

DISTRICT OF LOGAN LAKE
BYLAW NO. 685, 2011

A bylaw to provide for the exterior maintenance and protection Lakeview Plaza buildings and grounds

WHEREAS pursuant to the provisions of the Community Charter, Chapter 26, Part 2, Section 8, Council may by bylaw, regulate the exterior maintenance and protection of buildings and grounds for the safety of the general public;

AND WHEREAS the Council of the District of Logan Lake desires to implement a bylaw for the exterior maintenance and protection of buildings and grounds within the Lakeview Plaza;

NOW THEREFORE the Council of the District of Logan Lake, in open meeting assembled enacts as follows:

1. Title

This bylaw may be cited as `District of Logan Lake Lakeview Plaza Maintenance and Protection Bylaw 685, 2011.

2. Definitions

In this bylaw the following definitions apply:

“Bylaw Enforcement Officer” means members of the Royal Canadian Mounted Police, local government corporate officers, bylaw enforcement officers under section 36 of the Police Act; local assistants to the fire commissioner, animal control officer or other persons acting in another capacity on behalf of the District, for the purposes of enforcement of one or more of the District’ bylaws;

“Drip Line” means the point on the ground vertical to the outward most projection;

“Heat Trace” means the continuous electrical line that is used to prevent freezing;

“Snow Stops” means a device that prevents snow from sliding down a roof;

“Owner” means, in respect of real property, the registered owner of an estate in fee simple; the tenant for life under a registered life estate; or the registered holder of the last registered agreement for sale;

“Occupier” means any person occupying such property within the District, and includes the owner of the property;

“Solid Waste Receptacle” means either a solid waste cart or a solid waste container;

“Vehicle” means any type of vehicle propelled by motorized or human power and capable of travel on or off the highway as defined in the Highway Act except those used for the purpose of aiding disabled persons;

“Superintendent” means the person appointed by Council as Public Works Superintendent for the District and any person authorized by the Superintendent to administer this bylaw;

“Red Zone” means all the areas in and around the Lake View Plaza with red colored brick, as shown on Appendix “1” which is attached to and forms a part of this bylaw.

3. Amphitheatre

As the amphitheatre is for the enjoyment of all visitors to the mall, no commercial or other organized use is permitted without the Districts approval.

4. Graffiti

All graffiti shall be removed as soon as practicable by the owner of the property or by the District or its officers if not removed within 30 days of written notice with the costs for removal, to be borne by the owner.

5. Exterior Surfaces and Equipment

Maintenance of the following items shall be dealt with as soon as practicable by the owner of the property or by the District or its officers if not dealt with within 30 days of written notice with the costs for the said maintenance, to be borne by the owner.

- (a) All damaged brick, glass, eaves, plumbing, and roofs shall be repaired as soon as practicable;
- (b) Roof Heat Trace shall be in place no less than 24 inches from the leading edge of the roof eave and continuously operating from October 15th to April 15th annually;
- (c) All eaves shall be clear of debris and free running, with Heat Trace installed and continuously operating from October 15th to April 15th annually;
- (d) All downspouts shall be clear of ice and debris and free running at all times. Heat trace shall be installed the full length down the spouts to two feet inside the collector pipe operating continuously from October 15th to April 15th annually;
- (e) All standing water and ice originating from the owners building onto the Red Zone, shall not be permitted and will be cleared or salted soonest or at the direction of the District Officers;
- (f) All garbage and debris shall be cleaned and removed to a distance of 3 meters (9 feet 10 inches) from the building;
- (g) All solid waste receptacles shall be secured properly to prevent waste from becoming wind borne or an animal attractant.

6. Snow Removal

Property and/or building owners shall ensure that all snow and ice shall be cleared by the occupiers to a distance of 1.5 meters (4.92 feet) from their store front walls by 10:00 am daily.

7. Outside Tables, Chairs and/or Sandwich Boards

- (a) Outside tables and chairs are only permitted to a maximum distance of 4 meters (13 feet 1.5 inches) from the store front wall, by food establishments serving prepared food to the public; and sandwich boards advertising businesses operating within the red zone, to a maximum size of 75cm x 110 cm (2'5" x 3'7") can be displayed within 3 meters (9' 10") from the store front wall.
- (b) A permit approved by the Superintendent for the right to provide, install or place tables and chairs or sandwich boards within the road right-of-way for the purpose of extending a business outdoors, must first be obtained prior to the placement of said objects by way of a Municipal Right-of-Way Use Permit attached as Appendix "2" and forming part of this bylaw.
- (c) Any permit issued under the provisions of this bylaw shall be subject to the payment of a permit processing fee of \$25.00.
- (d) Permits issued under the provisions of this bylaw will be valid from January 1 through to December 31 in each year.
- (e) In granting any permit, the Superintendent may attach such other conditions thereto as may be necessary to prevent damage to public or private property, or to prevent the operation from being conducted in a manner which may be hazardous to any person or in a manner likely to create a nuisance.
- (f) This permit may be cancelled at the discretion of the Superintendent without recourse, should the Applicant fail to comply with any or all of the conditions and regulations that may be imposed.

