

# **Municipality of North Cowichan**

## **Regular Council**

### **AGENDA**

Wednesday, December 4, 2019, 1:30 p.m.  
Municipal Hall - Council Chambers

**Pages**

**1. CALL TO ORDER**

This meeting is open to the public. All representations to Council form part of the public record. Proceedings will be streamed live and archived at northcowichan.ca.

**2. APPROVAL OF AGENDA**

Recommendation:

**That Council adopt the December 4, 2019 Regular Council agenda, as circulated [or as amended].**

**3. ADOPTION OF MINUTES**

**7 - 21**

Recommendation:

**That Council adopt the following minutes:**

1. **Regular Council meeting held November 20, 2019;**
2. **Special Council meeting held November 25, 2019; and**
3. **Special Council meeting held November 26, 2019.**

**4. MAYOR'S REPORT**

**5. DELEGATIONS AND PRESENTATIONS**

**5.1 DELEGATION: Cowichan Neighbourhood House Association (CNHA) - Chrissy Kemppi and Arlene Robinson**

Purpose: To provide Council with an overview of CNHA's organization.

**5.2 DELEGATION: WildSafe BC - Amanda Crowston, WildSafeBC Cowichan Valley Coordinator and Sgt. Scott Norris, BC Conservation Officer Service**

**22 - 22**

Purpose: To provide Council with a summary of efforts performed in North Cowichan in the 2019 season to keep wildlife and communities safe.

**6. PUBLIC INPUT**

Opportunity for brief verbal input from registered speakers regarding subsequent agenda items.

## 7. BYLAWS

- 7.1 Bylaw 3768 - "Miscellaneous Bylaws Repeal Bylaw No. 3768, 2019"** 23 - 209
- Purpose: To consider giving first three readings to Bylaw 3768 "Miscellaneous Bylaws Repeal Bylaw" which would formally repeal bylaws that are irrelevant, outdated, or obsolete that still have legal standing (as recommended by the Regulatory Review Committee November 22, 2019).
- Recommendation:  
**That Council give first three readings to "Miscellaneous Bylaws Repeal Bylaw No. 3768, 2019".**
- 7.2 Bylaw 3758 - "Zoning Amendment Bylaw (Keeping of Farm Animals & Poultry), 2019"** 210 - 211
- Purpose: To consider adopting "Zoning Amendment Bylaw (Keeping of Farm Animals & Poultry), 2019", No. 3758 - a bylaw to regulate the keeping of farm animals and poultry, and to establish setbacks specific to kennels to include general regulations pertaining to the keeping of farm animals and poultry, and regulations for kennels.
- Recommendation:  
**That Council adopt "Zoning Amendment Bylaw (Keeping of Farm Animals & Poultry), 2019", No. 3758, - a bylaw to regulate the keeping of farm animals and poultry, and to establish setbacks specific to kennels.**
- 7.3 Bylaw 3763 - "Zoning Amendment Bylaw (Cannabis Sales – 8432 Trans-Canada Highway), 2019"** 212 - 212
- Purpose: To consider adopting "Zoning Amendment Bylaw (Cannabis Sales – 8432 Trans-Canada Highway), 2019" No. 3763 – a bylaw to permit cannabis retail sales at 8432 Trans-Canada Highway.
- Recommendation:  
**That Council adopt "Zoning Amendment Bylaw (Cannabis Sales – 8432 Trans-Canada Highway), 2019" No. 3763 – a bylaw to permit cannabis retail sales at 8432 Trans-Canada Highway.**

## 8. REPORTS

- 8.1 Reconsideration of Development Permit Application DP000155** 213 - 258
- Purpose: To provide additional information for Council's reconsideration of Development Permit Application DP000155.
- Recommendation:  
**For Council's information (no recommendation).**
- 8.2 Second Dwelling Rural Lands Policy** 259 - 266
- Purpose: To present Council with options with respect to the development of detached suites and detached second dwellings on rural lands through site specific zoning amendments, including background information, policy analysis, and preliminary recommendations.



Recommendation:

**That Council direct staff to review all future site specific applications for second dwellings, including second residences and detached suites, in the context of existing OCP Policy; and**

**That all future site specific applications for second dwellings, outside the Urban Containment Boundary, be reviewed with respect to the following criteria:**

- a. **That size of the proposed second dwelling be restricted by covenant to 92 m<sup>2</sup> (990.28 ft<sup>2</sup>) or less;**
- b. **That subdivision be restricted by covenant to prevent subdivision including strata subdivision;**
- c. **That the size of the parcel be a minimum of; and**
  - i. **1 ha (2.5 acres) where no Municipal sewer or water exists;**
  - ii. **0.4 ha (1 acre) where no Municipal sewer exists;**
  - iii. **0.2 ha (0.5 acres) where Municipal water and sewer exist; and**
- d. **That siting of second dwellings on agricultural lands be established and restricted by covenant to preserve agricultural land.**

### **8.3 Construction of New Crofton Water Storage Reservoir**

267 - 271

Purpose: To provide Council with information and a recommendation to construct a new water storage reservoir capable of better servicing the upper elevations of the Crofton community and the recently approved project known as "The Commons at Osborne Bay".

