



Good Neighbour Bylaw, 2024

Bylaw No. 3068-2024

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

PART 1 - GENERAL

Definitions

1. In this bylaw

"alteration" means a change made to the structural, mechanical or electrical components of a controlled substance property;

"arterial highway" has the same meaning as in the *Transportation Act*;

"boulevard" has the same meaning as in the *Street and Traffic Bylaw*;

"building" has the same meaning as in the *Building Bylaw*;

"building material" means material used in the construction of a structure or in landscaping, including lumber, gypsum board, windows, doors, fill and soil;

"building official" has the same meaning as in the *Building Bylaw*;

"building permit" has the same meaning as in the *Building Bylaw*;

"bylaw enforcement officer" has the same meaning as in the *Bylaw Enforcement Bylaw*;

"contaminant" means a substance that can render a property unfit for habitation;

"controlled substance" means a controlled substance regulated under the *Controlled Drugs and Substances Act* or *Cannabis Act*, but does not include

- (a) a substance possessed in accordance with an authorization issued under the *Controlled Drugs and Substances Act*, or
- (b) a substance possessed in relation to an order of the Minister of Health issued under the *Emergency Health Services Act* or the *Health Authorities Act*;

"controlled substance property" means a property used for the cultivation, production, use, sale or trade of a controlled substance;

"dangerous goods" has the same meaning as in the *Transport of Dangerous Goods Act*;

"discarded materials" includes materials not in use for the construction or maintenance of a building situated on a property and not neatly piled or stacked against a wall or fence, such as appliances, inoperable vehicles or motor vehicle parts, machinery, compostable waste, firewood, and any other chattels in a dismantled state or not in use for the purpose for which the manufacturer intended;

"disinfect" means to cause a property to be substantially free of any pesticides, fertilizers or toxic chemicals, moulds or fungi;

"drainage facility" includes a drain inlet, a catch basin grate, a culvert headwall and a lawn basin inlet;

"excessive nuisance abatement fee" includes the following fully loaded costs and expenses incurred while responding to a nuisance service call for the purpose of abating a nuisance activity, condition or conduct:

- (a) peace officer and City staff salaries;
- (b) peace officer, fire and City equipment and vehicles;
- (c) administration costs incurred by the City to respond to a nuisance service call and abate a nuisance;
- (d) repairs to damaged City equipment, vehicles or property;

"fire chief" has the same meaning as in the *Fire Service Bylaw*;

"general manager" means the general manager responsible for legal and legislative services of the City, and includes a person acting under the authority of the general manager;

"graffiti" includes one or more letters, symbols, writing, pictures or marks, however made, posted, scratched, painted or drawn on any structure or thing but does not include any of the following:

- (a) a sign, public notice or traffic control mark authorized by the engineer or a domestic enactment; or
- (b) in the case of private property, a letter, symbol or mark for which the owner of the property on which the letter, symbol or mark appears has given prior, written authorization;

"hazardous condition" means

- (a) any real or potential risk of fire,
- (b) any real or potential risk to the health or safety of a person or property,
- (c) any unapproved building alteration or other modifications made to a property, or
- (d) repairs needed to a property;

"herbicide" means a substance used to control a noxious weed;

"highway" has the same meaning as in the *Street and Traffic Bylaw*;

"inoperable vehicle" means any motor vehicle, including an unregistered motor vehicle, that cannot be started and moved under its own power without the assistance of another person, motor vehicle, or gravity;

"inspector" means

- (a) the general manager,
- (b) the fire chief,
- (c) a building official,
- (d) a bylaw enforcement officer,
- (e) a peace officer,
- (f) the manager, bylaw services,
- (g) the engineer,
- (h) a person designated by the City to inspect buildings in respect of gas or electrical standards, and
- (i) other persons designated by Council by name or office or otherwise to act in the place of the persons, officers or employees referred to in paragraphs (a) to (h);

"manager, bylaw services" means the person in charge of bylaw services, or that person's designate;

"motor vehicle" has the same meaning as in the *Motor Vehicle Act*;

"noxious or offensive business activity" includes a business activity conducted in connection with a controlled substance property;

"noxious weed" has the same meaning as in the *Weed Control Act*;

"nuisance service call" means a City or peace officer response to and abatement of any activity, conduct or condition occurring on or near a property that substantially and unreasonably interferes with another person's use and enjoyment of a public place or of property occupied by that person, or that causes injury to the health, comfort or convenience of an occupier of property and that is caused by or arises from a person's failure to comply with the requirements of this bylaw;

