

CITY OF KELOWNA

BYLAW NO. 12553

Amendment No. 43 to Traffic Bylaw No. 8120

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Traffic Bylaw No. 8120 be amended as follows:

1. THAT **Part 1 – Introduction, 1.4.1** be amended by
 - 1.1. Adding the following definition:

“Roadways Operations Manager means the person appointed as such and includes their lawful designate(s).”

2. THAT **Part 2 – General Regulations, 2.5.1** be amended by
 - 2.1. Deleting Subsection 2.5.1 in its entirety and replacing Subsection 2.5.1. with the following:

“Sidewalks. Owners or Occupiers of real property shall remove snow, ice, or rubbish from the sidewalk and walkways bordering (whether directly adjacent to, or separated by a boulevard, landscaping, or other portion of either the property or the road) on the real property owned or occupied by them within 24 hours of the accumulation of such snow, ice or rubbish.

2.5.1(a) Owners or occupiers of real property may be exempt from removing such snow, ice or rubbish from a sidewalk along stretches of road bordering real property if an application is made and approved pursuant to this bylaw.

2.5.1(b) Pursuant to Section 154(1) of the *Community Charter*, Council delegates to the Roadways Operations Manager the duties and powers of Council to approve an exemption to Subsection 2.5.1 of this bylaw.

2.5.1(c) The exemption to Subsection 2.5.1 may be approved if it complies with one or more of the following criteria:

 - i. there is a grade difference of 3 meters or greater between the real property and the adjacent sidewalk,
 - ii. the real property is owned by the City of Kelowna,
 - iii. the real property is located within the Agricultural Land Reserve, or
 - iv. other site constraints as determined by the Roadways Operations Manager.

2.5.1(d) An application made pursuant to this Subsection will be made to the Roadways Operations Manager in writing by the owner(s) of the land that is subject to the application, or by a person authorized by the owner(s).

2.5.1(e) An application made pursuant to this Subsection will be submitted to the City on the prescribed application form approved by the Roadways Operations Manager.

2.5.1(f) The following information is required for an application pursuant to this Subsection:

 - i. Application form,
 - ii. Real property civic address and legal description,
 - iii. Exemption rationale, and
 - iv. Owner’s Authorization Form (if applicable).”

3. THAT **Part 2 – General Regulations, 2.5.4** be amended by
 - 3.1. Deleting Subsection 2.5.4 in its entirety and replacing Subsection 2.5.4 with the following:
"Snow Route Parking Ban Area. No vehicles will be parked on highways within the designated areas identified in Council Policy No. 332 after 24 hours of the City declaring the parking ban."
4. This bylaw may be cited as "Bylaw No. 12553, being Amendment No. 43 to Traffic Bylaw No. 8120."
5. This bylaw comes into 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 11th day of September, 2023.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk