

## **POLICY DIRECTIVE NO. H-01**

SUBJECT: BYLAW COMPLIANCE AND ENFORCEMENT

APPROVAL DATE: December 19, 2017 LAST REVIEW DATE: February 16, 2021

REFERENCE: \_\_\_\_\_

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### **POLICY OBJECTIVE**

The purpose of this policy is to provide staff with guidance by establishing procedures, expectations and standards on the receipt of complaints and the initiation of investigations and enforcement action with respect to bylaw infractions. This policy applies to all City of Chilliwack bylaws that are administered and enforced by the Bylaw Enforcement Department. Matters that fall outside of the jurisdiction of the City such as infractions of Provincial and Federal legislation may be referred to the applicable agencies.

It is the goal of Council to achieve voluntary compliance with bylaws, primarily through increased public education and awareness of City bylaws. However, it is recognized that in some cases, enforcement action must be taken in order to achieve compliance.

The City of Chilliwack does not have the resources or capacity to monitor and actively ensure that all regulatory bylaws are being complied with at all times. Bylaw enforcement activities are impacted by the limits of the annual budget and certain complaints are considered priorities. In order to best utilize resources and provide value to taxpayers, it is the policy of the City to rely primarily, but not exclusively, on citizen complaints as a means of identifying infractions of these bylaws. The City has no duty to take enforcement action with respect to every contravention of a bylaw that may occur within its jurisdiction. The City will evaluate contraventions and take reasonable steps to investigate contraventions in accordance with this policy and operational guidelines of the City. Council may provide other policy guidance or direction on specific complaints or enforcement issues.

### **COMPLAINTS**

1. Complaints may be received in person, by phone, in writing, or via email, and will be entered in the City's complaint database for tracking, follow-up and statistical information.
2. In order for a complaint to be accepted, it shall contain the location of the alleged infraction and a description of the nature of the infraction.
3. Anonymous complaints may not be acted upon other than in accordance with Section 4 of this policy. If a complainant refuses to provide their name, address, and telephone number, the complainant is to be advised that the complaint will not be processed.

4. An anonymous complaint may be acted upon if the alleged violation presents: the potential to adversely affect the health, safety and security of the public; the potential to damage City infrastructure; or liability exposure for the City.
5. Where the identity of the complainant is unclear, the complainant shall be contacted to verify their identity prior to initiating any action.
6. The majority of City of Chilliwack bylaws are enforced on a complaint basis only. The following conditions may trigger an investigation by the Municipality:
  - (a) A complaint is received from a member of public and is accompanied by the name, address and telephone number of the complainant.
  - (b) A Bylaw Enforcement Officer (BEO), member of staff or Council observes a bylaw infraction.
  - (c) Information is received from a credible third-party source, such as a member of the Chilliwack Fire Department, RCMP, Safety Authority, Provincial or Federal enforcement official, Agricultural Land Commission, etc.
7. Complaints received that are not related to a City of Chilliwack bylaw will not be entered into the complaint database or investigated. Staff will make best efforts to assist complainants by making them aware of the applicable agency that may be able to deal with their complaint.
8. Complaints concerning a strata or multi-family property shall be accepted only if the complainant is not an owner or resident of the property. If the complainant is an owner or resident within the strata or multi-family property to which the complaint pertains, they shall be instructed to forward their complaint to the strata council, property owner or management company.
9. Complaints made by a property owner against his/her tenant and/or property may not be acted upon.
10. Complaints made by a tenant against his/her landlord and/or property may not be acted upon.
11. Complaints resulting from disputes between individuals may not be acted upon.

#### **FRIVOLOUS, VEXATIOUS AND REPEAT COMPLAINTS**

12. Complaints that are made in bad faith or for vexatious and retaliatory purposes may not be acted upon. BEO's may decline to investigate a complaint based on the nature of the complaint and alleged violation, the impact of the violation on the community, and the impact of the violation on the complainant.
13. Complaints that form a part of a pattern of conduct by the complainant that amounts to an abuse of the complaint process may not be acted upon.
14. Frivolous, repeat and/or multiple complaints about the same issue may not be acted upon. BEO's will endeavor to balance fairly the interests of both the individual making the complaint and the broader community.

15. If a decision is made to not act upon a complaint, the complainant will be advised of the decision, the reason for it, and may be advised of the circumstances under which it may be reconsidered.

