

City of Chilliwack

Bylaw No. 2987

A bylaw to authorize the entry onto property for the purpose of enforcing the City's authority.

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

1. This bylaw may be cited as **“Property Entry Bylaw 2004, No. 2987”**.

INTERPRETATION

2. In this bylaw:

“Bylaw Enforcement Officer” means a person appointed as a Bylaw Enforcement Officer under an enactment, this Bylaw or any other Bylaw of the City, and includes another person designated by Council to act in his or her place.

AUTHORIZATION TO APPOINT BYLAW ENFORCEMENT OFFICER

3. Council may by name of office or otherwise appoint Bylaw Enforcement Officers for the purposes of this Bylaw or otherwise taking actions under this Bylaw.

AUTHORITY TO ENTER PROPERTY

4. A Bylaw Enforcement Officer may enter on or into a property for any purpose authorized by enactment, including to:
 - (1) inspect and determine whether regulations, prohibitions and requirements are being met in relation to any matter for which the Council, a City officer or employee or a person authorized by Council has exercised authority to regulate, prohibit or require;
 - (2) take action to fulfill a Council requirement if a person fails to take an action required by Council;
 - (3) disconnect or remove a system or works relating to a service provided by the City or otherwise discontinue a service provided by the City in circumstances where the City has discontinued providing a utility or other service;
 - (4) assess or inspect in relation to the exercise of authority to regulate, prohibit or impose requirements respecting trees or shrubs.

ENTERING PRIVATE DWELLINGS

5. A Bylaw Enforcement Officer may enter on or into property, including a place that is occupied as a private dwelling, only in accordance with the provisions of the *Community Charter*.

EMERGENCY ENTRY WITHOUT CONSENT

6. Despite Section 5, a Bylaw Enforcement Officer may enter on or into a property without the consent of the owner or occupier if there is an emergency.

OFFENCE

7. No person may prevent, disrupt, impede or interfere with a Bylaw Enforcement Officer seeking to enter on or into a property under the authority of this Bylaw or another enactment.
8. Every person who contravenes Section 7 of this Bylaw is guilty of an offence and is liable on summary conviction to a fine of not more than Two Thousand Dollars (\$2,000.00).

SEVERABILITY

9. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

Received first reading on the 2nd day of February, 2004.
Received second reading on the 2nd day of February, 2004.
Received third reading on the 2nd day of February, 2004.
Finally passed and adopted on the 16th day of February, 2004.

“Clint Hames”

Mayor

“Robert L. Carnegie”

Clerk