



VILLAGE OF HARRISON HOT SPRINGS NOTICE OF MEETING AND AGENDA

REGULAR COUNCIL MEETING

Date: Monday, December 19, 2016
Time: After the Public Hearing scheduled at 7:00 p.m.
Location: Council Chambers, 495 Hot Springs Road
 Harrison Hot Springs, British Columbia

1. CALL TO ORDER	
Meeting called to order by Mayor Facio.	
2. INTRODUCTION OF LATE ITEMS	
3. APPROVAL OF AGENDA	
4. ADOPTION OF COUNCIL MINUTES	
(a) THAT the Minutes of the Regular Council Meeting held on December 5, 2016 be adopted. Item 4(a) Page 1	
5. BUSINESS ARISING FROM THE MINUTES	
6. CONSENT AGENDA	
i. Bylaws	
ii. Agreements	
iii. Committee/ Commission Minutes	
iv. Correspondence	
7. DELEGATIONS/PETITIONS	
(a) Harrison Christmas Bazaar – Jessica Read Item 7(a) Page 7	
8. CORRESPONDENCE	
9. BUSINESS ARISING FROM CORRESPONDENCE	
10. REPORTS OF COUNCILLORS, COMMITTEES, COMMITTEE OF THE WHOLE AND COMMISSIONS	
11. REPORTS FROM MAYOR	

12. REPORTS FROM STAFF

- (a) Report of Deputy Chief Administrative Officer/Corporate Officer – December 8, 2016
Re: Boat Launch Facility Year End Report and Boat Launch and Parking Lot Regulation
Bylaw No. 1065

Item 12(a)
Page 9

Recommendation:

THAT Boat Launch Regulation and Parking Lot Bylaw No. 1065, Schedule "A" be amended to read:

- Parking per day \$10.00 (tax included)
-

- (b) Report of Deputy Chief Administrative Officer/Corporate Officer – December 8, 2016
Re: Kent-Harrison Joint Emergency Program Committee Appointments

Item 12(b)
Page 11

Recommendation:

THAT the Public Works Foreman be appointed to the Kent-Harrison Joint Emergency Program Committee; and

THAT Council considers and appoints applicable members to the Kent-Harrison Joint Emergency Program Committee for the duration of the Council term.

- (c) Report of Planning Consultant – December 19, 2016
Re: Development Variance Permit for 388 Pine Avenue

Item 12(c)
Page 23

Recommendation:

THAT Development Variance Permit DVP02/16 for 388 Pine Avenue be issued.

13. BYLAWS

- (a) Report of Deputy Chief Administrative Officer/Corporate Officer
Re: Percentage Additions Repeal Bylaw No. 1095, 2016

Item 13(a)
Page 29

Recommendation:

THAT Percentage Additions Repeal Bylaw No. 1095, 2016 be adopted.

- (b) Report of Planning Consultant – December 19, 2016
Re: Development Procedures Bylaw No. 1090, 2016

Item 13(b)
Page 31

Recommendation:

THAT Council give 4th reading and adoption to Bylaw No. 1090, 2016.

(c) Report of Deputy Chief Administrative Officer/Corporate Officer – December 6, 2016
Re: Business Hours Regulation Repeal Bylaw No. 1096, 2016

Item 13(c)
Page 47

Recommendation:

THAT Business Hours Regulation Repeal Bylaw No. 1096, 2016 be given first, second and third readings.

(d) Report of Deputy Chief Administrative Officer – December 14, 2016
Re: Bylaw Notice Enforcement Act and Bylaw Notice Enforcement Bylaw No. 855

Item 13(d)
Page 49

Recommendation:

THAT Bylaw Notice Enforcement Amendment Bylaw No. 1097, 2016 be given first, second and third reading.

14. QUESTIONS FROM THE PUBLIC (pertaining to agenda items only)

15. ADJOURNMENT

**VILLAGE OF HARRISON HOT SPRINGS
MINUTES OF THE REGULAR MEETING OF COUNCIL**

DATE: December 5, 2016
TIME: 7:00 p.m.
PLACE: Council Chambers
 495 Hot Springs Road
 Harrison Hot Springs, BC

IN ATTENDANCE: Mayor Leo Facio
 Councillor John Buckley
 Councillor Sonja Reyerse
 Councillor John Hansen
 Councillor Samantha Piper

Chief Administrative Officer, Madeline McDonald
 Deputy Chief Administrative Officer/Corporate Officer, Debra Key
 Financial Officer, Tracey Jones
 Planning Consultant, Ken Cossey

ABSENT:

Recording Secretary: Jaclyn Bhatti

1.

CALL TO ORDER

Mayor Facio called the meeting to order at 7:00 p.m.

2.

INTRODUCTION OF LATE ITEMS

None

3.

APPROVAL OF AGENDA

Moved by Councillor Piper
Seconded by Councillor Hansen

THAT the agenda be approved.

**CARRIED
UNANIMOUSLY**

4.

ADOPTION OF COUNCIL MINUTES

Moved by Councillor Reyerse
Seconded by Councillor Buckley

THAT the Minutes of the Regular Council Meeting held on November 21, 2016 be adopted.

**CARRIED
UNANIMOUSLY**

5.

BUSINESS ARISING FROM THE MINUTES

None

6. **CONSENT AGENDA**

i. Bylaws

ii. Agreements

iii. Committee/
Commission
Minutes

iv.
Correspondence

- (a) Letter dated November 18, 2016 from UBCM regarding Gas Tax Agreement Community Works Fund Payment
- (b) Email dated November 24, 2016 from the Government of Canada regarding the Canada 150 Community Infrastructure Program Application

Moved by Councillor Reyerse
Seconded by Councillor Buckley

THAT the correspondence be received.

**CARRIED
UNANIMOUSLY**

7. **DELEGATIONS**

- (a) Harrison Christmas Bazaar – Jessica Read (cancelled)
- (b) Tourism Results and Outcomes – Robert Reyerse

Mr. Reyerse presented a PowerPoint on Tourism Results for 2016.

- Hotel occupancy increased by 3% and Visitor Centre traffic was up 24%.
- Tourism Harrison implemented a mobile friendly website which has increased traffic.

Tourism Harrison 2017 and beyond – Ian Maw

Mr. Maw presented a PowerPoint on Tourism Harrison 2017 and beyond.

- 2017 will be Tourism Harrison's 10th year of operation.
- Goals include: increasing social media followers/likes, increasing traffic to their website, spending money on direct advertising and ensuring all tourism businesses have effect marketing.
- Launching a program called "Marketing in a Box" to help small businesses increase their marketing effectiveness.

- (c) Upgrade of the Miami River Riparian Trail – Jane Kivett

Ms. Kivett requested that Council consider upgrades to the Miami River Trail in the 200 block, as well as installing directional signage at key areas along the trail.

*Village of Harrison Hot Springs
Minutes of the Regular Council Meeting
December 5, 2016*

8. CORRESPONDENCE

- (a) Closing Summary from the Office of the Ombudsperson dated November 7, 2016
- (b) Letter dated November 21, 2016 from Minister Steve Thomson following up on his meeting with Council at UBCM.
- (c) Letter dated November 22, 2016 from the Harrison Festival Society requesting funding for the Harrison Festival of the Arts.

9. BUSINESS ARISING OUT OF CORRESPONDENCE

Mayor Facio recited the Closing Summary received from the Office of the Ombudsperson. No action was taken.

Moved by Councillor Reyerse
Seconded by Councillor Piper

THAT the correspondence be received.

**CARRIED
UNANIMOUSLY**

10. REPORTS OF COUNCILLORS, COMMITTEES, COMMITTEE OF THE WHOLE AND COMMISSIONS

Councillor Reyerse

- Attended Fraser Valley Regional Library meeting where the draft budget was passed.
- Attended the Harrison Agassiz Chamber of Commerce Festival of Trees reception at the Harrison Resort & Spa. 17 businesses participated in decorating the trees and they will be on display until January 3, 2017.

Councillor Piper

- Attended a Homelessness Community Information meeting at the end of November.
- Attended the Special Council Meeting on November 30, 2016.
- Thanked staff for the wonderful job on the Christmas lights in the Village.

Councillor Buckley

- Attended the Tourism Harrison Board meeting.
- Attended the Optimists Club Christmas Fund Gala on behalf of Harrison Hot Springs.

Councillor Hansen

- Attended the December 1, 2016 Age-friendly Committee meeting. The next meeting is scheduled for January 12, 2017 at 2:00 p.m.

Village of Harrison Hot Springs
Minutes of the Regular Council Meeting
December 5, 2016

11. **REPORTS FROM MAYOR LEO FACIO**

- Received a card from the Regional Municipality of Wood Buffalo thanking the Village for their contribution in support of their recent fire.
- Attended the FVRD Board Meeting on November 22, 2016. Councillor Jason Lum of Chilliwack was elected as Chair of the Fraser Valley Regional District Board and Mayor Henry Braun of Abbotsford was elected as Chair of the Fraser Valley Hospital Board.
- Attended the Magic of Christmas on December 3, 2016 and thanked all the sponsors and volunteers who helped with the event.
- Attended a Memorial Service for Allan Roth on November 14, 2016.
- Reported that the Office of the Seniors Advocate has released a news release regarding new data showing progress on key health care indicators in residential care
- Attended the Lower Mainland District RPS Mayors Consultative Forum on December 1, 2016 in Burnaby.

12. **REPORTS FROM STAFF**

- (a) Report of Deputy Chief Administrative Officer/Corporate Officer – November 16, 2016
Re: Business Hours Regulation Bylaw No. 942, 2010 and Liquor Control and Licencing Branch (LCLB)

Moved by Councillor Reyerse
Seconded by Councillor Buckley

THAT the Business Hours Regulation Bylaw 942, 2010 be repealed;

CARRIED
OPPOSED BY COUNCILLOR PIPER

- (b) Report of Deputy Chief Administrative Officer/Corporate Officer – November 23, 2016
Re: Request for Statutory Municipal Consent – FVRD Building Inspection Extended Service Area Amendment Bylaw No. 1379, 2016

Moved by Councillor Reyerse
Seconded by Councillor Buckley

THAT statutory consent be given to the Fraser Valley Regional District for an amendment of the Fraser Valley Regional District Building Inspection Extended Service Area Amendment Bylaw No. 1379, 2016.

CARRIED
UNANIMOUSLY

Village of Harrison Hot Springs
Minutes of the Regular Council Meeting
December 5, 2016

- (c) Report of Deputy Chief Administrative Officer/Corporate Officer – November 23, 2016
Re: Request for Statutory Municipal Consent – FVRD Sub Regional Transit Service Area Amendment Bylaw No. 1402, 2016

Moved by Councillor Reyerse
Seconded by Councillor Buckley

THAT statutory consent be given to the Fraser Valley Regional District for an amendment of the Fraser Valley Regional District Sub-Regional Transit Service Area Amendment Bylaw No. 1402, 2016.