### **PRIORITIES**

16. Upon receipt of a bylaw complaint, all bylaw infractions will be prioritized, first according to the classification of the complaint; and second, according to the date that the complaint was received. Unless otherwise determined by Council and staff, the City’s response to complaints shall be prioritized as follows:
  - (a) Priority #1 - Life and Safety – the bylaw infraction may adversely impact the environment or the health, safety, and security of citizens; may result in damage or harm to City infrastructure; or may result in a liability incurred by the City of Chilliwack. These violations will be given first priority and will be investigated and enforced as quickly as resources allow. Education may not be appropriate for these types of violations, and enforcement action such as ticketing or seeking an injunction may commence immediately.
  - (b) Priority #2 - Demonstrable Impact to Adjacent Property(ies) – the bylaw infraction may demonstrably impact adjacent properties in a negative or adverse manner, but does not pose an immediate risk to the environment or public safety. These violations will be investigated subject to available resources. Enforcement efforts for these infractions will generally be directed at educating offenders and seeking voluntary compliance. However, staff may proceed directly to ticketing in response to repeat offences and offenders, where education is not considered sufficient to prevent repeat offences, or where the circumstances otherwise warrant.
  - (c) Priority #3 - General – the bylaw infraction may be a matter that is a general neighbourhood concern, cosmetic in nature, and/or does not affect the environment or public safety. Staff will focus on education and obtaining voluntary compliance. Staff may conclude that it is not in the best interest of the City or the community to pursue a Priority #3 violation if it is:
    - (i) minor in nature
    - (ii) made for retaliatory purposes or as part of a larger dispute
    - (iii) part of a pattern of conduct by the complainant that amounts to an abuse of the complaint process

### **INVESTIGATION**

17. Upon receipt of a qualifying complaint or observation of a bylaw infraction, the following are the investigation process guidelines:
  - (a) A “Call for Service” will be opened and relevant property information will be confirmed by the Bylaw Records Clerk upon receipt of the complaint, including civic address, ownership, legal description, zoning, active permits, etc.

- (b) A preliminary review of the complaint will be undertaken by the BEO to confirm that the complaint is well founded. The preliminary review may consist of a phone call to the complainant, a site visit, etc.
  - (c) When conducting a site visit, the following procedures shall be followed:
    - (i) When inspecting the exterior of a property does not require entry onto the property, the BEO is not obligated to provide notice and may inspect the property at any time.
    - (ii) When the inspection requires entry onto the property, in accordance with provincial legislation, the BEO shall ensure that the entry is being done in a reasonable manner and at reasonable times. The BEO shall attempt to advise an owner/occupant before entering the property, and prior to conducting any site inspection.
    - (iii) Where the inspection requires entry into a residence, the BEO shall endeavor to obtain the occupant's consent to enter.
18. The BEO may terminate an investigation if, through the preliminary review, it is determined that:
- (a) no violation exists;
  - (b) the matter is a private civil matter;
  - (c) the matter falls outside the jurisdiction and authority of the BEO.
19. Where appropriate, complaints may be referred to another department, or to an outside agency. The complainant shall be advised of the agency, department, and/or name of the person where the complaint has been referred.

### **ENFORCEMENT**

20. The enforcement process is generally intended to be progressive in nature, with a main focus being on gaining voluntary compliance. The BEO will determine whether further enforcement is appropriate and, if enforcement is appropriate, the best method to gain compliance. Where health, safety, or liability concerns necessitate more immediate and significant action(s), alternative options may be considered by staff or Council.
21. Should an investigation confirm that a violation has occurred/is occurring, enforcement will commence generally in accordance with the provisions set out below:
- (a) A letter will be prepared and sent to the property owner advising them of the infraction(s), outlining what action(s) must take place in order to remedy the infraction(s), and a timeline for completing the work.
  - (b) Unless otherwise specified in this policy, letters shall be personally delivered by the BEO if the registered property owner(s) reside within the boundaries of the City of Chilliwack. If the registered property owner(s) reside outside of the City of Chilliwack, letters shall be delivered by Canada Post tracked mail.

