

CULTUS LAKE PARK BOARD
PROPOSED GOOD NEIGHBOUR BYLAW NO. 2010-03

A COMPARISON WITH PREVIOUS BYLAWS

[Vehicle Parking Bylaw 1989; Traffic Regulations Bylaw 1992; General Regulations Bylaw 2001; Licensing and Dog Control Bylaw 1999]

CLCA Constitution

Purpose:

2b. To promote communication between the residents and leaseholders of Cultus Lake Park and the Cultus Lake Park Board.

This comparison was completed by Cultus Lake Community Association Executive and by a CLCA member as in Purpose “2b” [above] in our Constitution. The comparison was done in two formats; one in “column format” and one in “table format”. The two formats have been combined so comparisons follow the numerical order of the Draft Good Neighbour Bylaw [GNB]. Most of these comparisons only include the first revision of the Draft GNB. When using the comparisons, it would be beneficial to consult the most recent copy of the GNB from the Park Board website:

[http://www.cultuslake.bc.ca/default.aspx?PAGE_ID=40]. As of October 29, 2010, all revisions of the GNB are shown on the pdf. The bylaws that the GNB will replace [in the title above] can be found on the Park Board home page [Government -> Bylaws] or http://www.cultuslake.bc.ca/default.aspx?PAGE_ID=113.

We have tried to be as accurate as possible in our comparisons. The purpose is to provide interested leaseholders a way of seeing the comparisons between the GNB and the current bylaw it will replace. The Park Board encourages written submissions with observations. There will be a public input session at a later time.

PREVIOUS BYLAWS

General Regulations 2001

#20 – no person shall consume any liquor or alcoholic beverage ...

#30 – no person shall willfully hinder, interrupt or disobey the instructions of the **BOARD**, their engineers, surveyors, managers, contractors, servants, agents or employees in the exercising of any powers or authority conferred upon them by the **BOARD**.

not addressed

PROPOSED BYLAW

Part II – GEN’L REGS

#2.9 – no person shall consume or possess...

#2.2 – no person shall obstruct or interfere with a Bylaw Enforcement Officer and/or Park Patrol member in the exercise of their duties

#2.3 a Bylaw Enforcement Officer and/or Park Patrol Member shall have the right to enter....etc.

#4. – no person shall carry into, or cause to be placed in the **PARK** or lake, refuse, litter or dangerous goods.

Part III- LITTERING

- 3.3 all new
- 3.4 includes word “litter” rest is new
- 3.5 all new
- 3.6 same as previous bylaw

#8 – no person shall unnecessarily obstruct or annoy any other person in the **PARK**

Part IV – STREET NUISANCES

- all new, except # 4.7, which is the same as #8 and #4.8
- which is the same as #11

#11 – no person shall solicit for orders, peddle merchandise of any kind, offer entertainment or make any kind of presentation or demonstration without prior permission, in writing, from the **BOARD**

PART V - NOISE REGULATIONS

2001	2010
	5.1 to 5.4 a, b are new
9. In terms of this bylaw, quiet hours in the Park are between 11 pm and 7 am. No person shall make unnecessary or continuous noise during these quiet hours.	5.4 General Prohibitions c] Same Bylaw as 2001
Traffic Regulation Bylaw [2003]: 10 No person shall operate, upon any vehicle on any highway within the Park any loud speaker or other noise-making device for advertising or other purposed, unless that person holds a valid and subsisting permit, in writing from the Board.	Special Exemptions 5.3 [c] Mobile Public Address Systems: <i>All this section replaces the 2003 Traffic Bylaw #10.</i>
Traffic Regulation Bylaw [2003]: 11. No person shall, on any highway within the Park, start, drive or turn or stop any motor vehicle or motor cycle, or accelerate the vehicle engine while the vehicle is stationary, in a manner which causes any loud and unnecessary noise in or from the engine, exhaust system or the braking system or from contact of the tires with the roadway.	5.5 Motor Vehicle and Boat Noise: 5.6 Vehicle Idling and Air Quality: <i>The 2003 Traffic Regulation #11 is replaced with these two sections [5.5, 5.6] with additional information concerning boat as laid out in [General Regulations] Bylaws 2, 2001, Section 28.</i>
	5.7 Specific Prohibitions: <i>These are basically all new bylaws concerning noise behavior.</i>

