

THE CORPORATION OF THE CITY OF GRAND FORKS
AGENDA – COMMITTEE OF THE WHOLE MEETING
Monday June 10th, 2013 9:00am
Council Chambers City Hall

<u>ITEM</u>	<u>SUBJECT MATTER</u>	<u>RECOMMENDATION</u>
1. <u>CALL TO ORDER</u>		Call Meeting to order at 9:00am
2. <u>COMMITTEE OF THE WHOLE MEETING AGENDA</u>	Agenda for June 10th, 2013	Adoption of Agenda
3. <u>REGISTERED PETITIONS AND DELEGATIONS:</u>		
a) James Wilson and Chuck Bennett – Boundary Country regional Chamber of Commerce.	Presenting a request to Council for a \$10,000 financial contribution for Fee for Service	Committee of the Whole recommends to Council to receive the presentation and refer any issues for further discussion
b) Sheila Dobie and Jan Westland – Grand Forks and Regional Agricultural Society	Presenting a request that Council direct the Environment Committee to take on a role of continued support regarding food security issues	Committee of the Whole recommends to Council receive the presentation made by the Grand Forks and Boundary Regional Agricultural Society and refer to the Environment Committee for further discussion and report back to Council.
c) Jake Raven and Louise Heck - Whispers of Hope Benevolence Association	Presenting a request for the City of Grand Forks to provide funding in the amount of \$10,000 to bridge the shortfall in the current years funds	The Committee of the Whole recommends to Council to receive the presentation and refer any issues for further discussion
4. <u>PRESENTATIONS BY STAFF:</u>		
5. <u>REPORTS AND DISCUSSION:</u>		
a) Volunteer Appreciation Night	Staff requests for Council to receive the information on the Call for Nominations - Policy #204.	The Committee of the Whole recommends to Council to receive the information with regard to the proposed 2013 Volunteer Appreciation Evening and refers the Call for Nominations to the June 24 th Regular meeting.
b) Options to Grant In Aid Funding	At the April 2 nd , 2013 Committee of the Whole Meeting, Council engaged in a discussion with regard to the current Grant In Aid policy. This report offers options for Council consideration regarding the Grant In	The Committee of the Whole recommends Council consider options as presented with regard to Grant In Aid.

Aid policy

- c) Monthly Highlight Reports from Department Managers

Staff request for Council to receive the Monthly Activity Reports from department managers

That the Committee of the Whole recommends to Council to receive the monthly Activity Reports

6. **PROPOSED BYLAWS FOR DISCUSSION:**

- a) Manager of Environmental & Building Services - Traffic Regulations Bylaw No. 1956

To introduce a new Traffic Regulations Bylaw

The Committee of the Whole recommends to Council to receive the report to introduce the new Traffic Regulations Bylaw and to further request that the new Traffic Regulations Bylaw, No. 1956 be referred to the June 24th, 2013 Regular Council Meeting for consideration of the first three readings in addition to rescinding Bylaw No. 1004 and Bylaw No. 1810 and the amendments thereto.

- b) Manager of Environmental & Building Services - Municipal Ticketing Bylaw No. 1957

To introduce a new Municipal Ticketing Information Bylaw

The Committee of the Whole Recommends to Council to receive the report and refer the issue to the June 24th, 2013 Regular Council Meeting to rescind Bylaw No. 1378 and all the amendments thereto and further that the new Municipal Ticketing Information Bylaw No. 1957 be considered for the first three readings.

- c) Manager of Environmental & Building Services - Park Access Bylaw No. 1959

To introduce a new Park Access Bylaw

The Committee of the Whole Recommends to Council to receive the report and refer the issue to the June 24th, 2013 Regular Council Meeting to rescind Bylaw No. 1355 and all the amendments thereto and further to request that the new Park Access Bylaw No. 1959 be considered for the first three readings.

- d) Manager of Environmental & Building Services - Unsightly Premises Bylaw No. 1962

To adopt a new Unsightly Premises Bylaw

The Committee of the Whole Recommends to Council to receive the report and refer the issue to the June 24th, 2013 Regular Council Meeting to rescind Bylaw No. 1680 and all amendments thereto, and further to request, that the new Unsightly Premises Bylaw No. 1962 be considered for the first three readings.

e) Manager of Environmental
& Building Services - Noise
Control Bylaw No. 1963

To adopt a new Noise Control Bylaw

The Committee of the Whole
Recommends to Council to
receive the report and refer the
issue to the June 24th, 2013
Regular Council Meeting to
rescind Bylaw No. 1681 and
further that the new Noise
Control Bylaw No. 1963 be
considered for the first three
readings.

f) Manager of Environmental
& Building Services - Building
and Plumbing Bylaw No. 1964

To adopt a new Building and
Plumbing Bylaw

The Committee of the Whole
Recommends to Council to
receive the report and refer the
issue to the June 24th, 2013
Regular Council Meeting to
rescind Bylaw No. 1743 and the
Minimum Maintenance
Standards Bylaw No. 999, and
further request that the new
Building and Plumbing Bylaw No.
1964 be considered for the first
three readings.

g) Manager of Environmental
& Building Services – Fire and
Safety Bylaw No. 1965

To adopt a new Fire and Life Safety
Bylaw

The Committee of the Whole
Recommends to Council to
receive the report and refer the
issue to the June 24th, 2013
Regular Council Meeting to
rescind Bylaw No. 1320, and
further request that the new Fire
and Life Safety Bylaw No. 1965
be considered for the first three
readings.

7. **INFORMATION ITEMS:**

none

8. **CORRESPONDENCE ITEMS:**

none

9. **LATE ITEMS:**

10. **REPORTS, QUESTIONS AND
INQUIRIES FROM MEMBERS OF
COUNCIL (VERBAL)**

11. **QUESTION PERIOD FROM THE
PUBLIC**

Attendees in the gallery may ask
Council questions at this time.

Hear Presentations and refer any
issues for further discussion.
Hear from the Public

12. **ADJOURNMENT**

Adjournment

**THE CITY OF GRAND FORKS
REQUEST FOR COMMITTEE OF THE WHOLE RECOMMENDATION
DELEGATION**

DATE : June 3rd, 2013
TOPIC : Presenting a request from the Boundary Country Regional Chamber of Commerce for a \$10,000 financial contribution for a fee for service
PROPOSAL : Presentation by James Wilson, Executive Director and Chuck Bennett, Chair of the Boundary Country Regional Chamber of Commerce
PROPOSED BY: The Boundary Country Regional Chamber of Commerce

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SUMMARY:

James Wilson, Executive Director and Chuck Bennett, Chair of the Boundary Country Regional Chamber of Commerce are presenting to Council to request financial support in the amount of \$10,000 for a fee for service to:

1. Establish a Boundary wide community events calendar
2. Provide support and resources and grow the relationship with the Downtown Businesses group
3. Work in partnership with the Thompson Okanagan Tourism Association to update the Boundary Country Tourism website www.boundarybc.com
4. Develop the Community Ambassador Program and integrated community calendar

STAFF RECOMMENDATIONS:

The Committee of the Whole recommends to Council to receive the presentation and refer any issues for further discussion.

OPTIONS AND ALTERNATIVES:

1. Receive the presentation and refer any issues for further discussion: Under this option, Council to receive the presentation made by James Wilson, Executive Director of the Boundary Country Regional Chamber of Commerce and Chuck Bennett, Chair, regarding the Chamber's request to the City to provide financial support in the amount of \$10,000 for a fee for service.

2. Receive the presentation: Under this option, Council is provided with the information on the Boundary District Arts Council's proposal.

BENEFITS DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1: The main advantage of this option is that information is provided to the City and the Community.


Option 2: Same as Option 1.

COSTS AND BUDGET IMPACT - REVENUE GENERATION:


There is no cost to making the presentation

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

Council procedures bylaw makes provisions for making presentations to Council.



Department Head or Corporate
Officer or Chief Administrative Officer



Reviewed by Chief
Administrative Officer

Council Delegations

Request that you consider: making a \$10,000 financial contribution to the Boundary Country Regional Chamber of Commerce

The Reason(s) that I/We are requesting the action are:

- To support the City of Grand Forks "...intention... to make the City of Grand Forks the best place to visit, work and live for all who are here and for all who may make their way here in the future." (City of GF website)
- Specifically to provide support toward the research, investigation, community consultation, and potential establishment of:
 - a Community Ambassador Program (CAP)
 - an integrated, comprehensive, Boundary-wide community events and activities calendar

I/We believe that in approving our request the community will benefit by:

- the potential establishment of a Boundary-wide community events calendar
- partnership with the Downtown Business merchants society or BIA
- BCRCC working in conjunction with TOTA to update the BC Country tourism website
- Having the BCRCC do the legwork and create the business case for the CAP and integrated calendar

I/We believe that by not approving our request the result will be:

- Poor PR in the local community that has the most to gain per capital from the Regional Chamber initiative
- Perception of lack of commitment to the other community partners making financial and in kind contributions
- A financial strain on the still evolving/growing Regional Chamber

In conclusion, I/We request that Council for the City of Grand Forks adopt a resolution stating:

- The Granting of \$10,000 to the Boundary Country Regional Chamber of Commerce.

James Wilson Executive Director
Chuck Bennett Board Chair
Boundary Country Regional Chamber of Commerce
1647 Central Ave, Box 2949. Grand Forks, BC. V0H 1H0
250-442-2722
James@boundarycf.com

THE CITY OF GRAND FORKS

REQUEST FOR COMMITTEE OF THE WHOLE

DELEGATION

DATE : June 3rd, 2013

TOPIC : Presenting Grand Forks and Boundary Agricultural Society Food Charter

PROPOSAL : Requesting that Council direct the Environment Committee to take on a role of continued support regarding Food Security issues with the Grand Forks and Boundary Regional Agricultural Society

PROPOSED BY: Sheila Dobie and Jan Westlund of Grand Forks and Boundary Regional Agricultural Society

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SUMMARY:

Requesting that Council direct the Environment Committee to take on a role of continued support regarding Food Security issues with the Grand Forks and Boundary Regional Agricultural Society. GFBRAS has recently submitted an application for a Food Security Proposal to Interior Health that is directly connected to issues identified in the Food Charter. GFBRAS feels that in order to move the Food Charter forward a solid working relationship with the City of Grand Forks around food security issues is important.

STAFF RECOMMENDATIONS:

Staff recommends to Council to receive the presentation made by the Grand Forks Boundary Regional Agricultural Society and refer to the Environment Committee for further discussion.

OPTIONS AND ALTERNATIVES:

1. Staff recommends to Council to receive the presentation made by the Grand Forks and Boundary Regional Agricultural Society with regard to a proposed Grand Forks Food Charter and refer the request for the Environment Committee to provide support regarding Food Security issues to the Environment Committee for further discussion and recommendation from the Committee to Council.
2. Receive the presentation and refer any issues for further discussion.

BENEFITS DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1: The main advantage of this option is that information is provided to the City and the Public.

Option 2: The main advantage is the same as Option 1.

COSTS AND BUDGET IMPACT - REVENUE GENERATION:

There is no cost of making the presentation.

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

Council procedures bylaw makes provisions for making presentations to Council.


Department Head or CAO


Chief Administrative Officer

Council Delegations

Background

Council for the City of Grand Forks welcomes public input and encourages individuals and groups to make their views known to Council at an open public meeting.

Council needs to know all sides of an issue, and the possible impacts of any action they make take, prior to making a decision that will affect the community. The following outline has been devised to assist you in preparing for your presentation, so that you will understand the kind of information that Council will require, and the expected time frame in which a decision will be forthcoming. Council may not make a decision at this meeting.

Presentation Outline

Presentations may be a maximum of 10 minutes.

Your Worship, Mayor Taylor, and Members of Council, I/We are here this evening on behalf of _____ Grand Forks and Boundary Agricultural Society.

to request that you consider _____ to further the momentum around the adopted Food Charter

we would also like to request that the Environment Committee be tasked to take on the role of continued Food Security issues with the Ag. Society.

The reason(s) that I/We are requesting this action are:

The Ag. Society is underway with an application for a Food Security proposal with Interior Health that is directly connected to issues identified in the Food Charter.

This project will allow both the City of Grand Forks and the Ag. Society to establish

a solid working relationship around food security issues inherent in the Food Charter as well as participate in diverse community

conversations around the needs and visions for food security - across the region.

I/We believe that in approving our request the community will benefit by:

clearly defining the values and goals, and planning around food security and sustainable local food capacity

that serves and assists the community with future decisions and policies.

It will demonstrate a community wide acknowledgement that food and food production is fundamental to our identity.

(over)

Council Delegations (cont.)

I/We believe that by not approving our request the result will be:

a loss of opportunity to work with concrete community initiatives focused on food security values, that recognize the value of our food

production capacity. It will also divert momentum away from key issues such as:

food production on residential properties, genetically modified crops and seeds, pesticide and herbicide use within the municipality,

and other key issues related to this food charter, and the development of conscientious food security policies.

In conclusion, I/we request that Council for the City of Grand Forks adopt a resolution stating: _____ that the Council will continue to work with the AG Society and their Food Security project

utilizing the functions of their Environment Committee,

and that the submitted Food Charter from April 2nd continue to be a basis for on-going discussion

and details for the food security components of the City of Grand Forks Sustainable Community Plan.

Name: _____ Sheila Dobie- Vice President and Jan Westlund- Director

Organization: _____ Grand Forks and Boundary Agricultural Society

Mailing Address: _____ 5615 Spencer Road, Grand Forks, BC
(Including Postal Code)

Telephone Number: _____ 250-442-8583

Email Address: _____ boundaryfarms@gmail.com

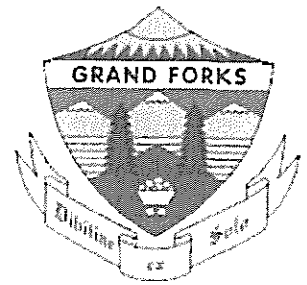
The information provided on this form is collected under the authority of the Community Charter and is a matter of public record, which will form a part of the Agenda for a Regular Meeting of Council. The information collected will be used to process your request to be a delegation before Council. If you have questions about the collection, use and disclosure of this information contact the "Coordinator" City of Grand Forks.

N:Forms/Delegation form

Form may be submitted by email to: info@grandforks.ca

THE CORPORATION OF THE CITY OF GRAND FORKS

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



April 24th, 2013

Grand Forks and Boundary Regional Agricultural Society
Box 1328
Grand Forks,
V0H 1H0

Attention: Roly Russell

Dear Roly,

Thank you for your presentation of the Grand Forks Food Charter to City Council at the Regular Meeting of Council on April 2nd, 2013.

The proposed food charter reflects the vision that Council articulated in the 2011 Sustainable Community Plan around the conservation of energy and water and supports the sustainability of food production as per section 13.

Council would like to offer our support of the Grand Forks Food Charter as a statement of values, principles and priorities that may act as a guide and first steps in moving food sustainability forward in the City of Grand Forks and broader Boundary region.

Council encourages the Grand Forks and Boundary Regional Agricultural Society to continue your good work in fostering a community based food system and wishes you well with this initiative in the future.

Yours truly,

Brian Taylor,
Mayor

A handwritten signature in black ink that reads "Brian Taylor". The signature is written in a cursive style with a large, sweeping "B" and "T".

**THE CITY OF GRAND FORKS
REQUEST FOR COMMITTEE OF THE WHOLE
RECOMMENDATION
DELEGATION**

DATE : June 3rd, 2013

TOPIC : Requesting Council provide interim funding of up to \$10,000 to the Whispers of Hope Benevolent Society

PROPOSAL : Presentation by the Whispers of Hope Benevolent Association

PROPOSED BY: Jake Raven and Louise Heck of the Whispers of Hope Benevolence Association

SUMMARY:

Jake Raven and Louise Heck of the Whispers of Hope Benevolence Association request for the City of Grand Forks to provide funding in the amount of \$10,000 to bridge the shortfall in the current year funds thus helping to sustain the Whispers of Hope as they move towards a self sustaining operating model.

STAFF RECOMMENDATIONS:

The Committee of the Whole recommends to Council to receive the presentation and refer any issues for further discussion.

OPTIONS AND ALTERNATIVES:

1. Receive the presentation and refer any issues for further discussion: Under this option, Council to receive the presentation given by Jake Raven and Louise Heck of the Whispers of Hope Benevolence Association, and further discuss their request for the City to provide interim funding of up to \$10,000.
2. Receive the presentation: Under this option, Council is provided with the information on the Whispers of Hope Benevolent Association request for funding.

BENEFITS DISADVANTAGES AND NEGATIVE IMPACTS:


- Option 1: The main advantage of this option is that information is provided to the City and the Community.
- Option 2: The main advantage is the same as Option 1.


COSTS AND BUDGET IMPACT - REVENUE GENERATION:

There is no cost to making the presentation.

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

Council procedures bylaw makes provisions for making presentations to Council.


Department Head or Corporate
Officer or Chief Administrative Officer


Reviewed by Chief
Administrative Officer

From: j&traven@telus.net
Jake Raven and Louise Heck <j&traven@telus.net>

5/28/2013 ...

RECEIVED

Subject: [BULK] New Delegation Form Submission from Jake Raven and Lou...

MAY 29 2013

To: Info City of Grand Forks

THE CORPORATION OF
THE CITY OF GRAND FORKS

Your Worship, Mayor Taylor, and Members of Council, I/We are here this evening on behalf of:

Whispers of Hope Benevolence Association

To request that you consider:

Interim operating funding up to \$10,000 to bridge shortfall in current year funds to sustain Whispers of Hope as we move toward a self sustainable operating model.

The reasons that I/We are requesting this action are:

Whispers of Hope provides hot lunches, surplus bread and a community of belonging to some of Grand Forks neediest citizens, some of whom have significant mental and physical health concerns.

Despite the rising cost of living, other levels of government have not increased living allowances for disability or income assistance for several years. This is forcing more individuals (and families) to rely on Whispers of Hope.

In addition, there has been a reduction in gaming grants which is currently our main source of funding. We are seeing more individuals in need and we are receiving less funding.

I/We believe that in approving our request the community will benefit by:

Our neediest citizens will have hot lunches, surplus bread and a feeling belonging and not be compelled to panhandle or scrounge for basic needs. Also, Whispers of Hope is an informal checkpoint where we notice if someone has not been seen or is not well and where Public Health can distribute toothbrushes and resources. This all makes for a healthier community.

Whispers of Hope will be able to continue to provide the basic services we now provide until we set up in our new location, We project that once our Thrift Store is more accessible it will eventually generate enough revenue to sustain the program and provide valuable learning opportunities and possible employment. .

I/We believe that by not approving our request the result will be:

Whispers of Hope may be forced to cease operations, at least temporarily, as we head into the cooler months. We may also be compromised in our participation in the Multi Agency Accommodation Project (MAAP)

In conclusion, I/we request that Council for the City of Grand Forks adopt a resolution stating:

The City of Grand forks will cover shortfall in Whispers of Hope Operational funding for the 2013 fiscal year to a maximum of \$10,000 to enable Whispers of Hope to enter into MAAP project with BETHS and Habitat for Humanity . The City Recognises that this will assist Whispers of Hope in moving toward becoming a self funding social

FILE CODE

WHISPERS OF HOPE
D2 - Benevolence Assoc.

enterprise.

Name

Jake Raven and Louise Heck

Organization

Whispers of Hope Benevolence Association

Mailing Address

PO Box 1561
235 Central Avenue
Grand Forks, BC V0H 1H0
[Map It](#)

Telephone Number

(250)442-1291

Email Address

j&traven@telus.net

THE CITY OF GRAND FORKS REQUEST FOR COMMITTEE OF THE WHOLE RECOMMENDATION

DATE : May 29, 2013

TOPIC : Volunteer Appreciation Night

PROPOSAL : Call for Nominations – Policy #204

PROPOSED BY : City Staff

SUMMARY:

In August, 2009, Council adopted a policy outlining procedures, for the giving of recognition to a volunteer or a group of volunteers for service above and beyond of those generally performed in the Community. A copy of the policy is attached for reference. The policy outlines that prior to giving any recognition of volunteers; the City must call for nominations publicly in a Regular Meeting of Council and through the City's newsletter. There are no time frames attached to the policy. Staff is proposing that the Volunteer Appreciation Night be held on Thursday, October 24th, 2013. In this regard, it is being proposed that the Call for Nominations be announced publicly at the June 24th, 2013 Regular Meeting. Nomination forms will be available at the City Hall reception desk and on the City's Website. Completed nominations must be submitted to City Hall either by person or electronically by Friday, August 29th, 2013. The venue for this event will be at Gallery 2 in the Heritage Courthouse building.