- (c) When a person has been required to take action to remedy a bylaw infraction and, in good faith requests an extension of time to comply, a reasonable extension of time to comply may be granted, the goal always being to achieve voluntary compliance.
- (d) Following the deadline set for voluntary compliance, a second site inspection shall take place. At the discretion of the BEO, additional time to comply may be granted.
- (e) Where voluntary compliance is not achieved, compliance may be sought through the issuance of Bylaw Notice Enforcement violation tickets in accordance with the Bylaw Notice Enforcement Bylaw and the *Local Government Bylaw Notice Enforcement Act*.
- (f) Depending on the nature and severity of the bylaw infraction, the BEO may issue fines immediately upon confirmation of a bylaw infraction, prior to seeking voluntary compliance.
- (g) Where compliance is still not achieved following the issuance of fines, the BEO shall consult with the Assistant Manager of Bylaw Enforcement and/or the Manager of Building and Regulatory Enforcement to determine if further enforcement action should commence.
- (h) Where warranted, the Manager of Building and Regulatory Enforcement may consider recommending that Council file a notice on title pursuant to Section 57 of the *Community Charter*, or issue a remedial action order under Sections 72-74 (inclusive) of the *Community Charter*, requiring that the property owner undertake any action(s) necessary to bring a property into compliance with relevant bylaw(s). Should the owner fail to do the required work by the date specified in the report, the Municipality or its contractor(s) may enter onto the property to undertake the work on the owner's behalf and add the cost of doing so to the taxes on the property.
- (i) Where warranted, the Manager of Building and Regulatory Enforcement may consider recommending an application for an injunction or court order to require compliance with City bylaws.

## **CONFIDENTIALITY**

- 22. Confidentiality helps to ensure that complainants are not exposed to adverse or retaliatory actions as a result of the complaint. Complaint information will be treated in accordance with the following provisions:
  - (a) Where a person requests the release of complaint related information, they are to be referred to the Corporate Services Department. It is the City's policy to refuse disclosure where authorized under the applicable sections of the *Freedom of Information and Protection of Privacy Act* unless consent is obtained from the person who supplied the information.
  - (b) Subject to the Freedom of Information and Protection of Privacy Act (FOIPPA) and the provisions of this Policy:

- (i) the identity of the complainant, any personal information they provide, and the written complaint itself, shall not be disclosed to the alleged offender or any member of the public;
  - (ii) the response of the alleged offender shall not be disclosed to the complainant, whether it is in writing or made orally.
- (c) Despite the foregoing, the City will not guarantee the anonymity and confidentiality of complainants. Disclosure may be required by order of the Court or pursuant to an order of the BC Information and Privacy Commissioner, and the City will not necessarily appeal an order for disclosure.
- (d) City staff will make best efforts to inform the complainant and the alleged offender that anonymity and confidentiality cannot be assured if the investigation results in court or adjudication proceedings.
- (e) A complainant may be requested to sign an affidavit and/or be prepared to stand as a witness should enforcement action proceed to court or adjudication.

### **BUILDING REGULATION BYLAW**

23. Complaints regarding building permits or construction without permits are to be forwarded to the Building Department.
24. If, in the investigation of a Bylaw Enforcement complaint, the BEO determines that the alleged violation is in relation to Building Regulation Bylaw, the complaint may be forwarded to the Building Department for further investigation and enforcement by a Building Inspector.
25. A Building Inspector shall investigate complaints and determine if any infractions have occurred.
26. Where an infraction has occurred, the Building Inspector may:
- (a) contact the property owner or contractor;
  - (b) leave a note on site outlining the problem and requesting remedial action;
  - (c) post a “Stop Work Order” or “Do Not Occupy Notice”;
  - (d) issue a Bylaw Notice Enforcement (BNE) violation ticket.
27. Where the Building Inspector is not able to gain compliance, the file shall be referred to the Manager of Building and Regulatory Enforcement who shall determine the next course of action.

### **BUSINESS LICENCE BYLAW**

28. Complaints relating to business licencing are to be forwarded to the Licence Coordinator. If the matter concerns a Zoning Bylaw infraction, the land use matter will be forwarded to the Planning and Strategic Initiatives Department in accordance with the Zoning Bylaw section of this Policy.

29. Initial contact with unlicensed businesses in the field may be made by the Licence Coordinator, Building Inspector or Bylaw Enforcement Officer. Any follow-up will be made by the Licence Coordinator.
30. The Licence Coordinator will inform the operator, in writing, of the steps necessary to obtain a business licence and details of potential enforcement action should the matter remain unresolved. The operator will typically be given 15 business days following the date of correspondence in which to submit the appropriate business licence application.
31. If the Licence Coordinator is unable to gain voluntary compliance within the time frame established under section 30, a second letter will be issued to the operator advising of the steps necessary to obtain a business licence and details of potential enforcement action should the matter remain unresolved. The operator will be given a final deadline in which to submit the appropriate business licence application.
32. If the Licence Coordinator is unable to effect voluntary compliance after the second letter, the file shall be forwarded to Bylaw Enforcement requesting assistance in concluding the matter.
33. A final letter may be sent by Bylaw Enforcement directing the business owner to take the action set out in the letter sent by the Licence Coordinator.
34. If the file remains outstanding, the BEO may issue a BNE violation ticket.
35. If the file remains outstanding, it shall be referred to the Assistant Manager of Bylaw Enforcement or the Manager of Building and Regulatory Enforcement who shall determine the next course of action