**CARRIED
UNANIMOUSLY**

- (d) Report of Chief Administrative Officer – November 25, 2016
Re: 2017 Pay Parking Options

Moved by Councillor Piper
Seconded by Councillor Buckley

THAT 2017 pay parking options be referred back to staff.

**CARRIED
UNANIMOUSLY**

Councillor Reyerse excused herself from Chambers at 8:32 p.m. due to a potential conflict of interest stating she is an accommodation provider.

- (e) Report of Planning Consultant – December 5, 2016
Re: Update on the Short Term Vacation Accommodation review

Moved by Councillor Buckley
Seconded by Councillor Piper

THAT Council proceed through the combined use of a zoning bylaw and business licensing bylaw with respect to addressing the short term vacation accommodation issue.

CARRIED

Councillor Reyerse re-entered Council Chambers at 8:41 p.m.

- (f) Report of Engineering Consultant – December 1, 2016
Re: Liquid Waste Management Plan Executive Summary

Received and filed.

13. **BYLAWS**

- (a) Report of Planning Consultant – November 7, 2016
Re: Development Procedures Bylaw No. 1090, 2016

Moved by Councillor Reyerse
Seconded by Councillor Buckley

That three readings be given to the "Village of Harrison Hot Springs Development Procedures Bylaw No. 1090, 2016";

**CARRIED
UNANIMOUSLY**

- (b) Report of Deputy Chief Administrative Officer/Corporate Officer – November 22, 2016
Re: Percentage Additions Repeal Bylaw No. 1095, 2016

Moved by Councillor Buckley
Seconded by Councillor Hansen

THAT Percentage Additions Repeal Bylaw No. 1095, 2016 be given first, second and third readings.

**CARRIED
OPPOSED BY COUNCILLOR REYERSE**

14. **QUESTIONS FROM THE PUBLIC (pertaining to agenda items only)**

Questions from the public were entertained.

15. **RESOLUTION TO CLOSE THE MEETING**

Moved by Councillor
Seconded by Councillor

THAT the meeting be closed to the public, except for Council and senior staff and for the purpose of receiving and adopting Closed Meeting Minutes convened in accordance to Section 90 (1) of the *Community Charter* and to consider matters pursuant to:

- (c) labour relations or other employee relations

The meeting closed at 9:10 p.m.

**CARRIED
UNANIMOUSLY**

Leo Facio
Mayor

Debra Key
Corporate Officer



VILLAGE OF HARRISON HOT SPRINGS

Request to Appear as a Delegation

In order to make a presentation to Council at a Council Meeting, you are required to submit a written request to the Corporate Administration Department no later than 12:00 p.m. on the Wednesday before the regular meeting. The request can either be a copy of this completed form or a separate letter that you have written which contains the information requested on this form. All requests must be accompanied with background information which will be included in the agenda package. You can submit your request in person, by mail at PO Box 160 Harrison Hot Springs, BC V0M 1K0, fax at 604-796-2192 or e-mail at jbhatti@harrisonhotsprings.ca.

The Corporate Administration Department will advise you when you are scheduled to appear before Council. Council meetings commence at 7:00 p.m. in the Village Council Chambers at 495 Hot Springs Road, Harrison Hot Springs, BC.

You are limited to a maximum of 10 minutes to present your material, regardless of the number of presenters in your delegation.

Date: November 30th, 16 Requested Meeting Date: Monday December 19th 5th

Organization Name (if applicable): Harrison Christmas Bazaar

Name of Presenter: Jessica Read

Name of Applicant if Other than Above: _____

Contact Phone Number & E-Mail: 6043784562 jessicalouread@gmail.com

Mailing Address with Postal Code: 511 Cottonwood Ave, HHS, V0M1K0

Audio/Visual requirements: Apple Mac adapter to projector

Topic: Lack of funding from village office for the community

Harrison Christmas Bazaar

Action you wish Council to take: To refund the \$450.00 charged

Jaclyn Bhatti

From: Jessica Read <jessicalouread@gmail.com>
Sent: November-30-16 11:36 AM
To: Jaclyn Bhatti
Subject: Delegation for Council Meeting on Monday December 5th, 2016
Attachments: delegation_request_form .pdf; ATT00001.htm

To Whom it May Concern,

We would like the council to rescind a payment made on November 3rd, 2016, for use of the hall for a community event. Our event is this Saturday, December 3rd, 2016 and we will be supplying evidence as to how the event benefited the community via a powerpoint and how we have received a lack of support from our local village office. Alyssa Timmers and I, are two Grade 12 students who wanted to incite community among Harrison Hot Springs and promote what we have to offer locally. The payment was made by a local businessman, John Allen, and we would like him to be fully reimbursed for his contribution and support to us.

Sincerely,
Jessica Read

Attached below is the form filled out.

Consideration to change the boat launch parking fee to match the pay parking fee was discussed. This would help alleviate avoidance of the pay parking fee in the pay parking zones and parking fees in both the boat launch parking area and pay parking zones would be consistent.

Staff is recommending that the parking fee in Schedule "A" of the Boat Launch Regulation and Parking Lot Bylaw be amended from \$7.00 to \$10.00 per day.

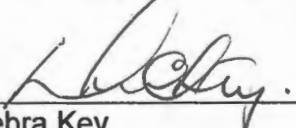
RECOMMENDATION:

THAT Boat Launch Regulation and Parking Lot Bylaw No. 1065, Schedule "A" be amended to read:

- Parking per day \$10.00 (tax included)

Respectfully submitted:

REVIEWED BY:



Debra Key
Deputy Chief Administrative Officer/
Corporate Officer

Madeline McDonald
Chief Administrative Officer



VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: Mayor and Council **DATE:** December 8, 2016

FROM: Debra Key,
Deputy Chief Administrative Officer/CO **FILE:** 7130-03/0360-20-02

SUBJECT: Kent-Harrison Joint Emergency Program Committee Appointments

ISSUE: Kent-Harrison Joint Emergency Program Committee Appointments

BACKGROUND:

Staff has been reviewing background information on the Kent-Harrison Joint Emergency Program Committee and how it had been established.

In 1995, the Village of Harrison Hot Springs resolved to enter into the joint preparation of an Emergency Plan with the District of Kent. Emergency Program Bylaw No. 610, 1994 lays out the administration and structure of the Committee. The District of Kent adopted their own bylaw and appointed their members at the inaugural meeting of Council.

As formal appointments have not been made, staff is suggesting that the Village be in keeping with the provisions as laid out in the bylaw and recommends that the Village's Public Works Foreman be appointed to the Committee and that Council considers and appoints applicable members to the Committee for the duration of the Council term.

The Emergency Program Bylaw states, in part:

"Section 3 – Administration

3.1 The local authority shall appoint a Municipal Emergency Planning Coordinator and designate the reporting structure

3.2 There shall be an Emergency Planning Committee which will meet not less than every six months with a Councillor who has been appointed by the local authority as chairperson. The Committee will consist of the following members or their designate:

- (a) A Councillor (Chairperson)*
- (b) Clerk*
- (c) Public Works Foreman*

- (d) RCMP Designate
- (e) Fire Chief
- (f) Emergency Social Services Director
- (g) Municipal Emergency Planning Coordinator
- (h) Such other members that may be appointed by the local authority"

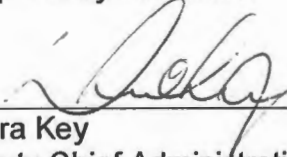
RECOMMENDATION:

THAT the Public Works Foreman be appointed to the Kent-Harrison Joint Emergency Program Committee; and

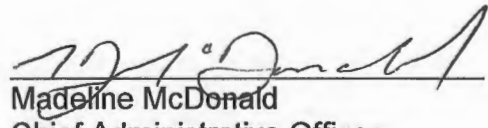
THAT Council considers and appoints applicable members to the Kent-Harrison Joint Emergency Program Committee for the duration of the Council term.

Respectfully submitted:

REVIEWED BY:



Debra Key
Deputy Chief Administrative Officer/
Corporate Officer



Madeline McDonald
Chief Administrative Officer

THE CORPORATION OF THE VILLAGE OF HARRISON HOT SPRINGS

BYLAW NO. 610

Being a bylaw to provide for the preparation of an emergency plan and the delivery of emergency services in the event of an emergency.

WHEREAS: the Council is required to prepare a local emergency plan respecting preparation for response to and recovery from "emergencies" and "disasters".

AND WHEREAS: the Council of the Village of Harrison Hot Springs wishes to provide a comprehensive program of emergency management which will address natural and manmade hazards including the preservation of life, property, local economy and the environment in a four program approach addressing prevention, preparedness, response and recovery and, to provide for continuity of Government and the preservation of life and property through a coordinated response by elected officials, municipal departments, volunteer services and outside agencies in the event of a emergency or disaster.

NOW THEREFORE: the Council of the Village of Harrison Hot Springs, in an open meeting assembled, ENACTS AS FOLLOWS:

SECTION 1 - CITATION

1.1 This bylaw may be cited as the "Emergency Program Bylaw No. 610, 1994".

SECTION 2 - INTERPRETATION

2.1 In this bylaw unless the context requires:

- (a) "building" means any structure used or intended for supporting or sheltering any use or occupancy;
- (b) "declaration of a state of local emergency" means a bylaw or resolution of the "local authority" or an "order" of its "Mayor" that an "emergency" or "disaster" exists or is imminent, pursuant to Section 12(1) of the Emergency Program Act, S.B.C. 1993 c. 41;

...2

- (c) "disaster" means a calamity that:
 - (i) is caused by accident, fire, explosion or technical failure or by the forces of nature, and
 - (ii) has resulted in serious harm to the health, safety or welfare of people, or in widespread damage to property.
- (d) "emergency" means a present or imminent event that:
 - (i) is caused by accident, fire, explosion or technical failure or by the forces of nature, and
 - (ii) requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property.
- (e) "emergency management" means an organized strategy and program consisting of prevention, preparedness, response and recovery;
- (f) "emergency program" means the organization, plans and procedures established within the "municipality" for combating "emergencies" and "disasters";
- (g) "Emergency Social Services Director" means that person so appointed by the "local authority";
- (h) "local authority" means the Village of Harrison Hot Springs municipal Council;
- (i) "Mayor" means the person elected as mayor of The Village of Harrison Hot Springs, and includes the person designated as acting mayor at the relevant time if the mayor is absent, ill or otherwise unable to carry out or exercise his/her duties and powers;
- (j) "Municipal Emergency Planning Coordinator" means that person so appointed by the "local authority";
- (k) "Municipality" means all of the area within the boundaries of the Municipality of Harrison Hot Springs;
- (l) "order" means a written statement or instruction, bearing the printed name and title of the issuer and the date of the issuance;

...3

- 2.2 This bylaw shall be construed in accordance with the principles contained in, and shall be subject to, the Emergency Program Act S.B.C. 1993 chapter 41 the Act, and all regulations made thereunder.