8. Skateboards and Vehicles

- (a) No person shall propel, coast, ride or in any other way use a skate board on any portion of land known as the "Red Zone" as identified on the map attached as Appendix 1.

- (b) No person shall propel, coast, ride or in any other way use a bicycle on any portion of land known as the "Red Zone" as identified on the map attached as Appendix 1.
- (c) With the exception of District or contractor vehicles (for the sole purpose of repairs), no other vehicle are permitted on any portion of the land known as the "Red Zone" without the Districts approval.

9. Dogs

All dogs must be on a leash and in effective control at all times while in and about the Lake View Plaza.

10. Penalties and Offences

- (a) Every person who violates any of the provisions of this bylaw or suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do or who refrains from doing anything required by this bylaw shall be deemed to be guilty of an infraction thereof and liable to the penalties imposed.
- (b) Every person who violates a provision of this bylaw commits an offence and is liable for payment of the following penalties:
 - (i) Unauthorized use of the Amphitheatre (3.) \$ 50.00
 - (ii) Failure to remove graffiti (4.) \$ 50.00
 - (iii) Failure to repair damage (5.a) \$ 50.00
 - (iv) Failure to have operational Heat Trace (5.b) \$ 25.00
 - (v) Failure to have free running eaves (5.c) \$ 25.00
 - (vi) Failure to have free running downspouts (5.d) \$ 25.00
 - (vii) Failure to remove standing water and ice (5.e) \$ 50.00
 - (viii) Failure to remove garbage and debris (5.f) \$ 50.00
 - (ix) Failure to secure solid waste receptacles (5.g) \$ 50.00
 - (x) Failure to remove snow (6.) \$ 25.00
 - (xi) Outside table and chairs beyond allowable distances (7.a) \$ 25.00
 - (xii) Unauthorized signs (7.a) \$ 25.00
 - (xiii) Using a skateboard within the Red Zone (8.a) \$ 25.00
 - (xiv) Riding a bicycle within the Red Zone (8.b) \$ 25.00
 - (xv) Unauthorized motor vehicle inside the Red Zone (8.c) \$100.00
 - (xvi) Dogs not on leash or under effective control (9.) \$ 10.00

11. General and Effective Date

- (a) District of Logan Lake Skateboard and Bicycle Control Bylaw No. 276 1987 is hereby repealed in its entirety.
- (b) This bylaw will come into full force and effect upon adoption.

READ A FIRST AND SECOND TIME this 21st day of June, 2011.

READ A THIRD TIME this 21st day of June, 2011.

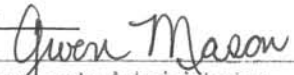
RECONSIDERED AND ADOPTED this 18th day of July, 2011.



Mayor (M. Dosch)

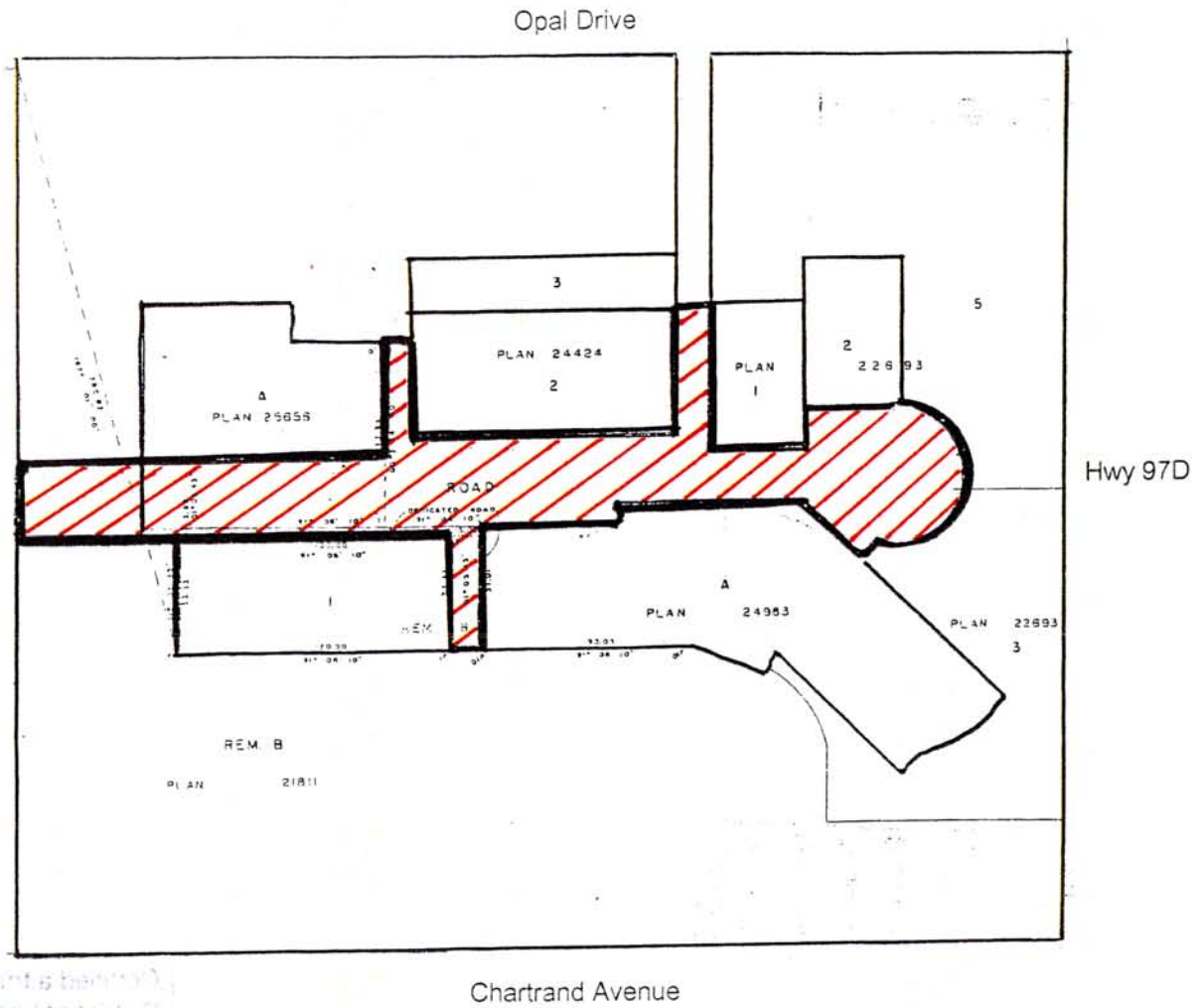


Chief Administrative Officer

| | |
|---|--|
| Certified a true copy of the District of Logan Lake | |
| Resolution No. <u> / </u> or | |
| Bylaw No. <u>685, 2011</u> | |
| Dated this <u>22nd</u> day of | |
| <u>July</u> 2011 | |
|  | |
| Corporate Administrator District of Logan Lake | |

Appendix "1" to
Bylaw 685, 2011

Lakeview Plaza Red Zone as identified



Appendix "2 to
Bylaw 685, 2011



PO Box 190, #1 Opal Drive
Logan Lake, BC V0K 1W0
P: 250-523-6225 F: 250-523-6678
www.loganlake.ca

MUNICIPAL RIGHT-OF-WAY USE PERMIT

Issued pursuant to Section 7 of Bylaw 685

Please fill in A, B or C below:

A:

| | | |
|-------------------|------|-------|
| APPLICANT NAME: | | DATE: |
| APPLICANT ADDRESS | | |
| PHONE: | FAX: | CELL: |
| EMAIL: | | |

B:

| | | |
|-------------------------|-----------------------------|-------|
| BUSINESS NAME/OPERATOR: | | |
| BUSINESS ADDRESS: | | |
| PHONE: | FAX: | CELL: |
| EMAIL: | DISTRICT BUSINESS LICENCE # | |

C:

| | | |
|--------------------------|------|-------|
| PROPERTY/BUILDING OWNER: | | |
| ADDRESS: | | |
| PHONE: | FAX: | CELL: |
| EMAIL: | | |

LOCATION OF PERMITTED USE:

| | | |
|------------------|-------|-----|
| DATES(S) OF USE: | FROM: | TO: |
| HOURS OF USE: | FROM: | TO: |

DESCRIPTION/PURPOSE: Please attach a sketch showing the dimensions of the area for proposed use which will form part of this permit:

PERMITTED TERMS OF USE: The Permit is non-transferrable. This Permit is issued exclusively for the use of the area of public sidewalk described to place tables, chairs, sun umbrellas and other approved objects. The Permits must be renewed annually by the last business day in January. Sidewalks must at all times remain accessible to wheelchairs and foot traffic and must comply with Occupational Health and Safety Standards. As a condition of being granted a Sidewalk use Permit, the applicant must show "Proof of Liability Insurance", with minimum coverage of \$2,000,000 with the District of Logan Lake named as co-insured. This Permit may be revoked by the Public Works Superintendent in the event that permitted terms of use are not met, and/or any reason deemed necessary to the essential business of the District.

| | |
|---|---|
| <p>I HEREBY AGREE to the terms stipulated herein and further agree to indemnify and save harmless the District against any and all claims, actions or expenses whatsoever or by whomsoever brought against the District by reason of the District granting us this Sidewalk use Permit. I further agree to maintain the sidewalk in a neat and tidy condition in keeping with a reasonable standard of maintenance prevailing in the neighbourhood.</p> | <p>PERMISSION IS HEREBY GRANTED to the above applicant by order of the Public Works Superintendent.</p> |
| <p>_____ Signature of Applicant</p> <p>_____ Signature of Business Operator</p> | <p>_____ Public Works Superintendent</p> |
| <p>Date</p> <p>Date</p> | <p>Date</p> |

