

THE CORPORATION OF THE VILLAGE OF TELKWA

OBSTRUCTION BYLAW NO. 602, 2011

A Bylaw to provide for the control and removal of certain obstructions on municipal roads, parks and property.

WHEREAS the Village of Telkwa wishes to prevent the placement of obstructions on municipal roads, parks and properties.

NOW THEREFORE the Council of The Corporation of the Village of Telkwa, in open meeting assembled, enacts as follows:

1. CITATION

- 1.1 This Bylaw may be cited for all purposes as "Village of Telkwa Bylaw No. 602, 2011"

2. DEFINITIONS

- 2.1 In this Bylaw:

"Bylaw Enforcement Officer" means an officer or employee of the Municipality appointed by Council as a Bylaw Enforcement Officer or other person authorized by Council under contract to enforce this Bylaw;

"Village employee" means any employee of the Village of Telkwa;

"Peace Officer" means any member of the Royal Canadian Mounted Police (RCMP) and any person delegated to assist him/her in carrying out his/her duties under this bylaw.

"Council" means the Council of the Village of Telkwa;

"Obstruction" means snow, ice, trees, shrubs, weeds, grass, leaves, refuse, or any other obstructing materials.

3. GENERAL PROVISIONS

- 3.1 In accordance with this Bylaw, it is unlawful for any person(s), business, or other body to place an obstruction on municipal roads, parks, and properties.

4. ENFORCEMENT

- 4.1 Where a bylaw enforcement office, peace officer, or village employee determines a contravention of the general provisions of this Bylaw, they will provide the offender with written notice to comply with this Bylaw within a time period stated in that notice.
- 4.2 If the owner or occupier of the property fails to comply with the notice issued under section 4.1 of this Bylaw, the Municipality, by its employees, contractors and agents, may take action under section 17 of the *Community Charter* to fulfill the requirements of the order and to recover the costs from the owner or occupier of the property.

5. SEVERABILITY

- 5.1 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 portion.

This Bylaw shall come into full force and effect on final adoption by Council.

READ FOR A FIRST TIME this 10th day of January, 2011

READ FOR A SECOND TIME this 10th day of January, 2011

READ FOR A THIRD TIME this 10th day of January, 2011

READ FOR A FOURTH TIME AND ADOPTED this 24th day of January, 2011

CARMAN GRAF
MAYOR

KIM MARTINSEN
CORPORATE OFFICER

SCHEDULE "A"

NOTICE TO COMPLY

Obstruction Bylaw No. 602, 2011

TO: _____

Address: _____

You are in violation of the provisions of Village of Telkwa Bylaw No. 602, 2011 as follows:

- Placing snow and/or ice on village road/property
 - Placing trees, scrubs, grass, leaves on village road/property
 - Placing refuse or other obstruction on village road/property, namely
- _____

If you fail to comply with this notice issued under section 4.1 of Bylaw No. 602, 2011, the Municipality, by its employees, contractors and agents, may take action under section 17 of the *Community Charter* to remove the obstruction and to recover the costs from you.

Notice issue date: _____

Compliance Date: _____

Authorized Signatory

- Bylaw Enforcement Officer/RCMP
- Village Employee