SECTION 3 - ADMINISTRATION

- 3.1 The local authority shall appoint a Municipal Emergency Planning Coordinator, and designate the reporting structure.
- 3.2 There shall be an Emergency Planning Committee which will meet not less than every six months with a Councillor who has been appointed by the local authority as chairperson. The committee will consist of the following members or their designate:
- (a) A Councillor (Chairperson),
 - (b) Clerk,
 - (c) Public Works Foreman,
 - (d) R.C.M.P. Designate,
 - (e) Fire Chief,
 - (f) Emergency Social Services Director,
 - (g) Municipal Emergency Planning Coordinator,
 - (h) Such other members that may be appointed by the local authority.
- 3.3 Subject to the approval of the local authority the Emergency Planning Committee may:
- (a) Negotiate agreements with other municipalities or governments for the purpose of mutual aid or for the formation of joint organizations.
 - (b) Negotiate with individuals, bodies, corporations or agencies other than government for the employment of their members within the emergency program according to their qualifications.
 - (c) Make, and amend, rules for regulating its own practices and procedures.
- 3.4 There shall be an Emergency Operations Control Group which will be responsible for the administration of the emergency program during an emergency or disaster and shall consist of the following members or their designate:

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- (a) Mayor,
- (b) Clerk,
- (c) Chief Constable,
- (d) Fire Chief,
- (e) Public Works Foreman,
- (f) Emergency Social Services Director,
- (g) Municipal Emergency Planning Coordinator,

- 3.5 The Emergency Planning Committee shall be responsible for the submission of estimates of expenditures to the local authority for the cost of maintenance and operation of the emergency program for each year.
- 3.6 There shall be prepared an emergency plan. This emergency program shall provide a general direction and framework covering prevention, preparedness, response and recovery programs within which Municipal Officials can formulate roles and responsibilities to deal with major emergencies and disasters. Minor amendments, such as names, addresses and telephone numbers, may be approved by the Municipal Emergency Planning Coordinator.

SECTION 4 - DUTIES AND RESPONSIBILITIES

- 4.1 In the event of an emergency or disaster or a declaration of a state of local emergency, the local authority may authorize the expenditure of special funds to meet the exigencies of the situation.
- 4.2 The Emergency Planning Committee shall be responsible for the preparation, annual review and updating of the emergency program.
- 4.3 The Emergency Operations Control Group, during an emergency or disaster shall be responsible to coordinate and direct the overall operations undertaken by the Municipality respecting preparation for, response to and recovery from emergencies and disasters.
- 4.4 Heads of departments/services detailed in the emergency program shall prepare detailed departmental roles, responsibilities and procedures containing information and direction specific to their departments/services. These will be supplementary to that contained in the emergency program.

4.5 The Municipal Emergency Planning Coordinator shall:

- (a) Coordinate all operations with the Emergency Operating Centre (as defined in the emergency program) during an emergency or disaster, including scheduling of regular briefings to the members of the Emergency Operations Control Group, respecting, response to and recovery from emergencies and disasters.
- (b) Under a declared State of Emergency, act as the liaison between the Director or such other person as the Minister may appoint and Section 10(2) of the Emergency Program Act, S.B.C. 1993 C.41 and the local authority for the coordination and implementation of necessary plans or emergency program.
- (c) Have the authority, whether or not there has been a declaration of a state of local emergency, to cause the emergency program to be implemented if, in the opinion of the Municipal Emergency Planning Coordinator, an emergency exists or appears imminent or a disaster has occurred or threatens in:
 - (i) all or any part of the Municipality; or
 - (ii) any other municipality or electoral area, if the local authority having responsibility for that other jurisdictional area has requested assistance.
- (d) Prepare and semi-annually update the emergency program, Part 1 (Action and Activation);
- (e) Ensure that the emergency program, Part 2 (Responsibilities and Resources) is maintained in a current state by heads of Department/Services;
- (f) Be responsible for day to day emergency management and the emergency program which includes coordination of staff emergency management, and coordination with external organizations in emergency management;
- (g) Select and process candidates for Federal and Provincial emergency planning courses;
- (h) Maintain information on potential manmade or natural hazards and the impact on the municipality;

...6

- (i) Coordinate the equipping and training of the Municipal volunteer services;
- (j) Conduct studies and exercise to ensure the emergency program is effective and in a state of readiness;
- (k) Act as the point of contact with the Provincial Emergency Program and other agencies concerned with emergency planning and operations.

SECTION 5 - POWERS

- 5.1 Notwithstanding any other provisions of this bylaw, or the Municipal Act, the local authority or the Mayor may, when satisfied that an emergency or disaster exists or is imminent in the Municipality, declare that a state of local emergency exists.
- 5.2 A declaration of a state of local emergency must identify the nature of the emergency or disaster and the part of the Municipality in which it exists or is imminent, and the declaration shall be made:
- (a) by bylaw, or resolution, if made by the local authority, or
 - (b) by order, if made by the Mayor.
- 5.3 Upon a declaration of a state of local emergency being made, the local authority shall:
- (a) forward a copy to the Attorney General, and
 - (b) cause the details of the declaration to be published to the population of the affected area of the Municipality.
- 5.4 Once there has been a declaration of a state of local emergency in respect of all or any part of the Municipality, the local authority, the Emergency Operations Control Group or the Municipal Emergency Planning Coordinator, may by order in relation to any part or parts of the municipality affected by the declaration of a state of local emergency:
- (a) implement the emergency program or any part or parts of the emergency plan;

...7

- (b) acquire or use any real or personal property considered necessary to prevent, respond to or alleviate the effects of an emergency or disaster;
- (c) authorize or require any person to render assistance of a type that the person is qualified to provide or that otherwise is or may be required to prevent, respond to or alleviate the effects of an emergency or disaster;
- (d) control or prohibit travel to or from any area of the Municipality;
- (e) provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and coordinate emergency medical, welfare and other essential services in the Municipality;
- (f) cause the evacuation of persons and the removal of livestock, animals and personal property from any area of the Municipality that is or may be affected by an emergency or disaster and make arrangements for the adequate care and protection of those persons, livestock, animals and personal property;
- (g) authorize the entry into any building or on any land, without warrant, by any person in the course of implementing the emergency plan or program or if otherwise considered by the local authority to be necessary to prevent, respond to or alleviate the effects of an emergency or disaster;
- (h) cause the demolition or removal of any trees, structures or crops if the demolition or removal is considered by the local authority to be necessary or appropriate in order to prevent, respond to or alleviate the effects of an emergency or disaster;
- (i) construct works considered by the local authority to be necessary or appropriate to prevent, respond to or alleviate the effects of an emergency or disaster;
- (j) procure, fix prices for or ration food, clothing, fuel, equipment, medical supplies or other essential supplies and the use of any property, services, resources or equipment within any part or parts of the municipality for the duration of the state of local emergency.

...8

5.5 Cancellation of Declaration of State of Local Emergency

The local authority or the Mayor must, when of the opinion that an emergency no longer exists in the part of the Municipality in relation to which a declaration of a state of local emergency was made.

- (a) cancel the declaration of a state of local emergency in relation to that part
 - (i) by bylaw or resolution, if the cancellation is effected by the local authority, or
 - (ii) by order if the cancellation is effected by the Mayor of the local authority, and
- (b) promptly notify the Minister of the cancellation of the declaration of a state of local emergency.

SECTION 6 - CONTINUITY OF GOVERNMENT

6.1 If the Mayor is unable for any reason to attend meetings of the local authority, the local authority may appoint one of the members present to be Acting Mayor. The newly appointed Acting Mayor shall continue in office until the Mayor is able to resume the duties or another Mayor is elected or appointed.

SECTION 7 - LIABILITY

7.1 No person, including, without limitation, the Mayor, other members of the local authority, the Emergency Operations Control Group or the Emergency Planning Committee, employees of the Village of Harrison Hot Springs, its police or fire departments, a volunteer or other person appointed or authorized or required to carry out measures relating to an emergency or disaster, is liable for any loss, cost, expense, damage or injury to persons or property that results from:

- (a) the person in good faith doing or omitting to do any act that the person is appointed, authorized or required to do under this bylaw, the emergency program or the Act unless, in doing or omitting to do the act, the person was grossly negligent, or

...9

- (b) any acts done or omitted to be done by one or more of the persons who were, under this bylaw, the emergency program or the Act appointed, authorized or required by the person to do the act, unless in appointing, authorizing or requiring those persons to do the acts, the person was not acting in good faith.

SECTION 8 - COMPENSATION FOR LOSS

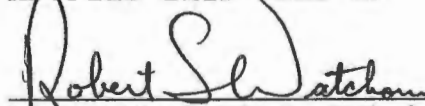
- 8.1 Despite Section 7 above, if as a result of the acquisition or use of a person's real property by, or under the direction or authority of the local authority under Section 5.4(b) above, the person suffers a loss of or to that property, the local authority shall compensate that person for such a loss in accordance with the Regulations made under the Emergency Program Act.
- 8.2 Despite Section 7 above, if a person suffers a loss of or to any real or personal property as a result of the implementation of the emergency program or any other action taken by, or under the direction or authority of the local authority under Section 5.4 above, the local authority may compensate that person for such loss in accordance with the Regulations made under the Emergency Program Act.
- 8.3 If any dispute arises concerning the amount of compensation payable under Section 8.1 or 8.2 above, the matter shall be submitted for determination by one or three arbitrators appointed under the Commercial Arbitration Act S.B.C. 1986, Chapter 3, as amended. The person to be compensated shall deliver a notice setting out his or her choice as to whether there shall be one or three arbitrators to the Minister responsible for the Emergency Program Act. The Commercial Arbitration Act shall apply to such dispute.


READ FOR A FIRST TIME THIS 13TH DAY OF DECEMBER, 1994.

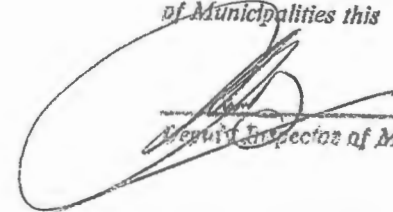
READ FOR A SECOND TIME THIS 13TH DAY OF DECEMBER, 1994.