#### **BYLAW NOTICE ENFORCEMENT BYLAW**

36. A BNE violation ticket generally will be issued when alternate methods to achieve voluntary compliance have failed, or where the alleged offender has demonstrated willful or repeated non-compliance.
37. BNE violation tickets shall be issued in accordance with the *British Columbia Local Government Bylaw Notice Enforcement Act*.
38. BNE violation tickets being sent by mail shall always be sent via by Canada Post tracked mail.

#### **COMMUNITY STANDARDS BYLAW**

##### **UNSIGHTLINESS**

39. Any property owner or occupant found to be in violation of the unsightliness provisions may be issued a Notice to comply pursuant to the Bylaw.
40. If the owner or occupant fails to respond to a Notice within the time specified, the BEO may issue a BNE violation ticket in accordance with this policy.
41. If the file remains outstanding, the BEO may refer the file to the Assistant Manager of Bylaw Enforcement or the Manager of Building and Regulatory Enforcement who shall determine the next course of action.

42. Any property owner or occupant found to be in violation of the unsightliness provisions with respect to tall grass and weeds may be issued a Notice to comply pursuant to the Bylaw.
43. If the owner or occupant fails to respond to the Notice within the specified time, the work may be performed by the City or its contractor and the cost of the work billed to the registered owner of the property.
44. Complaints regarding weed control on civic property, at a Municipal park or other public recreational site shall be referred to the Operations Department.
45. Complaints regarding existing non-conforming Metal Storage Containers shall be referred to the Planning Department while complaints of newly placed Metal Storage Containers shall be handled by the Bylaw Department.

#### MANAGEMENT OF INVASIVE SPECIES AND PROTECTION OF WILDLIFE

46. Complaints regarding Alien Invasive Species and animal attractants shall be referred to the Environmental Services Department who will investigate and seek voluntary compliance.
47. Complaints regarding English ivy generally will only be pursued by the Environmental Services Department if the English ivy is encroaching from private property into a riparian area or other natural area.
48. If voluntary compliance is not obtained, the file may be forwarded to Bylaw Enforcement along with a memorandum from Environmental Services summarizing the action taken to date and requesting assistance in concluding the matter.
49. A final letter may be sent by Bylaw Enforcement directing the owner to take the action set out in the letter sent by Environmental Services.
50. If the file remains outstanding, the BEO may issue a BNE violation ticket, or the required work may be performed by the City or its contractor and the cost of the work billed to the registered owner of the property.

#### BOULEVARDS AND SIDEWALKS

51. Complaints regarding Alien Invasive Species on boulevards shall be handled in accordance with sections 46 – 50.
52. Complaints regarding overgrown grass and weeds on boulevards shall be handled in accordance with sections 42-43.

#### NOISE

53. Except in extenuating circumstances, complaints regarding excessive noise shall only be acted upon where there are at least two complaints from the residents of separate neighbouring properties.
54. Prior to a BEO issuing a BNE violation ticket, at least two written complaints, each from a different property owner or occupier, may be required.



The complainants are to be advised that they will be required to appear as a witness if the matter proceeds to adjudication. If the complainants are unwilling to testify the ticket may not be issued.

55. Where complaints are received regarding excessive noise occurring after regular business hours, complainants may be advised to contact the RCMP when the offence is occurring, for more immediate assistance.
56. Complaints regarding excessive noise from commercial or industrial properties or outdoor assemblies may be investigated using a sound level meter to determine the level of noise emanating from the property.
57. Where a complainant resides in a multi-family or strata title unit, and makes a complaint regarding noise within the property, they are to be advised to forward the complaint to the registered owner of the property, the property manager, landlord, or strata council, as the case may be.
58. Complaints regarding unpermitted construction noise occurring at a property which is subject to an active building permit shall be handled by a Building Inspector.
59. Complaints regarding unpermitted construction noise at all other properties shall be handled by a BEO.
60. Noise arising from owners and occupants personally engaging in maintenance-related activities, unrelated to a building permit, shall not be considered as a violation of the construction noise provisions.
61. Complainants of noise from barking dogs shall be referred to Animal Control at the Fraser Valley Regional District.
62. Complainants of excessive noise emanating from a vehicle travelling on a roadway shall be referred to the RCMP for enforcement of the Motor Vehicle Act provisions.
63. Complainants of noise from farming practices on agricultural land shall be referred to the BC Farm Industry Review Board (BCFIRB).

