

CITY OF NANAIMO

BYLAW NO. 7240

A BYLAW TO PROVIDE FOR THE DELEGATION OF AUTHORITY FOR ENFORCEMENT OF
PROPERTY MAINTENANCE

WHEREAS under Section 154 of the *Community Charter*, Council may, by bylaw, delegate its powers, duties and functions, including those specifically established by an enactment, to its officers and employees;

THEREFORE the Council of the City of Nanaimo, in open meeting assembled, enacts as follows:

1. Title

This Bylaw may be cited as “DELEGATION OF AUTHORITY (PROPERTY MAINTENANCE) BYLAW 2017 NO. 7240”.

2. Definitions

In this Bylaw, unless the context otherwise requires:

Bylaw means the current Property Maintenance Bylaw

City means the City of Nanaimo

Council means the Council of the City of Nanaimo

Manager means the person appointed as the Manager of the Bylaw, Regulation & Security division or a designate

3. Property Maintenance Delegation

The Council delegates the power to the Manager of Bylaw, Regulation & Security to enforce the provisions of the City of Nanaimo Property Maintenance Bylaw.

4. Reconsideration by Council

4.1 A property owner may have the decision of the Manager of Bylaw, Regulation & Security reconsidered by Council by submitting a written request for reconsideration to the City Clerk within fourteen days after the decision is delivered or made available to the property owner.

- 4.2 The request for reconsideration must contain the following:
- (a) the applicant's address for receiving correspondence related to the request for reconsideration;
 - (b) a copy of the written decision;
 - (c) reasons why the applicant wishes the decision to be reconsidered by Council; and
 - (d) the decision which the applicant requests be made by Council; and
 - (e) reasons in support of the decision requested from Council
- 4.3 At the reconsideration of a decision, the applicant is entitled to be heard by the Council in person or by a representative.
- 4.4 The Council may, following completion of its reconsideration, do one or more of the following:
- (a) confirm all or part of the Manager's decision;
 - (b) set aside all or part of the Manager's decision;
 - (c) amend the Manager's decision or make a new decision.
- 4.5 The Council may adjourn a reconsideration under this section.

5. Notice of Reconsideration

The City Clerk must, upon receiving an application for reconsideration:

- (a) place the request for reconsideration on the agenda for a regular meeting of Council to be held at least two weeks after the date on which the request for reconsideration is delivered to the City Clerk;
- (b) notify the applicant of the date for reconsideration by regular mail sent to the applicant's address provided under Section 4.

6. Severability

If any section, subsection, or paragraph of this Bylaw is found invalid by a decision of a Court of competent jurisdiction, the invalid section, subsection, or paragraph shall be severed without effect on the remainder of the Bylaw.

PASSED FIRST READING 2017-APR-03
PASSED SECOND READING 2017-APR-03
PASSED THIRD READING 2017-APR-03
ADOPTED 2017-APR-10

W. B. MCKAY

MAYOR

S. GURRIE

CORPORATE OFFICER