

Report to Council



Date: June 26, 2012
File: 0600-10
To: City Manager
From: City Clerk
Subject: Amendment No. 5 to Bylaw Notice Enforcement Bylaw No. 10475
Report Prepared by: Corinne Boback, Legislative Coordinator

Recommendation:

THAT Bylaw No. 10681 being Amendment No. 5 to Bylaw Notice Enforcement Bylaw No. 10475 be adopted.

Purpose:

To consider a Bylaw for adoption.

Background:

Bylaw No. 10681 received first, second and third readings by Council on Monday, June 25, 2012. A copy of the Bylaw is attached. Bylaw No. 10681 is to be adopted in conjunction with and after adoption of Bylaw No. 10680.

Submitted by:

A handwritten signature in cursive script, appearing to read "S. Fleming".

S. Fleming, City Clerk

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CITY OF KELOWNA

BYLAW NO. 10681

Amendment No. 5 to Bylaw Notice Enforcement Bylaw No. 10475

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that City of Kelowna Bylaw Notice Enforcement Bylaw No. 10475 be amended as follows:

- 1) THAT Schedule "A", be amended by deleting **Parks and Public Spaces Bylaw No. 6819-91** in its entirety that reads:

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty Amount Where Compliance Agreement is Shown as "Yes")
Parks and Public Spaces Bylaw No. 6819-91						
6819-91	3.1	Use land contrary to posted sign	\$75.00	\$65.00	\$85.00	No
6819-91	3.2	Litter in park	\$50.00	\$45.00	\$55.00	No
6819-91	3.3	Sell in a park without a permit	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.5	Make a fire in a park	\$75.00	\$65.00	\$85.00	No
6819-91	3.6	Play a game outside designated area	\$50.00	\$45.00	\$55.00	No
6819-91	3.7	Conduct an event without written permission	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.8	Permit a dog in a park	\$50.00	\$45.00	\$55.00	No
6819-91	3.9	Permit an animal to run at large in a park	\$75.00	\$65.00	\$85.00	No
6819-91	3.10	Feed an animal or fowl in a park	\$50.00	\$45.00	\$55.00	No
6819-91	3.11	Be in a park while such park is closed	\$500.00	\$450.00	\$500.00	No

6819-91	3.12	Permit a vehicle in a park while such park is closed	\$50.00	\$45.00	\$55.00	No
6819-91	3.13	Erect a structure without approval	\$100.00	\$90.00	\$110.00	No
6819-91	3.14	Interfere with a person lawfully using park property	\$75.00	\$65.00	\$85.00	No
6819-91	3.15	Distribute any advertisement in a park	\$75.00	\$65.00	\$85.00	No
6819-91	3.16	Play on a tennis court without suitable shoes	\$50.00	\$45.00	\$55.00	No
6819-91	3.17	Play an organized tournament without written permission	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.18	Use a boat within a swimming area	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.19	Use a boat that interferes with swimming	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.20	Obstruct an employee of the City	\$500.00	\$450.00	\$500.00	No
6819-91	3.21	Ride or drive off driveway	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.22	Climb on structure	\$50.00	\$45.00	\$55.00	No
6819-91	3.23	Repair a vehicle in a park	\$75.00	\$65.00	\$85.00	Yes
6819-91	3.24	Possession of liquor in park	\$230.00	\$200.00	\$260.00	Yes
6819-91	3.25	Permit a snake or other reptile in a park	\$75.00	\$65.00	\$85.00	Yes
6819-91	3.26	Dog in park without leash	\$50.00	\$45.00	\$55.00	Yes
6819-91	3.28	Vicious dog in park	\$150.00	\$135.00	\$165.00	No
6819-91	3.29	Dock or anchor contrary to posted sign	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.33	Take up abode in a park or public space	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.34	Establish campsite in a park or public space	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.36	Urinate or defecate in a park or public space	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.37	Possession of drug paraphernalia	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.38	Refuse to leave park or public space	\$500.00	\$450.00	\$500.00	Yes
6819-91	3.39	Enter park or public space when prohibited	\$500.00	\$450.00	\$500.00	Yes
6819-91	3.40	Ignite substance for smoking or burning	\$100.00	\$90.00	\$110.00	No
6819-91	3.41	Fishing in prohibited area	\$75.00	\$65.00	\$85.00	Yes
6819-91	3.42	Damage public property	\$500.00	\$450.00	\$500.00	Yes

And replacing it with the following NEW Parks and Public Spaces Bylaw No. 10680 as follows:

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty Amount Where Compliance Agreement is Shown as "Yes")
Parks and Public Spaces Bylaw No. 10680						
6819-91	3.1	Use land contrary to posted sign	\$75.00	\$65.00	\$85.00	No
6819-91	3.2	Litter in park	\$50.00	\$45.00	\$55.00	No
6819-91	3.3	Sell in a park without a permit	\$100.00	\$90.00	\$110.00	Yes
	3.4	Use firearm or weapon in a park without a permit	\$100.00	\$90.00	\$110.00	No
6819-91	3.5	Make a fire in a park without permission	\$345.00	\$300.00	\$355.00	No
6819-91	3.6	Play a game outside designated area	\$50.00	\$45.00	\$55.00	No
6819-91	3.7	Use sportsfield when closed	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.8	Conduct an event without written permission	\$500.00	\$450.00	\$500.00	Yes
6819-91	3.9	Permit a dog in a park	\$100.00	\$90.00	\$110.00	No
6819-91	3.9	Permit a dog to run at large in a park	\$100.00	\$90.00	\$110.00	No
6819-91	3.11	Permit a dangerous dog in a park	\$200.00	\$180.00	\$220.00	No
6819-91	3.12	Feed an animal or fowl in a park	\$50.00	\$45.00	\$55.00	No
6819-91	3.13	Permit a prohibited animal in a park	\$50.00	\$45.00	\$55.00	No
6819-91	3.15	Be in a park while such park is closed	\$500.00	\$450.00	\$500.00	No
6819-91	3.16	Permit a vehicle in a park while such park is closed	\$50.00	\$45.00	\$55.00	No
6819-91	3.17	Erect a structure without approval	\$100.00	\$90.00	\$110.00	No

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6819-91	3.18	Interfere with a person lawfully using park property	\$75.00	\$65.00	\$85.00	No
6819-91	3.19	Distribute any advertisement in a park	\$75.00	\$65.00	\$85.00	No
6819-91	3.20	Play on a tennis court without suitable shoes	\$50.00	\$45.00	\$55.00	No
6819-91	3.21	Play an organized tournament without written permission	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.22	Use a boat within a swimming area	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.23	Obstruct an employee of the City	\$500.00	\$450.00	\$500.00	No
6819-91	3.24	Ride or drive off driveway	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.25	Climb on structure	\$50.00	\$45.00	\$55.00	No
6819-91	3.26	Repair a vehicle in a park	\$75.00	\$65.00	\$85.00	Yes
6819-91	3.27	Possession of liquor in park	\$230.00	\$200.00	\$260.00	Yes
6819-91	3.28	Dock or anchor contrary to posted sign	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.29	Take up abode in a park or public space	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.30	Establish campsite in a park or public space	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.32	Urinate or defecate in a park or public space	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.33	Possession of drug paraphernalia	\$100.00	\$90.00	\$110.00	Yes
6819-91	3.34	Refuse to leave park or public space	\$500.00	\$450.00	\$500.00	Yes
6819-91	3.35	Enter park or public space when prohibited	\$500.00	\$450.00	\$500.00	Yes
6819-91	3.36	Ignite substance for smoking or burning	\$100.00	\$90.00	\$110.00	No
6819-91	3.37	Use barbecue in a park outside of a permitted area	\$100.00	\$90.00	\$110.00	No
6819-91	3.38	Fishing in prohibited area	\$75.00	\$65.00	\$85.00	Yes
6819-91	3.39	Damage public property	\$500.00	\$450.00	\$500.00	Yes
6819-91	3.40	Golf, ski, sled, snowboard outside of designated area	\$100.00	\$90.00	\$110.00	No
6819-91	3.41	Create a nuisance in a park	\$100.00	\$90.00	\$110.00	No
6819-91	3.42	Operate a balloon or model aircraft in a park	\$100.00	\$90.00	\$110.00	No
6819-91	3.43	Use tennis court for other purpose	\$50.00	\$45.00	\$55.00	No
6819-91	3.43	Use tennis court for other purpose	\$50.00	\$45.00	\$55.00	No
6819-91	3.44	Unauthorized use of electricity or city utility	\$100.00	\$90.00	\$110.00	No

2. This bylaw shall come into force and take effect as and from the date of adoption.
3. This bylaw may be cited as Bylaw No. 10681 being "Amendment No. 5 to Bylaw Notice Enforcement Bylaw No. 10475".

Read a first and second and third time by the Municipal Council this 25th day of June, 2012.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk