
CITY OF KELOWNA

MEMORANDUM

Date: April 2, 2007
File No.:
To: City Manager
From: Licence and Bylaw Enforcement Supervisor
Subject: Nuisance Trees and Shrubs Bylaw No. 6469-89

RECOMMENDATION:

THAT Council receive the Report of the Licence and Bylaw Enforcement Supervisor dated April 2, 2007 and direct staff to prepare the amending bylaw to reflect the changes to the City of Kelowna Nuisance Trees and Shrubs Bylaw No. 6469-89 as outlined in the Report;

AND THAT the amending Bylaw No. 9782 be forwarded to Council for reading consideration.

BACKGROUND:

During the regular meeting held Monday, March 19, 2007 City Council adopted a resolution effecting that the enforcement of the City of Kelowna's Line of Vision Bylaw and Unsightly Premises Bylaw, which includes the Nuisance Trees and Shrubs Bylaw No. 6469-89, were to be returned to the City of Kelowna.

On reviewing the Nuisance Trees and Shrubs Bylaw it was noted that to effect enforcement of this Bylaw by City of Kelowna Bylaw Enforcement Officers, the Bylaw requires that amendments be adopted to enact such enforcement.

We are recommending that Section 1 Definition "Inspector" be amended from its current wording to read:

"Inspector" shall mean a Bylaw Enforcement Officer appointed by the City of Kelowna to enforce the provisions of the City of Kelowna bylaws.

We are also recommending that Section 6 be amended from its current wording referring to the Regional District of Central Okanagan to read:

6. If after the expiry of 10 days from the date of notice given pursuant to Section 3 herein, the nuisance has not been abated, it shall be lawful for the City of Kelowna by its inspectors, workmen, agents and others, to enter upon such real property and remove, cut down or trim any tree, shrub, hedge or bush in such manner as to eliminate it being a nuisance, at the expense of the person so defaulting; and the charge and costs incurred by the City of Kelowna for doing so,

if unpaid on the 31st day of December in any year, shall be added to and form part of the taxes payable in respect of such real property as taxes in arrears.

Considerations that were not applicable to this report:

INTERNAL CIRCULATION TO:

LEGAL/STATUTORY AUTHORITY:

LEGAL/STATUTORY PROCEDURAL REQUIREMENTS:

EXISTING POLICY:

FINANCIAL/BUDGETARY CONSIDERATIONS:

PERSONNEL IMPLICATIONS:

TECHNICAL REQUIREMENTS:

EXTERNAL AGENCY/PUBLIC COMMENTS:

ALTERNATE RECOMMENDATION:

Submitted by:

J.A. Dixon
Licence and Bylaw Enforcement Supervisor

Approved for Inclusion:



[the department director initials here]