STAFF RECOMMENDATIONS:

Option 1: The Committee of the Whole recommends to Council to receive the information with regard to the proposed 2013 Volunteer Appreciation Evening and refers the Call for Nominations to the June 24th Regular Meeting.

OPTIONS AND ALTERNATIVES:

Option 1: The Committee of the Whole recommends to Council to receive the information with regard to the proposed 2013 Volunteer Appreciation Evening and refers the Call for Nominations to the June 24th Regular Meeting.

Option 2: Council declines to proceed with the proposed call for nominations. In declining to proceed with the call for nominations for exceptional volunteer service, Council will effectively be contravening their own policy and no Volunteer Appreciation Evening would be organized.

BENEFITS, DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1: Proceeding with the public call for nominations, signals to the public that Council will publicly recognize individuals or groups of individuals who have gone above and beyond in serving our community as a volunteer. A further benefit to this option is the fact that Council is seen as acting on Council policy. There is no disadvantage to this option.

Option 2: Declining to call for nominations for volunteer recognition will contravene City Policy. Council may choose an alternative date if it is determined that the proposed date is not convenient for the majority of the Members of Council.

COSTS AND BUDGET IMPACTS – REVENUE GENERATION:

There are costs to hosting a Volunteer Appreciation night, which are normally budgeted for on an annual basis. Costs for this evening in the past number of years have averaged around \$1,000.

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

Council Policy outlines the procedure for the recognition of special volunteers.



Department Head or CAO



Reviewed by Chief Administrative Officer

CITY OF GRAND FORKS

POLICY TITLE: Volunteer of the City

POLICY NO: 204

EFFECTIVE DATE: August 17, 2009 **SUPERSEDES:**

APPROVAL:

Council

PAGE:

1 of 1

POLICY:

Council may give recognition to a volunteer or a group of volunteers for service above and beyond of those generally performed in the Community.

PROCEDURE:

When Council is giving consideration to the recognition to an individual or group, it shall make its deliberations “in camera” and when a decision to give recognition has been made, it shall then be announced by the Mayor at the Annual Community Volunteer Recognition Evening.

Further, when giving consideration to recognizing a special volunteer, Council may consider the following criteria:

- the individual or group should be honoured for its volunteer work in the City of Grand Forks or for volunteer work that has had an impact on the City of Grand Forks
- the individual or group should not have been paid or received any form of financial remuneration for the work or activity for which the volunteer is being considered
- The individual or group should have made a significant commitment to the community to be considered for the recognition.
- There is substantial support from the Community through letters of recommendations outlining the volunteerism history and the impact on the community.
- A special volunteer recognition may be given after the passing of the individual.
- Prior to giving any recognition of volunteer of the year, the City must call for nominations publicly in a Regular Council meeting and through the City's Newsletter.

CITY OF GRAND FORKS
EXCEPTIONAL VOLUNTEER SERVICE
NOMINATION FORM

PERSON /OR GROUP BEING NOMINATED

(Please print clearly with **correct spelling**)

SHORT BIOGRAPHY OF THEIR VOLUNTEER SERVICES (which will be read that evening):

ARE THEY, HE, SHE ABLE TO ATTEND THE VOLUNTEER EVENING? _____

YOUR NAME OR GROUP: _____

PLEASE PROVIDE A PHONE NUMBER OR EMAIL ADDRESS THAT WE MAY CONTACT IN EVENT
THAT YOUR NOMINATION IS ACCEPTED AS ONE OF THE AWARDS FOR THIS YEAR: _____

All Nominations need to be submitted to City Hall by August 29th, 2013



CITY OF GRAND FORKS MEMORANDUM

Settle down.

DATE : May 28th, 2013

TO : Mayor and Council

FROM : Diane Heinrich
Corporate Officer/Manager of Community Services

SUBJECT: Options to Grant In Aid Funding

At the April 2nd, 2013 Committee of the Whole Meeting, Council engaged in a discussion with regard to the current Grant in Aid policy. The following major concerns were discussed:

- There is an economic impact to the community regarding support for events that the current Grant in Aid policy does not support.
- A concern regarding how groups are chosen for funding provisions and how funding is distributed is much like a lottery system.
- It was commented on that Grant in Aid is tax payer dollars and the City can and does show support in other ways such as in-kind support. Further it was commented that tax payer dollars already go towards supporting amenities, for example parks, that requesting groups use.

In addition, Council offered some comments and suggestions that could possibly take the place of their current policy. These suggestions were as follows:

1. The use of an **umbrella organization** such as the Phoenix Foundation, and if they had the capacity to distribute amounts of funding provided from the City as directed by Council, to community organizations.
2. **Fee for Services** – whereas Council would grant a determined amount of funding to an organization contingent on a community service agreement between the two parties. The organization entering into the agreement would be obligated to provide determined community services in lieu of funding.
3. **A Community Spirit Event Funding Program** - A suggestion that a City fund (community spirit fund) could be developed that would support a determined amount of events a year that the city would contribute to; these events would prove to be a benefit to the whole community, i.e. Canada Day – and that those groups who sought grant in aid funding could fundraise at these events.

Council referred the issues to their Regular Meeting on April 2nd, whereas Council adopted a resolution that rescinded their Grant in Aid Policy, and additionally resolved to direct staff to bring forward options, such as a "Community Spirit" program, which could include community event oriented funding, for Council's consideration. Since the policy was rescinded, requests to Staff regarding Grant in aid have diminished.

* * *

Staff would like to advise that they struggled with numerous challenges when developing this report. Taking into consideration, Council's concerns and suggestions, Staff has compiled and prepared the following information and suggestions for Council's consideration and discussion:

Additional Resources For Organizations

Prior to the City granting any monetary funding to organizations, a directive should be given to the organizations to research other granting options which may be able to them:

1. Provincial and Federal Grants Access

The City could provide funding "pathways" to Provincial & Federal Grants such as the "Building Communities through Arts and Heritage", for one, whose reason for their existence is to support organizations and societies. Council could choose to be the last resort for funding requests or not. A Staff recommendation with this regard is that Council directs Staff to gather Grant information geared to assist organizations and groups within the community requiring funds, and to make the information available on the City's Website on an annual basis.

2. Letters of Support to Organizations

An additional provision to developing the Social Fabric to the community, Staff is recommending that Council consider Council directs City Staff to submit "Letters of Support" as part of those organizations' grant application process upon request from those organizations and giving a reasonable time frame for Staff to be able to submit.

3. The Use of an Umbrella Association to distribute funds to organizations on behalf of Council

Staff looked into the fundamentals with regard to the Phoenix Foundation and its policy on funding distribution:

- The foundation builds permanent, income earning endowment funds from charitable gifts and donations (dollars) (An endowment fund is an investment fund that is set up by an institution in which regular withdrawals from the invested capital are used for ongoing operations or other specified purposes)
- The Phoenix Foundation uses the interest earned from the invested donations to provide grants to local initiatives and groups in the Boundary region
- Grants go to a wide range of projects that are of benefit to the area and provide a service to the community or take an innovative approach to addressing needs and issues with the area. Focus areas are:
 - animal welfare
 - arts and culture
 - children and families
 - elderly and special care
 - environment
 - health and welfare
 - libraries and education
 - social justice
 - youth
- Funds can be set up to meet different needs and match the specific goals of the donor (i.e. The City of Greenwood has a fund that grants only to projects that involve the City of Greenwood.)
- Money is distributed twice a year by the Grants Committee who assesses the proposals based on criteria established by the board and then makes recommendations to the board for final approval to eligible applicants that include registered charities and qualified donees - a sponsoring relationship can be arranged for groups that are not qualified donees
- The endowments are managed by the Investment Committee
- Funds cannot not be used for operational expenses
- Funds are distributed regionally (unless designated to a specific fund)
- As per the granting policy, sports organizations cannot access funds
- 1% of the revenue generated from investments pays for administration costs in the foundation
- This year the foundation has \$1.5 million invested and has \$20,000 to give out in grant funds
- The core investment amount is never granted out.

Pros

- Council may determine a set amount of funds to contribute to the Phoenix Foundation and specify that the organization use the funds to grant only to projects that involve the City of Grand Forks. Those groups approaching the City for funding would be referred to the Foundation
- The Phoenix Foundation covers an array of eligible needs for social, education, arts and culture, health and environment.

Cons

- The initial funds as determined by Council would be added to the foundation “pot” and not directly to the groups that are looking for funding. As shown above, only \$20,000 for 2013 is planned for disbursement from their total funds of \$1.5 million.
- Sports organizations do not have access to funds. One of Council’s main concerns was the exclusion of some groups when distributing funds from the past Grant in Aid policy.
- Someone else is making a decision that should be with Council.

4. Fees for Service

Council could request that some organizations could provide a service to the City and/or community in lieu of funding.

For example, the following organizations are currently included within the current Budget process:

- The Funding agreement for the Art Gallery could essentially be regarded as a fee for service as they operate the Visitor’s Information Centre (who partners with the City for booking the accommodations for the campground). Council may determine that the Art Gallery could have the provision to provide other services geared to the benefit of the community.
- The Boundary Museum Society is currently reviewing a funding agreement “fee for service” as presented by the City as a response for their 2013 Funding request which is included in the 2013-2017 Financial Plan. Their services include the care and security of the community and area’s artifacts, and a commitment to archiving the City’s records in the basement of City Hall

At the Committee of the Whole Meeting on April 2nd, 2013, the Boundary District Arts Council made a presentation to Council requesting funds in the amount of \$4,500 in order for the group to be able to receive matching funds from the Provincial Arts Council. These funds were included in the City’s Financial Plan. A possible consideration for future funding as a fee for service:

- In conjunction with the “Community Spirit Fund” suggestion by Council (as below), a group, such as the BDAC could provide, as a fee for service to the community in lieu of funding, to become the organizer/liaison to the smaller groups involved in community events, in addition to working with the City’s Corporate Community Services with regard to the events. The City would need to clearly define its requirements in this role by providing a “call for submission” for a Lead Coordinator which would outline the expectations required.

Council to direct Staff to prepare a “Call for Submissions” for a registered non-profit Community organization to apply for a provision of a “Fee For Service” as

Lead Coordinator for larger, City Sponsored Community events and work in conjunction with the City's Community Services Department by a specific date each year and as outlined in a potential policy.

5. A Community Spirit Event Funding Program

An event funding program would have the intent to benefit the community/area as a whole by granting in-kind services and/or funding towards events themselves:

Granting of "In-Kind" City Services

The City offers "in-kind" funding through various event requests by organizations throughout the year. While although no money changes hands, some events can incur a significant *in-kind to dollar* amount via wages paid to employees who are dedicating their time to City assistance for and during an event and also by use of City equipment such as loaders, water trucks, sound system, etc. In 2012, the City incurred a total of \$45,606. of in-kind contributions to anchor events and smaller various events as indicated below:

Smaller Events in addition to the use of City space, smaller events request in-kind needs, such as use of barricades, picnic tables, etc. Additionally, these smaller events may not be on a yearly regular basis, and therefore annual budgeting is difficult to predict. In 2012, the City provided in-kind services to various events in the amount of \$10,172. This amount would encompass Remembrance Day, last year's Fly-in Appreciation, "Light-up" Christmas event, Farmer's Market, Music in the Park and Relay for Life to name a few. Council may determine that Staff allocate a yearly budgeted "in-kind" amount based on past event experience for small events within the community of Grand Forks.

Anchor Events such as the Grand Forks Fall Fair event incurred approximately \$6,186 in-kind in 2012 plus \$500 granted to sponsor a chuck wagon; the Grand Forks International event incurred \$28,052 in-kind (includes event set up/take-down \$9,821; washroom clean-up \$4,848; electrical \$2,465; bleachers and stadium \$5,794; turf management \$5,124), and Canada Day incurred \$1,196 in-kind, as well as an additional \$800 in funding from the City.

1. AN EVENT HOSTING GRANT POLICY PROPOSAL

OPTION 1: Council may choose to put into place an "Event Hosting Grant Policy" where organizations who host community or anchor events would submit applications for in-kind services and/or monetary requests by a deadline date that would align with the yearly budgeting process. This Hosting Grant would generally apply to the yearly regularly scheduled events and larger one-offs which organizations would have pre-planned. Once an application comes in, Staff would review the in-kind requests and place a dollar figure to it as well as

tabulating any funding requests for the event. Council would consider those applications within the financial plan budgeting process.

OPTION 2: Another way of dealing with an event hosting grant policy is that Council may choose to allocate a set amount of funding to go towards an event hosting grant within the budgeting process. The organizations would have to fill out an events hosting grant at least 90 days prior to the event. This option would allow organizations the chance to apply throughout the year rather than plan a whole year ahead.

Pros

An Event Hosting Grant Policy may promote other groups and organizations to collaborate with smaller groups who would also benefit from the event, and may encourage future yearly community or anchor events to be developed.

Funding for events would be included in the Financial Plan and Option 1 would reduce individual organizations requesting funds which might not be included in the budget throughout the year.

Pre-applications would assist Staff in scheduling City venues and developing Park Use Agreements (if required) ahead of schedule.

Cons

In Option 1, events not planned in time for deadline considerations (or last minute) would risk being excluded from receiving City monetary or in-kind funding (unless they fall under the small event category).

Organizations who request the same functions on a yearly may require some guidance from the City during the first year in order to meet the City's Policy requirements

An Event Hosting Grant Policy could be perceived as "Cherry Picking" if the amount of requests for in-kind and monetary exceeds more than what Council is prepared to place in the budget. Inasmuch, Council would still have the choice to provide reduced monetary/in-kind grants other than what an organization(s) is requesting. Differentiating from the traditional Grant in Aid Policy, an event hosting grant policy, upon following a proper set of criteria that the organizations would be required to adhere to in order to qualify for the Grant, would ensure that the Community as a whole would have a chance to benefit from the event in such ways as:

- Provisions of venue for sports activities or culture for the community
 - Economic impact of the event
 - Possible encouragement of out of town visitors
- Provision of opportunities to increase sales for the local business community
 - Possible demonstration of partnerships with other organizations

Council, if they so chose, could request that Staff develop an Event Hosting Grant Policy with a determined set of criteria requirements, for their consideration.

2. CITY SPONSORED EVENTS

To date, the sole “City Sponsored Event” is the Volunteer Appreciation Evening whereas the City foots the bill and organizes the event. This is usually held in October where the community’s volunteers are recognized (as per submission of nominations which Council considers) for their volunteer work throughout the year. The cost of this event is around a \$1,000 which includes refreshments and the cost of certificates.

Of course, the City provides some form of sponsorship or support to almost every community event in one form or another as aforementioned as in-kind support (and some funding). Additionally, the City’s newly formed Community Services Department, assists and oversees the requests from organizations and groups pertaining to Event Requests to use City facilities and services.

As part of the Community Spirit Event Funding Program, Council may choose, as an option, to consider hosting one or two Community Festivals per year. The festivals could essentially be a three to five day event, and for example, hosting a Summer Festival and a Winter Festival.

a. POSSIBLE SCENARIO FOR FESTIVAL(S)

“City Sponsored” would mean that the City would supply a determined amount of funding both monetary and in-kind, towards the event that would intend to take care of advertising and schedules of the event, shuttle provisions (if needed), City owned venues, public works labour & equipment requirements, shade support-creation (summer), leashed pet watering stations (summer), snow clearing (winter), and sub event requests (see below) from various non-profit organizations. These sub-event requests could be considered on an equal division basis, where provisions could be divided fairly by 1) sports requirements, 2) arts & culture, 3) family entertainment and 4) music. Within the creation of the event, businesses may want to do sidewalk sales, etc. as well as various food vendors.

An organization, such as the Boundary District Arts Council, just for an example, (see aforementioned Fee for Service piece) could potentially be the “Head” organizer under the guidance and support from the City’s Community Services Department. The City would submit a “Call for sub-event requests for the festival” where smaller organizations would apply for their own event within the festival, and would have to submit these to the City prior to a designated deadline. As with the proposed Event Hosting Grant, these requests would clearly outline all

in-kind and monetary requests from the City. As a municipality, the City is unable to directly support businesses but can support the event itself which would be open to the community as well as to out of town visitors as well as out of town sports teams, artists, and entertainers. These requests would be compiled by the City's community services department and relevant portions delegated to Public Works. The head organizer would assist the smaller groups and organizations in coordinating the event. The in-kind City Services and approved funding would be channeled from Community Services and distributed where required.

b. STATUTORY HOLIDAYS OPTION

In place of, or in addition to the festival(s) option, Council may chose to provide some funding toward some of the Statutory Holidays such as Family Day in February; Easter; Canada Day. This type of community spirit funds may come in the form of the City providing a form of free community entertainment that could be enjoyed by all; for examples a "face painter" or "clowns" for Canada Day, a magician for Family Day or an arrangement of "free skating" at the arena in partnership with the Regional District.

Council may chose to direct Staff include funds within the next budgeting process in the fall to go towards festival event(s) and/or statutory holiday events.

* * *

CONCLUSION

As a snapshot of the above memorandum, Staff included some options that the Committee of the Whole may recommend to Council to consider as possible solutions to assist organizations and the community as follows:

Options for COTW Recommendations to Council:

1. Provincial and Federal Grants Access

Council directs Staff to gather Grant information geared to assist organizations and groups within the community requiring funds, and to make the information available on the City's Website on an annual basis.

2. Letters of Support to Organizations

Council directs City Staff to submit "Letters of Support" as part of those organizations' grant application process upon request from those organizations and giving a reasonable time frame for Staff to be able to submit.

3. Use of an Umbrella Organization

Council may determine a set amount of funds to contribute to the Phoenix Foundation and specify that the organization use the funds to grant only to projects that involve the City of Grand Forks

4. Fees for Service

Council to direct Staff to prepare a "Call for Submissions" for a registered non-profit Community organization to apply for a provision of a "Fee For Service" as Lead Coordinator for larger, City Sponsored Community events and work in conjunction with the City's Community Services Department by a specific date each year and as outlined in a potential policy.

5. A Community Spirit Event Funding Program

Council may determine that Staff allocate a yearly budgeted "in-kind" amount based on past event experience for small events within the community of Grand Forks.

Council, if they so chose, could request that Staff develop an Event Hosting Grant Policy with a determined set of criteria requirements, for their consideration.

Council may chose to direct Staff include funds within the next budgeting process in the fall to go towards festival event(s) and/or statutory holiday events.

Regards,

A handwritten signature in blue ink, appearing to read 'D. Heinrich', with a long, sweeping underline.

Diane Heinrich
Corporate Officer/
Manager of Community Services

THE CITY OF GRAND FORKS

REQUEST FOR COUNCIL DECISION

DATE : May 29th, 2013

TOPIC : Monthly Highlight Reports from Department Managers

PROPOSAL : Council to Receive the Monthly Activity Reports

PROPOSED BY : City Staff

SUMMARY:

The Managers of each department will submit a brief report of their highlighted projects and tasks from the past month for Council's and the Public's information. This new reporting plan intends to provide a snapshot of some of the tasks and projects that each department may be working on so that Council and members of the public may get a "peek" at some of the daily operations of City Staff, and of projects that are being worked on at present.

STAFF RECOMMENDATIONS:

That Council receives the monthly highlight report from the department managers.

BENEFITS, DISADVANTAGES AND NEGATIVE IMPACTS:


The main advantage is that Council is apprised of projects and activities which are currently being undertaken.

COSTS AND BUDGET IMPACTS – REVENUE GENERATION:

There is no cost attached to the report of Staff

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

As part of good legislative practice, Council is provided with information regarding daily operations at Public Works, the Fire Department and City Hall.