#### **FIRE PREVENTION AND PROTECTION BYLAW**

64. Upon receipt of a complaint of an unsecured building, a BEO shall attend to the property to investigate. Should a building be found to be unsecure, the BEO will attempt to contact the owner to order that the building be secured against unauthorized entry.
65. If the owner fails to secure the building within the specified time, the work may be performed by the City or its contractor and the cost of the work billed to the registered owner of the property.
66. Notwithstanding sections 64-65, if the BEO is unable to contact the owner within 24 hours of finding the unsecured building, or if the unsecured building creates an immediate hazard, the BEO may contact a contractor to perform the required works at the property owner's expense.

**FIREARMS REGULATION BYLAW**

67. General inquiries regarding the Firearms Regulation Bylaw shall be handled by Bylaw Enforcement staff.
68. Complaints regarding the discharge of firearms are to be referred to the RCMP.

**FIREWORKS REGULATION BYLAW**

69. All complaints regarding the discharge of fireworks during business hours shall be dealt with by the Bylaw Enforcement Department or the Chilliwack Fire Department.
70. All “after-hours” complaints are to be logged for information purposes and referred to the RCMP.

**HIGHWAY AND TRAFFIC BYLAW**

71. All complaints received regarding alleged parking violations in or near the area monitored by the BEO assigned to parking enforcement duties shall be referred to that BEO.
72. All other alleged parking violation complaints shall be referred to a BEO as appropriate.
73. Where a complaint is received alleging that a vehicle parked on a highway is blocking the approved access or egress to private or public land, a BEO shall attend to the site. If the access or egress is found to be obstructed so as to not allow the safe passage of a vehicle to or from the property, then a tow truck shall be called and the subject vehicle removed.
74. Where a vehicle has two parking violations that are due and payable and is found to be in violation, it may be ticketed and towed. As long as two tickets remain due and payable the vehicle shall be subject to tow each additional time it is found to be in violation.
75. Complaints regarding a traffic control device and inquiries regarding permits and exemptions to parking regulations shall be referred to the Engineering Department.
76. Where a complaint is received regarding parking in a cul-de-sac bulb, a BEO shall investigate the complaint and may use discretion in determining if enforcement action will be taken. BEO’s will endeavor to balance fairly the interests of the individual making the complaint with safety considerations, the parking needs of the neighbourhood, and the interests of the general community. BEO’s may consult with the Engineering Department to assist with this assessment. Factors that may be considered include, but are not limited to, the needs of emergency, snow removal, and garbage collection vehicles.

**OPEN BURNING BYLAW**

77. Complaints regarding violations of the Open Burning Bylaw are to be forwarded to the Fire Department.

78. If a BEO observes a violation of the Open Burning Bylaw during the regular execution of their duties, they may require the immediate extinguishment of the fire or may request assistance from the Fire Department.

### **PARKS, RECREATION AND CULTURE BYLAW**

79. Bylaw related complaints regarding members of the general public in Municipal parks shall be dealt with by a BEO.
80. Bylaw related complaints regarding user groups of Municipal parks shall be referred to the Recreation and Culture Department.

### **SOLID WASTE MANAGEMENT BYLAW**

81. Complaints regarding infractions of the Solid Waste Management Bylaw are to be forwarded to the Environmental Services Department, except for complaints of garbage, recyclables or compostable waste accumulations, which shall be handled in accordance with Section 82 of this policy.
82. Due to the potential health hazards associated with garbage, recyclables or compostable waste accumulations, such complaints shall receive high priority and be investigated by a BEO as soon as is practicable.
83. Any property owner or occupant found to be in violation of the Solid Waste Management Bylaw may be issued a Garbage Removal order pursuant to the Bylaw.
84. If the owner or occupant fails to respond to the Order within the specified time, the work may be performed by the City or its contractor and the cost of the work billed to the registered owner of the property.
85. For other infractions to the Solid Waste Management Bylaw, Environmental Services will investigate the complaint and seek voluntary compliance.
86. If voluntary compliance is not obtained, the file may be forwarded to Bylaw Enforcement along with a memorandum from Environmental Services summarizing the action taken to date and requesting assistance in concluding the matter.