PART VI - Licensing and Dog Control Bylaw Comparisons

1999	2010
Definitions are contained in Bylaw #1 at the beginning of the document	Definitions are supplied in Schedule G, attached to the Good Neighbour Bylaw.
Public Recreation Areas Specific information where dogs not allowed.	Definitions in Schedule G <ul style="list-style-type: none"> - Missing: - “at large” but included under bylaw 6.12 - Public Recreation Areas where dogs not allowed. Included
	Schedule G New: <ul style="list-style-type: none"> - Dog swim zone... - “Manager of financial services” means the Person solely appointed as the Manager of Financial services by the CAO. - Under “Pound Keeper” definition, “Bylaw Enforcement Officer, or Park Patrol Member” added - “Receptionist” means the Receptionist for the Cultus Lake Park Office.
Schedule C Dogs off leash – under control <ul style="list-style-type: none"> - dog play zone, - Lakeshore Drive trails, Sweltzer Creek trails - horse trails and west side parking lot [Oct 1 – Apr. 30] 	Schedule J [includes map] <ul style="list-style-type: none"> - Missing: DFO and Sweltzer Creek [top middle] of map - Dogs on Leash – all public areas <ul style="list-style-type: none"> - missing: residential streets, lakeshore path, plaza, campground, parking lots, horse trails [May 1 to Oct. 1] - Dogs off leash – under control <ul style="list-style-type: none"> - Missing: Horse trails [Oct. 1 – Apr. 30]; Lakeshore Dr. trails; West Side parking lot [Oct. 1 to Apr. 30] - New: Dog swim areas
Bylaws 3a]g deleted? Appoint pound keeper with salary	
Schedule B – Fees 1.] i] Neutered dog or spayed female - \$10.00 ii] Un-spayed female - \$30.00 iii] Male dog - \$15.00 2.] a] Impoundment fee - \$10.00 b] Per diem care expenses \$10.00	Schedule I - 1.] i] Neutered dog or spayed female - \$20.00 ii] Un-spayed female - \$70.00 iii] Male dog - \$30.00 2.] a] Impoundment fee - \$50.00 b] Per diem care expenses \$10.00 c] Replacement Tag Fee \$25.00
	New-comers with licenses from previous place pay less

NOTE: *Italics indicate a quick summary rather than word-for-word.*

1999	2010
<p>2. It shall be lawful for Cultus Lake Park to establish a pound for the impounding of dogs at such place or places and upon such premises as the Board may from time to time designate.</p> <p>3. [a] The Cultus Lake Park Board may from time to time appoint a Pound Keeper and/or assistant Pound Keeper at such salary or remuneration as it may decide appropriate from the general revenue of the Cultus Lake Park.</p> <p>[b] For owners of dogs which attain the age of four [4] months during a calendar year, license fees are payable as per Schedule 'B' hereto attached.</p>	<p>6.2 It shall be lawful for the Cultus Lake Park to establish a pound, enter into agreements with other jurisdictions, or enter in to a contract with a contractor for the impoundment of Dogs at such place or places and upon such premises as Cultus Lake Park may from time to time designate and appoint a Pound Keeper or assistant Pound Keeper.</p> <p>6.3 For owners of dogs which attain the age of four [4] months during a calendar year, license fees are payable as per Schedule 'B' hereto attached and forming a part of this Bylaw.</p>
<p>3. [c] Persons who are new-comers or part time residents to Cultus Lake Park, who produce evidence of having purchased a current license for their dog[s] in another municipality, are exempt from license fees, as set out in Schedule 'B' attached hereto. These persons, should, however, register their dog[s] at the Park office, for which there will be no charge.</p>	<p>#3. [c] of 1999 Bylaw has not been included.</p>
<p>6. Replacement fee for license is \$5.00</p>	<p>6.7 Replacement fee for license is \$15</p>
<p>7. Any person owning any dog apparently over the age of four [4] months for which a valid and subsisting license has not been obtained shall be deemed guilty of an offence against this By-law, and in addition to any other penalties imposed under this By-law, such a dog may be impounded and disposed of in accordance with Section 11 of this By-law.</p>	<p>6.8 Missing: "...such a dog may be impounded and disposed of in accordance with Section 11 of this By-law."</p>
<p>8 [a] <i>Describes keeping dog on leash in a public place in CLP.</i></p> <p>[b] <i>Specific areas described.</i></p>	<p>6.9 <i>Same but added</i> "[refer to Schedules "J" and "K", attached to and forming part of this Bylaw." 6.10 <i>Same but added:</i> "[refer to Schedules "J" and "K", attached to and forming part of this Bylaw]."</p>
<p>11. <i>Complaint of a diseased or vicious dog etc. and what happens including:</i> ...he/she shall order the owner to destroy the dog, or keep it in confinement. Pound Keeper only used as bylaw enforcement officer</p>	<p>6.14 <i>Same but deleted:</i>... owner to destroy the dog, or... Pound Keeper <i>changed from here on to</i> Bylaw Enforcement Officer or Park Patrol Member.</p>
<p>12. Any dog impounded under the provisions of this By-law remaining unclaimed and for which the license fee, impounding fee or per diem charges as prescribed herein have not been paid after four business days from the time of impoundment, may either be sold or</p>	<p>6.15 Any dog impounded under the provisions of this By-law remaining unclaimed and for which the license fee, impounding fee or per diem charges as prescribed herein have not been paid after seven [7] business days from the time of impoundment, may either be sold or</p>

#12.- every person occupying a lease lot shall adhere to the **WASTE MANAGEMENT PLAN** in effect in the **PARK**; copies of which are available at the **PARK** office (NB. On the website now is the garbage and recycling program, found under the Community section.)

#24 Landscaping on Public Property

No person may make changes to or impact on public **PARK** property unless the following guidelines have been followed:

(note that what then follows is a list of details and specifications about how to apply to make changes to Public Park Property.)

#24 v) f) – chemical fertilizers must not be used under **PARK TREES** or on the lakeshore property

#6 Tree Cutting or Removal

i) all applications for **TREE** cutting or removal will be individually reviewed by the **BOARD**

iii) **TREES** that present a hazard...
A Tree Maintenance Application is not required for removal.

vi) for every **TREE** removed...a sustainable tree must be planted....at the applicant's cost of \$50.00

vii) deposit of \$200.00 must accompany the Tree Maintenance Application, refundable on satisfactory completion of the work as determined by the **BOARD**

Part VII - PROPERTY MAINTENANCE

- all new

Part VIII - MANAGEMENT OF PUBLIC AREAS

8.3- it is prohibited for any Person to alter or change, or mow grass in Public Areas without the prior written permission of the Board (- no provisions are made for making changes to Public Areas.)

8.2 – it is prohibited for any Person other than Park Staff to use fertilizers and pesticides in Public Areas

Part IX – TREE MAINTENANCE AND REPLACEMENT

#9.2 – all applications for Tree maintenance or replacement will be individually reviewed by the Park Arborist
#9.4 Trees that present a hazard ...If the Tree(s) are removed, replacement will be in accordance with the Tree Maintenance and Replacement Application Procedure.