Department Head or Corporate Officer
Or Chief Administrative Officer



Reviewed by Chief Administrative
Officer



THE CORPORATION OF THE CITY OF GRAND FORKS

STAFF REPORT FROM

Environment and Building Construction
Wayne Kopan

FOR THE MONTH OF MAY, 2013

THIS MONTH'S HIGHLIGHTS:

- ✓ Review and follow up on Complaints
- ✓ Lease Agreement with MAPP (Habitat for Humanity)
- ✓ Lease Agreement for the Wildlife Hall (Baptist Church)
- ✓ Preparing Bylaws
- ✓ Forms, fees and documents for the Building Inspection Office
- ✓ Currently taking the Building Inspectors Course through BCIT
- ✓
- ✓
- ✓
- ✓
- ✓
- ✓
- ✓
- ✓



THE CORPORATION OF THE CITY OF GRAND FORKS

STAFF REPORT FROM

DEPARTMENT – Development and
Engineering
MANAGER – Sasha J. Bird

FOR THE MONTH OF MAY, 2013

THIS MONTH'S HIGHLIGHTS:

- ✓ Commenced the Boundary Drive Culvert Replacement project – awaiting asphalt fillet to be completed, final inspection and remediation of any deficiencies noted – environmental remediation to be completed by City staff
- ✓ Commenced and completed the 2013 Dyke Inspections and Provincial reporting
- ✓ Re-commenced the Back-Up Generation project
- ✓ Continued the Downtown Beautification Upgrades
- ✓ Winnipeg Hotel Demolition commenced
- ✓ Welcome to Grand Forks Signage option chosen and awarded
- ✓ Brazilian Engineering Students commenced their work experience program
- ✓ Met with ROXUL and TCT Society Re Multi-Use Pathway from 68th Ave. to the Nursery Bridge
- ✓ Held start-up meeting Re Asset Management projects
- ✓ Continued work on MTI and accompanying bylaws
- ✓ Continued monitoring on the slag piles
- ✓ GFSS student job shadowed the City for a day



THE CORPORATION OF THE CITY OF GRAND FORKS

STAFF REPORT FROM

DEPARTMENT – Fire Department
Fire Chief – Dale Heriot

FOR THE MONTH OF May, 2013

THIS MONTH'S HIGHLIGHTS:

- ✓ The calls for April totaled 41 with 17 fire related, 1 rescue, and 23 first responder.
- ✓ Major structure fire in Ruckle area.
- ✓ Presentation to inside and outside city staff on EOC structure and function.
- ✓ Send 4 firefighters to Okanagan Spring Training Weekend.
- ✓ Fire Safety Presentation to Habitat for Humanity Group.
- ✓ Fire Safety Presentation to Selkirk Life Skills Group.
- ✓ Monitor Snow Pack levels for spring freshet.
- ✓ Work with Fortis to plan for installation of natural gas to training grounds.
- ✓
- ✓
- ✓
- ✓



THE CORPORATION OF THE CITY OF GRAND FORKS

STAFF REPORT FROM

ROXANNE SHEPHERD
CHIEF FINANCIAL OFFICER

FOR THE MONTH OF MAY, 2013

THIS MONTH'S HIGHLIGHTS:

- ✓ Still working through penny rounding issue in Vadim software
- ✓ Working through online reservation system for campground, tracking and accepting payment at the VIC
- ✓ Property Tax notices have been mailed out
- ✓ Sent reminder notices for overdue Business Licenses
- ✓ Completed the LGDE provincial reporting, working on SOFI
- ✓ RFDs for Water Bylaw, Sewer Bylaw, LAS bylaw, tax rates bylaw, Municipal Security Issuing Resolution, write-off mobile home taxes
- ✓ Presentation of audited statement from auditors, submitted statements to Province, MFA, agreed to trial balance, rolled year
- ✓ Audited on Residential Energy Credit, providing info requested
- ✓ Completed section of Annual Report, May newsletter, updated website
- ✓ Responded to financial plan enquiries, LAS complaint



THE CORPORATION OF THE CITY OF GRAND FORKS

STAFF REPORT FROM

DEPARTMENT – OPERATIONS
MANAGER – Hal Wright

FOR THE MONTH OF MAY, 2013

THIS MONTH'S HIGHLIGHTS:

- ✓ Installation of Hanging Baskets
- ✓ Completed Annual Spring Street Sweeping
- ✓ Road Line Painting
- ✓ Moved Pedestrian Crosswalk away from corner on Riverside Drive
- ✓ Installed New Traffic Island at 72nd Avenue and 8th Street
- ✓ Hired Summer Students for Parks and Campground Duties
- ✓ Installed Accent Lighting in Trees On Market Avenue
- ✓ Blocked City Park Parking Lot due to Flood Conditions
- ✓ Upgraded Well 3 and 3A Buildings and Site
- ✓ Recognized BCWWA Water Week and Held Open House at Well #3
- ✓ Painted Downtown Fire Hydrants
- ✓ Repaired Roof To Babe Ruth Building at JD Park
- ✓ Replaced Roof to City Campground Shack
- ✓ Installed New Decorative Brick on Downtown Central Avenue Blvds.



THE CORPORATION OF THE CITY OF GRAND FORKS

STAFF REPORT FROM

DEPARTMENT – Corporate
Administration/Community Services
CORPORATE OFFICER – Diane Heinrich

FOR THE MONTH OF MAY, 2013

THIS MONTH'S HIGHLIGHTS:

- ✓ Department prepared Agendas for May 21st and June 10th Council Meetings along with Paper Copies, Website Posting, Drafting Minutes, PowerPoint, Task List
- ✓ The Department compiled and distributed Weekly Summaries for May 3rd, 10th, 17th, 24th & 31st
- ✓ Working with Webmaster on City Web Page Rebuild
- ✓ Working with Webmaster to develop the City's events calendar
- ✓ Compiling and organizing yearly Annual Report as legislatively required
- ✓ Provided CAO support during May 13 to 17th in CAO's absence
- ✓ Worked with Regional and City Emergency Coordinator's during High Water Advisory during the middle of May
- ✓ Human Resources – conducted interviews with Chief Financial Officer for casual Administrative Assistants
- ✓ Organization of May Newsletter
- ✓ Research and development of report for Grant In Aid alternatives
- ✓ Development of Report Writing Guidelines to assist Staff

THE CITY OF GRAND FORKS

REQUEST FOR COMMITTEE OF THE WHOLE DECISION

DATE : May 27, 2013

TOPIC : Traffic Regulations Bylaw No. 1956

PROPOSAL : To Adopt a New Traffic Regulations Bylaw

PROPOSED BY : Manager of Environmental & Building Construction Services

SUMMARY:

The City's Traffic Regulations Bylaw 1004 was adopted in 1977 and is very out dated. The proposal is to have City Council adopt a new Traffic Regulations Bylaw 1956 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 when required 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 1004 and the amendment Bylaws numbered 1028 and 1029 associated with Bylaw 1004 and also rescind Bylaw 1810 known as Over Weight Restrictions Bylaw and the amendment thereto numbered Bylaw 1818. These bylaws are now addressed in the new Traffic Regulations Bylaw 1956. In doing this the City would remove two Bylaws and three amendments and have all the relevant information in one Traffic Regulations Bylaw.

STAFF RECOMMENDATIONS:

The Committee of the Whole recommends to Council to receive the report to introduce the new Traffic Regulations Bylaw and to further to request that the new Traffic Regulations Bylaw 1956 be referred to June 24, 2013 regular Council meeting for consideration of the first three readings in addition to rescinding Bylaw 1004 and Bylaw 1810 and the amendments thereto.

OPTIONS AND ALTERNATIVES:

Option 1: Council adopts a resolution to adopt the New Traffic Regulations Bylaw. This option will see the City having better control of non compliance issues within the municipality, and this will reduce the number of bylaws by removing two Bylaws and three amendments to create one new complete Traffic Regulations 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 old Traffic Regulations Bylaw 1004.

BENEFITS, DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1: The new Traffic Regulations Bylaw 1956 will ensure that offences against the bylaw can be enforced. This will also assist staff in the removal of derelict vehicles that currently litter many of the City's boulevards. With the assistance of the R.C.M.P. when required, the City will have better control of bylaw violations.

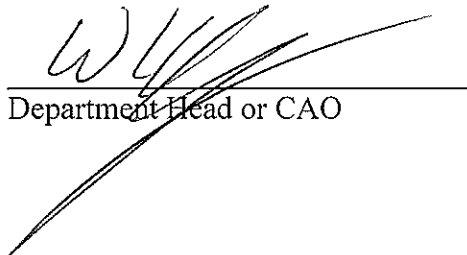
Option 2: The disadvantage of not bringing the new Traffic Regulations Bylaw 1956 forward is that several areas within the new bylaw are not currently covered in the existing Traffic regulations Bylaw1004.

COSTS AND BUDGET IMPACTS – REVENUE GENERATION:

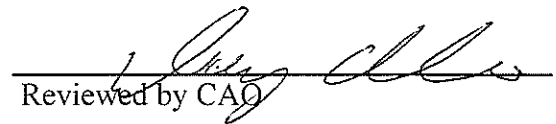
None

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

BYLAW NUMBER 1956

A BYLAW TO REGULATE TRAFFIC WITHIN THE CORPORATION OF THE CITY OF GRAND FORKS

A bylaw to Regulate Traffic within the Corporate Limits of the City of Grand Forks

WHEREAS pursuant to the Motor Vehicle Act, the Local Government Act and the Community Charter, the Council is authorized to regulate traffic and use of highways within the municipality;

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

DIVISION ONE – DEFINITIONS

In this bylaw, and in any regulations or resolution passed pursuant to this bylaw, unless the context otherwise requires, words or phrases defined in the Motor Vehicle Act have the same meaning in this bylaw, unless otherwise defined in this bylaw or in the Local Government Act or the Community Charter.

- 1.01 **"Angle Parking"** means parking a vehicle other than parallel to a curb, or lateral boundary of a roadway.
- 1.02 **"Building Bylaw"** means the City of Grand Forks Building Bylaw.
- 1.03 **"Bus Zone"** means a space on a highway marked by a sign or signs designating it as an area for buses to stop for the purposes of loading or unloading passengers.
- 1.04 **"Bylaw"** means this bylaw and includes resolutions passed pursuant thereto.
- 1.05 **"Bylaw Enforcement Officer"** means the person appointed as such by Council and any person appointed or designated to assist him or her in the enforcing municipal laws and regulations as set out in this bylaw
- 1.06 **"Boulevard"** means the area other than a sidewalk between the curb lines of a highway of the lateral lines of a highway of the shoulder thereof and the adjacent property lines.
- 1.07 **"Corporate Officer"** means the person appointed by the Council as the officer assigned the responsibility of corporate administration.

- 1.08 **"Council"** means the municipal Council of the City of Grand Forks.
- 1.09 **"Manager of Operations"** means the person appointed by Council to this position.
- 1.10 **"Disabled Person"** is a disabled person as that term is defined in the Regulations.
- 1.11 **"Disabled Persons Parking Permit"** means a Disabled Persons Parking Permit issued pursuant to the Regulations.
- 1.12 **"Disabled Zone"** means that part of a highway or public place identified by the disabled parking sign specified in the Regulations.
- 1.13 **"City"** means the City of Grand Forks, or the area within the boundaries of the Corporation of the City of Grand Forks.
- 1.13.1 **"Extraordinary Traffic"** means the carriage of more than 145,000 kilograms of goods in one day.
- 1.13.2 **"Farm Vehicle"** means a tractor or combine operating on a highway in connection with a farming operation.
- 1.14 **"Fire Chief"** means the person appointed by Council as the Fire Chief for the City of Grand Forks.
- 1.15 **"Fire Lane"** means areas including driveways and other traffic circulation areas where Fire Exit signs are displayed.
- 1.16 **"Fire Zone"** means that portion of a highway contained within the projected extension of the lateral boundaries of every parcel of land upon which a fire hall or fire station is constructed.
- 1.16.1 **"GVW"** means the gross vehicle weight of a vehicle as indicated on the exterior of the vehicle or if not shown on the exterior, then on the licensing papers for that vehicle.
- 1.17 **"Highway"** means and includes a public street, path, walkway, trail, lane, bridge, road, thoroughfare, and any other public way which does not include an arterial highway as defined by the Transportation Act.
- 1.18 **"Lane"** means a public thoroughfare not exceeding 8 meters in width separating the rear property lines of parcels fronting on highways more or less parallel to and on each side of that thoroughfare.

- 1.19 **"Loading Zone"** means a space on a highway marked by a sign or signs pursuant to this bylaw as an area for the purposes of loading or unloading vehicles.
- 1.20 **"Municipal Vehicle"** means any vehicle owned or leased by the City of Grand Forks and includes vehicles operated on behalf of the City.
- 1.21.1 **"Overload Permit"** means a permit issued under section 11.05.
- 1.21.2 **"Oversize Permit"** means a permit issued under section 11.11.
- 1.23 **"Pedestrian"** means a person afoot, a child in a carriage, or an invalid in a non-motorized and/or motorized wheel chair.
- 1.24 **"Private Road"** means every way or place in private ownership and used for vehicles travel by the owner and those having permission from the owner.
- 1.25 **"Procession"** means any gathering of more than twenty (20) pedestrians or more than ten (10) vehicles (except funeral processions) upon a highway.
- 1.26 **"Recreational Vehicle"** means a chassis mounted camper, motor home, holiday trailer or boat trailer intended for the exclusively for recreational use.
- 1.27 **"Regulations"** means all regulations enacted pursuant to the Motor Vehicle Act.
- 1.28 **"Residential Dwelling Units"** means a housekeeping unit designed, occupied, or intended for occupancy, as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a family maintaining a household.
- 1.29 **"Road Right-of-way"** means that portion legally dedicated as highway between adjacent property boundaries, and includes the boulevard, roadway, sidewalk and cycle path.
- 1.30 **"Traffic Officer"** means any official or employee of the City of Grand Forks whose designated duties include the regulation or control of traffic or parking within the City of Grand Forks, and Peace Officers employed by any agency.
- 1.31 **"Trailer"** means a vehicle including a recreational vehicle that is at any time drawn upon a highway by a motor vehicle.
- 1.32 **"Truck"** means a vehicle licensed for a GVW of 4,600 kilograms or greater.

- 1.33 **"Truck Route"** means those highways listed in Schedule "C", and those highways may be changed and future highways added from time to time by a resolution or bylaw of Council, and identified as a truck route by signage.
- 1.34 **"Vehicle Projections Permit"** means a permit issued under sections 11.17 and 11.18.
- 1.35 **"Vehicle"** includes any means of conveyance in, upon, or by which any person or property is or may be transport or drawn upon a highway irrespective of the motive of power.

DIVISION TWO – ADMINISTRATION

- 2.01 No person shall obstruct or interfere with the free flow of traffic or control or detour traffic on any highway or lane, whether by use of signs or flagmen or barricades or other physical obstruction, on the highway, provided this section shall not apply to:
- a) a Peace Officer acting in the course of his duty;
 - b) a School Patrol acting under the authority of the School Act;
 - c) emergency vehicles, public utility or municipal vehicles while making repairs or improvements to or on a highway or lane; and
 - d) vehicles while obeying the instructions of a traffic control device or peace officer.
- 2.02 Where traffic control devices are erected or placed on or adjacent to any highway, no person shall act contrary to the traffic control device, except where directed to do so by a Traffic Officer **or appointed personnel**.
- 2.03 The **Manager of Operations** or the Fire Chief may erect temporary traffic control devices:
- a) in the interest of public safety; or
 - b) to facilitate the fighting of a fire; or
 - c) to enable work to be done on a highway, such as clearing of snow, cleaning, repairing, excavating, or decorating; or
 - d) to prohibit operation of vehicles which are not equipped with chains or winter tires.
- 2.04 The **Manager of Operations** shall:
- a) have traffic control devices and signs erected, where necessary or desirable, to give notice of a regulation made pursuant to this bylaw; or
 - b) replace or alter traffic control devices to give effect to the provisions of the Motor Vehicle Act and/or this bylaw; or
 - c) prohibit the use of vehicles not equipped with chains, snow tires, or sanding devices.

- 2.05 The provisions to this bylaw prohibiting the stopping, standing or parking of vehicles shall not apply to:
- a) emergency vehicles;
 - b) municipal vehicles or public utility vehicles while engaged in highway or public utility construction or maintenance work, under or over the surface of a highway;
 - c) tow trucks while such vehicles are engaged in work requiring them to be stopped in a manner contrary to this bylaw, provided this exemption shall not relieve the operations of such vehicles from taking precautions to indicate the presence of such vehicle on the street while so parked or stopped; or
 - d) any vehicle stopped on the highway where the vehicle is stopped on the highway by reason of an emergency, provided this shall not relieve the operators of such vehicles from taking sufficient precautions to indicate the presence of the vehicle on the highway to other vehicles on the highway.

DIVISION THREE – APPLICATION

- 3.01 This bylaw shall not apply to an arterial highway as defined in the Transportation Act, unless application has been approved by the Ministry of Transportation and Infrastructure.
- 3.02 Unless the context otherwise requires:
- a) provisions of this bylaw relating to pedestrians and operation of vehicles, refer to pedestrians and operation of vehicles upon a highway within the boundaries of the City of Grand Forks; and
 - b) a person riding an animal, or driving an animal-drawn vehicle, upon a highway has all the rights and is subject to all the duties that a driver of a vehicle has under this bylaw.
- 3.03 **No part of Division Eleven of this bylaw, except sections 11.01 and 11.09, applies to farm vehicles operating on a highway.**
- 3.04 **Every provision of this bylaw that refers to a vehicle applies equally to a combination of vehicles.**

DIVISION FOUR – GENERAL PARKING RESTRICTIONS

- 4.01 Except when necessary to avoid conflict with traffic or to comply with direction of a Peace Officer or traffic control device, no person shall stop, stand, or park a vehicle:
- a) upon or within six (6) meters of any intersecting highway or crosswalk, unless permitted by a traffic control device; or
 - b) in a bus zone; or

- c) within five (5) meters of a fire hydrant measured from a point on the curb or edge of the roadway that is closest to the fire hydrant; or
- d) alongside a curb painted yellow or a yellow line painted on the side of the roadway where no curb is present, which shall designate restricted parking; or
- e) in a place in contravention of a traffic control device that gives notice that stopping, standing or parking there is prohibited or restricted; or
- f) on any portion of a highway where lines, markings, or other signs are placed indicating the manner in which vehicles shall be parked, except in conformance with such lines, markings and/or signs; or
- g) upon or in any lane unless the vehicle is being continuously and expeditiously loaded or unloaded for a maximum time of fifteen (15) minutes; or
- h) on the paved portion of a highway where the pavement is six (6) meters or less in width; or
- i) on a sidewalk or boulevard; or
- j) on a highway in such a manner as to obstruct or impede the normal flow of traffic; or
- k) with the right hand side of a vehicle and wheels no further than thirty (30) centimeters from the face of the curb except where authorized by a sign authorizing an angled parking space; or
- l) on the left hand side of a highway in the opposite direction of the normal flow of traffic; or
- m) in front of or within one (1) meter of a driveway access, private road; or
- n) having a length in excess of six (6) meters including a load or trailer upon a portion of a highway reserved for angle parking; or
- o) offering commodities and/or displaying the vehicle for sale; or
- p) within two (2) meters of any intersecting lane;
- q) at any angle to the street line except where authorized to do so by sign establishing an angled parking space pursuant to this bylaw; or
- r) at any angle to the street line except where authorized to do so by sign establishing an angled parking space pursuant to this bylaw; or
- s) for consecutive periods longer than seventy-two (72) hours; or
- t) in a fire zone; or
- u) in any loading zone unless actually engaged in loading or unloading of goods or passengers; or
- v) upon a bridge except as permitted by any applicable traffic control device; or
- w) on a walkway or crosswalk; or
- x) in a disabled zone, unless that vehicle has a permit that is suspended from the rear-view mirror inside the vehicle so it is on plain view of any person looking through the windshield from a point adjacent to the vehicle;
- y) no person shall park a vehicle, recreational vehicle or trailer on a boulevard without a valid licence plates and insurances as required under the Motor Vehicle Act to operate on public roadways.

z) no person shall park a recreational vehicle, camper, commercial vehicle and trailers overnight whether or not attached to a vehicle with the exception of the City Park Campground.

- 4.02 No person shall park or leave unattended, a vehicle or loaded or unloaded trailer used for conveyance of hazardous materials. Temporary parking is permitted when making deliveries only.
- 4.03 No person shall park a vehicle in a parking space designated for use by disabled persons, unless such vehicle displays a valid identification sticker.
- 4.04 No person shall double-park a vehicle on a highway.
- 4.05 Where in locations traffic devices listed in Schedule "C", attached to and forming part of this bylaw, are displayed, indicating the time allowed for parking is limited, no person who has parked a vehicle shall allow such vehicle to remain parked for any further period of time.

DIVISION FIVE – MANAGER OF OPERATIONS POWERS

- 5.01 The **Manager of Operations** is authorized to order the placing or erection of traffic control devices at such locations as he deems appropriate for regulation of the following traffic matters, and by those orders to exercise the following powers of the City of Grand Forks under this bylaw:
- a) regulation, control, prohibition of pedestrian traffic, animal traffic, vehicular traffic, and cycle traffic on sidewalks, walkways, boulevards, lanes at intersections of lanes or walkways;
 - b) regulation, control, or prohibition of stopping, standing or parking of vehicles;
 - c) setting apart and allotting portions of highways adjacent to federal, provincial or City buildings for the exclusive use of officials and officers engaged therein for the parking of vehicles, and regulations of such parking;
 - d) providing for establishment and use of loading, commercial and passenger zones and for designation of such zones;
 - e) on a highway where construction, reconstruction, widening, repair, marking or other work is being carried out, providing an indication that crews or equipment are working;
 - f) regulating or prohibiting pedestrian traffic on highways other than at crosswalks;
 - g) establishing school crossings and regulating and controlling pedestrian and vehicular traffic with respect to such crossings;
 - h) regulating traffic passing by or in the vicinity of schools through the use of traffic patrols, and vesting in school children or other persons employed in traffic patrols power to require vehicles to stop at school crossings or other designated places on a highway;

- i) providing for the establishment and use of taxi stands and their designation; and
- j) providing for the establishment and use of bus zones and their designation.

