

DISTRICT OF LOGAN LAKE

BYLAW NO. 636, 2008

A bylaw to Amend the District of Logan Lake Bylaw Enforcement Officer Bylaw No. 248, 1985.

WHEREAS the District Council has deemed it expedient to establish a Bylaw infraction reporting protocol.

NOW THEREFORE the Council of the District of Logan Lake, in open meeting lawfully assembled enacts as follows:

1. This bylaw may be cited as for all purposes as the "District of Logan Lake Bylaw Enforcement Officer Amendment Bylaw No. 636, 2008.
2. That Bylaw No. 248, 1985 Section 6, Part (a) is hereby amended to read:

"Without restricting the generality of Section 5 (a) hereof a Bylaw Enforcement Officer shall:


(a) receive, attend and investigate complaints from the general public with regard to alleged violations of Bylaws only after a complaint form cited as Form "A" of this bylaw is completed in full and signed by the complainant.

3. Form "A" of Bylaw No. 248, 1985 is hereby deleted in its entirety and a new Form "A" Bylaw Infraction Complaint Report as attached hereto and forming part of this Bylaw is substituted therefore.
4. This bylaw shall come into full force and effect upon adoption.

READ A FIRST, SECOND TIME this 15th day of July, 2008

READ A THIRD TIME this 15th day of July, 2008

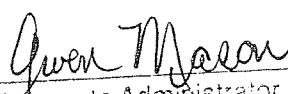
RECONSIDERED AND ADOPTED this 12th day of August, 2008.

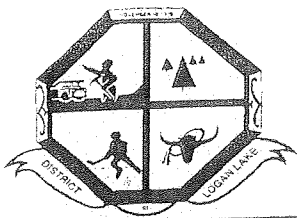


Mayor (E. Brown)



Chief Administrative Officer (D. Allen)

Certified a true copy of the District of Logan Lake	
Resolution No. _____	or
Bylaw No. <u>636</u>	
Dated this <u>19th</u> day of	
<u>August</u>	<u>2008</u>
	
Corporate Administrator Dist of Logan Lake	



District of Logan Lake

P.O Box 190, Logan Lake, B.C. V0K 1W0
 Telephone (250) 523-6225 Fax (250) 523-6678

“Where Recreation and Nature Meet”

Occurrence No.:		Date:
Complainant:		Phone (H):
Address:		Phone (W):
Location of Occurrence	Civic address, Plan, Lot	
Owner and Address of Property Owner		
Taken By:	Attended By:	Zoning:

Description of Circumstance

Action Taken

Resolution

As the complainant, I understand that I may be required to provide further information during an investigation and that I may be required to appear in a court of law as a witness. I also understand that this document is not meant to be confidential.

Print Name _____ Signed _____ Date _____

DISTRICT OF LOGAN LAKE

BYLAW NO. 248

A BYLAW OF THE DISTRICT OF LOGAN LAKE TO ESTABLISH THE OFFICE OF BYLAW ENFORCEMENT OFFICER.

WHEREAS pursuant to Section 29 of the Police Act, SBC 1974 C64 Bylaw Enforcement Officers may be appointed by the Council of a Municipality and the Municipality may, in such an appointment, specify such officer's functions, duties, powers and immunities;

AND WHEREAS it is deemed expedient to establish the office of the Bylaw Enforcement Officer and to specify the functions, duties, powers and immunities of such office by Bylaw;

NOW THEREFORE the Council of the District of Logan Lake, duly assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "District of Logan Lake Bylaw Enforcement Officer Bylaw No. 248, 1985."

2. DEFINITIONS

In this Bylaw unless the context otherwise requires:

"Bylaw" or "Bylaws" means each and every Bylaw passed, made or enacted by the District of Logan Lake and being in effect in or in force in the District of Logan Lake at the date of the final adoption of this Bylaw and includes all Bylaws passed, made or enacted by the District of Logan Lake after the date of final adoption of this Bylaw.

"Bylaw Enforcement Officer" means the person or persons appointed by Council resolution from time to time as a Bylaw Enforcement Officer and includes the person or persons from time to time holding the position of Building Inspector, License Inspector and Animal Control Officer of the District of Logan Lake.

"District" means the District of Logan Lake and the geographic area of land within its boundaries.

"Council" means the Municipal Council of the District of Logan Lake.

3. OFFICE

There is hereby established the Office of the Bylaw Enforcement Officer for the District of Logan Lake.

4. APPOINTMENT

Council may from time to time by resolution appoint one or more Bylaw Enforcement Officers and in connection therewith the Mayor and Clerk are hereby authorized on behalf of the District to enter into contracts of employment with such persons containing such terms and conditions of employment as to them seems advisable.

5. DUTIES

- (a) A Bylaw Enforcement Officer shall in addition to such duties as are prescribed in his appointment, be responsible for the enforcement of the Bylaws of the District and in connection therewith shall take direction from, be responsible to, and report to the Administrator of the District, or such other persons as Council may, by resolution, direct.

