

ITEM 4
MANAGER'S REPORT NO. 10
COUNCIL MEETING 1982 02 15

RE: PROPOSED AMENDMENT TO SECTION 7.7 (PENALTIES)
OF BURNABY ZONING BY-LAW 1965

MUNICIPAL MANAGER'S RECOMMENDATION:

1. *THAT the recommendation of the Director Planning & Building Inspection be adopted.*

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TO: MUNICIPAL MANAGER 1982 FEBRUARY 08
FROM: DIRECTION PLANNING & BUILDING INSPECTION Our File: 02.240
SUBJECT: PROPOSED AMENDMENT TO SECTION 7.7 (PENALTIES)
OF BURNABY ZONING BY-LAW 1965

RECOMMENDATION

1. THAT Council request the preparation of a by-law to be advanced to First Reading on 1982 March 01 to permit the introduction of the proposed amendment as described in Section "B" into the Burnaby Zoning By-law and that this amendment be advanced to a Public Hearing on Tuesday, 1982 April 20 at 19:30 hours.

R E P O R T

A. BACKGROUND

Section 7.7 (Penalties) of the Burnaby Zoning By-law presently refers to the penalties provided in the Summary Convictions Act. The section reads as follows:

"Every person who violates any provisions of this by-law shall be guilty of an offence for each day the said violation continues and shall be liable on summary conviction to the penalties provided in the Summary Convictions Act."

We have recently been advised by the Municipal Solicitor, however, that the Summary Convictions Act has been rescinded and replaced by the Offence Act. Because of this, reference to the Summary Convictions Act in the Burnaby Unsightly Premises By-law was removed by an amendment that was given final adoption by Council on 1982 February 01.

Similarly, the amending of the Burnaby Zoning By-law would be appropriate in order to delete the reference to the Summary Convictions Act and to replace it with the Offence Act.

Municipal Manager
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(Penalties) of Burnaby Zoning By-Law 1965)
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B. PROPOSED ZONING BY-LAW TEXT AMENDMENT

It is recommended that the Burnaby Zoning By-law be amended to allow for the deletion of Section 7.7 (Penalties) and its replacement by:

7.7 Penalties:

"Every person who violates any of the provisions of this by-law shall be guilty of an offence and shall be liable on summary conviction to the penalties provided in the Offence Act".

(This wording corresponds with the recent amendment to the Burnaby Unightly Premises By-law).



A.L. Parr
DIRECTOR PLANNING &
BUILDING INSPECTION

RBC/mcb

cc: Chief Building Inspector
Municipal Solicitor
Municipal Clerk
Assistant Director - Long Range
Planning & Research