#9.7 for every living Tree removed...two (2) sustainable trees must be planted...at the sole cost of the applicant - \$325.00 (as per Schedule P)

#9.8a deposit of \$300.00 must accompany....to cover costs of Park Staff time, equipment use, and potential Park property damage, with the remainder of the deposit being refundable upon satisfactory completion of work determined by the Public

x) second paragraph – application for the cutting down of **TREES** as necessary for construction of a dwelling and/or lease lot services will be evaluated by the Park Manager and/or the **BOARD**

Works Foreman or designate #9.11 application for the ... will be evaluated, with the objective of saving as many Trees as possible, by the Park Arborist and Chief Administrative Officer, Public Works Foreman or designate and will be in accordance with the Tree Maintenance and Replacement Application Procedure

Appendix A- Approved Tree Replacement List

Maple – 4 types
Birch
Horse Chestnut, Beech, Honey Locust, Tulip Tree, Oak, Willow, Cedar, False Cypress
Mountain Ash
not listed

Schedule P – Approved Tree Replacement List
Maple – 3 different types
different type
not listed

different type
Red Alder, Bitter Cherry, Western Flowering Dogwood, Cascara, Douglas Fir, Western Hemlock, Western Red Cedar

Tree Maintenance Application Procedure #8 the applicant must give the Park Office seven (7) days notice prior to commencement of work.

Schedule O, #7.B) – applicant must... no later than 48 hours prior to...

#27 Burning Conditions and Restrictions

i) no person shall light any open fire at any time, except as such time as permission may be granted, in writing, from the **BOARD**, and in areas designated for such open fires.

iii) PERMITS for existing or new installation units... at a cost of \$25.00.....

iv) ...If a re-inspection is required, a charge of \$10.00 will be administered

not addressed

Part X BURNING CONDITIONS RESTRICTIONS AND FIRE BANS

#10.3 – open burning or fires are prohibited in the Park except in designated areas

#10.5 ...and obtain a permit...for a cost of \$50.00

#10.6 ...If a re-inspection ...a charge of \$25.00...

Fire Bans, #10.8 – 10.9

#28 Boating Conditions in the Park

- v) no person shall store or leave any boat... between the period of Dec. 1st of any year and Feb. 28th of the following year
- vi) any such boat...in violation of section (v) will be removed by the **BOARD**, and stored... at the owner's expense. Fees shall be \$25.00 for removal and \$10.00 per month or portion thereof for storage.

Any article in storage for a period of a year will be disposed of by the **BOARD**. Proceeds from the disposal will be applied to removal and storage fees. The balance, if any, will be retained by the **BOARD**.

not addressed

vii) no boats or watercraft of any kind shall be permitted to be moored to a wharf, or be so moored to allow the same to encroach within 10 meters of a wharf, without prior permission, in writing, from the **BOARD**

viii) no boathouse or other structure shall be allowed to be on any part of the **PARK** foreshore.

not addressed

**Part XI - BOATING
CONDITIONS IN THE PARK**

#11.5 no person shall store or leave any boat... between the period of

October 1st and March 30th

#11.6 any such boat...in violation...will be removed and the Owner will be subject to a fine...

Schedule "T" (\$75.00: note that 11.5 in Schedule "T" refers to "storage"...on the foreshore between Oct 1 and Mar 30. It does not refer to a fine.)

Schedule "T" #11.6 states that there is a fee of \$2.00 per day while the boat is impounded.

Any article in storage for more than 90 days will be disposed of.

#11.7 any person wishing to store a boat...is required to obtain a decal...for a fee Schedule "T" (\$25.00/yr CLP resident;\$50/yr non-resident)

#11.8 boats or watercraft of any kind are prohibited to be moored within 10 meters of a wharf or will require prior written permission from the Board if the wharf is privately owned

#11.9 Boat houses, private wharves, or wharf boat lifts are prohibited without the express written permission of the Board

Part XII HIGHWAYS AND TRAFFIC

Parking Bylaw 1989

#3. Interpretation

- this lists definitions of terms

#6 a) vi) vehicles servicing equipment in business premises...

