bylaw 1680 was adopted in 2001 and requires new vision. The proposal is to have City Council adopt a new Unsightly Premises Bylaw 1962 which is similar to the bylaws recently adopted in other municipalities in the Province. This Bylaw along with the Municipal Ticketing Bylaw (MTI) will authorize City staff and the RCMP to maintain better control of bylaw compliance. This will also allow for the issuing of tickets if required, to ensure compliance with the new bylaws. The objective is to rescind Bylaw 1680, and amendments of Bylaws numbered 1025 and 1036 associated with Bylaw 1680.

STAFF RECOMMENDATIONS:

Option 1: Council rescinds bylaw 1680 cited as the "City of Grand Forks Unsightly Premises Bylaw" and all the amendment bylaws thereto numbered as 1025 and 1036 associated with bylaw 1680. Council gives first second and third reading to Bylaw No. 1962 "City of Grand Forks Unsightly Premises Bylaw".

OPTIONS AND ALTERNATIVES:

Option 1: Council adopts a resolution to adopt the New Unsightly Premises Bylaw. Council rescinds bylaw 1680 cited as the "City of Grand Forks Unsightly Premises Bylaw" and all the amendment bylaws thereto numbered as 1025 and 1036 associated with bylaw 1680.

Option 2: Council declines to adopt the new Bylaw. This option simply makes it difficult to enforce and apply tickets against violations that may occur with regards to the old Unsightly Premises Bylaw 1680.

BENEFITS, DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1: The new Unsightly Premises Bylaw 1962 will ensure that violations against the bylaw can be enforced. This will also assist City staff and the R.C.M.P. when required to have better control of bylaw violations.

Option 2: The disadvantage of not bringing the new Unsightly Premises Bylaw 1962 forward is that several there are several areas within the new bylaw are not currently covered in the existing Unsightly Premises Bylaw.

COSTS AND BUDGET IMPACTS – REVENUE GENERATION:

None

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

Council's authority to regulate traffic on city streets comes from the Community Charter.



Department Head or CAO



Reviewed by CAO

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 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 5.3.

Unightly 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.

Unsightly Premises Bylaw No. 1962

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.

READ A FIRST TIME this ____ day of _____, 2013.

READ A SECOND TIME this ____ day of _____, 2013.

READ A THIRD TIME this ____ day of _____, 2013.

RECONSIDERED AND FINALLY ADOPTED this ____ day of _____, 2013.

Mayor

Corporate Officer

CERTIFICATE

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 ____ day of _____, 2013.

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

Date Signed: _____

SCHEDULE 4

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