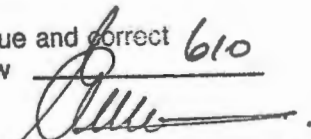
READ FOR A THIRD TIME THIS 13TH DAY OF DECEMBER, 1994.

ADOPTED THIS 10 DAY OF JANUARY , 1995.


 MAYOR (Robert S. Watchorn)


 CLERK (Eric McMurran)

A true copy of By-Law No. 610
 registered in the office of the Inspector
 of Municipalities this 8th day of
 May 1995.

 Deputy Inspector of Municipalities

Certified a true and correct
 copy of Bylaw as Adopted.  610
 CLERK 21



VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: Mayor and Council **DATE:** December 19, 2016
FROM: Ken Cossey MCIP, RPP **FILE:** 3090-20-DVP02/16
 Planning Consultant
SUBJECT: Development Variance Permit for 388 Pine Avenue

ISSUE:

To consider a Development Variance Permit application to relax the minimum required rear yard setback.

STAFF RECOMMENDATION:

That Council, issue

- 1/. DVP 3090-20-DVP02/16.

BACKGROUND:

The variance is required for a rezoning and subdivision application currently taking place for a large development on the adjacent properties, of which the subject property will subsequently be subdivided off from. The subject property is located at 388 Pine Avenue.

The property owner, has applied for a development variance permit to reduce the rear yard setback requirement from 7.5 m (25 ft) down to 6.0 m (19.6 ft).

Currently the subject property is going through a rezoning process to be rezoned from RSR (Residential Reserve) to R-1 Low Density Residential (Conventional Lot). The existing single family dwelling is consistent with uses permitted in the R-1 zone.


Section 499 of the *Local Government Act* requires that notice be given to property owners or tenants by mail or otherwise delivered at least 10 days prior to the consideration of a Development Variance Permit. As of December 15, 2016 no comments have been received. If any comments are received after this date they will be shared with Council.

From a health and safety perspective, staff is of the opinion that the permit can be issued.

RECOMMENDATION:

THAT Development Variance Permit DVP02/16 for 388 Pine Avenue be issued.

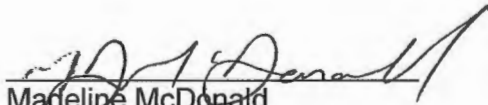
Respectfully submitted;



Ken Cossey, MCIP, RPP
Planning Consultant

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Concurrence with the above recommendation



Madeline McDonald
Chief Administrative Officer

Village of Harrison Hot Springs

DEVELOPMENT VARIANCE PERMIT NO. 02-16

ISSUED this _____ day of _____, 20__

FILE No: DVP 3090-20 DVP 02/16

FOLIO No: 1595-52490

REGISTERED LANDOWNER

1073980 BC Ltd. Inc. No. 1073980

9245 Main Street

Chilliwack, BC V2P 6J4

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Village of Harrison Hot Springs applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the Village described below:

Legal Description: Lot K, Section 12, Township 4 Range 29, West of the Sixth Meridian
New Westminster Plan 10239 (PID: 008-034-923)

Civic Address: 388 Pine Avenue, Harrison Hot Springs, BC V0M 1K0
3. Authorization is hereby given for the use of the subject property for operation of a residential dwelling in accordance with the conditions listed in Section 4, below.
4. The use shall be carried out subject to the following conditions:
 - That the minimum rear yard setback requirement under Zoning Bylaw 1020, 2012, for R-1 (Low Density Residential) be varied from 7.5 metres down to 6 metres, as shown on Schedule A attached hereto.
5. The land described herein shall be developed in substantial compliance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part thereof.
6. This Development Variance Permit is not a Building Permit, a subdivision approval nor a soil removal or deposit permit. No certificate of final completion shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Village

RESOLUTION PASSED BY COUNCIL THIS ____ day of _____. 20__

I HEREBY CERTIFY that I have read the terms and conditions of the Development Variance Permit contained herein. I understand and agree that the Village of Harrison Hot Springs has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with me, other than those contained in this Permit.

1073980 BC LTD

THIS PERMIT IS ISSUED this XX day XXXXX of, 201X.

The Corporate Seal of the VILLAGE OF)

HARRISON HOT SPRINGS was hereunto)

affixed in the presence of:)

)

)

_____))

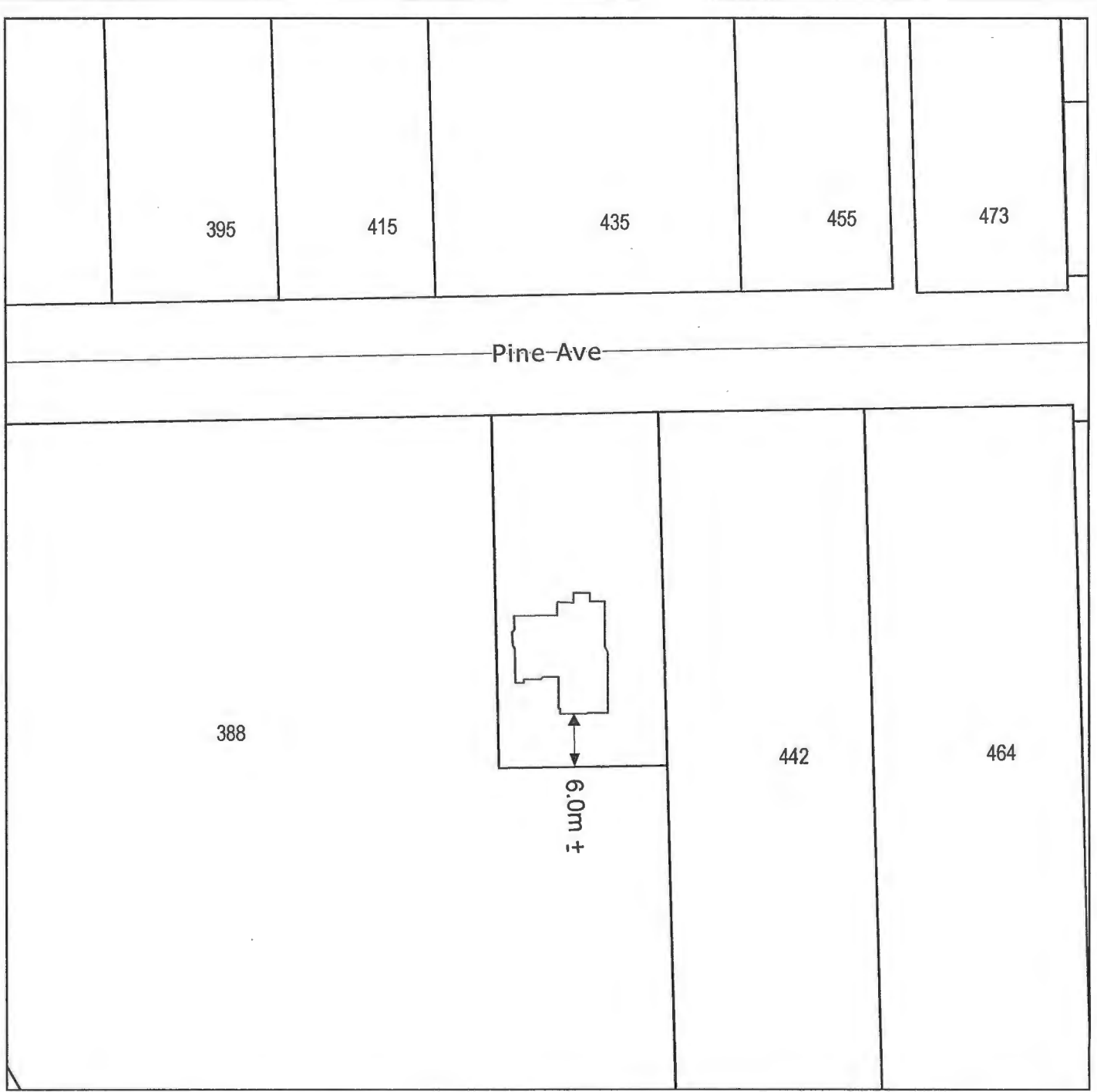
Mayor)

)

_____))

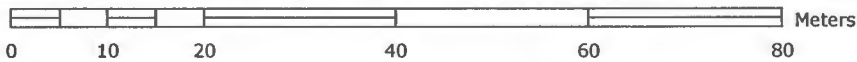
Corporate Officer)

SCHEDULE A



Harrison Hot Springs

DVP Map Schedule



Scale
1:750

Date Created:
November 1, 2016

Paved Road
 Unpaved Road

Streams
 Waterbodies

Indian Reserves
 Parks and Protected Areas

Properties
 House Location

This map was compiled by the Fraser Valley Regional District for the Village of Harrison Hot Springs, using data believed to be accurate; however, a margin of error is inherent in all maps. This product is distributed without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability of particular purpose or use.



VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: Mayor and Council **DATE:** December 15, 2016

FROM: Debra Key **FILE:** 1970-01
Deputy CAO/Corporate Officer

SUBJECT: Percentage Additions Repeal Bylaw No. 1095, 2016

ISSUE: To adopt the Percentage Additions Repeal Bylaw No. 1095, 2016

BACKGROUND:

At the Regular Council Meeting of November 21, 2016, Council approved the establishment of a general tax collection scheme pursuant to Section 234 of the *Community Charter*, which establishes a due date of July 2nd each year for the payment of property taxes.

On December 5, 2016, at the Regular Council meeting, Council approved 3 readings of the Percentage Additions Repeal Bylaw.

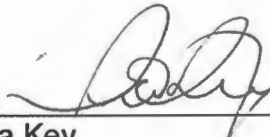
Accordingly, the Percentage Additions Repeal Bylaw No. 1095, 2016 is presented for adoption.

RECOMMENDATION:

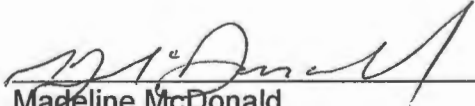
THAT Percentage Additions Repeal Bylaw No. 1095, 2016 be adopted.

Respectfully submitted:

REVIEWED BY:



 Debra Key
 Deputy Chief Administrative Officer/
 Corporate Officer



 Madeline McDonald
 Chief Administrative Officer

A bylaw to repeal Percentage Additions Bylaw No. 237, 1970

WHEREAS the Council adopted the Percentage Additions Bylaw No. 237, 1970 on May 14, 1970 as an alternative municipal tax collection scheme;

AND WHEREAS Council approved the establishment of a general tax collection scheme pursuant to Section 234 of the *Community Charter*;

AND WHEREAS the Corporation of the Village of Harrison Hot Springs Percentage Additions Bylaw must be repealed;

NOW THEREFORE in open meeting assembled, the Council of the Village of Harrison Hot Springs enacts as follows:

1. **CITATION**

This Bylaw may be cited for all purposes as the "Percentage Additions Repeal Bylaw No. 1095, 2016".