DIVISION SIX – TRAFFIC CONTROL DEVICES

- 6.01 Traffic control devices shall have the same meaning as the corresponding device in the regulations, and where a device is not included in the Motor Vehicle Act and the regulations, it shall have the meaning ascribed to it in the latest edition of the "Manual of Uniform Traffic Control Devices of Canada", as the manual may be amended from time to time.
- 6.02 Traffic control devices may, from time to time, may be placed by a Traffic Officer, **Fire Chief** or by the **Manager of Operations**, in the interest of public safety, to facilitate the fighting of a fire, to prohibit operation of vehicles which are not equipped with chains or winter tires, or to regulate or prohibit traffic in the vicinity of work as required by a highway where construction, reconstruction, widening, repair, marking, or other work is being carried out.
- 6.03 The **Manager of Operations** may rescind, revoke, amend, or vary an order made under this Division.
- 6.05 The **Manager of Operations** may place or erect, or cause to be placed or erected, traffic control devices to give effect to any provision of this bylaw.

DIVISION SEVEN – SPEED LIMIT

- 7.01 No person shall drive or operate a vehicle or other means of conveyance on a highway at a speed greater than fifty (50) kilometres per hour, except as otherwise posted on a traffic control sign.
- 7.02 Notwithstanding Section 7.01, no person shall drive or operate a vehicle or other means of conveyance upon any lane or in school or playground zones or other locations posted, at a speed greater than thirty (30) kilometres per hour.

DIVISION EIGHT – DISABLED ZONES

- 8.01 The **Manger of Operations** may:
- a) make orders for the designation and specification of disabled zones; and
 - b) rescind, revoke, amend, and vary an order under subsection (a).
- 8.02 Council designates the Social Planning and Research Council of British Columbia as the organization responsible for issuing and cancelling Disabled Persons Parking Permit pursuant to their regulations.

- 8.03 An application for a permit shall be made by or on behalf of a disabled person to the Social Planning and Research Council of British Columbia.

DIVISION NINE – CONTROL OF TRAFFIC

- 9.01 Temporary highway closure permits may be issued to persons requiring partial or complete closure of a highway for the purpose of construction on or adjacent to a highway:

- a) as a condition of issuance of a permit a fee in the amount set out in Schedule "B", attached to and forming part of this bylaw, shall be submitted with every application; and
- b) the permit issued by the **Manager of Operations** under this section shall be in the form contained in Schedule "A", attached to and forming part of this bylaw.

- 9.02 Except as authorized in writing by the **Manager of Operations**, no person shall:

- a) build, construct, place, or maintain, or cause to be built, constructed, placed, or maintained in, upon, or over any highway or lane, any structure, sign, building fence or thing, or plant any tree, shrub or plant other than grass upon any boulevard;
- b) break, tear up, remove or otherwise interfere with any sidewalk, curb or surfacing of any highway, walkway or lane, or excavate in any highway, walkway, or lane, or under any highway, walkway, or lane, or remove trees or timber growing on a highway;
- c) construct a boulevard crossing;
- d) change the level of a highway whatsoever, or stop the flow of water through any drain, sewer or culvert on or under a highway; or
- e) open up, construct or develop any highway, or improve any highway, or do works of any kind on any highway or lane allowance dedicated for public use by any plan, bylaw of the City of Grand Forks, or notice in the Gazette and over which the City has right of possession.

No person shall interfere in any way with any barrier, lamp, sign or other device placed under the authority of the City of Grand Forks upon any highway at or near any excavation or other work being performed under the authority of the City.

DIVISION TEN – PARADES, PROCESSIONS, ASSEMBLIES AND SOLICITATIONS

- 10.01 No person, or group of persons, shall be present on a highway in such a manner as to obstruct free passage of pedestrian or vehicles, except with written permission of the **Manager of Operations** under this section in the form contained in Schedule "A", attached to and forming part of this bylaw.

10.02 No person shall:

- a) engage in any sport, amusement, exercise, or occupation on the traveled portion of any highway; or
- b) unnecessarily delay the passenger vehicle; or
- c) cause any obstruction or encumbrance whatsoever on any highway; or
- d) coast, slide or use roller-skates, skateboards, sleighs, ice skates, skis, or other similar means of conveyance on any highway or sidewalk.

10.03 Notwithstanding Section 10.01 and 10.02 of this bylaw, Council may, by resolution, close any highway or part thereof for the purpose of permitting the use of roller-skates, skateboards, sleighs, ice skates, skis or other similar means of conveyance thereon Council may, for the purpose of protecting persons using a closed portion of highway, cause such traffic control devices as it or the **Manager of Operations** deems necessary to be erected, placed or marked thereon.

10.04 No person shall be a member of, or take part in, a procession unless:

- a) such procession is under direction or control by one person as Marshall, or organizer; and
- b) a written permit for such procession has been issued by Council to such Marshall or organizer.

10.05 Application for a permit for a procession shall be made, in writing, to the **Manager of Operations** prior to the date of the procession specifying the nature of the procession, date and hour which the procession is to be held, place of formation, route to be taken and point of disbandment.

10.06 Division Ten, Sections 10.01 through 10.04, do not apply to funeral processions.

10.07 Where a procession is lawfully in progress, or a funeral procession is in progress, no pedestrian or vehicle shall cross or interfere with the procession.

10.08 The **Manger of Operations** may grant to any organization the privilege of using any highway, or highways or portions thereof, on certain specified dates.

DIVISION ELEVEN – VEHICLE DIMENSIONS AND LOADS

Truck Routes

11.01 No person shall operate a truck on any highway other than on a truck route, except a person may operate a truck on a highway that is not a truck route for the purpose of moving the truck by the most direct route between a truck route and either:

- (a) the location where the truck is loaded or unloaded;**
- (b) the construction or maintenance site where the truck is engaged;**

(c) the location where the truck is stored.

For certainty, the restriction in this section 11.01 applies even if the operator is in compliance with the other parts of this Division Eleven, or even if an overload permit, oversize permit or vehicle projections permit has been issued under this bylaw.

Limit on Vehicle Weights

11.02 Unless an overload permit has been issued pursuant to section 11.05, no person may operate on a highway, a vehicle that is not designed to carry a load the actual weight which exceeds the GVW of that vehicle.

Limit on Loads

11.03 Unless an overload permit has been issued pursuant to section 11.05, no person may operate on a highway, a vehicle designed to carry a load if the actual weight of the vehicle, with load, is greater than:

(a) 70% of the legal axle loading at times that signage to this effect is posted; and

(b) the GVW of that vehicle at other times

11.04 The Manager of Operations is authorized to post signage pursuant to section 11.03(a) of this bylaw at times when the Manager of Operations considers that temperatures or excess water in the road base, or other road conditions warrant this restriction.

Overload Permits

11.05 On application by the owner or operator of a vehicle which exceeds the weight limit in either section 11.02 or section 11.03, the Manger of Operations may issue an overload permit in substantially the form attached as Schedule "D", and upon paying the fee stipulated in Schedule "B".

11.06 No Overload Permit may be issued for longer than one month and no more than three Overload Permits may be issued in respect of the same vehicle within one calendar year.

11.07 No Overload Permit may be issued which would cause the vehicle to exceed the Gross Vehicle Weight Rating (GVWR) for that vehicle.

11.08 No Overload Permit may be issued unless the owner or operator of the vehicle provides to the City of Grand Forks security in the form of a bond, cash deposit, or irrevocable letter of credit, in the amount of \$1,000.00, for potential highway damage that may be caused by that overloaded vehicle.

Carrying of Loads

11.09 No person shall use or have present on a highway a vehicle unless it is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking or otherwise escaping.

Limit on Sizes

11.10 Unless an oversize permit has been issued pursuant to section 11.11, no person may operate a vehicle on a highway, with or without a load, of a size larger than permitted for that vehicle and, if applicable, vehicle with load under the Commercial Transport Regulations.

Oversize Permits

11.11 On application by the owner or operator of a vehicle, with or without a load, which exceeds the size permitted under the Commercial Transport Regulations, the Manager of Operations may issue an oversize permit in substantially the form attached as Schedule “D”, and upon paying the fee stipulated in Schedule “B”.

11.12 No oversize permit may be issued for longer than one month and no more than three oversize permits may be issued in respect of the same vehicle within one calendar year.

11.13 No oversize permit may be issued which would cause the vehicle and/or its load to exceed the dimensions authorized by a provincial oversize permit under the Commercial Transport Regulations.

Extraordinary Traffic

11.14 Notwithstanding the issuance of an overload permit, oversize permit or other permission by the Manager of Operations, no owner, operator, or other person in charge of a vehicle, or person owning the goods carried by a vehicle, shall use a Designated Route for extraordinary traffic.

11.15 If a person enters into an extraordinary traffic agreement with the City of Grand Forks pursuant to Section 42 of the Community Charter, agreeing to pay reasonable compensation to the City for the damage to any municipal roadway caused or the resulting expense to the City that may be caused by the person’s use of any municipal roadway, then for so long as the person is in compliance with the agreement, the person is not subject to section 11.14 of this bylaw.

Vehicles with Spikes, Cleats

11.16 No person shall drive any vehicle having wheels, tires or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs or other attachments or projections engaging the roadway unless a vehicle projections permit has been issued under section 11.18.

Vehicle Projections Permit

11.17 On application by an owner or operator of a vehicle having wheels, tires or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs or other attachments or projections engaging the roadway, the Manager of Operations may issue a vehicle projections permit in substantially the form attached as Schedule “A”, and upon paying the fees in Schedule “B”.

11.18 No vehicle projections permit may be issued for longer than one month and no more than three vehicle projections permits may be issued in respect of the same vehicle within one calendar year.

DIVISION TWELVE – PEDESTRIAN TRAFFIC

- 12.01 Where a traffic device is provided to facilitate crossing a highway, no pedestrian shall, within a distance of one hundred (100) meters from that device, cross the highway at any place other than at that traffic control device.
- 12.02 Upon being approached by an emergency vehicle displaying flashing lights or sounding a siren or other audible signal, a pedestrian on a highway shall immediately move off the traveled portion of a highway until such vehicle has passed the pedestrian or stopped.
- 12.03 When water, mud, snow, or slush is on any highway, the driver of a vehicle shall reduce the speed of the vehicle so as to avoid splashing any pedestrian.

DIVISION THIRTEEN – BICYCLES

- 13.01 No person shall leave a bicycle in a reclining position on a highway, walkway, or any public place.
- 13.02 Where stands are provided for use by bicycles, no person shall leave a bicycle on any highway or public place except in an upright position in the bicycle stand.
- 13.03 No person shall ride a bicycle on a walkway, unless authorized to do so by a traffic control device.

DIVISION FOURTEEN – INTERFERENCE WITH TRAFFIC AND SIGNS

- 14.01 No person shall establish, place, maintain, or display in, upon, or in view of a highway, any sign, signal, or other device that purports to be, or is in imitation of, or in any way resembles any traffic sign or traffic control device, except as authorized by this bylaw.
- 14.02 No person shall obliterate, deface, damage, injure, move, obstruct, or otherwise interfere with any traffic control device erected, placed, or maintained pursuant to this bylaw.
- 14.03 Any person having driven a vehicle involved in an accident and which vehicle has been wrecked or damaged as a result thereof, shall be responsible for the removal of any glass or other injurious substances deposited upon the highway surface as the result of the accident or the removal of the vehicle.
- 14.04 Except as authorized in writing by the **Manager of Operations**, no person shall deposit, or permit to be deposited, any oil, gasoline, or similar substance on any highway.
- 14.05 No person shall place, throw, or cause to be placed, deposited, or to flow upon a highway or walkway, any noxious, offensive or filthy water or substance or any empty bottle, glass container, or any other article, whether broken or intact, or any earth, refuse, debris, derelict motor vehicle, or any other thing.
- 14.06 No person owning or occupying a parcel abutting on or contiguous to a highway or walkway, shall allow or permit earth, rock, stone, logs, stumps, or other substances or materials to cave in, fall, crumble, slide, accumulate or be otherwise deposited from the parcel onto the highway or walkways, or having been so deposited, to remain on the highway or walkway.
- 14.07 No owner or occupier of a parcel shall permit any flow of water on or over any highway or walkway from the parcel.
- 14.08 No person shall construct or maintain a ditch, sewer, or drain, the effluent from which causes damage, fouling, nuisance, or injury to any portion of a highway or walkway.
- 14.09 Every owner or occupier of a parcel shall remove all ice and snow from all sidewalks adjacent to that parcel so that the sidewalks are not covered by snow or ice between the **hours of 8:00 a.m. and 8:00 p.m.**
- 14.10 Every owner or occupier of land contiguous to a road right-of-way will maintain and keep the said road right-of-way or boulevard in a tidy and sightly condition.

14.11 No person will throw, leave or deposit, or allow any accumulation of dirt, debris or rubbish on any road right-of-way or boulevard.

14.12 No person will throw, leave or deposit, or allow any accumulation of snow or ice from their driveway or sidewalk on any highway or lane.

DIVISION FIFTEEN – ACCESS TO HIGHWAYS

15.01 Prohibitions

No person shall, without the written consent of the **Manger of Operations**:

- a) construct, install, or replace any access culvert or ditch enclosure in or upon any drainage ditch or boulevard on a highway; or
- b) construct any drainage ditch on a highway; or
- c) deposit material of any kind into any drainage ditch or upon any boulevard on a highway.

15.02 Removal at Owner's Cost

Any access culvert or ditch enclosure constructed or installed in violation of this bylaw may be removed by the City of Grand Forks at the expense of the owner of the parcel fronting the access culvert or ditch enclosure.

Material of any kind which is deposited in any drainage ditch or facility may be removed by the City of Grand Forks at the expense of the owner of the parcel fronting the location where the material was removed.

15.03 Procedure for Obtaining Access Culvert

a) Application

A person may apply to the **Manger of Operations** for installation by the City of Grand Forks of an access culvert to a parcel.

b) Cost

The cost of installing an access culvert by the City of Grand Forks shall be as indicated in Schedule "B", attached to and forming part of this bylaw, such payment to be made to the City prior to the commencement of the installation.

15.04 Procedure for Obtaining Ditch Enclosure or Ditch Construction

a) Application

A person may apply to the **Manager of Operations** for construction of a ditch enclosure or excavation of a drainage ditch by the City of Grand Forks.

b) Cost

The cost of the City of Grand Forks installing a ditch enclosure for constructing a drainage ditch shall be as indicated in Schedule "B", attached to and forming part of this, such payment to be made to the City prior to commencement of the construction or excavation.

DIVISION SIXTEEN – IMPOUNDING PROVISIONS

16.01 When any vehicle, recreational vehicle, trailer or other chattel or obstruction is unlawfully occupying a portion of a highway, public place or boulevard:

- a) in violation of a provision of this bylaw; or
- b) in a position that interferes with removal of snow, ice, or sand from a highway; or
- c) in a position that interferes with fire fighting; or
- d) in a position that interferes with construction, marking, repair, or maintenance of a highway; or
- e) without license plates displayed as required by the Motor Vehicle Act;

the **Manager of Operations**, Bylaw Enforcement Officer, or a Peace Officer, may take such vehicle, chattel, or obstruction into custody and cause it to be removed, detained, or impounded.

16.02 The City of Grand Forks may recover its fees, costs and expenses for such removal, detention, or impounding and storage, either from the owner, or by sale at public auction.

16.03 The fees of the City of Grand Forks for such storage, in addition to any other costs or expenses which might be incurred for removal and storage are as set out in Schedule "B", attached to and forming part of this bylaw.

16.04 Before offering a vehicle, recreational vehicle, trailer for sale, pursuant to this bylaw's Impounding Provisions, a demand for payment within thirty (30) days shall be sent by registered mail to the address of the owner as shown on the records of the Superintendent of Motor Vehicles of the province or state in which the vehicle was licensed.

DIVISION SEVENTEEN – OFFENCE

17.01 Any person who breaches any provision of this bylaw commits an offence and is liable, on summary conviction, to a fine not exceeding Two Thousand Dollars (\$2,000.00) or to imprisonment to not more than six (6) months, or to both, plus the cost of prosecution.

When notice of an offence is issued pursuant to this bylaw, fines for that offence are as set out in the City of Grand Forks Municipal Ticket Information Bylaw 1957, where applicable.

- 17.02 Any vehicle, recreational vehicle, trailer or chattel unlawfully occupying any portion of a highway or public place may be removed or impounded by order of the **Manager of Operations** or Bylaw Enforcement Officer. A removal fee in the amount invoiced by the towing company and an impoundment fee of the greater of \$17.00 per day of actual invoice from storage company for each day, or part of a day, during which the vehicle recreational vehicle, trailer is impounded shall be paid by the owner of the vehicle recreational vehicle, trailer or chattel before release of the vehicle, recreational vehicle, trailer or chattel. The City of Grand Forks may recover all removal and impoundment fees imposed under this bylaw on a vehicle or chattel by sale of the vehicles, recreational vehicle, trailer or chattel by public **auction** sale, not less than thirty (30) days after the date of impoundment of the vehicle or chattel or by auction in a Court of competent jurisdiction.
- 17.03 Any sign, advertisement, or guide post placed or maintained in contravention of this bylaw may be altered, repainted, torn down, or removed by the **Manager of Operations**, or a traffic officer, without compensation to any person.
- 17.04 In addition to any other penalty which may be incurred, anyone failing to comply with the provisions of this bylaw within the time limited therefore, or within a reasonable time upon notice to that effect by the City of Grand Forks, shall be subject to the City carrying out any such work at the expense of the offender, and any charges or costs incurred by the City in this regard shall be recoverable.
- 17.05 Owner of a vehicle, recreational vehicle and trailer shall incur the penalties provided for any offence of this bylaw with respect to any vehicle owned by them unless at the time of such offence, the vehicle, recreational vehicle, trailer was in possession of another person without the owner's consent. The onus of establishing that the vehicle, recreational vehicle and trailer were in possession of some person other than the owner rests with the owner.

Nothing in this section shall relieve the operator of a vehicle, recreational vehicle, trailer not being the owner, from incurring penalties provided for such offence.

- 17.06 The Bylaw Enforcement Officer or Peace Officer or any person duly authorized may:
- a) issue offence notices for violation of this bylaw; or
 - b) impound any vehicle, recreational vehicle or trailer or cycle that is in violation of this bylaw; or
 - c) require the driver of any vehicle to weigh same at any weigh scale forthwith.

DIVISION EIGHTEEN – GENERAL

18.01 Schedules "A", "B", "C" and "D" are attached hereto and form part of this bylaw.

18.02 Schedule "6" forms part of the Municipal Ticketing Information Bylaw No. 1957.

18.03 This bylaw may be cited for all purposes as "Traffic Regulation Bylaw No. 1956, 2013".

DIVISION NINETEEN– REPEAL

19.01 The City of Grand Forks Traffic Regulations Bylaw No. 1004 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

Dated at Grand Forks, B.C.

This ____ day of ____, 2013.

SCHEDULE “A”

PERMIT APPLICATION FORM

Applicant's Name

Mailing Address

Location of Proposed Activity
Date/Time

Start Date/Time

Completion

Have affected neighbouring property owners been notified?

[] Yes [] No

Is a street closure required?

[] Yes [] No

Will re-routing buses and emergency traffic be required?

[] Yes [] No

Will utilities be shut off?

[] Yes [] No

EXCAVATION:

Size (length)_____ (Width)_____ (Depth)_____

Distance to pavement edge _____

Purpose _____

OVERSIZE VEHICLES:

Length_____ Width_____ Axle Load_____, _____, _____

VEHICLE EQUIPPED WITH:

Projecting spikes_____ Cleats_____ Ribs_____ Clamps_____

Flanges _____ Lugs _____ Other Attachments _____

SPECIAL EVENT:

Pedestrians _____

Vehicles _____

Route (Attach Map)

FOR OFFICE USE ONLY

Permission is granted for _____ subject to the conditions listed:

Insurance ☐ Yes ☐ No

Amount of Deposit _____

Receipt No. _____

Inspected By _____

Amount of Refund _____

Manger of Operations

SCHEDULE “B”

FEES AND CHARGES

1. The fees for an Overload permit and an Oversize Permit and a Vehicle Projections Permit are:

Fee for one day or less - \$100.00

Fee for greater than one day up to one week - \$200.00

Fee for greater than one week up to one month - \$1000.00

2. The temporary Highway Closure Permit fee is: \$100.00 per day, or part thereof
3. Removal fees: Actual cost of invoice from towing company
4. Impoundment fees: Greater of \$17.00 per day or actual invoice from towing/storage company.