### **SWIMMING POOL ENCLOSURE BYLAW**

87. Due to the potential danger associated with unfenced swimming pools, such complaints shall receive high priority and shall be investigated as soon as is practicable.
88. Where a swimming pool is found to not be in compliance with the Swimming Pool Enclosure Bylaw, a demand shall be made, in writing, to the registered owner of the property requiring the property to be brought into compliance with the Bylaw.
89. Where a property owner fails to take the required action, the BEO shall refer the file to the Assistant Manager of Bylaw Enforcement or the Manager of Building and Regulatory Enforcement who shall determine the next course of action.

## ZONING BYLAW

### ILLEGAL SUITES

90. Complaints of illegal suites shall be referred to the Planning Department to determine if a complaint can be accepted in accordance with Policy Directive No. G30 – Secondary Suites Policy.
91. Complaints of illegal suites must be submitted in writing and will typically only be acted upon if the complainant resides within 30 meters of the alleged illegal suite.
92. Written complaints shall include the name, telephone number and address of the complainant; address of the alleged illegal suite; any relevant evidence to support the claim that an illegal suite exists, and the impact on the complainant.
93. Upon receipt of a complete illegal suite complaint, the file shall be forwarded to the Planning and Strategic Initiatives Department, whose staff shall provide a memorandum containing details of the property, including whether the property may be rezoned to permit the additional suite.
94. The BEO shall send a letter to the registered property owner to arrange for an initial inspection.
95. If the inspection reveals that an unauthorized secondary suite does not exist in the dwelling, the complainant shall be notified and the file closed.
96. If the inspection reveals that an unauthorized secondary suite exists, the BEO shall request that the owner take the necessary action to bring the dwelling into compliance with the Zoning Bylaw including by:
  - (a) Sending a letter to the property owner requesting that the owner decommission the suite to bring the dwelling into compliance with the Zoning Bylaw;
  - (b) Referring the owner to the Planning and Strategic Initiatives Department to apply to rezone the property (if applicable);
  - (c) Referring the owner to the Building Department to apply for all requisite permits.

### LAND USE BYLAW

97. Upon receipt of a land use complaint, the Bylaw Clerk shall open a “Call for Service” and assign it to a BEO who will attend to the property to investigate the alleged contravention.
98. If, in the investigation of a Bylaw Enforcement complaint, the BEO determines that the alleged violation is in relation to the Zoning Bylaw, the complaint will be transferred to the Planning and Strategic Initiatives Department for further investigation.
99. If an infraction does not exist, the complainant shall be advised and the file closed.
100. If an infraction does exist, Planning and Strategic Initiatives staff shall send a letter to the owner of the property requesting that action be taken to bring the property into compliance with the Zoning Bylaw.

The property owner will be advised they have a specific deadline by which to bring the property into compliance with the Zoning Bylaw, or submit the necessary application(s) to achieve compliance, or relocate the use to an appropriately zoned location. The property owner will be advised that failure to comply will result in the issuance of monthly BNE violation tickets in the amount of \$500 per offence should the matter remain outstanding after the initial deadline.

101. If voluntary compliance is not obtained within the timeline established under Section 100, Planning and Strategic Initiatives staff shall send a second letter to the owner of the property requesting that action be taken to bring the property into compliance. The property owner will be advised they have a final deadline to bring the property into compliance, or submit necessary applications to achieve compliance, or relocate the use to an appropriately zoned location. The property owner will be advised that failure to comply will result in the issuance of weekly BNE violation tickets in the amount of \$500 per offence should the matter remain outstanding.
102. If voluntary compliance is not obtained within the timeline established under Section 101, Planning and Strategic Initiatives staff shall send a third letter to the owner of the property requesting that action be taken to bring the property into compliance. The property owner will be advised continued failure to comply will result in the issuance of daily BNE violation tickets in the amount of \$500 per offence for each day thereafter the matter remains unresolved.
103. If voluntary compliance is not obtained, the file shall be forwarded to Bylaw Enforcement along with a memorandum from Planning and Strategic Initiatives summarizing the action taken to date and requesting assistance in concluding the matter.
104. A final letter may be sent by Bylaw Enforcement directing the owner to take the action set out in the letter sent by Planning and Strategic Initiatives Department.
105. If the file remains outstanding, the BEO may issue additional BNE violation tickets.
106. If the file remains outstanding, it shall be referred to the Assistant Manager of Bylaw Enforcement or the Manager of Building and Regulatory Enforcement who shall determine the next course of action.