2. The following bylaw is hereby repealed:

(a) The Corporation of the Village of Harrison Hot Springs "Percentage Additions Bylaw No. 237, 1970".

READINGS AND ADOPTION

READ A FIRST TIME THIS 5th DAY OF DECEMBER, 2016

READ A SECOND TIME THIS 5th DAY OF DECEMBER, 2016

READ A THIRD TIME THIS 5th DAY OF DECEMBER, 2016

ADOPTED THIS DAY OF , 2016

Mayor

Corporate Officer



VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: Mayor and Council **DATE:** December 19, 2016

FROM: Ken Cossey, MCIP, RPP **FILE:** 3900-02
 Planning Consultant

SUBJECT: Development Procedures Bylaw 1090, 2016

ISSUE:

To consider 4th reading and adoption of the Development Procedures Bylaw, 1090, 2016.

BACKGROUND:

During the December 5th, 2016 meeting Council gave three readings to the above referenced bylaw. The Development Procedures Bylaw is a requirement as outlined through Section 460 of the *Local Government Act*. The bylaw is required to process zoning and OCP amendments, to issue permits, the delegation of taking of security for the issuance of permits to the CAO and the potential processing of building conversion strata applications. The bylaw has been prepared based upon the concept of natural justice and fair play.

RECOMMENDATION:

Staff recommends:

- 1/. That Council give 4th reading and adoption to this bylaw.

Respectfully submitted;

**REVIEWED BY and Concurrence
with the RECOMMENDATIONS:**

Ken Cossey, MCIP, RPP,
Planning Consultant

Madline McDonald
Chief Administrative Officer

A Bylaw for the establishment of procedures to amend an Official Community Plan or a Zoning Bylaw or to issue a permit pursuant to Part 14 of the Local Government Act. And a Bylaw to allow for the processing of a building conversion strata application, as per the Strata Property Act

WHEREAS the Council of the Village of Harrison Hot Springs has adopted an Official Community Plan and a Zoning Bylaw;

WHEREAS the Council of the Village of Harrison Hot Springs must by Bylaw outline the procedures to amend an Official Community Plan, Zoning Bylaw or issue a permit, as per Section 460 of the Local Government Act;

WHEREAS section 502 (5) of the Local Government Act allows the Council of the Village of Harrison Hot Springs to delegate the power to require security for the issuance of a land use permit subject to a delegation Bylaw being prepared that outlines the guidelines for the delegate;

WHEREAS section 242 of the Strata Property Act requires that the approving authority for the building conversion strata process be the local municipality or in this case the Village of Harrison Hot Springs;

WHEREAS the Council of the Village of Harrison Hot Springs has deemed it advisable to establish a Bylaw to outline the amendment procedures and to outline the procedures to issue a permit and to outline the process and requirements for a building conversion strata application;

NOW THEREFORE in open meeting assembled, the Mayor and Council of the Village of Harrison Hot Springs enacts as follows:

CITATION

1.0 This Bylaw may be cited for all purposes as the Village of Harrison Hot Springs "Development Procedures Bylaw No. 1090, 2016".

INTERPRETATION/DEFINITIONS

2.0 A reference in this Bylaw to any enactment of British Columbia is a reference to the enactment as amended, revised or consolidated from time to time and a reference to any Bylaw of the Village of Harrison Hot Springs is a reference to the Bylaw as amended, revised, consolidated or replaced from time to time.

3.0 In this Bylaw;

Application

means a completed application, including the payment of the required fees:

- (a) to amend either an Official Community Plan Bylaw, a Zoning Bylaw or both,
- (b) for the issuance of; a Development Permit, Temporary Use Permit or a Development Variance Permit;

Applicant

means the owner of a Parcel of Land or an agent authorized in writing to make the application on behalf of the owner;

Building Conversion Strata Application

means a completed application, including the payment of the required fees, for the conversion of a previously occupied building or structure into strata title;

Chief Administrative Officer

means the individual appointed to this position by Council;

Council

means the Council of the Village of Harrison Hot Springs;

Highway

means the same as defined in the BC Transportation Act, as amended from time to time;

Occupiers

means the lawful occupier of a Parcel of Land, if it is not the landowner;

Parcel of Land

means a specific section or area of the Village with a unique legal description and unique parcel identifier number (PID) assigned to it;

Registered Professional

means a person who has been registered or licensed to practice by their respective professional body;

Revised Application

means a Part 14 Application that has been refused or denied by Council that the Applicant has requested, in writing to Council to reconsider after having made material changes or alterations to the Application; and,

Village

means the Village of Harrison Hot Springs.

SEVERABILITY

4.0 If any section, subsection, sentence, paragraph, schedule or form forming part of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the section, subsection, sentence, paragraph, schedule or form may be severed from the Bylaw without affecting the validity of the Bylaw or any portion of the Bylaw remaining or any remaining forms.

ADMINISTRATION OF THIS BYLAW

5.0 The Village’s Chief Administrative Officer or their designate is authorized to administer this Bylaw.

SCHEDULES

6.0 The following Schedules attached hereto form part of the requirements of this Bylaw:

- (a) Schedule “A” – Part 14 Application Processing Flowchart;
- (b) Schedule “B” – Building Conversion Strata Application Processing Flowchart

SCOPE

7.0 This Bylaw shall apply to the following Applications within the boundaries of the Village of Harrison Hot Springs:

- (a) an OCP Bylaw amendment or Zoning Bylaw amendment;
- (b) the issuance of a Development Permit, a Temporary Use Permit or a Development Variance Permit; or
- (c) a building conversion strata application.

GENERAL PROVISIONS

- 8.0** If there is a change of ownership of a Parcel of Land that is subject to an Application, the Village will require an updated title certificate and written authorization from the new owner that the current Applicant, if applicable, can still proceed with the Application.
- 8.1** Neither the issuance of a permit, the adoption of an amendment Application or the approval of a building conversion strata or review of any applications, plans, drawings, specifications or documents, shall in any way:
- (a) relieve the landowner from full and sole responsibility to perform work in strict accordance with this Bylaw, and any other applicable Bylaws of the Village; or
 - (b) constitute a representation, warranty, assurance or statement that this Bylaw or other applicable Bylaws have been complied with.
- 8.2** It shall be the full and sole responsibility of the landowner, and where the landowner is working through a representative, the representative shall carry out the work in respect of which the permit or amendment is issued or adopted in compliance with this Bylaw and other applicable enactments.
- 8.3** Letters of assurance, reports or other correspondence from Registered Professionals provided under this Bylaw are relied upon by the Village, including its Chief Administrative Officer and the Planning Department, as certification that the design and plans for the development comply with the Village's Building Bylaw, this Bylaw and other applicable enactments, that the natural environment will not be substantially harmed by the development or Application and the Parcel of Land may be safely used for the use intended, as applicable to the professional's review.
- 8.4** A person must not knowingly submit false or misleading notification in relation to any Application undertaken pursuant to this Bylaw.
- 8.5** Unless specified, in this bylaw, the term Application generally means either a Part 14 Application or a Building Conversion Strata Application.

APPLICATIONS – Part 14 Applications only

- 9.0** All Applications, including Revised Applications, must be:
- (a) made by the owner of the Parcel of Land or by a person authorized by the owner in writing;
 - (b) made on the prescribed application form as amended from time to time by the Village;
 - (c) signed by the landowner and be accompanied by the landowner's acknowledgement of responsibility and undertakings made in the form prescribed as amended from time to time by the Village;
 - (d) accompanied by the appropriate fees;

- (e) accompanied by the notification requirements identified in this Bylaw;
- (f) submitted to the Village office;
- (g) all completed Part 14 Applications must be processed in accordance with this Bylaw, generally as shown on the flowchart attached as Schedule "A".

9.0.1 The Application must also include the following information:

- (a) the certificate of title, dated within 30 days of the Application date;
- (b) a map of the site drawn at a scale of 1:2000 or at a scale of 1:5000 with the approval of the Village. The map must show the following:
 - i. the contours of the site;
 - ii. any environmentally sensitive areas;
 - iii. the proposed building site or sites;
 - iv. the ingress and egress points;
 - v. any proposed landscape plans, parking area or open space area;
 - vi. the current and proposed water and sewer servicing points for the Parcel of Land;
 - vii. the location of any steep banks, foreshore areas, water courses, easements or right-of-ways, and if applicable any
 - viii. development permit areas.
- (c) copies of any charges or other interests associated with this Parcel of Land.

- 9.1** At any time during the application process the Council may refer the Application to any agency, organization or government body for their comments and recommendations.

BUILDING CONVERSION STRATA APPLICATIONS

9.2 All Applications must be:

- (a) made by the owner of the Parcel of Land or by a person authorized by the owner in writing;
- (b) made on the prescribed application form as amended from time to time by the Village;
- (c) signed by the landowner and be accompanied by the landowner's acknowledgement of responsibility and undertakings made in the form prescribed as amended from time to time by the Village;
- (d) accompanied by the appropriate fees;
- (e) accompanied by the notification requirements identified in this Bylaw;
- (f) submitted to the Village office; and
- (g) all completed Building Conversion Strata Applications must be processed in accordance with this Bylaw, generally shown on the flowchart attached as Schedule "B".

9.2.1 The Application must also include the following information:

- (a) the certificate of title, dated within 30 days of the Application date;
- (b) a map of the site drawn at a scale of 1:2000 or at a scale of 1:5000 with the approval of the Village. The map must show the following:
 - i. the contours of the site;
 - ii. any environmentally sensitive areas;
 - iii. the proposed building site or sites;
 - iv. the ingress and egress points;
 - v. any proposed landscape plans, parking area or open space area;
 - vi. the current and proposed water and sewer servicing points for the Parcel of Land;
 - vii. the location of any steep banks, foreshore areas, water courses, easements or right-of-ways, and if applicable any;
 - viii. development permit area.
- (c) copies of any charges or other interests associated with this Parcel of Land; and
- (d) the number of dwellings units being converted into strata ownership and how many of the current tenants, in this building, are going to be remaining as owners;
- (e) a copy of the plan to house the current Occupiers who will not become owners; and
- (f) other issues as required by Council.

9.3 At any time during the Application process the Council may refer the Application to any agency, organization or government body for their comments and recommendations.

FEES

- 10.0** At the time of the Application the Applicant will pay the required fees as set out and amended by the Village from time to time.
- 10.1** If the Applicant withdraws their Application, in writing, prior to the first staff report being considered by the Council, then the Applicant will receive a refund of up to 50-percent (50%) of the Application fee. The refund must be paid to the Applicant within thirty (30) days of receiving the written notice from the Applicant. There will be no additional refunds of any fees once the first staff report has been considered by Council.

PUBLIC NOTIFICATION MEETING

- 11.0** Applicants may be required, as directed by Council, to host a public notification meeting, for any of the following types of Applications:
- (a) an Official Community Plan amendment or redesignation;
 - (b) a Zoning Bylaw amendment;
 - (c) the issuance of a Temporary Use Permit;
 - (d) the issuance of a Development Variance Permit; or
 - (e) the conversion of an existing and occupied building into a strata building.
- 11.1** When a public notification meeting is required the Applicant must pay all costs associated with this meeting. This will include but not be limited to the following:
- (a) two (2) newspaper advertisements;
 - (b) the delivery or mailing of any notices to the adjacent landowners or occupiers;
 - (c) any facility rental; and any
 - (d) staff overtime if they attend.
- 11.2** The venue and meeting format must be approved by the Village. This meeting must allow for a question and answer session at a minimum.
- 11.3** Within 10 working days of the meeting, the Applicants are required to submit a report to the Village. The report must include the following information:
- (a) location of the meeting,
 - (b) start and finish times of the meeting,
 - (c) a copy of the two (2) dated newspaper ads for the meeting,
 - (d) number of attendees and a copy of the sign in sheet
 - (e) a copy of the notice provided to the adjacent property owners or occupiers of the land and which properties received this notice,
 - (f) information provided at the meeting, and
 - (g) a summary of any questions raised or any major discussion points raised.
- 11.4** The Applicant must mail or deliver a meeting notice to the owners or Occupiers of the properties within a radius of 30 metres from the subject property. The Village is hereby authorized to reduce, increase or waive this requirement.
- 11.5** The Applicant's report for the public notification meeting must be included in a staff report to Council for Council's consideration of a Temporary Use or Development Variance permit, consideration of the building conversion strata or before adoption of a Bylaw amendment.
- 11.6** The meeting must be held not more than nor less than five working days after the last notice provided in the newspaper.

AGENCY REFERRAL PROCESS

- 12.0** Subject to direction from Council, staff may be authorized to refer the Application to other Village Departments, any external agencies, societies, organizations or any level of government. The suggested referral list will be prepared by staff and submitted to the Council for their review. Council may accept, reject or amend this list as they deem appropriate.
- 12.1** When Applications are sent out for comments the various referral agencies:
- (a) have a maximum of twenty-one (21) working days, from the date the referral was sent out, to provide comments; or
 - (b) make a written request for additional time.
- 12.1.1** The Village has the authority to extend this time period for a period not to exceed an extra thirty (30) working days from the date they receive the written request.
- 12.2** Following receipt of either the comments or a time extension request, the Council may;
- (a) defer consideration of any Application; or
 - (b) request additional information from the Applicant.

STAFF REPORTS

- 13.0** After the Village has reviewed the Application and it has been deemed a completed Application including the payment of the required fees paid, staff must create an initial report, to seek approval from Council to refer the Application and to seek approval from Council to process the Application. The report must contain the following information:
- (a) a copy of any supporting documentation;
 - (b) staff's recommendation on whether the Application should be processed or if not what is missing from the Application;
 - (c) staff's recommendation on the referral agencies, if any;
 - (d) staff recommendation for a public notification meeting, if applicable;
 - (e) staff recommendation to set up a public hearing, if applicable, and
 - (f) any additional relevant information provided by the Planning Department
- 13.1** Staff reports must also be provided at key points throughout the approvals process, as outlined on the approvals flow chart as outlined on Schedule "A", which is attached to and forming a part of this Bylaw.
- 13.2** Once the Application, including a Revised Application, has been received the Village must either deem the Application to be complete or deem the Application to be incomplete. If the Application is deemed complete it will be processed as required by this Bylaw or if is deemed not complete, the Village must send a letter to the Applicant indicating that the Application cannot be processed until the additional information requested has been received.

PUBLIC HEARING – Part 14 Applications only

- 14.0** While the Local Government Act, as amended from time to time, governs the public hearing process, if after a minimum of ten (10) minutes no members of the public are in attendance then the public hearing must be closed. If no members of the public attend the public hearing and the notice of the hearing has been properly published, the Council must consider that the public hearing has been held as required.
- 14.1** Once the newspaper advertisement has been posted the Village will accept any written comments about the Application up to the close of the scheduled public hearing meeting.

PUBLIC NOTICE OF INTENT – Part 14 Applications only

- 14.2** If the Village opts to proceed with the Notice of Intent process, in addition to the required newspaper advertisements, the Village must mail or deliver a notice of intent to the owners or Occupiers of the properties within a radius of thirty (30) metres from the subject property. The Village is hereby authorized to reduce or increase this requirement.

SECURITY

- 15.0** The power to require security is hereby delegated to the Chief Administrative Officer or their designate.
- 15.1** The amount of security required will be based upon a cost report prepared by a registered professional, as outlined in the table below:

Table 1

Works or Services Required	Type of Professional experience needed	Amount of Security required
Landscaping	Landscape Architect and must be a member of the BC Society of Landscape Architects	125% of the accepted report
Civil Engineering	Professional Engineer	125% of the accepted report
Traffic Engineering	Professional Engineer, with experience in traffic engineering	125% of the accepted report
Freshwater/Foreshore issues	Registered Professional Biologist	125% of the accepted report
Form and Character issue	Registered Professional Architect	125% of the accepted report
Environmental issues	Registered Professional Biologist	125% of the accepted report

- 15.2** The required cost estimate report must be provided by the Applicant, at no cost to the Village, and must be accepted by the Village.
- 15.3** Security may be required as a condition of permit issuance for the following:
- (a) the works under the permit; including but not limited to hard and soft landscaping requirements;
 - (b) environmental monitoring;
 - (c) in relation to repair or replacement of any Highway including sidewalks and boulevards, public work or any other Village property altered or damaged by any activity related to the subject matter of the permit;
 - (d) to guarantee the performance of a temporary use permit;
 - (e) such other reason as identified in the conditions associated with the permit.
- 15.4** For the form of security refer to section 502, of the Local Government Act, as amended from time to time.
- 15.5** Funds under security provision will be used to the extent that they are required by the Village to carry out such work, repair or replacement as determined necessary by the Village.
- 15.6** The cost of any works, repair or replacement or other expenditure which exceeds the amount of the security is the responsibility of the Applicant, who upon notification of the outstanding amount must pay it in full, or obtain the agreement of the Village in writing, before receiving its approval or where such approval has been issued, using or continuing to use the Parcel of Land for the development approved under the Application.

APPLICATION DECISIONS – Part 14 Applications only

- 16.0** With respect to any Application, the Council may after authorizing staff to process the Application:
- (a) approve the Application with or without conditions; or
 - (b) postpone the Application process pending additional information required from the Applicant; or
 - (c) refuse/deny the Application

Rejected Applications – Part 14 Applications only

- 16.1** Even if the Applicant is present at the meeting in which the Council decision was made, to refuse/deny the application, the Village shall inform the Applicant in writing, within ten (10) business days from the date of the refusal.

Revised Applications – Part 14 Applications only

- 16.2** An Applicant, after substantially amending an Application, that has not been approved to its satisfaction may submit a Revised Application in accordance with this Bylaw, and may provide such further information as they desire.
- 16.3** Council has the same authority with respect to Revised Applications as for Applications generally and the same procedures apply.
- 16.4** Council may not table a Revised Application.
- 16.5** Upon receipt of the revised Application, the Village will process the Application in accordance with the process flowchart set out in Schedule 'A' of this Bylaw.

Building Conversion Strata Applications

- 16.6** With respect to the decision making criteria that Council must follow with respect to this type of Application, refer to section 242(6) of the Strata Property Act, as amended from time to time.
- 16.7** There shall be no Revised Applications, if Council denies a Building Conversion Strata Application.

REVOCATION OF THE APPROVALS

- 17.0** The Village may revoke an approval and post a stop work order on a Parcel of Land, other than an amendment of a Bylaw, if:
- (a) there is a violation of a condition under which the approval was issued;
 - (b) there is a breach of any provision of this Bylaw and other applicable Bylaws or enactments;
 - (c) the Village determines that any information on the basis of which the approval was issued is incorrect; or
 - (d) construction activity on the Parcel of Land, subject to the approval, otherwise threatens the health, safety, or protection of the public.
- 17.1** Notice of revocation of the approval shall be in writing and transmitted to the Applicant and the owner of the Parcel of Land by mail or courier, and deemed served at the expiration of three (3) business days from the date of sending, or such other means to effect service.
- 17.2** A person who has been notified that an Approval has been revoked shall immediately cease work related to the Application and remedy the cause for the revocation to the satisfaction of the Village, who may then reinstate the Approval.

PENALTIES, ENFORCEMENT AND IMMUNITY

- 18.0** Every person who contravenes any provision of this Bylaw commits an offense punishable on summary conviction and shall be liable to a fine of not more than \$10,000.00.
- 18.1** The Village may designate enforcement officers for the purposes of this Bylaw.
- 18.2** No action for damages lies or may be instituted against present or past Council, Chief Administrative Officer or their designate, the Planning Department, Bylaw Officer, or members, employees, servants or agents of either Village or Council:
- (a) for anything said or done or omitted to be said or done by that person in the performance or intended performance of the person's duty or the exercise of the person's authority; or
 - (b) for any alleged neglect or default in the performance or intended performance of the person's duty or the exercise of the person's authority.
- 18.3** The previous section does not provide a defence if:
- (a) the individual has, in relation to the conduct that is the subject matter of the action, been guilty of dishonesty, gross negligence or malicious or willful misconduct; or
 - (b) the cause of action is libel or slander.
- 18.4** Village, present or past Council, or members, employees, servants or agents of any of Village or Council is not liable for any damages or other loss, including economic loss, sustained by any person, or to the property of any person, as a result of neglect or failure, for any reason, to discover or detect any contravention of this Bylaw or any other Village Bylaw, or from the neglect or failure, for any reason or in any manner, to enforce this Bylaw or any other Village Bylaw.

LAND USE POLICIES

- 19.0** The Village is authorized to make any policies that are required to compliment the requirements of this bylaw.

DEVELOPMENT VARIANCE PERMIT

- 20.0** A minor variance must not change the use or density for a Parcel of Land, but there is otherwise no restriction on what may be considered provided the decision maker has considered each of the following:
- (a) whether the minor variance is desirable for the appropriate development or use of the parcel of land, building or structure;
 - (b) whether the general intent and purpose of the Official Community Plan or the Zoning Bylaw, if any, will be maintained; and
 - (c) whether the minor variance is in the best interests, including the health, safety and protection of the public.

REPEAL

21.0 The Public Notice Provision Bylaw No. 553, 1991 is repealed in its entirety.

READ A FIRST TIME THIS 5th DAY OF DECEMBER, 2016

READ A SECOND TIME THIS 5th DAY OF DECEMBER, 2016

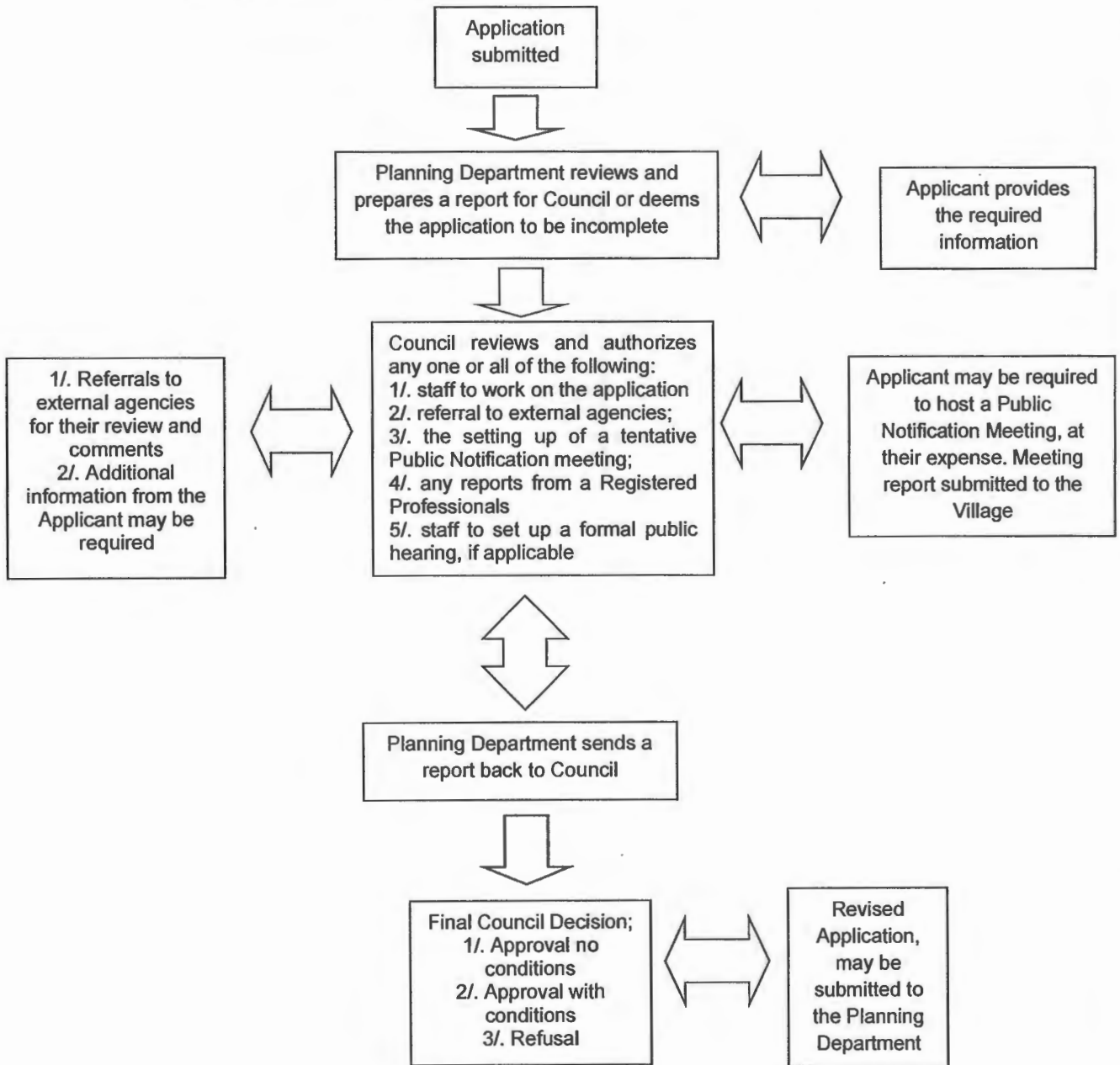
READ A THIRD TIME THIS 5th DAY OF DECEMBER, 2016

ADOPTED THIS DAY OF , 2016

Mayor

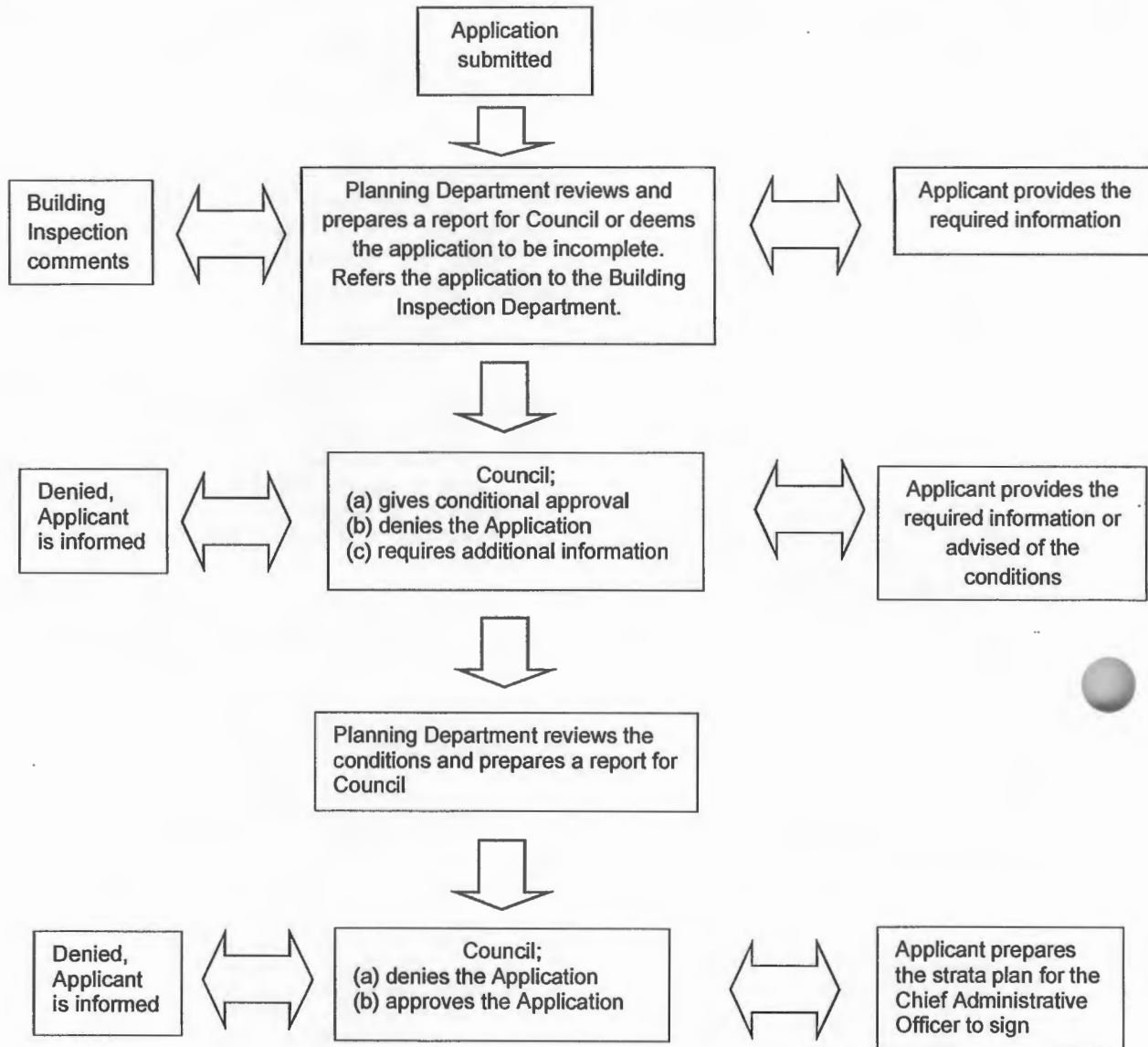
Corporate Officer

SCHEDULE "A" PART 14 APPLICATION PROCESSING FLOWCHART



SCHEDULE "B"

BUILDING CONVERSION STRATA APPLICATION PROCESSING FLOWCHART





VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: Mayor and Council **DATE:** December 6, 2016
FROM: Debra Key, **FILE:** 3900-01
 Deputy Chief Administrative Officer/CO
SUBJECT: Business Hours Regulation Repeal Bylaw No. 1096, 2016

ISSUE: Business Hours Regulation Repeal Bylaw

BACKGROUND:

At the November 7, 2016 Regular Council meeting, a business operator appeared before Council to request changes to the existing Business Hours Regulation Bylaw.

A report was before Council at the Regular Council meeting of December 5, 2016 which provided information on the current Business Hours Regulation Bylaw and the new Liquor Control and Licencing Act (Bill 27-2015) Regulations and Terms and Conditions that will come into effect on January 23, 2017.

Council was provided with options for consideration and Council approved a resolution to repeal the Business Hours Regulation Bylaw.


Accordingly, the Business Hours Regulation Repeal bylaw is attached for readings.

RECOMMENDATION:


THAT Business Hours Regulation Repeal Bylaw 1096, 2016 be given first, second and third readings.

Respectfully submitted:

REVIEWED BY:



 Debra Key
 Deputy Chief Administrative Officer/
 Corporate Officer



 Madeline McDonald
 Chief Administrative Officer

A bylaw to repeal Business Hours Regulation Bylaw No. 942, 2010

WHEREAS the Council adopted the Business Hours Regulation Bylaw No. 942, 20110 on July 12, 2010 to regulate business hours;

AND WHEREAS the Council deemed that the Business Hours Regulation Bylaw is no longer required;

AND WHEREAS the Village of Harrison Hot Springs Business Hours Regulation Bylaw must be repealed;

NOW THEREFORE in open meeting assembled, the Council of the Village of Harrison Hot Springs enacts as follows:

1. **CITATION**

This Bylaw may be cited for all purposes as the "Business Hours Regulation Repeal Bylaw No. 1096, 2016".

2. The following bylaw is hereby repealed:

(a) The Village of Harrison Hot Springs "Business Hours Regulation Bylaw No. 942, 2010".