SCHEDULE “C”

List of Truck Routes

Route 1	Granby Road	from highway # 3 to the City boundary north of the RDKB landfill
Route 2	68 th Avenue	from Highway # 3 to 2 nd Street and on to the Interfor Sawmill
Route 3	2 nd Street	from 68 th Avenue south to the Industrial Park and Airport
Route 4	Donaldson Dr.	from Highway # 3 to Northfork Road including 19 th Street from Highway # 3 to the intersection of 75 th Avenue and Donaldson Drive.
Route 5	68 th Avenue	from Spragett Road to 27 th Street
Route 6	27 th Street	from Highway # 3 to 68 th Avenue

THE CITY OF GRAND FORKS

REQUEST FOR COMMITTEE OF THE WHOLE DECISION

DATE : May 28, 2013

TOPIC : Municipal Ticketing Information Bylaw No. 1957

PROPOSAL : To Adopt a New Municipal Ticketing Information Bylaw

PROPOSED BY : Manager of Environmental & Building Construction Services

SUMMARY:

The City's Municipal Ticketing Information Bylaw 1378 that was adopted in 1993 is very out dated. The proposal is to have City Council adopt a new Municipal Ticketing Information Bylaw 1957 which is similar to other bylaws recently adopted in other municipalities in the Province. The Municipal Ticketing Bylaw (MTI) will authorize City staff and the RCMP as required, to maintain better control of Bylaw compliance. This will also allow for the issuing of tickets, if required, to ensure compliance with the new proposed bylaw. The objective is to rescind Bylaw 1378 and the amendment bylaws numbered 1431 and 1432 associated with bylaw 1378.

STAFF RECOMMENDATIONS:

Option 1: The Committee of the Whole recommends to Council to receive the report and refer the issue to the June 24, 2103 regular Council Meeting to rescind bylaw 1378 and all the amendments thereto and further that the new Municipal Ticketing Information Bylaw 1957 be considered for the first three readings.

OPTIONS AND ALTERNATIVES:

Option 1: Council adopts a resolution to adopt the New Municipal Ticketing Information Bylaw. This option will see the City having better control of non compliance issues within the Municipality.

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 Municipal Ticketing Information Bylaw 1378.

BENEFITS, DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1: The new Municipal Ticketing Information Bylaw 1957 will ensure that violations against the bylaw have the ability to 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 bylaw new Municipal Ticketing Information Bylaw 1957 forward is that the current bylaw does not allow for the issuing of tickets to ensure compliance.

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

BYLAW NO. 1957 1378

A Bylaw to Implement a Municipal Ticket Information Program for the Enforcement of Designated Bylaws

WHEREAS under the provisions of Section 934.1 of the Municipal Act R.S.B.C., 1979, c. 290, Council may, by bylaw, provide for the enforcement of certain bylaws by means of a ticket, designate persons as Bylaw Enforcement Officers for the purpose of enforcing bylaws by means of a ticket, designate an offence against a bylaw by means of a word or expression on a ticket, and in consultation with the Chief Judge of the Provincial Court, set fines, not exceeding \$500.00 for contravention of such designated bylaws;

AND WHEREAS Council desires to designate those bylaws that may be enforced by means of a ticket, designate offences against those bylaws by means of a word or expression, designate those persons who as Bylaw Enforcement Officers may enforce the bylaws, and set fines for contravention of the bylaws;

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

1. Each bylaw listed in Column 1 of Schedule 1 to this bylaw may be enforced by means of a ticket in the form prescribed for the purpose of Section 934.1 of the Municipal Act.
2. The persons appointed to the job positions or titles listed in Column 2 of Schedule 1 of this bylaw are hereby designated as Bylaw Enforcement Officers for the purpose of enforcing the bylaws listed in Column 1 of Schedule 1 opposite the respective job positions.
3. The words or expressions listed in Column 1 of Schedules 2 through 9 of this bylaw designate the offence committed under the bylaw section number appearing in Column 2 opposite the respective words or expressions.
4. The amounts appearing in **Column 3 of Schedules 2 through 6** of this bylaw are the fines set for the corresponding offences designated in Column 1.
5. This bylaw may be cited as **"City of Grand Forks Municipal Ticket Information Bylaw No. 1957, 2013"**.
6. If any portion of this bylaw is for any reason held to be invalid by a Court of Competent Jurisdiction, the invalid portion shall be severed and the portion that is invalid shall not affect the validity of the remainder of this bylaw.

INTRODUCED this ____ day of _____, 2013.

Read a **FIRST** time this ____ day of _____, 2013.

Read a **SECOND** time this ____ day of _____, 2013.

Read a **THIRD** time this ____ day of _____, 2013.

Fines approved by the Chief Judge of the Provincial Court this ____ day of _____, 2013.

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

Mayor Brian Taylor

Corporate Officer

CERTIFICATE

I hereby certify the foregoing to be a true copy of the Municipal Ticket Information Bylaw
No. 1957, 2013.

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

SCHEDULE 1

COLUMN 1

COLUMN 2

BYLAW NO.

DESIGNATED BYLAW
ENFORCEMENT OFFICER

Bylaw No. 1963
"Noise Control Bylaw"

Bylaw Enforcement Officer
R.C.M. Police

Bylaw No. 1965
"Grand Forks Fire and Safety Bylaw"

Fire Chief
Deputy Fire Chief
R.C.M. Police

Bylaw No. 1962
"Grand Forks Unsightly Premises Bylaw"

Building Inspector
Bylaw Enforcement Officer

Bylaw No. 1959
"Park Access Bylaw"

Bylaw Enforcement Officer
R.C.M. Police

Bylaw No. 1956
"City of Grand Forks Traffic Regulations"

R.C.M. Police
Bylaw Enforcement Officer

Bylaw No. 1964
"Grand Forks Building and Plumbing Bylaw"

Building Inspector
Bylaw Enforcement Officer

Bylaw No 1957
"Grand Forks Municipal Ticketing Information Bylaw"

Bylaw Enforcement Officer
R.C.M. Police

SCHEDULE 2

Bylaw No. 1681 "Noise Control Bylaw"

COLUMN 1	COLUMN 2	COLUMN 3
Offence	Section	Fine
Noise which disturbs	3	\$100.00
Noise which disturbs form Private Property	4	\$100.00
Amplification equipment which disturbs	6(b)	\$100.00
Animal Noise	6(a)	\$100.00
Bird Noise	6(a)	\$100.00
Operating equipment during restricted hours	6(c)	\$100.00
Operating engine during restricted hours	6(d)	\$100.00
Construction noise during restricted hours	8(a)	\$100.00
Construction noise during restricted hours (Saturday)	8(b)	\$100.00
Construction noise during restricted hours (Sunday)	8(c)	\$100.00

SCHEDULE 3**Bylaw No. 1320 "Grand Forks Fire & Life Safety Bylaw"**

COLUMN 1	COLUMN 2	COLUMN 3
Offence	Section	Fine
Failure to remove fire hazard	6.2	\$100.00
Failure to remove threat to life safety	6.2	\$100.00
Unauthorized disposal of dangerous material	6.3	\$150.00
Failure to report discharge of dangerous goods	6.4	\$150.00
Failure to clean vacant building	6.7	\$200.00
Failure to secure vacant building	6.7	\$200.00
Failure to remove debris from fire damaged building	6.8	\$100.00
Failure to secure fire damaged building	6.8	\$200.00
Unsafe fire doors/shutters	6.9	\$100.00
Unsafe elevator shaft	6.10	\$100.00
Improper use of ventilating shaft	6.11	\$100.00
Failure to maintain safe chimney	6.12	\$100.00
Unsafe deposit of combustible material	6.13	\$100.00
Unsafe storage of combustible material	6.13	\$100.00
Unsafe deposit of ashes	6.14	\$100.00
Failure to maintain hydrant/private property	6.16(1)	\$100.00
Unsafe transport of dangerous goods	6.20(1)	\$150.00
Unsafe storage of hazardous materials	6.20(2)	\$150.00
Unsafe handling of hazardous material	6.20(2)	\$150.00

SCHEDULE 3 (continued)**Bylaw No. 1320 "Grand Forks Fire & Life Safety Bylaw"**

COLUMN 1	COLUMN 2	COLUMN 3
Offence	Section	Fine
Obstructing fire personnel	7.4	\$150.00
Parked obstructing access	7.4(1)	\$100.00
Parked obstructing exit	7.4(2)	\$100.00
Parked within 6m of hydrant	7.4(3)	\$100.00
Driving over equipment	7.4(4)	\$100.00
Burning without permit	8.1	\$200.00
Discharge of fireworks without permit	9.1(1)	\$100.00
Sale of fireworks	9.1(2)	\$100.00
Discharge of fireworks on street	9.3(3)	\$100.00

SCHEDULE 4

Bylaw No. 1962-1680 "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

SCHEDULE 5

Bylaw No. 1959 "Park Access Bylaw to Regulate the use of Parks, Trails, Beaches and Boulevards"

COLUMN 1	COLUMN 2	COLUMN 3
Offence	Section	Fine
- In park between 11:00 p.m. and 5:00 a.m.	3	\$ 50.00
- Camping in park	4	\$ 50.00
- Use of bow and arrow/sling-shot/boomerang/ weapon in park	5	\$ 100.00
- Unauthorized removal of gravel/sand/soil	6	\$ 100.00
- Littering	7	\$ 50.00
- Unauthorized fire on beach	8	\$ 50.00
- Vandalism	11	\$ 100.00
- Vandalism of sign	12	\$ 100.00
- Vandalism of tree	13	\$ 100.00
- Unauthorized playing golf in park	14	\$ 100.00
- Animal on beach	15	\$50.00
- Vehicle in park	18	\$ 50.00
-Possession or consumption of alcohol in a park or public area	20	\$50.00

SCHEDULE 6

Bylaw No. 1956 "City of Grand Forks Traffic Regulation Bylaw"

COLUMN 1 Offence	COLUMN 2 Section	COLUMN 3 Fine
- Parking within six meters of crosswalk	4.01(a)	\$ 50.00
- Parking within a bus zone	4.01(b)	\$ 50.00
- Parking within 5m of a fire hydrant	4.01(c)	\$ 50.00
- Parking along yellow painted curb/roadway with yellow painted lines	4.01(d)	\$ 50.00
- Parking in contravention of a traffic control device	4.01(e)	\$ 50.00
- Parking in contravention of highway lines/markings/signs	4.01(f)	\$ 50.00
- Parking in a lane in excess of 15 minutes	4.01(g)	\$ 50.00
- Parking on highway where pavement is 6m or less in width	4.01(h)	\$ 50.00
- Parking on sidewalk/boulevard	4.01(i)	\$ 50.00
- Parking obstructing/impeding traffic on highway	4.01(j)	\$ 50.00
- Parking vehicle with right side more than 30cm from face of curb	4.01(k)	\$ 50.00
- Parking on left side of highway opposite direction of normal traffic	4.01(l)	\$ 50.00
- Parking in front of/within 1m of driveway/private road	4.01(m)	\$ 50.00
- Parking vehicle including trailer in excess of 6m in angle parking	4.01(n)	\$ 50.00
- Parking to offer commodities/display vehicle for sale	4.01(o)	\$ 50.00
- Parking within 2m of intersecting lane	4.01(p)	\$ 50.00

SCHEDULE 6 continued

COLUMN 1 Offence	COLUMN 2 Section	COLUMN 3 Fine
- Parking at angle to street lines	4.01(q)	\$ 50.00
- Parking 72 consecutive hours	4.01(s)	\$ 50.00
- Parking in a Fire zone	4.01(t)	\$50.00
- Parking in Loading zone	4.01(u)	\$ 50.00
- Parking on a bridge	4.01(v)	\$ 50.00
- Parking on walkway/crosswalk	4.01(w)	\$ 50.00
- Parking in Disabled zone without permit	4.01(x)	\$ 50.00
-Parking an unlicensed vehicle, recreational vehicle or trailer on Municipal property, Boulevard or Road-right-of-way	4.01(y)	\$ 50.00
- Parking overnight in a Municipal Park other than the Municipal Campground– recreational vehicles, campers, commercial vehicles and trailers whether or not attached to a vehicle	4.01(z)	\$50.00
- Overtime parking	4.05	\$ 50.00
- Truck off truck routes	9.03	\$100.00
- Truck parking on residential streets	9.05	\$ 50.00
- Prohibited construction on road allowance	9.07(a)	\$100.00
- Engaging in sport/amusement/exercise/ occupation on highway	10.02(a)	\$ 50.00
- Unnecessarily delay vehicle	10.02(b)	\$ 50.00
- Cause obstruction on highway	10.02(c)	\$ 50.00

SCHEDULE 6 continued

COLUMN 1 Offence	COLUMN 2 Section	COLUMN 3 Fine
- Coast/slide/rollerskate/skateboard/sleight/skate/ ski on highway	10.02(d)	\$ 50.00
- Vandalism of traffic control device	14.02	\$100.00
- Littering on a highway	14.05	\$ 50.00
- Debris from property on road	14.06	\$100.00
- Prohibited water on highway	14.07	\$ 50.00
- Damaging a highway	14.08	\$100.00
- Failure to remove snow/ice from sidewalk	14.09	\$ 50.00
-Depositing snow/ice on a highway or lane	14.12	\$ 50.00

PROVINCE OF BRITISH COLUMBIA

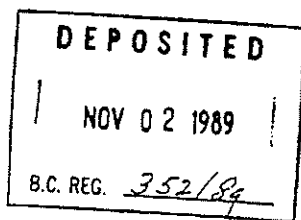
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

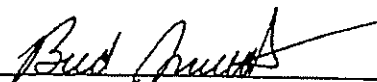
Order in Council No. **1587**, Approved and Ordered NOV. -2, 1989

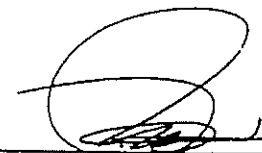

Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the regulation set out in the Schedule to this order is made.




Attorney General


Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section:- Municipal Act, section 934.3

Other (specify):-

THE CITY OF GRAND FORKS

REQUEST FOR COMMITTEE OF THE WHOLE DECISION

DATE : May 28, 2013

TOPIC : Park Access Bylaw No. 1959

PROPOSAL : To Adopt a New Park Access Bylaw

PROPOSED BY : Manager of Environmental & Building Construction Services

SUMMARY:

The current Park Access Bylaw only addressed hours that a person could attend a Municipal Park. The proposal is to have City Council adopt a new Park Access Bylaw 1959 in which it will address issues such as vandalism, alcohol consumption and limit the hours that any Municipal Park may be used by the general public. This Bylaw along with the Municipal Ticketing Bylaw (MTI) will authorize City staff and the RCMP as required, to ensure 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 1355 and the amendment bylaw 1605 associated with bylaw 1355.

STAFF RECOMMENDATIONS:

Option 1: The committee of the Whole recommends to Council to receive the report and to refer the issue to the June 24, 2013 regular Council meeting in order to rescind Bylaw 1355 and all amendments thereto and further to the request that the new Park Access Bylaw 1959 be considered the first three readings.

OPTIONS AND ALTERNATIVES:

Option 1: Council adopts a resolution to adopt the New Park Access Bylaw 1959. This option will see the City maintain better control of non compliance issues within the Municipality.

Option 2: Council declines to adopt the new Park Access Bylaw 1959. This option simply makes it difficult to enforce and apply tickets against violations that may occur with regards to the old Park Access Bylaw 1355.

BENEFITS, DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1: The new Park Access Bylaw 1959 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 is that the existing Park Access Bylaw 1355 is that it only addressed the hours in which the parks could be used.

COSTS AND BUDGET IMPACTS – REVENUE GENERATION:

None

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

Council's authority to regulate Park Access this comes from the Community Charter.



Department Head or CAO

Reviewed by CAO

THE CORPORATION OF THE CITY OF GRAND FORKS
PARK ACCESS BYLAW NO. 1959

**THE PARK ACCESS BYLAW OF THE CORPORATION OF THE CITY OF
GRAND FORKS TO REGULATE THE USE OF PARKS, TRAILS, BEACHES AND
BOULEVARDS**

WHEREAS the Municipal Council of the Corporation of the City of Grand Forks, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. This bylaw may be cited as "**The City of Grand Forks Parks Access Bylaw No. 1959, 2013**".
2. In this bylaw, unless the context otherwise requires:

Definitions

- (a) **"Bylaw Enforcement Officer"** means every person(s) designated by Council as a Bylaw Enforcement Officer for the City or otherwise authorized under the Offence Act, and every Peace Officer;
- (b) **"City"** means the Corporation of the City of Grand Forks;
- (c) **"Council"** means the City Council of the City;
- (d) **"Highway"** includes a street, road, lane, bridge, viaduct and any other way open for the use of the public but does not include a private right-of-way on private property;
- (e) **"Municipality"** means the area within the City boundaries of the City;
- (f) **"Park"** includes all dedicated Public Parks, Municipal Hall grounds, or other lands used for Public Parks, or any public trail, beach or boulevard within the corporate limits of the City of Grand Forks
- (g) **"Peace Officer"** shall have the same meaning as in the Interpretation Act and shall also include the person or persons who are appointed to enforce and administer this bylaw;

(h) **"Person(s)"** includes any company, corporation, owner, partnership, firm, association, society or party;

(i) **"Property"** means land, with or without improvements, so affixed to the land as to make them in fact and in law, a part of it;

(j) **"Public Place"** means streets, highways, parks, public squares, beaches, foreshore and all other land and building that not private premises.

3. No person shall enter or be upon or within any park between the hours of 11:00 p.m. and 6:00 a.m., provided, however, that nothing in this section shall prevent any officers or employees of City of Grand Forks from entering or being upon or within any park in the exercise of their duties.
4. No person shall set up or occupy any camper, trailer, or other form of temporary shelter, on or within any park.
5. No person shall use any bow and arrow, sling-shot, boomerang or other weapon within a park, school ground or other public ground under the jurisdiction of the City of Grand Forks.
6. No person shall take away any gravel, sand, or earth from any part of any park.
7. No person shall throw, dump, deposit or leave any glass, bottles, cans, litter, or other materials whether likely to injure any person, animal, vehicle or not, in any park, or water adjacent to such parks.
8. No person shall light up any fire on any public beach or park within the corporate limits of the City of Grand Forks, except in a fireplace or area provided for that purpose.
9. No person shall be on the roof of any building in any park unless that person is an employee or agent of the City of Grand Forks carrying out his or her regular duties.
10. No person shall be in any building, swimming pool, tennis court, or other enclosure or structure in any park except during the hours the said building, swimming pool, tennis court, or other structure is authorized to be used or to be open by the Council. This section does not apply to any employee or agent of the City of Grand Forks, carrying out his or her regular duties.

11. No person shall break, injure or damage the locks, gates, bolts, fences, seats, benches, buildings, structures, or other property placed in the public squares, on boulevards, or in parks or grounds.
12. No person shall wilfully destroy, mutilate, efface, deface, or remove any sign posted within a park under this or any other bylaw.
13. No person shall climb, bark, break, peel, cut, deface, remove, injure, root up or otherwise destroy or damage the trees shrubs, flowers, roots, or grass planted and/or growing on boulevards, or in parks or grounds.
14. No person shall play or practice the game of golf or similar games played with golf clubs and balls in any park, except in areas of a public park that have been designated for the playing and practicing of golf or similar games by the Council.
15. No person shall cause, allow, or permit **pets** or other animals to be on any beach or park within the corporate limits of the City of Grand Forks, except **pets** on leashes.
16. No person shall ride or drive any horse, in, upon, or through the public squares, parks, or grounds, where specifically prohibited to do so.
17. No owner or keeper of any horse, cattle or swine shall suffer the same to go at large or to feed upon the public squares or parks and any horse, cattle, or swine found at large therein shall be impounded.
18. No person shall ride, drive or lead any animal, or any carriage, wagon, bicycle, motorcycle, scooter, automobile, sleigh, snowmobile or other vehicle or conveyance in or upon any of the public squares, parks or boulevards within the boundaries of the City of Grand Forks, except in areas specifically provided for such purpose; provided, however, that nothing in this section contained shall prevent any bicyclist, having first dismounted from his bicycle, from taking the same upon the turf or sward, or upon or along any sidewalk, pathway or footpath in any park. This section does not apply to any employee or agent of the Municipality carrying out his or her regular duties.
19. No person shall break, injure, dig or destroy any trees lawfully planted, or the sod grass of any boulevard, or any box, stake or guard which is placed around any tree for the protection of the same.