Recommendation:

**That Council direct staff to:**

1. **Prepare an agreement with the developer for the reservoir project that includes:**
  - a. **a \$700,000 contribution by North Cowichan from the one time Gas Tax funds,**
  - b. **the developer's delivery of a turnkey project that includes complete construction of the "ultimate" design reservoir, and**
  - c. **a termination clause that sets out the Agreement will be terminated immediately, with terms null and void, if construction has not substantially started within 24 months of execution of the Agreement; and**
2. **Research and prepare a latecomer charge agreement in favour of North Cowichan for future recovery of the appropriate portion of North Cowichan's contribution from future benefitting areas.**

**8.4 External Appointment - Cowichan Housing Association's Community Advisory Committee**

Purpose: To appoint one member of Council as North Cowichan's liaison to the Cowichan Housing Association's Community Advisory Committee from 2019 to 2022.

Recommendation:

**That Council appoint \_\_\_\_\_ to serve as North Cowichan's liaison to the Cowichan Housing Association's Community Advisory Committee from 2019 to 2022.**

**8.5 Federation of Canadian Municipalities (FCM) 2020 Annual Conference and Trade Show**

272 - 273

Purpose: To select one member of Council to attend the FCM 2020 Annual Conference and Trade Show being held in Toronto, June 4 to 7, 2020.

Recommendation:

**That Council approve Councillor \_\_\_\_\_ attendance at the Federation of Canadian Municipalities 2020 Annual Conference and Trade Show, June 4 to 7, 2020.**

**9. CORRESPONDENCE**

**9.1 2020 Resolutions to the Association of Vancouver Island and Coastal Communities (AVICC)**

274 - 284

Purpose: To consider if Council wishes to submit resolutions to the 2020 AVICC Annual General Meeting and Convention. The deadline for submission of resolutions for consideration at the AVICC Annual General Meeting is February 6, 2020. Resolutions must be adopted by Council no later than the January 29, 2020 Regular Council meeting in order to meet the deadline.

**10. NOTICE OF MOTIONS**

**10.1 Reconsider the Urban Containment Boundary in the Quamichan Watershed Area**

Purpose: To consider Councillor Justice's revised Notice of Motion from the April 17, 2019 Council meeting.

Recommendation:

*Whereas* the current Official Community Plan (OCP) of the Municipality of North Cowichan (North Cowichan) identifies the reduction of suburban development sprawl, the preservation of rural character, smart growth, and mitigating and adapting to climate change as major policy objectives;

*And whereas* North Cowichan Council has recently acknowledged that we are facing a climate emergency requiring immediate action;

*And whereas* North Cowichan's Climate Action and Energy Plan acknowledges the relationship between suburban development sprawl, increased demands for energy, and increased greenhouse gas (GHG) emissions, and also acknowledges the need to develop compact communities that can adapt to a changing climate;

*And whereas* North Cowichan is currently reviewing its OCP, which review will include the consideration of: i) stronger policies related to climate change; ii) amendments to the Urban Containment Boundary (UCB) to reduce suburban development sprawl and automobile dependency; and iii) denser development around North Cowichan's existing commercial cores to create complete and resilient communities;

*And whereas* the development of lands (Lands) which are: i) greenfield; ii) characteristic of leapfrog development; or iii) are not within reasonable (generally accepted) walking distance from the core services of either Crofton, Chemainus, or the Duncan to Berkey's Corner area of the South End of North Cowichan (some of which are located within the UCB) would be inconsistent with the above current and possible policies;

*And whereas* the removal of some of the Lands from within the UCB will be considered as part of the review of the OCP;

*And whereas* some of the Lands currently within the UCB, in areas such as the Quamichan watershed and similar areas\*, are facing development pressure, which will likely increase during the anticipated two year OCP review process;

*And whereas* it is anticipated that a significant amount of North Cowichan planning staff resources will be required to review development applications in relation to the Lands, which may be removed from within the UCB at a future date as a result of the review of the OCP;

*And whereas* North Cowichan Council believes it is not prudent to expend North Cowichan planning staff resources to review development applications in relation to the Lands while the review of the OCP is being undertaken;

*Therefore be it resolved* That Council is of the view that the approval of further growth or change in those areas of North Cowichan represented by the Lands is not in the public interest, but believes that growth or change that fosters walkable, compact, and energy efficient communities, and strengthens existing cores, is in the public interest.

