

CITY OF KELOWNA

BYLAW NO. 9853

Amendment No. 10 to Traffic Bylaw No. 8120

The Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT "Traffic Bylaw No. 8120" be amended by adding in its appropriate location under PART 2 – GENERAL REGULATIONS, 2.1 General, a new Sub-Section 2.1.6 as follows:

 "2.1.6 Obstruct Peace Officer – No person shall obstruct, interfere with, impede, hinder or prevent a peace officer, a bylaw enforcement officer, employee of the City or any other person engaged by the City from performing any duties or exercising any authority under this bylaw."

2. AND THAT PART 2 – GENERAL REGULATIONS, 2.4 Removal of Vehicles and Chattels be amended by deleting Sub-Section 2.4.3 in its entirety and replacing with the following:

 "2.4.3 Impoundment of Chattel – Any chattel, including but not limited to in-line skates, roller skates, cycles, skateboards, sleighs, skates, skis, or any other similar means of conveyance, obstructing, or unlawfully occupying any portion of a highway, sidewalk or boulevard, may be removed, detained or impounded by a Peace Officer, Bylaw Enforcement Officer or a person authorized by the Engineer."

3. AND FURTHER THAT PART 10 – GENERAL, 10.1 Penalties be amended by deleting Sub-Section 10.1.1 in its entirety and replacing it with the following:

 "10.1.1 Offences and Penalties – Every person who contravenes any provision of the bylaw or any order or permit issued under this bylaw, or who suffers or permits anything to be done in contravention of any provisions of this bylaw, or any order or permit issued under this bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this bylaw or any order or permit issued under this bylaw, commits an offence and, except as hereinbefore specifically provided, shall be liable, on summary conviction, to a penalty not exceeding ten thousand dollars (\$10,000.00) and the costs of prosecution. And where the offence is contrary to Sections 2.1.6, 8.1.2, 8.2.4, 8.2.5, 9.1.1 or 9.1.4 may be liable on conviction to a penalty not exceeding \$10,000.00 or a term of incarceration for a period of not more than 90 days, or both. Where any offence is a continuing one, each day that the offence continues shall be a separate offence."

3. This bylaw may be cited for all purposes as "Bylaw No. 9853, being Amendment No.10 to City of Kelowna Traffic Bylaw No. 8120."

4. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 10th day of September, 2007.

Adopted by the Municipal Council of the City of Kelowna this day of , 2007.

Mayor

City Clerk