20. No person shall possess or consume alcohol in a public park or municipal space with the exception of special events which include a approved liquor license permit.
21. Community Associations/Groups or members of the public may approach the Council of the City of Grand Forks for relaxation of the rules and regulations as listed in this bylaw for a special event. This relaxation is for the specific event only and, should such event re-occur, permission by Council must be requested again.
22. Any person contravening or committing any breach of the provisions of this bylaw is liable, upon summary conviction, to a fine of not less than Fifty Dollars (\$50.00), and not more than Five Hundred Dollars (\$2000.00), or to a term of imprisonment not exceeding one (1) month.
23. Schedule "5" forms part of the Municipal Ticketing Information Bylaw No. 1957.
24. The City of Grand Forks Parks Access Bylaw No. 1065 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.

FINALLY RECONSIDERED AND ADOPTED this [] day of [] 2013.

Mayor

Corporate Officer

CERFIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1959, cited as "City of Grand Forks Park Access Bylaw 1959, 2013".

Corporate Officer

THE CITY OF GRAND FORKS

REQUEST FOR COMMITTEE OF THE WHOLE DECISION

DATE : May 28, 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: The Committee of the Whole recommends to Council to receive the report and refer the issue to the June 24, 2013 regular Council meeting to rescind bylaw 1680 and all amendments thereto, and further to the request that the new Unsightly Premises Bylaw 1962 be considered for the first three readings.

OPTIONS AND ALTERNATIVES:

Option 1: Council adopts a resolution to adopt the New Unsightly Premises Bylaw. This option will see the City having better control of non compliance issues within the Municipality.

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 old Unsightly Premises Bylaw.

BENEFITS, DISADVANTAGES AND NEGATIVE IMPACTS:

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

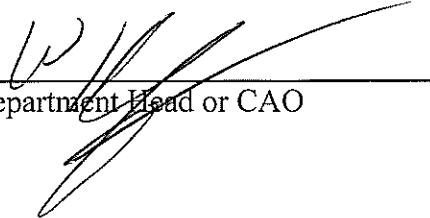
Option 2: The disadvantage of not bringing the new Unsightly Premises Bylaw 1962 forward is that several areas within the new bylaw are not currently covered in the existing Unsightly Premises Bylaw 1680.

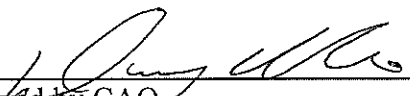
COSTS AND BUDGET IMPACTS – REVENUE GENERATION:

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. 1680, 2001**” **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

Unightly 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 ~~(or at another date and time, agreed to by the owner)~~, 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 and will continue until the third notice and or final cleanup has been completed.

- 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. 1328-1680, 2001, cited as the "City of Grand Forks Unightly Premises Bylaw" and all amendments thereto are hereby repealed.

READ A FIRST TIME this 17th day of September, 2001
2013.

READ A SECOND TIME this 17th day of September, 2001, 2013.

READ A THIRD TIME this 17th day of September, 2001, 2013.

RECONSIDERED AND FINALLY ADOPTED this 5th day of November, 2001, 2013.

Mayor

Corporate Officer

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. 1680, 2001 1962 as passed by the Municipal Council of the City of Grand Forks on the 5th day of November, 2001, 2013.

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

Date Signed: _____

THE CITY OF GRAND FORKS

REQUEST FOR COMMITTEE OF THE WHOLE DECISION

DATE : May 28, 2013

TOPIC : Noise Control Bylaw No. 1963

PROPOSAL : To Adopt a New Noise Control Bylaw

PROPOSED BY : Manager of Environmental & Building Construction Services

SUMMARY:

The City's Noise Control Bylaw 1681 has required several revisions. The proposal is to have City Council adopt a new Noise Control Bylaw No. 1963 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 when required 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 1681

STAFF RECOMMENDATIONS:

Option 1: The Committee of the Whole recommends to Council to receive the report and refer the issue to the June 24, 2013 regular Council meeting in order to rescind bylaw 1681 and further that the new Noise Control Bylaw 1963 be considered for the first three readings.

OPTIONS AND ALTERNATIVES:

Option 1: Council adopts a resolution to adopt the Noise Control Bylaw. This option will see the City having better control of non compliance issues within the Municipality.

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 Noise Control Bylaw 1681.

BENEFITS, DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1: The new Noise Control Bylaw 1963 will ensure that violations against the bylaw can be enforced. This will assist City staff and the R.C.M.P. when required to have better control of bylaw violations.

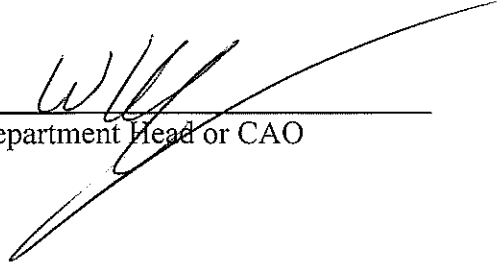
Option 2: The disadvantage of not bringing the new Noise Control Bylaw 1963 forward is that several areas within the new bylaw are not currently covered in the existing Noise Control Bylaw 1681.

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

CORPORATION OF THE CITY OF GRAND FORKS

NOISE CONTROL BYLAW NO. 1681-1963

A bylaw to provide for the regulation and prohibition of certain noises and sounds.

WHEREAS ~~Section 724 of~~ the Local Government Act provides Council with the authority, by bylaw, to regulate or prohibit the making or causing of certain noises or sounds within the Municipality-boundaries of the Corporation of the City of Grand Forks; and

WHEREAS the Council of the Municipality Corporation of the City Grand Forks, deems it necessary and desirable to regulate or prohibit noises or sounds, which disturb the quiet, peace, rest, enjoyment, comfort or convenience of neighbourhood persons in the vicinity, or the public;

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

Citation

1. This bylaw may be cited for all purposes as the **Grand Forks Noise Control Bylaw No. 1681, 2001, 1963, 2013**".

Definition

2. In this bylaw:

(a) **"Bylaw Enforcement Officer"** means every person(s) designated by Council as a Bylaw Enforcement Officer for the City or otherwise authorized under the Offence Act, and every Peace Officer;

(b) **"City"** means the Corporation of the City of Grand Forks;

(c) **"Council"** means the City Council of the City;

(d) **"Industrial Operations"** means any business located in the industrial zoned areas of the City that manufacture products for the world markets;

(e) **"Highway"** includes a street, road, lane, bridge, viaduct and any other way open for the use of the public but does not include a private right-of-way on private property;

(f) **"Municipality"** means the area within the City boundaries of the City;

- (f) **"Noise"** means any noise or sound that is objectionable, or disturbs, tends to disturb, or is liable to disturb, the quiet, peace, rest, enjoyment, comfort or convenience of the area, or of persons in the area, or the public and shall include, without limiting the generality of the foregoing, the noises and sounds specifically described elsewhere in this bylaw;
- (g) **"Owner"** means an owner or occupier of a parcel of land, or both;
- (h) **"Peace Officer"** shall have the same meaning as in the Interpretation Act and shall also include the person or persons who are appointed to enforce and administer this bylaw;
- (i) **"Person(s)"** includes any company, corporation, owner, partnership, firm, association, society or party;
- (j) **"Private Premises"** means the area contained within the boundaries of any privately owned or lease lot, parcel of land within the City and any building or structure situated within those boundaries, but where any lot or parcel contains more than one dwelling unit, each such dwelling unit shall be deemed to be separate private premises;
- (k) **"Property"** means land, with or without improvements, so affixed to the land as to make them in fact and in law, a part of it;
- (l) **"Public Place"** means streets, highways, parks, public squares, beaches, foreshore and all other land and building that not private premises.

Prohibited Noises and Sounds

3. No person(s) shall make or cause, or permit to be made or caused, in or on a highway or elsewhere in the City, any noise or sound which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the **neighborhood, or of persons from separate residences** in the vicinity.
4. No owner, tenant or occupier of real property shall allow that property to be used so that a noise or sound, which originates from that property, disturbs the quiet, peace, rest, enjoyment, comfort or convenience of **2 or more persons from separate residences in the vicinity. neighborhood, or of persons** in the vicinity.
5. No person(s) shall keep any animal, which by its calls, cries, barks, or other noises disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of **2 or more persons from separate residences neighborhood, or of persons** in the vicinity.
6. Without limiting Sections 3 – 5 of this bylaw, the Council believes that the

following noises or sounds are objectionable:

- (a) any calls, cries, barks, or other noises made by an animal which are audible outside the property where the animal is kept, between 11:00 p.m. and 7:00 a.m.;
- (b) any amplified music or speech which is audible outside the property where it originates or is reproduced, between 11:00 p.m. and 7:00 a.m.;
- (c) any noise caused or emanating from construction activity, including alterations, demolitions, and excavations between the hours of 8:00 p.m. and 7:00 a.m.;
- (d) any noise longer than 10 minutes caused or emanating from the operation of a parked or stopped diesel vehicle ~~or reefer~~ between 11:00 p.m. and 7:00 a.m.
- (e) any noise caused by the operation of motorized off-road vehicles is not permitted from 6:00 p.m. to 10:00 a.m.

and no person(s) shall cause or permit such noises or sounds to be made.

Exemption

7. This bylaw does not apply to:

- (a) police, fire, or other emergency vehicles proceeding upon an emergency;
- (b) the excavation, construction, or infrastructure work, or repairing of bridges, streets, highways, or lands by the City or agents acting on its behalf;
- (c) the operation of maintenance equipment by the City or agents acting on its behalf;
- (d) snow removal or highway cleaning operations;
- (e) the operation of a public address system required under a building or fire code;
- (f) a lawnmower, power gardening equipment or chainsaw operated between 7:00 a.m. and 9:00 p.m.;
- (g) a horn from a motor vehicle, boat or train where it is necessary to warn of danger or a hazard;

- (h) an event approved by resolution of Council provided it is within the terms of that approval – ie: hours of operation.

- (i) Industrial operations may operate twenty four (24) hours a day seven (7) days a week when required to produce products to fulfill the world wide business market orders. Industry will be required to work with the City to limit noise that disturbs the community during evening and grave yard shifts. The City realizes that NOT ALL NOISE can be eliminated.

8. Construction Hours

No person(s) in the City shall on any day, construct, erect, reconstruct, alter, repair or demolish any building, structure or thing or excavate or fill in land in any manner, whatsoever, which makes or causes noises or sounds in or on a highway or elsewhere in the City, which disturb, or tend to disturb, the quiet, peace, rest, enjoyment, comfort or convenience of the neighborhood or of persons in the vicinity, except during the following times:

- (a) Monday through Friday, between the hours of 7 a.m and 9:00 p.m.

- (a) the erection, demolition, construction, reconstruction, alteration or repair of any building or structure between 7:00 a.m. and 10:00 p.m.;

- (b) Saturdays, between the hours of 10:00 a.m. and 9:00 p.m.;

- (c) Sunday and other holidays, between the hours of ten a.m. and 6:00 p.m.

The restrictions contained in this part may be waived or varied by a Permit in writing from the Bylaw Enforcement Officer of the Corporate Officer, granting approval to carry on the work that is found to be a case of urgent necessity and in the interest of public health and safety.

Inspections

9. A Bylaw Enforcement Officer may enter on any property at any reasonable time for the purpose of ascertaining whether the regulations and requirements of this bylaw are being observed.
10. No person(s) shall obstruct a Bylaw Enforcement Officer from entering property under Section 8.9

Offences and Penalties

11. (a) Any person(s) who contravenes this bylaw is liable upon summary conviction to a fine not exceeding \$2,000.00. Every day that infraction of this bylaw continues shall constitute a separate offence.

(b) 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.

(c) After the first contact is made and the violation continues to exist every half hour thereafter, constitutes a new offence, as per Schedule 2 of the Municipal Ticketing Information bylaw.

Severability

12. If any portion of this bylaw (including without limitation all or part of Section 7) is held to be invalid by a Court of competent jurisdiction, such invalidity shall not affect the remaining portions of the bylaw.

Repeal

13. The City of Grand Forks Noise Control Bylaw, No. 1313 1681 and all amendments, are repealed and replaced by this bylaw.

READ a first time this 4th - day of October, 2001, 2013.

READ a second time this 4th - day of October, 2001, 2013.

READ a third time this 5th - day of November, 2001, 2013.

RECONSIDERED, finally passed and adopted this 19th - day of November, 2001, 2013.

MAYOR

CLERK CORPORATE OFFICER

C E R T I F I C A T E

I hereby certify the foregoing to be a true copy of the Grand Forks Noise Control Bylaw No. 1681, 2001 1963, 2013, as passed by the Council of the City of Grand Forks on the 19th - day of November, 2001, 2013.

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

SCHEDULE 2**Bylaw No. 1681 "Noise Control Bylaw"**

COLUMN 1	COLUMN 2	COLUMN 3
Offence	Section	Fine
Noise which disturbs	3	\$100.00
Noise which disturbs form Private Property	4	\$100.00
Amplification equipment which disturbs	6(b)	\$100.00
Animal Noise	6(a)	\$100.00
Bird Noise	6(a)	\$100.00
Operating equipment during restricted hours	6(c)	\$100.00
Operating engine during restricted hours	6(d)	\$100.00
Construction noise during restricted hours	8(a)	\$100.00
Construction noise during restricted hours (Saturday)	8(b)	\$100.00
Construction noise during restricted hours (Sunday)	8(c)	\$100.00
Noise which disturbs	11(c)	\$100.00
Noise which disturbs form Private Property	11(c)	\$100.00

THE CITY OF GRAND FORKS

REQUEST FOR COMMITTEE OF THE WHOLE DECISION

DATE : May 28, 2013

TOPIC : Building & Plumbing Bylaw No. 1964

PROPOSAL : To Adopt a New Building & Plumbing Bylaw

PROPOSED BY : Manger 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: The committee of the Whole recommends to Council receives the report to rescind bylaw 1737 and the Minimum Maintenance Standards Bylaw 999, and further to the request that the new Building & Plumbing Bylaw 1964 be referred to June 24, 2013 Council meeting to receive the first three readings.

OPTIONS AND ALTERNATIVES:

Option 1: Council adopts a resolution to adopt the New Building & Plumbing Bylaw. 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.

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.

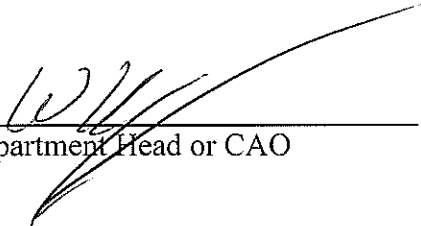
Option 2: The disadvantage of not bringing the new Building & Plumbing Bylaw 1964 forward is that several areas within the new bylaw are not currently covered in the existing Building & Plumbing Bylaw 1737 and the Minimum Maintenance Standards Bylaw 999.

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. 1737 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. 1737, 2003. 1964, 2013.**”

2. DEFINITIONS

- 2.1 In this bylaw:

The following words and terms have the meanings set out in Section 1.1.3.2 of the British Columbia Building Code, 1998 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.

City of Grand Forks Building & Plumbing Bylaw No. 1964

"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, 1998 2012, as adopted by the Minister pursuant to Section 692(1) of 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 the ~~Regional District of Kootenay Boundary~~ City of Grand Forks.

"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

“HEALTH AND SAFETY ASPECTS OF THE WORK” means design and construction regulated by Part 3, Part 4 Part 7 and Part 9 of the Building Code.

“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.

City of Grand Forks Building & Plumbing Bylaw No. 1964

- 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.

- 3.2.1 to the protection of owners, owner/builders or constructors from economic loss;
- 3.2.2 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;
- 3.2.3 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.
- 3.2.4 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

City of Grand Forks Building & Plumbing Bylaw No. 1964

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:

1. one storey buildings less than 46 square meters intended for agriculture;
2. non-structural repairs valued at less than ten thousand dollars (\$10,000.00) ~~for residential or agricultural~~, including roofing, flooring, windows, siding, provided that the electrical and plumbing codes have been complied with;
3. when repairing or replacing fixtures or faucets;
4. storage sheds less than 10 square meters, one storey, the height of which does not exceed 3 meters;
5. buildings and structures exempted under Part 1 of the Building Code;
6. signs less than 1.2 meters high or non-electrified signs less than 3 square meters in area;
7. ~~fences less than 3.0 meters high (leave in ?)~~ 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.

City of Grand Forks Building & Plumbing Bylaw No. 1964

- 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 ~~including excavation of other work related to construction~~, 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 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.

City of Grand Forks Building & Plumbing Bylaw No. 1964

- 9.6 No person shall obstruct the entry of a Building Official or other authorized officials 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 of this bylaw, 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.

City of Grand Forks Building & Plumbing Bylaw No. 1964

- (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:

12.1.1 a building permit before constructing, repairing, moving, installing or altering a building, structure, sign, change in occupancy or plumbing system;

12.1.2 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;

13.1.1 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 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

City of Grand Forks Building & Plumbing Bylaw No. 1964

the City of Grand Forks, signed by the owner, or a signing officer if the owner is a corporation.

- 13.1.2 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.
- 13.1.3 a site plan prepared by a British Columbia Land Surveyor showing:
 - 13.1.3.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - 13.1.3.2 the legal description and civic address of the parcel;
 - 13.1.3.3 the location and dimensions of all statutory rights-of-way, easements and setback requirements;
 - 13.1.3.4 the location and dimensions of all existing and proposed buildings or structures on the parcel;
 - 13.1.3.5 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;
 - 13.1.3.6 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
 - 13.1.3.7 the location, dimension and gradient of parking and driveway access;
 - 13.1.3.8 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.
- 13.1.4 a cross section through the building or structure illustrating foundations, drainage, ceiling heights and construction systems;
- 13.1.5 elevations of all sides of the building or structure showing finish details, roof slopes, windows, doors, and finished grade;

City of Grand Forks Building & Plumbing Bylaw No. 1964

- 13.1.6 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;
- 13.1.7 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;
- 13.1.8. 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;
- 13.1.9 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;
- 13.1.10 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;
 - 13.2.1 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;
 - 13.2.2 a section through the site showing grades, buildings, structures, parking areas and driveways;
 - 13.2.3 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

City of Grand Forks Building & Plumbing Bylaw No. 1964

- 14.1 An application for a building permit with respect to a standard building shall;
 - 14.1.1 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;
 - 14.1.2 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;
 - 14.1.3 a site plan showing:
 - 14.1.3.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - 14.1.3.2 the legal description and civic address of the parcel;
 - 14.1.3.3 the location and dimensions of all statutory rights-of-way, easements and setback requirements;
 - 14.1.3.4 the location and dimensions of all existing and proposed buildings or structures on the parcel;
 - 14.1.3.5 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;
 - 14.1.3.6 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;
 - 14.1.3.7 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.
 - 14.1.4 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;

City of Grand Forks Building & Plumbing Bylaw No. 1964

floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions.

- 14.1.5 a cross section through the building or structure illustrating foundations, drainage, ceiling heights and construction systems;
 - 14.1.6 elevations of all sides of the building or structure showing finish details, roof slopes, windows, doors, and finished grade;
 - 14.1.7 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;
 - 14.1.8 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;
 - 14.1.9 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:
- 14.2.1 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.
 - 14.2.2 a section through the site showing grades, buildings, structures, parking areas and driveways;
 - 14.2.3 a roof plan and roof height calculations;
 - 14.2.4 structural, electrical, mechanical or fire suppression drawings prepared and sealed by a registered professional;
 - 14.2.5 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;

City of Grand Forks Building & Plumbing Bylaw No. 1964

- 14.2.6 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.
- 14.2.7 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 Section 699(2) of the *Local Government Act*, the building permit is issued in accordance with Sections 699(5) and (6) of the *Local Government Act*;
- 14.2.8 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;
- 14.2.9 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 to 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.

City of Grand Forks Building & Plumbing Bylaw No. 1964

- 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.
- 16.2.1 The plan-processing fee is non-refundable and shall be credited against the building permit fee when the permit is issued.
- 16.2.2 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.
- 16.2.3 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:
- 16.3.1 the refund shall not include the plan processing fee paid pursuant to Section 16.2 of this bylaw; and
- 16.3.2 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.