*And therefore be it further resolved* That Council directs North Cowichan planning staff to advise the Approving Officer that Council is of the view that the approval of subdivision of any of the Lands is not in the public interest for the reasons set out above, and request that the Approving Officer reject all such subdivision applications as not being in the public interest.

*And therefore be it further resolved* That Council believes that it is not a judicious use of North Cowichan planning staff resources to review applications for amendments to the OCP and/or Zoning Bylaw in relation to any of the Lands while the review of the OCP is underway.

*And therefore be it further resolved* That Council directs North Cowichan planning staff to encourage applicants for amendments to the OCP and/or Zoning Bylaw in relation to any of the Lands to defer consideration of their applications until after North Cowichan has completed its review of the OCP, and that, where the applicants are not agreeable to deferring consideration of their applications until after North Cowichan has completed its review of the OCP, North Cowichan planning staff bring all such applications to Council at the earliest opportunity for consideration by Council and direction as to whether Council wishes to proceed with further steps in relation to the application, including a detailed staff review, or Council wishes to deny the application without further review.

\* There are a number of large greenfield sites currently located within the Urban Containment Boundary (UCB) - including in lands surrounding the Maple Bay Corridor and Quamichan Lake, the western boundary of the Crofton growth centre, southern/western boundaries of the Chemainus growth centre, and other undeveloped areas of the South End.

**11. NEW BUSINESS**

**12. QUESTION PERIOD**

Public opportunity to ask brief questions regarding the business of this meeting.

**13. ADJOURNMENT**

Recommendation:

That Council adjourn the December 4, 2019 Regular Council meeting at \_\_\_\_ p.m.

# **Municipality of North Cowichan Regular Council and Public Hearing MINUTES**

**November 20, 2019, 1:30 p.m.  
Municipal Hall - Council Chambers**

Members Present      Mayor Al Siebring  
                                 Councillor Rob Douglas (1:33 p.m.)  
                                 Councillor Christopher Justice  
                                 Councillor Tek Manhas  
                                 Councillor Kate Marsh (1:35 p.m.)  
                                 Councillor Rosalie Sawrie  
                                 Councillor Debra Toporowski

Staff Present            Ted Swabey, Chief Administrative Officer (CAO)  
                                 Mark Frame, General Manager, Financial and Protective Services  
                                 Ernie Mansueti, General Manager, Community Services  
                                 Sarah Nixon, General Manager, Corporate Services  
                                 David Conway, Director of Engineering  
                                 Rob Conway, Director of Planning and Building  
                                 Karen Robertson, Corporate Officer  
                                 Megan Jordan, Acting, Manager, Communications and Public Engagement

## **1. CALL TO ORDER**

There being a quorum present, Mayor Siebring called the meeting to order at 1:30 p.m.

## **2. APPROVAL OF AGENDA**

It was moved and seconded:

**That Council adopt the November 20, 2019 Regular Council agenda, as amended, to add an item for the Closed session under 91(1)(c) – labour relations or other employee relations.**

**CARRIED**

## **3. ADOPTION OF MINUTES**

### **3.1 October 16, 2019 - Committee of the Whole Minutes**

It was moved and seconded:

**That Council adopt the minutes of the Committee of the Whole meeting held October 16, 2019.**

**CARRIED**

### **3.2 November 6, 2019 Special Council**

It was moved and seconded:

**That Council adopt the Special Council minutes of the meeting held November 6, 2019.**

**CARRIED**

### **3.3 November 6, 2019 Regular Council**

It was moved and seconded:

**That Council adopt the Regular Council minutes of the meeting held November 6, 2019.**

**CARRIED**

Councillor Douglas entered the Council Chambers at 1:33 p.m.

Councillor Marsh entered the Council Chambers at 1:35 p.m.

## **4. MAYOR'S REPORT**

The Mayor gave a verbal report on meetings and activities he recently attended.

## **5. DELEGATIONS AND PRESENTATIONS**

### **5.1 DELEGATION: Chris Duncan, President, Duncan Cowichan Chamber of Commerce**

Chris Duncan, President of the Duncan Cowichan Chamber of Commerce provided an overview of the activities, projects, and events that the Chamber has supported throughout 2019. He also thanked Council for the new trail map as it has become one of the best resource tools that they distribute to visitors who want to bike or hike the Cowichan trails.

He identified that while the Chamber continues to seek out new revenue opportunities, the only sources of external funding they receive are the grants from the District of North Cowichan, the City of Duncan and Destination BC. He advised that the City of Duncan has reduced their annual grant from \$30,000 to \$22,000 which impacts their budget and operations and as such are requesting an increase in the grant they receive from the District of North Cowichan from \$30,000 to \$38,000. He confirmed that the Chamber has applied to the Cowichan Valley Regional District for grant funding but were advised that the maximum available would be \$1,000 from each Electoral Area.

He concluded his presentation by inviting Council to attend their November 26, 2019 Annual General Meeting where they will be presenting their financials and electing a new Board.

It was moved and seconded:

**That staff be directed to prepare a report for the Grants in Aid meeting that outlines funding options for the Duncan Cowichan Chamber of Commerce.**

**CARRIED**

## **6. PUBLIC INPUT**

Council received no public input regarding agenda items from registered speakers.

## 7. REPORTS

### 7.1 Proposed 2020 Council Meeting Schedule

It was moved and seconded:

**That Council endorse January 15 and 29, 2020 as the Council meeting dates for January, 2020.**

**CARRIED**

It was moved and seconded:

**That Council cancel the February 5, 2020 Council meeting to accommodate the Local Government Leadership Academy Conference.**

**CARRIED**

It was moved and seconded:

**That Council endorse holding the first meeting in June, 2020 on Tuesday, June 2, 2020 to accommodate those Council members attending the Federation of Canadian Municipalities conference.**

**CARRIED**

It was moved and seconded:

**That Council support holding one Council meeting in July (to be held on July 15, 2020) and one Council meeting in August (to be held on August 19, 2020).**

**CARRIED**

It was moved and seconded:

**That the Council meeting dates as proposed for March, April, May, June, September, October, November, and December be endorsed as per Council's Procedure Bylaw and as attached to the November 20, 2019 report by the Corporate Officer.**

**CARRIED**

## 8. NEW BUSINESS

None.

## 9. CLOSED SESSION

It was moved and seconded:

**That Council close the November 20, 2019 Regular Council meeting at 2:04 p.m. to the public on the basis of the following sections of the *Community Charter*:**

- **90(1)(c) - labour relations or other employee relations;**
- **90(1)(e) - the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;**
- **90(1)(g) - litigation or potential litigation affecting the municipality; and**
- **90(1)(i) - the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.**

**CARRIED**

**10. RECESS COUNCIL MEETING**

The Closed portion of the Council meeting concluded at 4:50 p.m.

It was moved and seconded:

**That Council recess the meeting at 4:50 p.m. and resume the open meeting at the conclusion of the Public Hearing.**

**CARRIED**

**11. PUBLIC HEARING 6:00 P.M.**

Members Present      Mayor Al Siebring  
                                 Councillor Rob Douglas (1:33 p.m.)  
                                 Councillor Christopher Justice  
                                 Councillor Tek Manhas  
                                 Councillor Kate Marsh (1:35 p.m.)  
                                 Councillor Rosalie Sawrie  
                                 Councillor Debra Toporowski

Staff Present            Rob Conway, Director of Planning and Building  
                                 Karen Robertson, Corporate Officer  
                                 Megan Jordan, Acting, Manager, Communications and Public Engagement  
                                 Caroline von Schilling, Development Planner  
                                 Larissa Barry-Thibodeau, Planning Technician

Mayor Siebring provided an explanation of the public hearing process and advised that no further verbal or written presentations could be reviewed by any member of Council following the closure of the public hearing. He also pointed out the location of the public hearing binders that were available for viewing by the public throughout the duration of the hearings for all 4 rezoning applications. He advised that the binders were also made available for viewing by the public at Municipal Hall.

The Mayor then advised that any written submissions received during the public hearings would form part of the public hearing record and at the conclusion of the hearing all submissions would be retained in the vault at Municipal Hall for permanent retention.

**11.1 PUBLIC HEARING: Rezoning Application No. ZB000120 for Bylaw 3758 (Keeping of Farm Animals and Poultry), 2019**

Mayor Siebring called the public hearing to order at 6:04 p.m. for Rezoning Application No. ZB000120 for Bylaw 3758 (Keeping of Farm Animals and Poultry), 2019.

The Mayor asked the Corporate Officer to provide an overview of the correspondence received.

The Corporate Officer conveyed that prior to the hearing 3 pieces of correspondence were received from the public regarding the proposed amendment which were previously circulated to Council. Two emails opposing the bylaw and a memo (which came in via email) citing support for urban poultry in North Cowichan but a request that



Council, at minimum, provide consistency with the previous bylaw in order to provide stability and security for current owners.

The Mayor then invited Larissa Barry-Thibodeau, Planning Technician to introduce the proposed amendment.

Mayor Siebring then called for submissions from the public for a first time. Council heard from the following members of the public:

Zoey Nedelek - 9890 Victoria Rd., North Cowichan,  
Heather Elix, Chemainus, North Cowichan,  
Caitlen Kenny – 5924 Jaynes Rd., North Cowichan,  
Thomas Elliott – 5924 Jaynes Road, North Cowichan.

Opposing comments included the following:

- When the Animal Responsibility Bylaw was adopted, the provisions for keeping chickens was removed so some residents took the opportunity to keep backyard chickens. Concern was expressed about what would happen to those chickens if residents were in non-compliance with the new bylaw.
- Setback requirements on smaller lots would see coops having to be established in the centre of one's property.
- Chickens are an important source of food security and residents on smaller lots should be able to keep 4 chickens or less on their property, with no roosters.
- Having backyard chickens reduces the supply chain from food in general.
- Policies should be established that address: chicken welfare, noise, setbacks, handling of manure, and carcasses.
- Chickens are simple to keep. Most municipalities don't allow roosters because of the noise.
- Concern with those who have established businesses when the regulations were removed with the adoption of the Animal Responsibility Bylaw.

Council asked staff what would happen to those who started a business, or have existing back yard coops on smaller lots, should Council adopt the bylaw. The Director of Planning and Building confirmed that those individuals could continue and should the bylaw be adopted, their use would be considered legal non-conforming.

Mayor Siebring called for submissions from the public for a second time.

No one in attendance wished to speak to the application.

Mayor Siebring called for submissions from the public for a third and final time.

No one in attendance wished to speak to the application so Mayor Siebring closed the public hearing for Rezoning Application No. ZB000120 at 6:36 p.m.

## **11.2 PUBLIC HEARING: Rezoning Application No. ZB000093 for Bylaw 3763 (Retail Cannabis Sales - 8432 Trans-Canada Highway), 2019**

Councillor Manhas declared a conflict of interest as his employer has submitted a rezoning application for a retail cannabis store and left the Council Chambers at 6:36 p.m.

Councillor Toporowski stated that she no longer has a conflict of interest on matters related to retail cannabis applications as the Costa Canna application has concluded and therefore would not be absentsing herself on future applications of this nature.

Mayor Siebring called the public hearing to order at 6:37 p.m. for Rezoning Application No. ZB000093 for Bylaw 3763 (8432 Trans-Canada Highway).

The Mayor asked the Corporate Officer to provide an overview of the correspondence received.

The Corporate Officer conveyed that prior to the hearing 3 pieces of correspondence were received from the public regarding the application which were previously circulated to Council. Two emails opposing the application and one email in support.

The Mayor then invited Caroline von Schilling, Development Planner to introduce the application.

Council then received a presentation from the applicant.

Mayor Siebring then called for submissions from the public for a first time. Council heard from the following members of the public:

Caitlen Kenny, representing Halalt First Nations at 7973 Chemainus Road,  
Mike Nadeau, 9954 Victoria Road, North Cowichan,  
Heather Elix, Chemainus, North Cowichan,  
Randy Wilson, Mt. Sicker Road, North Cowichan,  
Angela Wilson, Mt. Sicker Road, North Cowichan,  
Keith Bolding, 382 Davis Road, Ladysmith.

Opposing comments included the following:

- Despite the federal legislation setbacks, the Halalt First Nations expressed concerns about the youth who go to the Red Rooster store as it is in close proximity to the proposed retail cannabis store.

Supporting comments included the following:

- The store will be run by highly trained staff.
- Jobs would be created.
- Having a legally approved retail cannabis store would prevent many from having to purchase the product from the black market.
- The location has ample parking.
- Having access to natural products is a safer alternative to pain management which saves lives.
- Security cameras would be installed both inside and outside the store to ensure no one uses the product on the property.

Mayor Siebring called for submissions from the public for a second time.

No one in attendance wished to speak to the application.

Mayor Siebring called for submissions from the public for a third and final time.

Council asked further questions of Mr. Nadeau and enquired about his plans to sell vaping products.

Mr. Nadeau conveyed that he would not sell vaping products. He also stated that the plan is to close his store each night at 9:00 p.m.

Mayor Siebring closed the public hearing for Rezoning Application No. ZB000093 at 7:11 p.m.

Councillor Manhas returned to the Council Chambers at 7:12 p.m.

### **11.3 PUBLIC HEARING: Rezoning Application No. ZB000111 for Bylaw 3765 (2903 Cypress Street), 2019**

Mayor Siebring called the public hearing to order at 7:12 pm for Rezoning Application No. ZB000111 for Bylaw 3765 (2903 Cypress Street), 2019.

The Mayor asked the Corporate Officer to provide an overview of the correspondence received.

The Corporate Officer conveyed that prior to the hearing no correspondence was received from the public regarding the application.

The Mayor then invited Larissa Barry-Thibodeau, Planning Technician to introduce the application.

Mayor Siebring then called for submissions from the public for a first time. Council heard from the members of the public:

Heather Elix, Chemainus, North Cowichan,  
Patricia Ganczar, 2093 Cypress Street, North Cowichan.

Supporting comments included the following:

- Housing is desperately needed and this is a simple little apartment.
- Hoping Council will continue with authorizing on-street parking in the area.

Mayor Siebring called for submissions from the public for a second time.

No one in attendance wished to speak to the application.

Mayor Siebring called for submissions from the public for a third and final time.

No one in attendance wished to speak to the application so Mayor Siebring closed the public hearing for Rezoning Application No. ZB000111 at 7:18 p.m.

### **11.4 PUBLIC HEARING: Rezoning Application No. ZB000118 for Bylaw 3766 (1038 Herd Road), 2019**

Mayor Siebring called the public hearing to order at 7:18 p.m. for Rezoning Application No. ZB000118 for Bylaw 3766 (1038 Herd Road), 2019.

The Mayor asked the Corporate Officer to provide an overview of the correspondence received.

The Corporate Officer conveyed that prior to the hearing no correspondence was received from the public regarding the application.

The Mayor then invited Larissa Barry-Thibodeau, Planning Technician to introduce the application.

Mayor Siebring then called for submissions from the public for a first time and heard from the following member of the public.

Pat Thompson – 6760 Herd Road who provided his opposing comments as follows:

- The property is zoned R1 and if approved it would set a precedent in Maple Bay where density could be created outside of the Urban Containment Boundary resulting in a loss of the neighborhood's rural character.
- There is currently no Neighbourhood Plan for Maple Bay despite requests by the Maple Bay Residents Association to have one conducted.
- The Official Community Plan policy states the Municipality will discourage relaxation that has the effect of increasing density in rural areas and staff is preparing a report on this topic for future decision making. The application should be denied until that report is considered and existing policy guidelines approved by Council.
- The owner purchased the property with an accessory garage then began to illegally convert it for a bed and breakfast. The owner is now making an attempt to amend the zoning rules.

Mayor Siebring called for submissions from the public for a second time.

No one in attendance wished to speak to the application.

Mayor Siebring called for submissions from the public for a third and final time.

No one in attendance wished to speak to the application so Mayor Siebring and closed the public hearing for Rezoning Application No. ZB000118 at 7:35 p.m.

## **12. RESUME COUNCIL MEETING**

It was moved and seconded:

**That Council resume the meeting at 7:36 p.m.**

**CARRIED**

## **13. BYLAWS**

### **13.1 Bylaw 3758 - "Zoning Amendment Bylaw (Keeping of Farm Animals & Poultry), 2019"**

It was moved and seconded:

**That Council give third reading to "Zoning Amendment Bylaw (Keeping of Farm Animals & Poultry), No. 3758, 2019" - a bylaw to regulate the keeping of farm animals and poultry, and to establish setbacks specific to kennels.**

(Opposed: Justice)

**CARRIED**

It was moved and seconded:

**That Council direct staff to not pursue enforcement for the keeping of poultry on lots smaller than 1.98 acres.**

**CARRIED**

It was moved and seconded:

**That Council direct staff to prioritize the preparation of a report and bylaw on allowing poultry on lots smaller than 1.98 acres.**

(Opposed: Siebring; Manhas; Marsh; Sawrie)

**DEFEATED**

It was noted that community consultation would occur on the keeping of back yard chickens, including any associated policies for regulating chickens as identified by the public during the public hearing, as part of the Official Community Plan review.

**13.2 Bylaw 3763 - "Zoning Amendment Bylaw (Cannabis Sales – 8432 Trans-Canada Highway), 2019"**

Councillor Manhas declared a conflict of interest as his employer has submitted a rezoning application for a retail cannabis store and left the Council Chambers at 8:07p.m.

It was moved and seconded:

**That Council give third reading to "Zoning Amendment Bylaw (Cannabis Sales – 8432 Trans-Canada Highway), 2019" No. 3763 – a bylaw to permit cannabis retail sales at 8432 Trans-Canada Highway.**

(Opposed: Marsh)

**CARRIED**

Councillor Manhas returned to the Council Chambers at 8:23 p.m.

**13.3 Bylaw 3765 - "Zoning Amendment Bylaw (CD10 - 2903 Cypress Street), 2019"**

It was moved and seconded:

**That Council give third reading to "Zoning Amendment Bylaw (CD10 - 2903 Cypress Street), No. 3765, 2019" - a bylaw to regularize the existing apartment building use at 2903 Cypress Street.**

**CARRIED**

It was moved and seconded:

**That Council adopt "Zoning Amendment Bylaw (CD10 - 2903 Cypress Street), No. 3765, 2019" - a bylaw to regularize the existing apartment building use at 2903 Cypress Street.**

**CARRIED**

**13.4 Bylaw 3766 - "Zoning Amendment Bylaw (1038 Herd Road), 2019"**

It was moved and seconded:

**That Council give third reading to "Zoning Amendment Bylaw (1038 Herd Road), No. 3766, 2019" - a bylaw to permit two residential buildings, with a maximum of two dwelling units.**

It was moved and seconded:

**That Council table consideration of third reading until after the report on second dwellings has been considered by Council and after a second public hearing is held as Council's consideration of the second dwelling's report would be considered new information.**

(Opposed: Siebring; Manhas; Marsh)

**CARRIED**

**14. RISE AND REPORT (from the November 20, 2019 Closed Session)**

The Corporate Officer advised that at the closed portion of the November 20, 2019 Closed meeting, Council directed staff to amend the subdivision of the 3.11 acre portion of land at the corner of Kensington and Herd Road in order to sell a 778 m<sup>2</sup> (8,374 ft<sup>2</sup>) portion to the Germann's.

**15. QUESTION PERIOD**

Council received no questions from the public regarding business considered at this meeting.

**16. ADJOURNMENT**

It was moved and seconded:

**That Council adjourn the November 20, 2019 Regular Council meeting at 9:03 p.m.**

**CARRIED**

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Certified by Corporate Officer  
(Minutes certified "correct" and Public Hearing  
report certified "fair and accurate")

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Signed by Mayor

# **Municipality of North Cowichan Special Council MINUTES**

**November 25, 2019, 12:00 p.m.  
Municipal Hall - Council Chambers**

Members Present	Mayor Al Siebring Councillor Christopher Justice Councillor Tek Manhas Councillor Kate Marsh Councillor Rosalie Sawrie Councillor Debra Toporowski
Members Absent	Councillor Rob Douglas
Staff Present	Ted Swabey, Chief Administrative Officer (CAO) Ernie Mansueti, General Manager, Community Services Sarah Nixon, General Manager, Corporate Services Nelda Richardson, Deputy Corporate Officer David Conway, Director of Engineering Rob Conway, Director of Planning and Building
Others Present	Councillor Albie Joe Charlie Councillor Stephanie Atleo Councillor Craig George Councillor Darin George Councillor Howard George

## **1. CALL TO ORDER**

There being a quorum present, Mayor Siebring called the November 25, 2019 meeting to order at 12:15 p.m.

## **2. APPROVAL OF AGENDA**

It was moved and seconded:

**That Council approve the November 25, 2019 Special Council agenda as circulated.**

**CARRIED**

## **3. CLOSED SESSION**

It was moved and seconded:

**That Council close the November 25, 2019 Special Council meeting at 12:15 p.m. to the public on the basis of the following sections of the *Community Charter*:**

- **90(1)(e) - the acquisition, disposition or expropriation of land or improvements, if the Council considers that the disclosure could reasonably be expected to harm the interests of the municipality.**

**CARRIED**

**4. ADJOURNMENT**

It was moved and seconded:

**That Council adjourn the November 25, 2019 Special Council meeting at 2:52 p.m.**

**CARRIED**

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Certified by Deputy Corporate Officer

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Signed by Mayor



# **Municipality of North Cowichan Special Council MINUTES**

**November 26, 2019, 6:00 p.m.  
Municipal Hall - Council Chambers**

Members Present	Mayor Al Siebring Councillor Rob Douglas Councillor Christopher Justice Councillor Tek Manhas Councillor Rosalie Sawrie Councillor Debra Toporowski
Members Absent	Councillor Kate Marsh
Staff Present	Ted Swabey, Chief Administrative Officer (CAO) Mark Frame, General Manager, Financial and Protective Services Ernie Mansueti, General Manager, Community Services Sarah Nixon, General Manager, Corporate Services Megan Jordan, Acting, Manager, Communications and Public Engagement Nelda Richardson, Deputy Corporate Officer

## **1. CALL TO ORDER**

There being a quorum present, Mayor Siebring called the meeting to order at 6:00 p.m.

## **2. APPROVAL OF AGENDA**

It was moved and seconded:

**That Council approve the November 26, 2019 Special Council agenda as circulated.**

**CARRIED**

## **3. PUBLIC INPUT**

Council received brief public input from Ms. Jacquie Taylor, regarding item 4.2 on the agenda.

## **4. BUSINESS**

### **4.1 Duncan-Cowichan Chamber of Commerce**

Council discussed the request from the Duncan-Cowichan Chamber of Commerce to increase their 2020 "line item" grant-in-aid to \$38,000 from the \$30,000 in 2019.

It was moved and seconded:

**That Council receive, for information the General Manager of Financial and Protective Services November 25, 2019 report.**

**CARRIED**

## 4.2 Grant-In-Aid Review and Approval

Council received a brief overview from Mr. Mark Frame, General Manager, Financial and Protective Services, regarding the 2020 grant applications. Mr. Frame advised Council that staff reviewed the applications using Council's evaluation criteria and that he could respond to any questions Council may have during their review of the 2020 grant-in-aid applications.