READINGS AND ADOPTION

READ A FIRST TIME THIS DAY OF , 2016

READ A SECOND TIME THIS DAY OF , 2016

READ A THIRD TIME THIS DAY OF , 2016

ADOPTED THIS DAY OF , 2016

Mayor

Corporate Officer

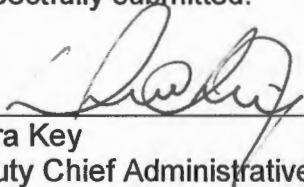
Attached is a copy of Bylaw Notice Enforcement Bylaw No. 855 for your reference.

RECOMMENDATION:

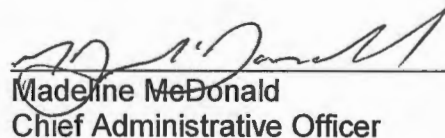
THAT Bylaw Notice Enforcement Bylaw Amendment No. 1097, 2016 be given first, second and third reading.

Respectfully submitted:

REVIEWED BY:



Debra Key
Deputy Chief Administrative Officer/
Corporate Officer



Madeline McDonald
Chief Administrative Officer

attachment



VILLAGE OF HARRISON HOT SPRINGS

BYLAW NO. 1097

A bylaw to amend the Bylaw Notice Enforcement Bylaw No. 855

WHEREAS the Village of Harrison Hot Springs has deemed it advisable to amend Bylaw Notice Enforcement Bylaw No. 855 to specify bylaw contraventions in relation to which a Screening Officer may enter into a compliance agreement;

NOW THEREFORE in open meeting assembled, the Mayor and Council of the Village of Harrison Hot Springs enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as the "Village of Harrison Hot Springs Bylaw Notice Enforcement Amendment Bylaw No. 1097, 2016".

- 2.** Bylaw Notice Enforcement Bylaw No. 855 is hereby amended by deleting Section 10.1.4 under Part 10 Powers, Duties and Functions of Screening Officers, in its entirety and substituting the following:

"10.1.4 To provide for payment of a reduced penalty if a compliance agreement is entered into for any offence as provided in Schedule A".

- 3.** Said Bylaw is further amended by deleting Section 10.2 under Part 10 Powers, Duties and Functions of Screening Officers, in its entirety and substituting the following:

10.2 The bylaw contraventions in relation to which a Screening Officer may enter into a compliance agreement are indicated in Schedule A."

READINGS AND ADOPTION

READ A FIRST TIME THIS DAY OF , 2016

READ A SECOND TIME THIS DAY OF ,2016

READ A THIRD TIME THIS DAY OF ,2016

ADOPTED THIS DAY OF ,2017

Mayor

Corporate Office

VILLAGE OF HARRISON HOT SPRINGS

Bylaw Notice Enforcement

Bylaw No. 855

A bylaw respecting the enforcement of bylaw notices.

The Council of the Village of Harrison Hot Springs enacts as follows:

Part 1 Citation

- 1.1 This Bylaw may be cited as "Village of Harrison Hot Springs Bylaw Notice Enforcement Bylaw No. 855".

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Definitions

- 3.1 In this bylaw:

"Act" means the *Local Government Bylaw Notice Enforcement Act*;

"Village" means the Village of Harrison Hot Springs;

"Registry" means the Fraser Valley Bylaw Notice Adjudication Registry established pursuant to Part 8 of this Bylaw.

Part 4 Terms

- 4.1 The terms in this bylaw have the same meaning as the terms defined in the Act.

Part 5 Bylaw Contraventions

- 5.1 The bylaws and bylaw contraventions designated in Schedule A may be dealt with by bylaw notice.

Part 6 Offence and Penalty

- 6.1 The penalty for a contravention referred to in Part 5 is as follows:
- 6.1.1 subject to subsection 6.1.2 and 6.1.3, is the Penalty amount set out in column A1 of Schedule A,
 - 6.1.2 if received by the Village within 14 days of the person receiving or being presumed to have received the notice, is the Early Payment Reduction set out in column A2 of Schedule A,
 - 6.1.3 if more than 28 days after the person received or is presumed to have received the bylaw notice, is subject to a late payment surcharge in addition to the penalty under subsection 6.1.1, and is the Late Payment Surcharge set out in column A3 of Schedule A,

Part 7 Period for Paying a Disputed Notice

- 7.1. A person who receives a bylaw notice must, within 14 days of the date on which the person received or is presumed to have received the bylaw notice:
- 7.1.1 pay the penalty, or
 - 7.1.2 request dispute adjudication,
- by filling in the appropriate portion of the bylaw notice indicating either a payment or a dispute and delivering it, either in person during regular office hours, or by mail, to the Village of Harrison Hot Springs Municipal Hall.
- 7.2 A person may pay the indicated penalty after 14 days of receiving the notice, subject to the applicable surcharge for late payment accordance with subsection 6.1.3, but no person may dispute the notice after 14 days of receiving the bylaw notice.
- 7.3 Where a person was not served personally with a bylaw notice and advises the Village, in accordance with the requirements of section 25 of the Act, that they did not receive a copy of the original notice, the time limits for responding to a bylaw notice under Part 6 and section 7.1 of this bylaw do not begin to run until a copy of the bylaw notice is re-delivered to them in accordance with the Act.

Part 8 Bylaw Notice Dispute Adjudication Registry

- 8.1 The Registry is established as a bylaw notice dispute adjudication system in accordance with the Act to resolve disputes in relation to bylaw notices.
- 8.2 The civic address of the Registry is municipal offices of the City of Chilliwack, 8550

Young Road South, Chilliwack, B.C., V2P 8A4.

- 8.3 The Village is authorized to enter into, and the Mayor and Clerk are authorized to execute, the dispute adjudication system agreement.
- 8.4 Every person who is unsuccessful in a dispute adjudication in relation to a bylaw notice or a compliance agreement under the dispute adjudication system established under this section must pay the Village of Harrison Hot Springs an additional fee of \$25 for the purpose of the Village of Harrison Hot Springs recovering the costs of the adjudication system.

Part 9 Screening Officers

- 9.1 The position of screening officer is established.
- 9.2 The following are designated classes of persons that may be appointed as screening officers:
- 9.2.1 employees of the Village of Harrison Hot Springs
- and Council may appoint screening officers from these classes of persons by name of office or otherwise.

Part 10 Powers, Duties and Functions of Screening Officers

- 10.1 The powers, duties and functions of screening officers are as set out in the Act, and include the following powers:
- 10.1.1 Where requested by the person against whom a contravention is alleged, communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the bylaw notice dispute adjudication system and the fee or fees payable in relation to the bylaw notice enforcement process;
- 10.1.2 To communicate with any or all of the following for the purposes of performing their functions under this bylaw or the Act:
- (a) the person against whom a contravention is alleged or their representative;
 - (b) the officer issuing the notice;
 - (c) the complainant or their representative;
 - (d) the Village of Harrison Hot Spring's staff and records regarding the

disputant's history of bylaw compliance.

- 10.1.3 To prepare and enter into compliance agreements under the Act with persons who dispute bylaw notices, including to establish terms and conditions for compliance that the Screening Officer considers necessary or advisable, including time periods for payment of penalties and compliance with the bylaw;
 - 10.1.4 To provide for payment of a reduced penalty if a compliance agreement is entered into, as provided in column A4 of Schedule A; and
 - 10.1.5 To cancel bylaw notices in accordance with the Act or Village of Harrison Hot Springs policies and guidelines.
- 10.2 The bylaw contraventions in relation to which a Screening Officer may enter into a compliance agreement are indicated in column A4 of Schedule A.
- 10.3 The maximum duration of a compliance agreement is one year.

Part 11 Bylaw Enforcement Officers

- 11.1 Persons acting as any of the following are designated as bylaw Enforcement Officers for the purposes of this bylaw and the Act:
- 11.1.1 Special constables, officers, members or constables of:
 - (a) The provincial police force as defined in section 1 of the *Police Act*, or
 - (b) A municipal police force;
 - 11.1.2 Bylaw enforcement officers appointed pursuant to the *Police Act* and *Community Charter*;
 - 11.1.3 Local assistants to the fire commissioner under section 6 of the *Fire Services Act*;
 - 11.1.4 Bylaw enforcement officers, licensing inspectors, building inspectors, animal control officers or other persons acting in another capacity on behalf of a municipality, regional district or local trust committee for the purpose of enforcement of one or more of its bylaws.

Part 12 Form of Bylaw Notice

- 12.1 The Village of Harrison Hot Springs may from time to time provide for the form or forms of the bylaw notice, provided the bylaw notice complies with section 4 of the Act.

Schedules

Schedule A - Designated Bylaw Contraventions and Penalties

READ FOR A FIRST TIME THIS 20TH DAY OF MARCH, 2006.

READ FOR A SECOND TIME THIS 20TH DAY OF MARCH, 2006.

READ FOR A THIRD TIME THIS 20TH DAY OF MARCH, 2006.

ADOPTED THIS 6TH DAY OF APRIL, 2006.

Leo Facio
Mayor

Gerry van der Wolf,
Chief Administrative Officer

SCHEDULE A to BYLAW NO. 855.
SCHEDULE OF DESIGNATED BYLAW CONTRAVENTIONS AND PENALTIES

Bylaw	Section	Description	A1 Penalty	A2 Early Payment reduction	A3 Late Payment surcharge	A4 Compliance Agreement Available
474	3	Noise which disturbs	100.00	10.00	10.00	√
474	4(h)	Motor vehicle noise which disturbs	100.00	10.00	10.00	√
378	III (7) c	Failure to observe stop sign	50.00	10.00	10.00	√
378	IV (A)(2)(e)	Parking camper/trailer/ motor home for sleeping	50.00	10.00	10.00	√
574	3.1	Start/kindle a fire	100.00	10.00	10.00	√
653	2	No dog licence	50.00	10.00	10.00	√
653	9	Dog at large	75.00	10.00	10.00	√
653	13	Noisy dog	100.00	10.00	10.00	√
653	16	Vicious dog not muzzled and on a leash	150.00	10.00	10.00	√
757	5.1	Campground fire without a permit	100.00	10.00	10.00	√
757	6.6 (i)	Burning rubbish	100.00	10.00	10.00	√
757	6.1 (iv)	Open fire on beach	100.00	10.00	10.00	√
757	6.1(vii)	Fire during high winds	100.00	10.00	10.00	√
378	IV (A) (2) f	Oversized vehicle parked 48 hours	100.00	10.00	10.00	√
378	IV (A) (2) g	Vehicle parked 72 hours	100.00	10.00	10.00	√
378	IV (A) (2) h	Unattached trailer parked	100.00	10.00	10.00	√
378	IV (A) 2 i	Boat launch parking area without permit	100.00	10.00	10.00	√
695	V 1.	Cut down tree without permit	150.00	10.00	10.00	√

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