- (b) A Bylaw Enforcement Officer shall not cause an information to be laid or any action to be commenced with respect to a violation of any Bylaw without first obtaining the approval of the Administrator of the District.

6. Without restricting the generality of Section 5 (a) hereof a Bylaw Enforcement Officer shall:

- (a) receive, attend and investigate complaints from the general public with regard to alleged violations of Bylaws;
- (b) only interfere in District Departmental affairs upon the request of the Department Head in charge. He shall assist Department Heads of the District in enforcement of Bylaws, including the detection of Bylaw violations and where necessary, prepare the necessary court documents for the laying of an information;
- (c) carry out patrols of the District in an attempt to detect violations of Bylaws and bring to the attention of the violators, by way of warning notices or verbal warnings, that they are liable for prosecution with respect to such violations;
- (d) receive and handle general inquiries regarding Bylaws of the District and their application;
- (e) generally inform the public regarding common Bylaw offences;
- (f) assist the Animal Control Officers of the District in the enforcement of the District's Animal Control Bylaw;
- (g) assist in the enforcement of the Traffic and Street Use Bylaw of the District with respect to the blocking of District thoroughfares;
- (h) investigate nuisance complaints of all types;
- (i) serve notices where required including warning notices.

7. RIGHT OF WAY

- (a) A Bylaw Enforcement Officer may, for the purpose of delivering notices on behalf of the District, enter, at reasonable times upon any real or personal property in the District.
- (b) A Bylaw Enforcement Officer may enter, at all reasonable times, upon any real or personal property in the District in order to ascertain whether the provisions of the District's Bylaws or resolutions with respect thereto are being obeyed. He shall not enter into an occupied dwelling unit or guest room without first obtaining permission from the owner or occupant, and where such permission is denied he shall obtain a search warrant.

8. WARNING NOTICE AND ORDER:

- (a) For the purpose of informing any owner or occupier of real or personal property within the District of any violations of the Bylaws of the District by such owner or occupier, the Bylaw Enforcement Officer may cause a notice of such violation in Form "A" of this Bylaw to be served on such owner or occupier and may in the same notice require such owner or occupier to comply with the Bylaws within a specified period of time.
- (b) Any notice authorized to be served on any person pursuant to this Bylaw shall be deemed to be sufficiently served:
 - (i) if mailed by registered mail addressed to such person, at any government post office in the Province of British Columbia and the notice shall be deemed to be received by such person either when receipt of the registered letter is acknowledged by him or when the registered letter is returned to the District by reason of such person refusing to accept delivery of same;

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(ii) if delivered by hand to such person or deposited in a place usually reserved for the reception of mail at such person's premises or affixed to a prominent portion of such person's premises and the notice shall be deemed to have been received by such person at the time of delivery, deposit or posting of such notice;

(iii) by affixing such notice to such person's motor vehicle.

(c) Nothing herein shall require to be deemed as requiring the District to issue and serve a Notice of Violation of any of the Bylaws of the District on any person as a condition precedent to the District instituting legal proceedings with respect to the violation or causing an information to be laid in respect thereof.

9. OATH

Every Bylaw Enforcement Officer before assuming office as such, shall take oath of affirmations of office and in such form and manner as may be prescribed in the regulations passed pursuant to Section 49 of the Police Act of the Province of British Columbia.

10. GRAMMATICAL


In this Bylaw the masculine includes the feminine and vice versa wherever the context or the parties so require.

READ A FIRST TIME this 20th day of August, 1985.

READ A SECONT TIME this 20th day of August, 1985.

READ A THIRD TIME this 20th day of August, 1985.

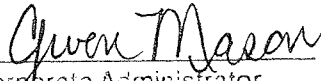
RECONSIDERED, FINALLY PASSED AND ADOPTED this 3rd day of September, 1985.



A | MAYOR



CLERK

Certified a true copy of the District of Logan Lake.
Resolution No. <u>1</u> or
Bylaw No. <u>248</u>
Dated this <u>6th</u> day of <u>March</u> <u>2008</u>

Corporate Administrator Dist. of Logan Lake

BYLAW NO. _____

FORM "A"

DISTRICT OF LOGAN LAKE

BRITISH COLUMBIA

NO. _____

WARNING NOTICE AND ORDER

DATE: _____ TIME: _____

LOCATION: _____

TO: (Owner) (Occupier (Operator of:
(Premises) (Motor Vehicle) (Trailer):

You have committed an infraction of the bylaw indicated below. It is requested that you remedy the situation by the compliance date indicated hereunder or you will be subject to prosecution.

Bylaw Infraction: _____

Compliance Date: _____

Please obey the bylaws of our District - thereby making it a better place in which to live. Should you require any information concerning any of our bylaws, please feel free to contact us.

Signed: _____

Title: _____

Complied by: _____ Signed: _____

