



# Good Neighbour Bylaw: Best Practice & Nuisance Abatement Solution

October 30, 2017



# Agenda

- 1) Overview of Bylaw
- 2) Nuisance Abatement Fees
- 3) Changed & bylaws repealed
- 4) Fines & Penalties
- 5) Recommended for adoption

# Scope

- ▶ Nuisance Abatement Fees, a new authority
- ▶ Unsightly Premises & other nuisances
- ▶ Noise
- ▶ Parks, Roads & Public spaces
- ▶ Graffiti

# Best Practice & Harm Reduction

- ▶ Consolidates nuisance related bylaws
- ▶ Related bylaws needed updating
- ▶ Good fit with nuisance abatement fees

# Consultation, Research & Legal Review (how)

- ▶ Significant Internal Consultation
- ▶ Use of City Solicitor to develop content & wording
- ▶ Survey of similar bylaws in BC and Canada
- ▶ Interviews with staff from other jurisdictions

# Nuisance Property Abatement Fees

- ▶ Imposed on property owners following repeated call
- ▶ More than 1 in 24hrs or more than 3 per year
- ▶ Proposed amount is: \$250 per call
- ▶ Includes attendance by RCMP, KFD or Bylaw
- ▶ Successfully being used in BC
- ▶ Fees can be applied to taxes
- ▶ Does not restrict other enforcement actions

# Abatement Fees – When?

- ▶ Multiple calls for service related to nuisances at the real property
- ▶ At a minimum, have at least 3 separate nuisance files documented within a 12-month period

# Abatement Fee Procedures

- ▶ Prior to charging the fee the owner of the property will be provided with written notice of the City's intent to charge nuisance abatement fees for subsequent service calls, the notice will include:
  - ▶ The particulars of nuisances associated with the property in the last 12 months;
  - ▶ Notification of the fees that could be imposed;
  - ▶ Notification that other legal remedies may be undertaken in addition to the nuisance abatement fees;
  - ▶ Provide the owner reasonable notice, determined by the bylaw supervisor, to remedy the situation prior to the first nuisance abatement fee being applied.



# Abatement Fee Procedures

- ▶ RCMP, Bylaw & KFD to meet and communicate about properties drawing disproportionately on resources
- ▶ If identified as a nuisance property, that designation remains with the property for 12 months, regardless of ownership change
- ▶ RCMP & KFD to provide Bylaw call details to log nuisance calls and trigger fees to be charged
- ▶ Unpaid fees placed on the property's taxes as taxes on December 31<sup>st</sup>
- ▶ Will not count medical calls (ODs), serious crime, false alarms, etc.

# Bylaws: Repealed

- ▶ Anti-Litter Bylaw, No. 3477
- ▶ Noise & Disturbances Control Bylaw, No. 6647
- ▶ Residential Nuisance Bylaw, No. 7782
- ▶ Unsightly Premises and Visual Nuisance Bylaw, No. 8217
- ▶ Bylaw Notice Enforcement, bylaw No. 10475 (*amend*)

# Notable Changes & Updates

- ▶ Graffiti – Includes distribution & utility boxes
- ▶ Noise – Reduced Constriction period, 10pm to 9pm end
- ▶ Noise – Allows City Engineer to authorize construction noise outside 7:00-21:00
- ▶ Noise – Restricts “roaring or explosive” engine or exhaust sounds from cars, motorbikes & boats
- ▶ Composting / Vermin – requires organic material be in a closed & sealed composter

# Fines

- ▶ Fines range from \$100 minimum to \$10,000 maximum possible
- ▶ Penalties in Bylaw Notices are set at \$100 to \$500
- ▶ Different 1<sup>st</sup> and 2<sup>nd</sup> offence fine amounts have been set out for some contraventions

# Recommendation

- ▶ The Good Neighbour Bylaw be forwarded for reading consideration
- ▶ Amendments to the Bylaw Notice Enforcement Bylaw be forwarded for reading consideration
- ▶ After adoption, council repeal the bylaws indicated in the council report



*Questions?*

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