#7. **CULTUS LAKE PARK BOARD** may delegate authority for the erection of "Reserved Parking" signs...

#29 no boats, trailers,...for the purpose of storage unless prior permission, in writing, has been received from the **BOARD**

#8. Where Prohibited – 15) on any highway less than 9 meters wide...unless authorized by the **CULTUS LAKE PARK BOARD**

16) on any highway less than 9 meters wide in such a manner as to obstruct the free movement of traffic

not addressed

#12 Impounding a Vehicle or Chattel
d) in a position that causes it to interfere with ... snow removal...

#13 Procedure After Impounding
a) ...pay the applicable fees (Schedule "A" \$40)
b)may be recovered...at the **CULTUS LAKE PARK BOARD** office or such other place of storage ...or by paying the contractor....at his place of business

Part XIII PARKING

Schedule "BB" - definitions

"Storage" is new

"Traffic Officers" – Park Patrol Members has been added; "Vehicle" is new

#13.4 d) vehicles (service and delivery) in business or Residential Areas...

d) i) new

#13.5 The CAO may delegate authority...

#13.6 the registered leaseholders or current occupants shall be prohibited from storing boats, boat trailers, or Recreational Vehicles for a period of time greater than 60 consecutive days in the allocated land in front of the residence between the lot lines

#13.7 (o) same except that "unless authorized by the CLPB" has been deleted

not addressed

(p) in any area designated as staff parking in commercial areas without a valid pass

#13.11 (d) "snow removal" is not included

#13.12 ...applicable fees Schedule "BB" \$50

#13.13 no provision for paying the contractor

- e) impoundment fee \$40(Schedule “A”)
 Note: Schedule “A” allows for a 50% reduction in the fine if paid within 7 days of the date of violation; there is a late payment penalty of \$25
- f) ...any abandoned or unlicensed motor vehicle with an apparent market value of \$100.00 or less...
- Schedule “BB” \$50.
 (no reduction of fine;) must pay within 72 hrs or late penalty of \$25
- #13.17...market value of \$200.00 or less

Amendment to 1989 Bylaw 2010-02

- #2 b) second paragraph – A vehicle parked in the Designated Area that prevents the Registered Leaseholder(s) or Current Occupant(s) from Parking a motorized vehicle in the Designated Area without the Leaseholder(s) of Current Occupant(s) consent shall be in violation of this Bylaw
- #13.6 – this is not addressed; (#13.18 b) indirectly addresses this but only from 7 pm to 7 am.

Miscellaneous

- #10. no person shall carry on any trade, profession or any commercial enterprise within the **PARK**, without prior permission, in writing, from the **BOARD** not addressed
- #13. no person shall tamper or meddle with or in any way disrupt, damage or destroy any fire hydrant or any part of the **CULTUS LAKE** water system not addressed
- #14. no person shall injure, hurt or otherwise molest or disturb any wildlife in the **PARK** not addressed
- #15. no person shall keep any horse, cattle, swine or fowl in the **PARK**, without prior permission, in writing, from the **BOARD** not addressed
- #16. only household pets may be kept on any residential lease lot not addressed
- #17. no person shall undress, or remain in a state of undress, open to public view, anywhere in the **PARK** not addressed
- #19. the **BOARD** shall have the right to close, fence, or otherwise enclose any road or portion of the **PARK** for the purpose of effecting repairs not addressed

PART XIV - ENFORCEMENT PENALTY AND COMPLIANCE ORDERS

	2010 Good Neighbour
	14.1 -14.7 – Enforcement: All are new bylaws.

	14.8 – 14.14 – Repeat Nuisance Service Call: New bylaws also.
	14.15 – 14.18 – Payment of Fine: new summary of payments of all bylaw fines
	14.9 - Right to Dispute: new

PART XV – SEVERABILITY

	15.1 - new
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PART XVI – REPEAL

	16.1 - new
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good neighbour bylaw compare all CLVu.doc