City of Grand Forks Building & Plumbing Bylaw No. 1964

- 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:

- 17.1.1 a completed application including all required supporting documentation has been submitted;
- 17.1.2 the proposed work set out in the application substantially conforms with the Building Code, this bylaw and all other applicable bylaws and enactments;
- 17.1.3 the owner or his or her representative has paid all applicable fees set out in Section 12.4 of this bylaw;
- 17.1.4 the owners or his or her representative has paid all charges and met all requirements imposed by any other enactment or bylaw;
- 17.1.5 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 Section 30(1) of the Homeowner Protection Act that the proposed building:

- 17.2.1 is covered by home warranty insurance, and
- 17.2.2 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 Sections 20(1) or 30(1) of 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;

City of Grand Forks Building & Plumbing Bylaw No. 1964

- (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

City of Grand Forks Building & Plumbing Bylaw No. 1964

- 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:
- 20.3.1 post and maintain the permit in a conspicuous place on the property in respect of which the permit was issued;
 - 20.3.2 keep a copy of the accepted designs, plans and specifications on the property; and

City of Grand Forks Building & Plumbing Bylaw No. 1964

- 20.3.3 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:
- 21.4.1 when the forms for footings and/or foundation walls are complete, but prior to placing any concrete therein;
- 21.4.2 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. (?)**
- 21.4.3 the preparation of ground, including ground cover, when required, prior to the placing of a concrete slab;
- 21.4.4 the framing and sheathing;

City of Grand Forks Building & Plumbing Bylaw No. 1964

- 21.4.5 when the plumbing system has been installed but prior to any other interior or exterior work being undertaken that would conceal the plumbing system;
 - 21.4.6 rough in of factory built chimneys and fireplaces and solid fuel burning appliances (for new construction only);
 - 21.4.7 insulation and vapor barrier;
 - 21.4.8 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:
- 22.2.1 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.
 - 22.2.2 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

City of Grand Forks Building & Plumbing Bylaw No. 1964

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 as 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.

27. FORMS AND SCHEDULES

City of Grand Forks Building & Plumbing Bylaw No. 1964

27.1 The following Schedule, attached to this bylaw, forms part of the bylaw.

- Schedule "A" - Building Permit Fee Schedule
- Index "1" – "Certificate of Occupancy"

28. REPEAL OF EXISTING BYLAW

28.1 Bylaw 1426, 1994 1737, and all amendments thereto are hereby repealed upon adoption of this bylaw.

READ A FIRST TIME this 1st day of December, 2003, , 2013.

READ A SECOND TIME this 1st day of December, 2003, , 2013.

READ A THIRD TIME this 1st day of December, 2003, , 2013.

RECONSIDERED AND FINALLY ADOPTED this 15th day of December, 2003, , 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. 1737, 2003 1964, 2013"

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

Date Signed: _____

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

Construction Value up to \$50,000.00	\$50.00
Construction Value in excess of \$50,000.00	\$2.00/\$1,000
Re-inspection Fee	\$75.00
Demolition Fee	\$50.00
Moving Permit	\$75.00
Temporary Building Permit	\$75.00**

City of Grand Forks Building & Plumbing Bylaw No. 1964

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.

F. NOTICE ON TITLE

Administrative Charge to Remove	\$200.00
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APPENDIX "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 COMMITTEE OF THE WHOLE DECISION

DATE : May 28, 2013

TOPIC : Fire & Safety Bylaw No. 1965

PROPOSAL : To Adopt a New Fire & Life Safety Bylaw

PROPOSED BY : Manager of Environmental & Building Construction Services

SUMMARY:

The City's Fire & Safety Bylaw 1320 has currently being revised. The proposal is to have City Council adopt a new Fire & Life Safety Bylaw 1965 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 1320 and the amendment bylaws numbered 1369, 1376 and 1566 associated with Bylaw 1320.

STAFF RECOMMENDATIONS:

Option 1: The committee of the Whole recommends to Council receives the report to rescind bylaw 1320 , and further to the request that the new Fire & Life Safety Bylaw 1965 be referred to June 24, 2013 Council meeting to receive the first three readings.

OPTIONS AND ALTERNATIVES:

Option 1: Council adopts a resolution to adopt the New Fire & Safety Bylaw. This option will see the City having better control of non compliance issues within the Municipality.

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 Fire & Life Safety Bylaw 1320.

BENEFITS, DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1: The new Fire & Life Safety Bylaw 1965 will ensure that offence 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.

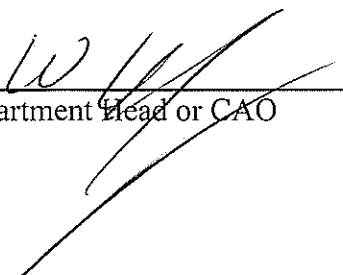
Option 2: The disadvantage of not bringing the new Fire & Safety Bylaw 1965 forward is that several areas within the new bylaw are not currently covered in the existing Fire & Life Safety Bylaw 1320.

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

CONSOLIDATED FOR CONVENIENCE NOT OFFICIAL VERSION

FIRE & LIFE SAFETY BYLAW NO. ~~1320~~ 1965

A BYLAW TO PROVIDE FOR THE ESTABLISHMENT AND REGULATIONS OF THE GRAND FORKS FIRE DEPARTMENT AND TO PROVIDE REGULATIONS FOR THE PREVENTION AND SPREAD OF FIRE AND THE PRESERVATION OF LIFE

City of G.F. Fire and Life Safety Amendment Bylaw No. 1369, 1993
Amendment to the City of G.F. Fire and Life Safety Bylaw No. 1376, 1993
City of G.F. Fire and Life Safety Amendment Bylaw No. 1566, 1998

WHEREAS it is deemed desirable and expedient to provide for the establishment and regulations of the Grand Forks Fire Department, and

WHEREAS it is deemed desirable and expedient to provide regulations for the prevention and spread of fire and for the preservation of life within the Corporation of the City of Grand Forks,

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

PART 1 – TITLE and INDEX

1.1 This bylaw may be cited for all purposes as the “**City of Grand Forks Fire and Life Safety Bylaw, ~~1320~~, 1965, 2013**”.

1.2 The index to this bylaw is as follows:

	Page
Part 1 Title and Index	1
Part 2 Administration	2
Part 3 Definitions	2
Part 4 Fire Department	4
Part 5 Permits	7
Part 6 Fire Protection and Life Safety	10
Part 7 Inspection of Premises	16
Part 8 Outside Burning	17
Part 9 Fireworks	19
Part 10 Enforcement	19
Part 11 Penalties	20
Part 12 Repeal	20
Schedule “A” Fire Permit	
Schedule “B” Fireworks Discharge Permit	
Fire & Life Safety Bylaw 1965, 2013	

PART 2 – ADMINISTRATION

- 2.1 The British Columbia Fire Code Regulations, as amended from time to time, are hereby adopted and made applicable within the Municipality.

PART 3 – DEFINITIONS

- 3.1 **Apparatus** means any vehicle provided with machinery, devices, equipment or materials for fire fighting as well as vehicles used to transport fire fighters or supplies.
- 3.2 **Appointee**, where used in this Bylaw, means an active member of the Grand Forks Volunteer Fire Department or the **Public Works Superintendent. Manager of Operations.**
- 3.3 **Approval** means acceptance as satisfactory to the Fire Chief.
- 3.4 **Authority having Jurisdiction** shall mean the Fire Chief, a local assistant to the Fire Commissioner.
- 3.5 **B.C. Building Code** means the regulations made pursuant to Division (5) of Part (21) of the ~~Municipal Act~~ **Local Government Act** and includes British Columbia Regulation #140/73.
- 3.6 **B.C. Fire Code Regulations** means the regulations made pursuant to the Fire Services Act and amendments thereto and includes British Columbia Regulation 15/87.
- 3.7 **Bulk Plants** means that portion of a property where flammable or combustible liquids are received in bulk quantities and are stored or handled for the purpose of distributing such liquids by pipeline, tank, vessel, tank vehicle or other container.
- 3.8 **Council** means the Municipal Council of the Corporation of the City of Grand Forks.
- 3.9 **Dangerous Goods** means any product, substance or organism which is of a highly combustible, flammable or explosive nature, as defined in the Transportation of Dangerous Goods Act R.S.C. **1980-81-82-83 1992, Chapter 36 34** and the amendments thereto and includes the following clauses:
- Class 1 Explosives, including explosives as defined in the **Explosives Act R.S.C. 1974-75-76, Chapter 60** and amendments thereto.
- Class 2 Gases, including compressed gases, liquefied petroleum **and** liquefied natural gas, liquefied or dissolved gases, under pressure.
- Class 3 Flammable liquids and combustible liquids.

- Class 4 Flammable solids, substances liable to spontaneous combustion; substances that on contact with water emit flammable gasses.
- Class 5 Oxidizing substances; organic peroxides, chlorates, nitrates.
- Class 6 Poisonous (toxic) and infested substances.
- Class 7 Radioactive materials and prescribed substances as defined in the Atomic Energy Control Act R.S.C. 1974-75-76, Chapter 33 and amendments thereto.
- Class 8 Corrosive.
- Class 9 Miscellaneous dangerous goods or organisms not included in any of the above classes.
- 3.10 **Equipment** means any tools, contrivances, devices or materials used by the Fire Department to combat an incident or other emergency.
- 3.11 **Explosion** means a rapid release of energy that may or may not be preceded or followed by a fire, which produces a pressure wave or shock wave in air and is usually accompanied by a loud noise.
- 3.12 **Fire Department** means the Fire Department of the Municipality.
- 3.13 **Fire Chief** means the member appointed by Council, as head of the Fire Department and shall be deemed to be a Municipal Public Officer as defined in the Municipal Act. Local Government Act.
- 3.14 **Fire Protection** means all aspects of fire safety including, but not limited to fire prevention, fire fighting or suppression, pre-fire planning, fire investigation, public education and information, training or other staff development and advising.
- 3.15 **Fire Services Act** means Chapter 133, R.S.B.C. 1979 and amendments thereto and regulations made thereunder.
- 3.16 **Fireworks** has the same meaning as the Fireworks Act, namely includes cannon crackers, fireballs, fire crackers, mines, Roman candles, sky rockets, squibs, torpedoes and any other explosive designated as a fireworks by regulation pursuant to the Fireworks Act.
- 3.17 **Incident** means a fire or a situation where a fire or explosion is imminent.
- 3.18 **Incinerator** means a furnace or other apparatus for burning garbage, trash, etc. to ashes.

- 3.19 **Inspector** means any Fire Services personnel authorized in writing by the Fire Chief to act in such capacity.
- 3.20 **Municipal Act** means ~~Chapter 290, R.S.B.C. 1979–~~ **"Local Government Act"** means the **Local Government Act and all amendments thereto.**
- 3.21 **Member** means any person or officer that is a member of the Fire Department.
- 3.22 **Municipality** shall mean the Corporation of the City of Grand Forks or the area included therein as the context may require.
- 3.23 **Occupier** includes tenant, lessee, agent and any other person who has the right of access to and control of a building or premises to which this bylaw applies.
- 3.24 **Officer in Command** means the senior Fire Department member present.
- 3.25 **Order** includes an approval, a decision, a determination, a permit and the exercise of a discretion made under the **Fire Services Act**, the B.C. Fire Code Regulations or this bylaw.
- 3.26 **Permit** means a document issued pursuant to this Bylaw, authorizing a person to carry on a procedure or undertaking, or to use, store or transport materials, under certain and specific conditions.
- 3.27 **Private Fire Hydrant** means any fire hydrant located on private property.
- 3.28 **Public Works Superintendent** **Manager of Operations** means a person appointed from time to time to that position by the Council of the Municipality.

PART 4 – FIRE DEPARTMENT

- 4.1 The Municipal Fire Department is hereby established and will be known as the Fire Department.
- 4.2 The Fire Chief shall be appointed by a resolution of Council.
- 4.3 Other officers and members, as the Fire Chief deems necessary, may be appointed by Council.
- 4.4 The Fire Chief may appoint other officers of the Fire Department to act as Fire Chief on his behalf.
- 4.5 **All those persons whose names appear on Schedule "A" attached hereto are hereby appointed members of the Fire Department. (?)**

- 4.6 The limits of the jurisdiction of the Fire Chief and the officers and members of the Fire Department will extend to the area and boundaries of the Municipality and no part of the fire apparatus shall be used beyond the limits of the Municipality without:
1. the express authorization of a written contract or agreement providing for the supply of fire fighting or rescue services outside the Municipal boundaries, or
 2. the approval of Council.
- 4.7 The Fire Chief has complete responsibility and authority over the Fire Department subject to the direction and control of the Council to which he shall be responsible and in particular, he shall be required to carry out all fire protection activities and such other activities as Council directs, including but not limited to:
1. rescue,
 2. other incidents,
 3. pre-fire planning,
 4. disaster planning,
 5. preventive patrols.
- 4.8 The Fire Chief, subject to ratification by the Council, shall establish rules, regulations, policies and committees necessary for the proper organization and administration of the Fire Department, including but not limited to:
1. use, care and protection of Fire Department property,
 2. the conduct and discipline of officers and member of the Fire Department, and
 3. efficient operations of the Fire Department.
- 4.9 The Fire Chief, or in his absence, the senior ranking member present, shall have control, direction and management of all Fire Department apparatus, equipment or manpower assigned to an incident and, where a member is in charge, he shall continue to act until relieved by a senior officer.
- 4.10 The Fire Chief shall take responsibility for all fire protection matters including the enforcement of the **Fire Services Act** and regulations thereunder and shall assume the responsibilities of the Local Assistant to the Fire Commissioner.
- 4.11 Officers and members of the Fire Department shall carry out the duties and responsibilities assigned to the Fire Department by the Council and the Fire Chief shall report to the Council on the operations of the Fire Department or on any other matter in the manner designated by Council.

- 4.12 The Fire Chief, or his authorized designate, may at any reasonable time enter any premise for the purpose of fire prevention inspections.
- 4.13 The Fire Chief, or any other member in charge at a fire is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures or things.
- 4.14 The Fire Chief, or any other member in charge at an incident is empowered to enter premises or property where the incident occurred and to cause any member, apparatus or equipment of the Fire Department to enter, as he deems necessary, in order to combat, control or deal with the incident.
- 4.15 The Fire Chief, or any other member in charge, at an incident is empowered to enter, pass through or over buildings or property adjacent to an incident and to cause members of the Fire Department and the apparatus and equipment of the Fire Department to enter or pass through or over buildings or property, where he deems it necessary to gain access to the incident or to protect any person or property.
- 4.16 The Fire Chief, or the member in charge at an incident may at his discretion, establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by him.
- 4.17 No person shall enter the boundaries or limits of an area prescribed in accordance with Section 16 unless he has been authorized to enter by the Fire Chief or member in charge.
- 4.18 The Fire Chief, or the member in charge, at an incident may request peace officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 16.
- 4.19 The Fire Chief may obtain assistance from other officials of the Municipality, as he deems necessary in order to discharge his duties and responsibilities under this Bylaw.
- 4.20 No person at an incident shall impede, obstruct or hinder a member of the Fire Department or other person assisting or acting under the direction of the Fire Chief or the member in charge.
- 4.21 No person shall damage or destroy Fire Department apparatus or equipment.
- 4.22 No person at an incident shall drive a vehicle over any equipment without permission of the Fire Chief or the member in charge.
- 4.23 No person shall falsely represent themselves as a Fire Department member.

- 4.24 No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any fire incident, fire hydrant, cistern or body of water designated for fire fighting purposes.
- 4.25 The Fire Chief or the member in charge of an incident may request persons who are not members to assist in removing furniture, goods and merchandise from any building on fire or in danger thereof and in guarding and securing same and in demolishing a building or structure at or near the fire or other incident.
- 4.26 The Fire Chief or the member in charge of an incident is empowered to commandeer privately owned equipment, which he considers necessary to deal with an incident. Remuneration rates shall be set out annually by the Council.
- 4.27 The Council shall determine the remuneration of all members of the Fire Department.

PART 5 – PERMITS

- 5.1 A permit, when issued, shall constitute permission to maintain, store or handle materials, or to conduct processes which may produce conditions hazardous to life or property, or to install equipment used in connection with such activities.
- 5.2 A permit does not take place of any licence required by law.
- 5.3 A permit shall not be transferable and any change in occupancy or use of a building or premises shall require a new permit.
- 5.4 Before a permit may be issued, the Fire Chief may inspect and approve the receptacles, vehicles, buildings, property, or storage places to be used.
- 5.5 In cases where laws or regulations, including bylaws enforceable by departments other than the Fire Department are applicable approval shall be obtained from all departments concerned.
- 5.6 A permit shall be required:
1. In conformance with the "Flammable and Combustible Liquids" section of the British Columbia Fire Code Regulations.
 2. In conformance with the "Outside Burning" restrictions as set out in Part 8 of this bylaw.
 4. In conformance with the "Fire Works" restrictions as set out in Part 9 of this bylaw.

5.7 Permit Application

The application for a permit shall be made in the form prescribed by the Fire Chief and satisfy at least the following requirements:

1. the signature of the applicant;
2. a statement of the intended use and occupancy showing:
 1. the dimensions of the building and its location;
 2. the proposed use of each room or floor area;
 3. fire protection installations, including portable extinguishers, fire alarms and detectors;
 4. means of egress;
 5. a plot plan showing the location of all flammable liquid tanks and pumps in relation to buildings and property lines;
 6. a plot plan showing the location of public fire works display including adjacent properties that may be effected.

5.8 Permit Fees

The fees hereinafter specified shall be paid to the Municipality by all applicants for any permit required by this Bylaw, or under the Code adapted by this Bylaw, or by the regulations passed pursuant to the provisions of the Fire Services Act, as amended from time to time, and for inspection of any work or thing for which the said permit is required.

1. for any installation of gasoline tanks, oil tanks, diesel tanks and dispensing pumps:

- 2,300 L (	- 500 I.G.)	\$ 15.00
2,301 - 4,600 L (	501 - 1,000 I.G.)	\$ 20.00
4,601 - 23,000 L (	1,001 - 5,000 I.G.)	\$ 30.00
23,001 - 46,000 L (	5,001 - 10,000 I.G.)	\$ 40.00
46,001 - 115,000 L (	10,001 - 25,000 I.G.)	\$ 60.00
115,001 - 230,000 L (	25,001 - 50,000 I.G.)	\$100.00
230,001 - 460,000 L (	50,001 - 100,000 I.G.)	\$150.00
460,001 - 920,000 L (	100,001 - 200,000 I.G.)	\$200.00
920,001 - 2,300,00 L (	200,001 - 500,000 I.G.)	\$250.00
Each dispensing pump		\$ 10.00
2. for each "Outside Burning" permit \$ nil
3. for each "Fireworks Display" permit \$ 10.00

5.9 Issuing and Posting of Permits

1. The Fire Chief may issue a permit where:
 1. an application is made in the form prescribed;
 2. the proposed use or occupancy conforms with applicable bylaws, codes and regulations; and
 3. the permit fee had been paid.
2. The Fire Chief may revoke a permit where there is a violation of:
 1. any condition of the bylaw, codes or regulations; or
 2. any requirement of this bylaw, codes or regulations.
3. This bylaw shall not be construed to hold the Municipality responsible for any damage to persons or property by reason of:
 1. inspections authorized by this bylaw;
 2. the failure to carry out an inspection;
 3. a permit issued as herein provided; or
 4. the approval or disapproval of any equipment authorized by this bylaw.
4. Permits and licences shall be posted upon the building or premises described therein and made available for inspection by the Fire Chief.

PART 6 – FIRE PROTECTION AND LIFE SAFETY

6.1 Evacuation

If an emergency arises from a fire, fire hazard, toxic chemical spill or from a risk of explosion, causes the Officer in Command to be apprehensive of imminent and serious danger to life or property, he may, immediately take the steps he thinks necessary or advisable to remove the hazard or risk and he may order the evacuation of a building or area and may call upon the police to assist him and provide security to the evacuated area.

6.2 Removal of Fire Hazards

“Whenever, in or upon any building or premises, there exists any material of a flammable, combustible or explosive nature, or any dangerous or unnecessary accumulation of waste materials or litter or vegetation of a nature which constitutes a fire hazard, and any such material is so situated in the opinion of the Fire Chief as to endanger life or property or to obstruct ingress or egress from the building or premises in case of fire, or which in the opinion of the Fire Chief, constitutes a fire hazard or a threat to life safety, the owner or occupant of the building or premises shall forthwith, upon the order of the Fire Chief, have the

material removed, disposed of or otherwise dealt with in accordance with the order.”

6.3 Disposal of Material

No person may, within the Municipality, dispose of any dangerous goods without first having obtained from the Fire Chief, written permission setting out the conditions and location, if any, for such disposal.