"outdoor light" means any light source that is not fully enclosed in a building or structure;

"parcel" has the same meaning as in the *Community Charter*;

"park" has the same meaning as in the *Parks Bylaw*;

"pesticide" means a substance or mixture, including a chemical, used to destroy, prevent, repel or mitigate fungi or animal pests or microorganisms such as bacteria or viruses, and includes herbicides, fungicides, other substances used to control pests, plant regulators, defoliant or desiccants;

"professional cleaner" means a person experienced in removing contaminants from a property who possesses a Building Services Worker Certificate and is trained in the Workplace Hazardous Materials Information System (WHMIS);

"public place" means

- (a) a highway open to public use, and
- (b) any park, building, conveyance, private place or passageway to which the public has, or is permitted to have access or is invited;

"re-occupancy permit" means a document in writing issued by a building official to re-occupy a building or part in respect of which the building official issued an order to cease occupancy because of a hazardous condition;

"restoration inspection" means an inspection by a building official confirming that building deficiencies identified in a special safety inspection are corrected;

"roadway" has the same meaning as in the *Motor Vehicle Act*;

"rubbish" means solid and semi-solid wastes including, paper, trash, refuse, cardboard, waste material, demolition material, cans, bottles, yard clippings, wood, rubber, plastics, glass, bedding, mattresses, crates, pallets, rags, barrels, boxes, scrap iron and other metal, scrap paving material, broken flower pots, discarded tanks of fuel and propane, discarded household appliances and discarded furniture;

"service costs" means all direct and indirect costs incurred by the City for the dismantling and removal of materials, equipment and by-products from a controlled substance property, including

- (a) all costs, including salaries and other related personnel costs, such as stand-by costs, incurred for dismantling, disassembly, removal, clean-up, transportation, storage and disposal of equipment, substances, materials and other paraphernalia associated with such use, trade, business or manufacture,
- (b) costs incurred to replace consumables, or to replace equipment following exposure to contaminants,
- (c) costs incurred as the result of the analysis of the materials found at the property and the health and safety conditions at the property, and
- (d) actual costs incurred for legal fees;

"shielded" means attached covers or shades for outdoor light fixtures that prevent light trespass, such as back, front, or side shields, as well as upright shielding to ensure that light is not emitted above a horizontal plane.

"sidewalk" has the same meaning as in the *Motor Vehicle Act*;

"sight-distance" means a clear line of vision between conflicting motorists, cyclists and pedestrians that allows sufficient time for safe manoeuvres to be made without significantly affecting the conflicting traffic;

"special safety inspection" means an inspection coordinated with a municipal department, provincial or federal authorities and independent professionals or contractors as may be necessary to ascertain hazardous conditions or contraventions that may exist under the BC Building Code, BC Fire Code, *Safety Standards Act*, *Health Act*, or other applicable enactments, but does include an inspection pursuant to an emergency call for police, fire or ambulance services or an inspection carried out under a warrant as part of a criminal investigation;

"structure" has the same meaning as in the *Building Bylaw*;

"temporary structure" includes a tent, canopy or tarp;

"transfer station" has the same meaning as in the *Soil Removal and Deposit Bylaw*;

"vacant premises" means a building, structure, or other improvement that has been unoccupied

- (a) for a continuous period of more than 30 days, or
- (b) as a result of a fire, disaster, inevitable accident, force majeure or other unavoidable casualty for any length of time.

Interpretation

2. The *Interpretation Bylaw* applies to this bylaw.

PART 2 - PROPERTY STANDARDS

Lights

3. (1) An owner or occupier of a parcel must ensure that an outdoor light on the parcel is shielded if the illumination from the outdoor light could reasonably be expected to create a nuisance or disturb the peace, rest, enjoyment, comfort or convenience of individuals or the public.
- (2) The outdoor light referred to in subsection (1) does not include the following:
- (a) street lights;
 - (b) vehicle lights;
 - (c) lights on playing fields;
 - (d) lights on school playgrounds;
 - (e) decorative lights that are on display between October 15 and January 31.

Graffiti

4. A person must not place, or caused to be placed, graffiti on a wall, fence, building or other structure on or adjacent to a highway or a public place.

Littering

5. (1) A person must not throw down, drop or otherwise deposit or leave rubbish in a public place, except in a receptacle provided for that purpose.
- (2) For the purposes of subsection (1), each separate item or bag of rubbish constitutes a separate offence.

Dumping

6. (1) A person must not dump, place, leave or deposit rubbish or discarded materials
- (a) in any public place, or
 - (b) on a property without written authorization from the owner of the property.
- (2) For the purposes of subsection (1), each separate item or bag of rubbish or discarded material constitutes a separate offence.
- (3) A person who contravenes, directs, supervises or aids another person in contravening subsection (1) must promptly
- (a) comply with a notice or direction of a bylaw enforcement officer to remove and transport the rubbish or discarded materials to a transfer station,
 - (b) carry out related remedial steps, and
 - (c) take remedial action to restore the affected area to the condition that it was in before the contravention of subsection (1) occurred.

General property maintenance

7. (1) An owner or occupier of a property must not
- (a) store outside
 - (i) discarded materials,
 - (ii) rubbish,
 - (iii) inoperable vehicle or motor vehicle parts,
 - (iv) household chattels and fixtures,
 - (v) furniture,
 - (vi) appliances, or
 - (vii) other similar household items,
 - (b) store a motor vehicle, boat, trailer or recreational vehicle

- (i) on a landscaped portion of the property,
 - (ii) dismantled or broken up, or
 - (iii) in a state of disrepair, including mould growth or one or more flat tires, unless the motor vehicle, boat, trailer or recreational vehicle is in an enclosed building that does not include a temporary structure and is not visible from another property or public place,
 - (c) accumulate building materials for more than 15 days without a valid building permit, unless the building materials are stored in a closed building or structure such that the building materials are not visible from another property or a public place,
 - (d) cause or permit any of the following to accumulate on the property:
 - (i) an uncontrolled growth of vegetation;
 - (ii) cut tree branches;
 - (iii) dead leaves;
 - (iv) fallen leaves;
 - (v) dead bushes or other growth;
 - (vi) unstacked firewood;
 - (vii) dirt piles;
 - (viii) uncontaminated compost material,
 - (e) cause or permit graffiti to remain on a wall, fence or elsewhere on the property that is visible from a public place,
 - (f) cause or permit grass, weeds or similar ground cover on the property to be over 10 inches in height, or
 - (g) cause or permit the property to be a source of food, protection or harbourage for rodents or other similar animals that could cause a nuisance.
- (2) An owner or occupier of a property must ensure that
- (a) a building or structure on the property does not fall into such a state of disrepair that it becomes unsightly or creates a hazard, danger, nuisance, or inconvenience to the general public;
 - (b) a fence, a retaining wall, or a wood tie located on the property and adjacent to a street or public place is not
 - (i) unstable,
 - (ii) unsafe,
 - (iii) rotting,
 - (iv) crumbling,
 - (v) cracking,
 - (vi) leaning,
 - (vii) peeling, or
 - (viii) rusting.

Noxious weeds

8. (1) An owner or occupier of a property must not cause or permit a noxious weed to grow or accumulate on the property.
- (2) An owner or occupier of a property that contains a noxious weed must eradicate the noxious weed.
- (3) In eradicating the noxious weed referred to in subsection (2), the owner or occupier must comply with all applicable provincial or federal regulations, including the *Integrated Pest Management Act*, *Integrated Pest Management Regulation* and *Pest Control Products Act*.

Vacant premises

9. (1) An owner of a vacant premises must ensure that the vacant premises are secured against unauthorized entry or occupation, vandalism or other intentional damage or a fire hazard by doing one or more of the following:
- (a) affixing a structural barrier to windows and other points of ingress using materials and installation that are effective in precluding easy entry;
 - (b) installing and maintaining security fencing or other perimeter barriers and a security lighting system that does not impact neighbouring properties;
 - (c) installing a security alarm system;
 - (d) hiring security or guard patrols on a frequent and periodic basis;
 - (e) utilizing or installing other security measures or devices that are satisfactory to a bylaw enforcement officer.

Boulevard and sidewalk maintenance

10. (1) An owner or occupier of a property must maintain a boulevard and sidewalk fronting the property in the following manner:
- (a) remove accumulations of filth, rubbish, discarded materials, hazardous objects and other materials which obstruct a drainage facility;
 - (b) keep grassed areas trimmed;
 - (c) keep landscaping trimmed so that driveway and intersection sight-distances are unobstructed;
 - (d) keep landscaping from encroaching over paved roadways, gravel shoulders and sidewalks;
 - (e) remove snow or ice from the roof or other part of any structure on property adjacent to or abutting any portion of any boulevard or roadway.
- (2) An owner or occupier of a property must remove all snow and ice from a sidewalk or walkway bordering the property no later than 12:00 p.m. on the day following the snowfall if the property is
- (a) commercial,
 - (b) industrial,
 - (c) multi-family,
 - (d) single family, or
 - (e) duplex residential.
- (3) Subsection (1) does not apply to a boulevard fronting the arterial highway unless the front of the property faces such arterial highway.
- (4) Subsections (1) and (2) do not apply if the property is a through lot abutting both an arterial highway and an internal street that runs approximately parallel to the arterial highway.
- (5) Despite subsection (1), an owner or occupier of a property is not required to maintain a boulevard or sidewalk fronting a roadway if the front of the property does not face the roadway.

PART 3 - CONTROLLED SUBSTANCE PROPERTY
Division 1 - Property Health and Safety Regulations

Prohibitions

11. (1) A person must not do, cause or permit to be done any of the following:
- (a) disconnect, or otherwise tamper with, a meter installed on the property in connection with
 - (i) an electricity distribution system such that the meter diverts electricity and cannot register the consumption of electricity from the electricity distribution system, or
 - (ii) a water distribution system such that the meter diverts water and cannot register the consumption of water from the water distribution system;
 - (b) divert exhaust from a hot water tank or a furnace such that exhaust air from the hot water tank or the furnace discharges the exhaust air into or within a building;
 - (c) use or store dangerous goods in a property in a quantity greater than permitted under the BC Fire Code;
 - (d) set or place a trap, device or other thing on or in a property that is likely to cause death or bodily harm to a person;
 - (e) set or place an obstruction of an exit or an access to an exit required under the BC Building Code or other domestic enactment;
 - (f) remove any materials used to prevent and suppress fires that is provided or required under a domestic enactment to contain the spread of fire within a building;
 - (g) cause or permit the growth of mould or fungi arising from or in relation to a controlled substance.
- (2) An owner or occupier of a property must not cause or permit the property to be a controlled substance property.

Requirements

12. (1) An owner or occupier of every property must ensure that at all times
- (a) water and electrical meters referred to in section 11 (1) (a) remain properly connected to the electrical or water distribution systems and operate only for the purposes intended,
 - (b) exhaust vents of hot water tanks or furnaces referred to in section 11 (1) (b) are installed, operated and maintained in accordance with all applicable domestic enactments, including the BC Building Code,
 - (c) the property does not contain dangerous goods referred to in section 11 (1) (c) in quantities greater than permitted under the BC Fire Code,
 - (d) no trap or other device referred to in section 11 (1) (d) is located or contained anywhere on the property,
 - (e) no obstruction of an exit or an access to an exit exists on the property as referred to in section 11 (1) (e),
 - (f) materials to prevent and suppress fires referred to in section 11 (1) (f) are not removed, and
 - (g) mould or fungi referred to in section 11 (1) (g) is not present in, on or around the property.

Disconnection of services

13. The general manager may disconnect the supply of electricity, water or nature gas to a controlled substance property without notice to the owner or occupier.

Reconnection of services

14. (1) If a property is used as a controlled substance property and
- (a) the supply of electricity, water or natural gas to the property is disconnected by the City;
 - (b) a hazardous condition exists on the property, or
 - (c) an unauthorized alteration or repair is made to
 - (i) structural,
 - (ii) electrical,
 - (iii) water or gas systems,
 - (iv) equipment,
 - (v) appliances, or
 - (vi) other accessories of any kind,

the supply of electricity, water or natural gas must not be permanently reconnected and the property must not be occupied or used until

- (vii) the owner or occupier
 - (A) applies to the inspector for a restoration inspection,
 - (B) pays all fees prescribed in
 - (I) the *Fees and Charges Bylaw*,
 - (II) this bylaw, and
 - (III) all other relevant City enactments relating to the inspection of the property and the issuance of permits,
 - (C) deposits the performance security with the City, in accordance with the requirements, as prescribed in the Building Bylaw, and
 - (D) obtains all permits, approvals or authorizations required to carry out the work necessary to bring the property into compliance with the applicable domestic enactments,
- (viii) the property is inspected by the building official and all other lawful authorities with jurisdiction over the supply of electricity, water or natural gas, for compliance with all health and safety requirements of any applicable domestic enactment relating to building, electrical, water, health, gas or fire safety,
- (ix) all of the work referred to in this section
 - (A) is completed and inspected by the building official and all other lawful authorities with jurisdiction, and
 - (B) the property complies with the applicable domestic enactments, and
- (x) the building official issues a re-occupancy permit for the property.

Division 2 - Nuisances and Noxious or Offensive Trades

Nuisances and noxious or offensive trades prohibited

15. (1) A person must not cause or permit
- (a) a nuisance as a result of the use or occupancy of a property,
 - (b) an emission of noise, vibration, odour, smoke, dust, gas, spark, ash, soot, cinder, fume, light or any other matter that is liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public,
 - (c) water, rubbish or other material that is noxious, offensive or unwholesome to collect or accumulate in, on, under or around a property, or
 - (d) the carrying on of a noxious or offensive trade in or on a property.

- (2) An owner or occupier of property must ensure that
 - (a) the use or occupancy of the property does not cause a nuisance,
 - (b) no accumulation of
 - (i) water,
 - (ii) rubbish, or
 - (iii) noxious, offensive, or unwholesome matteris permitted to collect or accumulate in, on, under or around the property, and
 - (c) the property is not used for a noxious or offensive trade.

Division 3 - Fire Protection

Fire chief may enter on and inspect a property

- 16. (1) The fire chief may
 - (a) enter on and inspect any property for conditions that may
 - (i) cause a fire,
 - (ii) increase the danger of fire, or
 - (iii) increase the danger to persons or property from a fire, and
 - (b) take measures to prevent and suppress fires, including the demolition of buildings to prevent the spreading of fires,
 - (c) order an owner or occupier of property to undertake any actions directed by the fire chief to remove or reduce any thing or condition which the fire chief considers is a fire hazard or increases the danger of fire, and
 - (d) exercise some or all of the powers of the fire commissioner under section 25 [*emergencies*] of the *Fire Services Act*.

Division 4 - Inspection and Remediation of Property

Inspection by owner

- 17. (1) Every owner of a property that is occupied or used by persons other than the owner
 - (a) must inspect the property at least once every three months to ascertain whether this bylaw was contravened, and
 - (b) who has knowledge of this bylaw's contravention in relation to the property must, within 24 hours of the discovery of the contravention, deliver written notice to the City of the particulars of the contravention.

Inspector may enter on a property

- 18. (1) Subject to the *Community Charter*, an inspector may enter on a property for the following purposes:
 - (a) to inspect and determine whether all regulations, prohibitions and requirements under applicable domestic enactments are met in relation to any matter for which
 - (i) the Council,
 - (ii) a municipal officer,
 - (iii) an employee, or
 - (iv) a person authorized by Councilexercised authority under this or another bylaw to regulate, prohibit or impose requirements;
 - (b) to inspect, disconnect or remove a water service;
 - (c) to carry out a special safety inspection.

Notice

- 19. (1) An inspector may post a notice on a property that was used as a controlled substance property.

- (2) The notice referred to in subsection (1) must be in the form prescribed by the general manager.
- (3) After a notice referred to in subsection (1) is posted, no person may enter or occupy such property, except
 - (a) an inspector,
 - (b) a professional cleaner, and
 - (c) a person certified by the Canadian Registration Board of Occupational Hygienists or the American Board of Industrial Hygiene while exercising authority under this bylaw.

Obstruction of Notice

20. (1) No person may
- (a) interfere with or obstruct the authorized entry of an inspector into or onto any property,
 - (b) interfere with or obstruct an inspector from posting a notice referred to in section 19 (1), or
 - (c) remove, alter, cover or mutilate a notice posted under section 19 (1).

Remediation of controlled substance property

21. (1) Within 30 days of receiving a written notice referred to in section 19 (1), the owner of the property must do the following:
- (a) engage a professional cleaner to clean and disinfect the property, including
 - (i) floor and window coverings,
 - (ii) heating and ventilation distribution systems,
 - (iii) walls and ceilings, and
 - (iv) countertops and cabinets;
 - (b) engage an individual or corporation certified by the Canadian Registration Board of Occupational Hygienists or the American Board of Industrial Hygiene to
 - (i) inspect the property, and
 - (ii) provide written certification confirming that the requirements of paragraph (a) have been met;
 - (c) provide the written certification referred to in paragraph (b) (ii) to the general manager.
- (2) The written certification referred to in subsection (1) (b) must be in the form prescribed by the general manager.
- (3) Within 90 days of the receipt, by the general manager, of the written certification referred to in subsection (1) (c), the owner of the property must complete the following:
- (a) notify all prospective occupiers of the property that the property was used as a controlled substance property and that the requirements of this bylaw were met;
 - (b) if there was any alteration to the property,
 - (i) obtain a building permit from the City for any existing or proposed alteration for which a permit is required under the *Building Bylaw*,
 - (ii) ensure the property complies with the health and safety requirements of
 - (A) the BC Building Code,
 - (B) this bylaw, and
 - (C) all other health and safety requirements established by law, and
 - (iii) obtain a re-occupancy permit following any necessary repairs.
- (4) Notification referred to in subsection (3) (a) must be in writing.
- (5) A controlled substance property must not be occupied or used by any person until the requirements in subsection (3) are complete.

Building official may authorize extension

22. (1) Subject to subsection (2), where
- (a) the certification required under section 21 (1) (b) is not received, or
 - (b) the requirements in section 21 (3) are not completed,
- the building official may authorize an extension of 30 days to complete those requirements.
- (2) In authorizing an extension referred to in subsection (1), the building official must
- (a) receive payment of the fee prescribed in the *Fees and Charges Bylaw*, and
 - (b) consider that additional time is required to properly complete the requirements referred to in subsection (1), having regard to the particular nature and scope of the work to be carried out.

Division 5 – Fees

Fees for inspection or service to a property

23. (1) Where the City carries out an inspection or provides a service to a property under this bylaw, the City may issue an invoice or account demanding that the owner or occupier of such property pay the
- (a) applicable fees prescribed in the *Fees and Charges Bylaw*, and
 - (b) service costs,
- for that inspection or service.

PART 4 - COMPLIANCE, ENFORCEMENT AND ENTRY

Compliance order

24. (1) If a bylaw enforcement officer determines that an owner, or other responsible person, has failed to comply with this bylaw, the bylaw enforcement officer may serve an order to the owner, or other responsible person, requiring them to comply with this bylaw.
- (2) An order served under subsection (1) must set out the following:
- (a) the name of the person;
 - (b) the date the order was made;
 - (c) the address or location affected by the order;
 - (d) the provision of this bylaw that the person contravened;
 - (e) a description of the circumstances of the contravention;
 - (f) an explanation of how to comply with the order;
 - (g) the date by which the person must comply with the order;
 - (h) the right of the person to request a reconsideration in accordance with the *Appeal Procedure Bylaw*;
 - (i) a statement that the City may impose a penalty or conviction for the offence of failing to comply with an order;
 - (j) any additional information required by law.
- (3) Bylaw enforcement officers may serve an order referred to in subsection (1) in the following manner:
- (a) in the case of the owner of the property, served personally or mailed by prepaid registered mail;
 - (b) in the case of the occupier of the property, posted on the property or delivered to the occupier of the property.

Enforcement and entry

25. (1) If the owner, or other responsible person, fails to comply with an order served under section 24, the City, by its workers or other responsible person, may, at all reasonable times, and in a reasonable manner, enter the property and cause compliance with this bylaw.
- (2) The City may issue to the defaulting owner, or other responsible person, a demand for payment for any costs and expenses incurred by the City to cause compliance under section 24.
- (3) The costs referred to in subsection (2) will consist of all costs and expenses incurred by the City to achieve compliance with this bylaw including, without limitation,
- (a) administrative costs,
 - (b) costs to attend the property by City employees or its contractors as prescribed in the *Fees and Charges Bylaw*, and
 - (c) the costs of removal, clean up and disposal.

Repeat nuisance calls

26. (1) For the purposes of this section, any owner of a property that is liable to pay an excessive nuisance abatement fee, must pay the excessive nuisance abatement fee in accordance with the amounts set out in the *Fees and Charges Bylaw*.
- (2) Where peace officers or other City officials are required to respond to a property for
- (a) more than one nuisance service call within a 24 hour period, or
 - (b) more than three nuisance service calls within a 12 month period,
- the owner of the property must pay an excessive nuisance abatement fee for each additional nuisance service call responded to at that same property within the 12 month period following the date of the notice referred to in subsection (4).
- (3) Despite subsection (2), where legal title to a property is transferred,
- (a) nuisance service calls made before the date that the new owner obtains legal title to the property will not apply to a determination under subsection (2) of whether excessive nuisance abatement fees are payable, and
 - (b) the new owner will be liable for all unpaid excessive nuisance abatement fees imposed against the property in respect of past nuisance service calls.
- (4) Before imposing an excessive nuisance abatement fee, the general manager must provide written notice to the owner of the property
- (a) describing in reasonable detail the nature of the nuisance conduct, activity or condition that occurred, or was maintained or permitted in, on or near the property, and
 - (b) advising the owner that
 - (i) excessive nuisance abatement fees will be imposed for each additional nuisance service call to the same property, and
 - (ii) the imposition of excessive nuisance abatement fees is in addition to the City's right to seek other legal remedies or actions for abatement of the nuisance.
- (5) Service of the notice referred to in subsection (4) will be sufficient if the notice
- (a) in the case of service on an individual, is served personally or mailed by prepaid registered mail to the address of the owner shown on the current year's real property assessment roll for the property for which the notice is issued, or
 - (b) in the case of service on a corporation, is served
 - (i) personally on a director, officer or manager of the corporation, or
 - (ii) by leaving it at or mailing it by prepaid registered mail to the registered office of the corporation.

Reconsideration

27. (1) Except as otherwise provided in this bylaw, a person who is subject to a decision or an order under this bylaw may apply for reconsideration of that decision or order by the Council in accordance with the *Appeal Procedure Bylaw*.

Division 1 - General Cost Recovery

City action at defaulter's expense

28. (1) The general manager may direct that, if a person subject to a requirement under this bylaw fails to take the required action within the time specified in this bylaw or otherwise within 30 days, the City may
(a) fulfill the requirement at the person's expense, and
(b) recover the costs incurred from that person as a debt or direct that the amount be added to the property's property tax payroll for the calendar year.

Recovery of fees and costs as special fees

29. If the City does work or provides services in relation to land or improvements, the City may recover the fees and costs incurred by the City as special fees in accordance with Division 14 [*Recovery of Special Fees*] of Part 7 [*Municipal Revenue*] of the *Community Charter*.

PART 5 – REPEAL, CONSEQUENTIAL AMENDMENTS AND CITATION

Repeal

30. The *Controlled Substance Property Bylaw, 2006* and *Good Neighbour Bylaw, 2003* are repealed.

Consequential Amendments - Appeal Procedure Bylaw, 2023

31. Section 3(2)(e) [*decisions which may be appealed*] of the *Appeal Procedure Bylaw, 2023* is amended by repealing the phrase "Controlled Substance Property Bylaw" and substituting it with "Good Neighbour Bylaw".

Consequential Amendments - Bylaw Enforcement Bylaw, 2020

32. Table 1 [*specific penalties for bylaw contraventions dealt with by bylaw notice*] of the *Bylaw Enforcement Bylaw, 2020* is amended by repealing "Section 2.1 [*restrictions on panhandling*] of the *Good Neighbour Bylaw, 2003*" and the associated fee of "\$75".

Consequential Amendments - Fees and Charges Bylaw, 2006

33. Schedule "G" [*building*], section 9 [*other fees*], of the *Fees and Charges Bylaw, 2006* is amended by adding the following after s.9(g):

"(h) Register a Land Title Notice Section 57.....	\$500.00
(i) Discharge a Land Title Notice Section 58.....	\$300.00"

34. Schedule "M" [*bylaw services*] is amended by adding the following section:

"CONTROLLED SUBSTANCE PROPERTY FEES

3. Special Safety Inspection Fee.....	\$3,500.00"
---------------------------------------	-------------

Consequential Amendments - Interpretation Bylaw, 2019

35. (1) Section 1 of the *Interpretation Bylaw, 2019* is amended as follows:

(a) inserting the following definition after the definition of "dispose":

""domestic enactment" means an applicable

- (a) City enactment,
- (b) federal enactment, or
- (c) provincial enactment;"

(b) inserting the following definition after the definition of "enact":

""engineer" means the person in charge of the engineering and regional utilities department, or designate;"

36. Section 18 (1) of the *Interpretation Bylaw, 2019* is amended by repealing the definition of "domestic enactment".

Citation

37. Bylaw No. 3068-2024 will be cited as "Good Neighbour Bylaw, 2024".

READ a first time this	8 th day of	October, 2024
READ a second time this	8 th day of	October, 2024
READ a third time this	8 th day of	October, 2024
ADOPTED this	22 nd day of	October, 2024