6.4 Explosion or Potential Explosion

It is the duty of the owner or occupier of any building, premises, motor vehicle, vessel, railway rolling stock or other property, to report immediately to the Fire Chief, any explosion, discharge, emission, escape or spill of dangerous goods in respect thereof which occurs or where the potential for such an occurrence exists by reason of abnormal or unusual circumstances.

6.5 Reimbursement

In addition to the penalties which may be imposed under Part 11 of this bylaw, any person who breaches Part 6, Section 3 of this bylaw and thereby causes the Municipality any direct or indirect expenses to remedy the breach shall, on demand by the Municipality, reimburse the Municipality for such expense. The Fire Chief shall certify the expense actually and necessarily incurred to the ~~Treasurer~~ Chief Financial Officer of the Municipality who shall pay the expense out of ordinary revenue, and when so paid, such expense forms a special lien within Section 438 of the ~~Municipal Act~~ Local Government Act on the lands and improvements in favour of the Municipality and shall, for all purposes, be delinquent taxes on the land and improvements under the ~~Municipal Act~~ Local Government Act, from the date of payment thereof and shall be recoverable pursuant to the provisions of the ~~Municipal Act~~ Local Government Act.

6.6 Forests

Where, in the opinion of the Fire Chief, the safety of life or property in any area within the Municipality is endangered through the hazardous condition of the forest cover or the occurrence or spread of fire in any forest or woodland, the Fire Chief may, by order in writing signed by him, declare that area a closed area for such period or periods of time as the Fire Chief may determine and may further declare that no unauthorized person may enter or be therein and no operations of any class specified in the order may be carried out within the closed area.

6.7 Vacant Buildings

The owner of any vacant building shall at all times ensure that the premises are free from debris and flammable substances and shall keep all openings in such building securely closed and fastened so as to prevent the entry of unauthorized persons.

If the owner fails to ensure that such premises are free from debris and flammable substances, or that the premises are guarded or that all openings are securely closed and fastened so as to prevent the entry of unauthorized persons, then the Fire Chief may cause the same to be done at the expense of the owner and the costs thereof shall be recoverable by the Municipality in the same manner as that contained in Part 6, Section 5 of this bylaw.

6.8 Fire Damaged Buildings

The owner or occupier of any fire damaged building shall ensure that the premises are free from debris and flammable substances and that the premises are guarded, or that all openings in the building are kept securely closed and fastened so as to prevent the entry of unauthorized persons.

If the owner fails to ensure that such premises are free from debris and flammable substances, or that the premises are guarded or that all openings are securely closed and fastened so as to prevent the entry of unauthorized persons, then the Fire Chief may cause the same to be done at the expense of the owner and costs thereof shall be recoverable by the Municipality in the same manner as that contained in Part 6, Section 5 of this bylaw.

6.9 Fire Doors and Shutters

Where doors or shutters are installed in a building to prevent the spread of fire, those doors or shutters, inclusive of hardware, shall at all times be kept and maintained in good repair and working order and shall not be blocked or wedged open.

6.10 Elevator Shafts

No person shall store, place, keep, maintain or permit to be stored, placed, kept or maintained in any part of an elevator shaft in a building, any dangerous goods.

The well of an elevator shaft shall, at all time, be kept clean and free from rubbish and litter and flammable substances.

6.11 Ventilating Shafts

No person shall use a ventilating shaft for a purpose other than ventilation.

6.12 Chimneys, Flues and Vents

The owner or occupier of a building or premises shall cause every chimney flue and chimney connector to be cleaned of all accumulation of debris as often as may be necessary to keep the chimney and chimney connector free from danger of fire.

A chimney, flue or stack and any metal extension thereof, shall be maintained in a safe condition.

6.13 Disposition of Combustible Material

No person shall deposit or permit to be deposited any greasy or oily rags or other things liable to spontaneous heating, within ~~five (5) feet~~ 1.52 meters of a combustible wall, partition, fence, floor or sidewalk or within ~~five (5) feet~~ 1.52 meters of lumber, shavings, rubbish, fuel or other combustible or flammable materials, unless those rags or other things are deposited in a non-combustible receptacle.

An occupant of a building or premises who makes, stores or uses shaving, excelsior, rubbish, sacks, bags, litter, hay, straw, wastepaper or other combustible or flammable material shall, at the close of each day, store such material in a fire-safe manner or store it in non-combustible receptacles.

6.14 Disposal of Ashes

No person shall deposit, or allow or cause to be deposited, ashes from a fire box or ash pit, within ~~five (5) feet~~ 1.52 meters of a combustible wall, partition, fence, floor or sidewalk or within ~~five (5) feet~~ 1.52 meters of lumber, hay, shavings, rubbish fuel or combustible material.

All ashes shall be deposited in a non-combustible receptacle.

No person shall deposit or allow or cause to be deposited, paper, straw, hay, shavings or other combustible or flammable matter in or among ashes or other matter taken from a stove, furnace or fireplace.

6.15 Hydrant and Water Supply Systems on Private and Public Property

- (1) All water supply systems on private property shall conform to municipal specifications and be installed to be capable of providing adequate water for fire fighting purposes as determined by the latest issue of "Water Supply for Public Fire Protection" published by the Public Fire Protection Survey Services and the Insurance Bureau of Canada or as otherwise approved in writing by the Fire Chief.
- (2) All new water supply systems on private property shall conform to flow and pressure requirements for fire fighting purposes according to municipal specification or as otherwise approved in writing by the Fire Chief.
- (3) Prior to proceeding with construction of any new water supply system or extension to an existing system, the applicant shall submit plans or proposed fire hydrant locations and all components of the water distribution system to the Fire Chief for approval.

- (4) The owner or occupier of a building under construction shall:
 - (1) provide roads finished to a minimum of good compacted gravel for adequate access for Fire Department apparatus, approved by the Fire Chief;
 - (2) provide a water supply system for fire protection as soon as practical as may be determined by the Fire Chief and the ~~Outside Works Superintendent~~ **Manager of Operations**; and
 - (3) notify the Fire Department of all newly installed fire hydrants.
- (5) All installations of fire hydrants on private property or private water systems shall be designed and supervised by a Professional Engineer and built to municipal specifications.
- (6) During construction, servicing or repairs within a subdivision, the owner or occupier shall immediately notify the Fire Department of all fire hydrant conditions, which may affect fire safety, including fire hydrants, which are temporarily out of service or low water volumes and low water pressures.
- (7) Bulk plants shall be provided with fire hydrants and a water supply with pressure and quantity adequate to meet the probable fire demands as determined by the Fire Chief.

6.16 Hydrant and Water Supply Systems Maintenance – Private Properties

- (1) Hydrants shall be maintained in operating condition.
- (2) Hydrants shall be inspected and maintained in accordance with the B.C. Fire Code Regulations.
- (3) Records of maintenance shall be forwarded annually to the office of the Fire Chief.
- (4) Fire hydrants shall be painted in compliance with the National Fire Protection Association publication "Marking of Hydrants".

6.17 Buildings

- (1) Fire protection equipment is required for the protection of any building or occupancy and shall meet the standards of the **Fire Services Act**, B.C. Building Code, B.C. Fire Code Regulations and any other code or bylaw adopted by the Municipality and shall be installed in accordance with good engineering practices and be located to the satisfaction of the Fire Chief.

- (2) Any regulation not included in the Fire Services Act, B.C. Building Code Regulations and the National Fire Protection Association, International.
- (3) Notwithstanding the absence of specific regulations, codes or bylaws, good engineering practices shall be observed in the development and maintenance of buildings, water supply systems, fire protection systems and means of access for Fire Department apparatus to the satisfaction of the Fire Chief.

6.18 Standards of Work

The Fire Chief may require that work shall be done in conformity with higher standards than specified in these regulation if, at his discretion, he deems that such higher standards are reasonably necessary in the interest of safety.

6.19 Rejection of Work

The Fire Chief may, after the examination of any work, issue a written rejection, which shall have the same force and effect as an order issued under Part 10.

6.20 Dangerous Goods

- (1) All dangerous goods shall be moved in compliance with the Transportation of Dangerous Goods Act, R.S.C1980-81-82-83, Chapter 36 (S.C. 1992 C. 34 and all amendments thereto.
- (2) The storage and handling of all hazardous materials shall be done in compliance with the British Columbia Fire Code Regulations.
- (3) Where, in the opinion of the Fire Chief, a discharge, emission or escape of dangerous goods has occurred and immediate action is necessary for the protection of the public, he may require that any action be taken by any person he considers qualified to do so, or take action himself to eliminate or contain the danger.
- (4) The Municipality may recover any costs and expenses incurred by taking action pursuant to Subsection (3) of this Section from any person or persons who had charge, management or control of the dangerous goods at the time the action was taken and such costs and expenses shall be recoverable in the manner provided by Part 6, Section 5 of this bylaw.

PART 7 – INSPECTION OF PREMISES

7.1 Review of Plans

The Fire Chief shall review the plans and inspect the construction of all new buildings and structures in the Municipality, other than single-family dwellings, in order to establish that the fire protection facilities and equipment are in compliance with all applicable regulations, codes and standards.

7.2 Right to Inspect

The Fire Chief, or his authorized designate, may at all reasonable hours, enter into and upon any lands, premises, yards or buildings for inspection purposes to ascertain whether or not:

- (1) the state of disrepair, fire starting therein might spread so rapidly as to endanger life or other buildings or property;
- (2) the use or occupation is such that fire starting therein would endanger life or property;
- (3) combustible or explosive material is so kept or such other inflammable conditions exist therein to endanger life or property;
- (4) any fire hazard exists therein;
- (5) the requirements of the bylaw are being carried out.

7.3 Assistance in Inspection

The owner or occupier of a building or property or any other person having knowledge of the building or property shall, upon request, give to a Fire Inspector who is carrying out an inspection of the building or property, such assistance as he may require in carrying out the inspection.

7.4 Entry for Inspection

No person shall obstruct, hinder or prevent any Fire Services Personnel from entering into or upon any lands or premises at any reasonable time for inspection purposes.

In addition:

- (1) vehicles shall not be parked so as to obstruct access by Fire Department vehicles and signs (indicating "Tow-a-Way Zone") shall be posted prohibiting such parking;

- (2) vehicles shall not be parked so as to obstruct egress from a recognized fire exit and signs (indicating "Tow-a-Way Zone") shall be posted prohibiting such parking;
- (3) vehicles shall not be parked within ~~six (6) meters~~ ~~(twenty (20) feet)~~ of a fire hydrant, sprinkler or standpipe connection;
- (4) vehicles shall not drive over charged fire hose;
- (5) violations will result in vehicle impoundment at the owners' expense and/or a fine recoverable in favour of the City as indicated in Part 6, Section 5.

PART 8 – OUTSIDE BURNING

8.1 Burning Permits Required

- (1) "No person shall light, ignite or start, or allow, or cause to be lighted, ignited, or started, a fire of any kind whatsoever in the open air without first obtaining a written Special Permit to do so from the Fire Chief of his appointee.
- (2) A person to whom a permit has been so issued under Sub-Section (1) shall place and keep a competent adult person at all time, in charge of the fire while it is burning or smoldering and shall provide that person with sufficient appliances and equipment in order to prevent the fire from burning out of control or causing damage or becoming dangerous.
- (3) A Service Charge of ~~\$175.00~~ \$200.00 per hour for equipment and men will be levied if violations result in the attendance of the Fire Department apparatus to control or extinguish a fire which has become out of control or dangerous.
- (4) A Service Charge of ~~\$175.00~~ \$200.00 per hour for equipment and men will be levied for extinguishing any fire that is deemed to be in contravention of any part of bylaw.
- (5) The operation of a permanent outdoor barbecue or campfire in an enclosure approved by the Fire Chief in the form identified as Schedule "A" and attaché to the bylaw and which is intended for personal warmth or used solely for the preparation of food, is permitted. This permit is to be renewed annually.
- (6) The operation of a portable outdoor barbecue intended for, and used solely for the preparation of food is permitted.
- (7) Outside incinerators shall be prohibited within the City of Grand Forks. Barbecues fueled by other than gas, briquettes or wood are deemed to be incinerators.

- (8) Necessary burning by the Municipality, which shall include open air burning for fire training exercise, and other public purposes, is permitted.
- (9) The Fire Chief or his appointee may, by Special Permit, allow a property owner outdoor burning for the purpose of removing diseased foliage that cannot be removed from the property or any other purpose deemed appropriate by the Fire Chief or his appointee.
- (10) The Fire Chief or his appointee may, by Special Permit, allow a responsible adult person an outdoor fire for a public display, provided letters of approval are submitted from the property owner on which the burning will take place.

8.2 Restrictions

- (1) It is expressly prohibited to burn garden waste, including but not limited to, grass, hedge clippings, leaves, prunings, pine needles, etc., within the City boundaries.
- (2) It is expressly prohibited to burn rubber tires, or oil, tar, asphalt shingles, battery boxes, plastic compositions, insulated wire or any like substance which produces heavy black smoke on or in the boundaries of the Municipality.
- (3) The Fire Chief may refuse to issue or may cancel a Special Permit if the use of which, in his opinion, would likely be hazardous or create a nuisance.
- (4) The Municipality may recover from the owner or occupier, the costs and expenses of, and incidental to, the taking of any measures, if the Fire Chief is satisfied on reasonable and probable grounds that the provisions of this bylaw have not been complied with in the same manner as that contained in ~~Part 6, Section 5 3~~ of Bylaw No. ~~1320~~.1957 of the Municipal Ticketing Information bylaw.

PART 9 – FIREWORKS

9.1 Restrictions

- (1) No person shall manufacture, discharge, explode, fire or set off fireworks in the Municipality.
- (2) Within the Municipality, no person shall sell, dispose of or give fireworks to any person.

9.2 Special Permit

- (1) Council, along with the Fire Chief, may issue a Special Permit to discharge “Low Hazard” fireworks as defined in the “Fireworks Manual”, to an individual or organization for a specific event or occasion.

9.3 Conditions

- (1) An organization, in order to discharge fireworks, must first appoint a fireworks supervisor who would have complete authority over and be responsible for all safety features at the fireworks display.
- (2) Written permission must be obtained from the owner or occupier of the land on which the fireworks will be prepared or set off, as well as all neighboring lands upon which debris may reasonably be expected to fall and such written permission shall be filed with the Fire Chief.
- (3) No person shall discharge any fireworks on any street in the Municipality.

PART 10 – ENFORCEMENT

10.1 Issuance of Order

- (1) If an Inspector finds that any provision of this Bylaw has been contravened or has not been complied with, or has been complied with improperly or only in part, or that conditions exist in or upon a building or property to which the bylaw applies and which, in his opinion, constitutes a fire hazard or otherwise constitutes a hazard to life or property, he may make such order to ensure full and proper compliance with this bylaw and in particular, but without limiting the generality of the foregoing, he may:
 - (i) require the owner or occupier of such building or property to take such action as might, in the opinion of the Inspector, be necessary to remedy the contravention of this bylaw or to ensure compliance with this Bylaw or to remove the hazard, or

- (ii) make such orders as are, in his opinion, necessary with respect to any matter referred to in this bylaw.

10.2 Service of Order

An order made under the Bylaw shall be served by:

- (1) delivering it or causing it to be delivered to the person to whom it is directed, or
- (2) mailing the order by return registered mail to the address of the owner as shown on the records of the Land Title Office in Kamloops, British Columbia.

PART 11 – PENALTY

11.1 Every person who:

- (a) contravenes any provision of this bylaw;
- (b) suffers or permits any act or thing to be done in contravention of any provision of this bylaw;
- (c) neglects or refuses to do or refrains from doing anything required to be done by any provision of this bylaw;
- (d) omits to do any act or thing required by this bylaw;

shall be liable on conviction to a penalty of not more than \$2,000.00 and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence as outlined in the Municipal Ticketing Information bylaw.”

PART 12 – REPEAL AND READINGS TITLE

~~12.1 That Bylaw No. 715 cited as the "Grand Forks Fireworks and Firecrackers Sale and Discharge Bylaw, 1967, No. 715" be hereby repealed.~~

~~12.2 That Bylaw No. 830 cited as the "Powers, Duties and Responsibilities of the Fire Chief/Acting Fire Marshall Bylaw No. 830, 1970" be hereby repealed.~~

~~12.1 That Bylaw No. 1320 and all amendments thereto is hereby repealed.~~

12.1 This bylaw may be cited for all purposes as the “Grand Forks Fire and Life Safety Bylaw No. 1965, 2013.

INTRODUCED this 4th- [REDACTED] day of **March, 1991**, [REDACTED], 2013.

Read a **FIRST** time this 4th- [REDACTED] day of **March, 1991**, [REDACTED], 2013.

Read a **SECOND** time this 4th - [redacted] day of March, 1991. [redacted], 2013.

Read a **THIRD** time this 4th - [redacted] day of May, 1991. [redacted], 2013.

RECONSIDERED, PASSED AND FINALLY ADOPTED this 7th day of May, 1991.

~~Original Bylaw Signed~~

~~Original Bylaw Signed~~

~~Yasushi Sugimoto~~ Mayor

~~W.M. Slater~~ City Clerk
Corporate Officer

C E R T I F I C A T E

I hereby certify the foregoing to be a true copy of Bylaw No. 1320 1965 as passed by the Municipal Council of the City of Grand Forks on the 7th [redacted] day of May, 1991. [redacted], 2013.

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



SCHEDULE "A"

The Corporation of the City of Grand Forks
Box 220 – Grand Forks, B.C. – V0H 1H0

Dale Heriot
Fire Chief

Fire Hall
7214 2nd Street 442-3612

Administration Offices
7217-4th Street – 442-8266

FIRE PERMIT

DATE: _____

NAME: _____ ADDRESS: _____ PHONE: _____

BURN ADDRESS: _____ PURPOSE OF BURN: _____

_____ CONTROLLED BURN DATE(S) FROM _____ TO _____

REGULATIONS

1. The permittee is responsible for this authorized burn and for all damage to the property of others resulting from this burn.
2. A service charge of \$175.00 per hour or portion thereof for Fire Dept. apparatus and manpower can be levied against permittee if the Fire Department attendance is required to control or extinguish any fire which has become uncontrollable or becomes dangerous.

CONDITIONS

1. The permittee shall ensure that sufficient manpower is available at all times to effectively control the fire.
2. Burning shall take place only during daylight hours.
3. Sufficient equipment for effective fire control is on site.
4. No burning shall take place when the wind is strong enough to carry sparks and/or burning materials away.
5. Fire breaks between properties must be in place prior to ignition.
6. Incinerator burning is expressly prohibited.

I have read and understand the above conditions.

Signature of Permittee

Fire Chief or Agent



SCHEDULE "B"

PERMIT
TO DISCHARGE FIREWORKS

Permit Date: _____

Permit Number: _____

Name: _____

Organization represented: _____

Civic Address: _____

Mailing Address: _____

Telephone Number(s): _____

Location of Proposed Display: _____

Property Owner/Occupier Authorization: _____

Fireworks Supervisor: _____

NOTE:

Pursuant to the City of Grand Forks Fire and Life Safety Bylaw, Part 9, Council, along with the Fire Chief, may issue a Special Permit to discharge "Low Hazard" fireworks as defined in the "Fireworks Manual" to an individual or organization for a specific event or occasion.

The Special Permit is issued under the authority of Bylaw No. 1320, 1965, 2013.

The undersigned agrees to and acknowledges the terms and conditions specified under Bylaw No. 1320, 1965, 2013.

Signature of applicant

Fire Chief for the City of Grand Forks



SCHEDULE "C"

**The Corporation of the City of Grand Forks
Fire and Life Safety
SPECIAL OUTSIDE BURNING PERMIT**

Bylaw No. 1566 prohibits outside burning of any kind unless by written approval of the Fire Chief or appointed official. \$175.00/hr service charge applies for contravention of the bylaw.

DATE:

NAME:

MAILING ADDRESS:

CIVIC ADDRESS OF BURN:

DURATION OF PERMIT:

PURPOSE OF BURN

Cooking Purposes only:

Removal of diseased foliage:

Outdoor Fire for **Public Display** for Cooking Only:

Other (specify)

RESTRICTIONS

- It is expressly prohibited to burn garden waste, including but not limited to, grass, hedge clippings, leaves, prunings, pine needles, etc., within the City boundaries.
- It is expressly prohibited to burn rubber tires, oil, tar, asphalt shingles, battery boxes, plastic compositions, insulated wire or any like substance which produces heavy black smoke on or in the boundaries of the City.
- The Fire Chief may refuse to issue or may cancel a Special Permit if the use of which, in his opinion, would likely be hazardous or create a nuisance.

Signature of Permittee

Fire Chief or Appointee