It was moved and seconded:

**That Council direct staff to amend the 2020 recommended "line item" grants-in-aid in the "2020 Grants in Aid List" by decreasing the Chemainus & District Chamber of Commerce grant to \$27,500 and the Duncan-Cowichan Chamber of Commerce grant to \$34,000.**

(Opposed: Siebring; Manhas)

**CARRIED**

It was moved and seconded:

**That Council direct staff to forward the issue of funding the Duncan-Cowichan Chamber / Visitor Centre to the next scheduled joint meeting of the City of Duncan and District of North Cowichan to establish a process to determine annual sustainable joint funding contributions between the City of Duncan, District of North Cowichan and the Cowichan Valley Regional District.**

**CARRIED**

Council commenced in a discussion regarding the 2020 grant amount recommended for the Clements Centre Society.

Councillors Douglas and Manhas declared a conflict of interest on this matter citing their spouses are employed with the Clements Centre Society and left the Council Chambers at 6:47 p.m.

It was moved and seconded:

**That Council direct staff to decrease the 2020 grant-in-aid for the Clements Centre Society to \$3,000.**

(Opposed: Toporowski)

**CARRIED**

Councillors Douglas and Manhas returned to the Council Chambers at 6:49 p.m.

It was moved and seconded:

**That Council direct staff to increase the 2020 grant-in-aid for Volunteer Cowichan to \$3,000.**

**CARRIED**

It was moved and seconded:

**That Council direct staff to increase the 2020 grant-in-aid for the Cowichan Valley Naturalists to \$4,500.**

**CARRIED**

It was moved and seconded:

**That Council direct staff to increase the 2020 grant-in-aid for the Cowichan Historical Society to \$4,000.**

**CARRIED**

It was moved and seconded:

**That Council direct staff to include funding in the draft Financial Plan to provide grants as amended in the "2020 Grants in Aid List" attached to the General Manager of Financial and Protective Services November 26, 2019 report.**

**CARRIED**

**5. NEW BUSINESS**

None.

**6. QUESTION PERIOD**

Council received no questions from the public regarding business considered at this meeting.

**7. ADJOURNMENT**

It was moved and seconded:

**That Council adjourn the November 26, 2019 Special Council meeting at 7:04 p.m.**

**CARRIED**

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Certified by Deputy Corporate Officer

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Signed by Mayor

November 13, 2019

Mayor & Council  
Municipality of North Cowichan  
7030 Trans-Canada Highway  
Duncan, BC V9L 6A1

Dear Mayor & Council

RE: Overview of WildSafeBC Delegation Presentation

The presentation from WildSafeBC would include:

- What is WildSafeBC?
- Wildlife in the Cowichan Valley
- 2019 WildSafeBC Highlights in Cowichan Valley
- WildSafeBC in North Cowichan
  - o Community events
  - o Garbage tagging
  - o Presentations
- Future Goals for WildSafeBC in North Cowichan
- Recognition of sponsorship

The WildSafeBC Cowichan Valley Coordinator will present with support from Sgt. Scott Norris from the BC Conservation Officer Service.


Thank you for your time.

Sincerely



Amanda Crowston  
WildSafeBC Cowichan Valley Coordinator

# Report

Date	November 22, 2019	File: 4020
To	Regulatory Review Committee	
From	Karen Robertson, Corporate Officer	Endorsed: 
Subject	Miscellaneous Bylaws Repeal Bylaw No. 3768, 2019	

## Purpose

To introduce a Miscellaneous Bylaws Repeal Bylaw which would formally repeal bylaws that are irrelevant, outdated, or obsolete that still have legal standing.

## Background

Under Section 141, of the *Community Charter*, the Mayor established the Regulatory Review Standing Committee with a mandate to review current municipal bylaws and regulations to ensure they remain relevant, and are aligned with Council's stated strategic goals, priorities, and policy objectives. Where bylaws or regulations are seen to be irrelevant, outdated, ineffective, or inconsistent with current objectives, the Committee can make recommendations to Council for amendments or repeal.

## Discussion

Since the early part of 2019, staff has been conducting a comprehensive audit of all North Cowichan bylaws for the purposes of identifying those that are seen to be irrelevant, outdated, ineffective or inconsistent. Throughout this process, 52 bylaws were determined as no longer meeting current legislation or were no longer needed. Others were superseded by more current bylaws or Acts but never formally repealed. In general, results of the audit are as follows:

- Since Bylaw No. 1 was first adopted, 3,709 bylaws have been adopted; 1,560 have been repealed leaving a total of 2,149 bylaws on the books. Many of the bylaws in existence today are either amendment bylaws (i.e. Fees and Charges or Zoning Amendments) or single purpose bylaws that serve a finite period of time (i.e. Financial Plan bylaws). These single purpose bylaws are regarded as "spent" after their period has expired and no longer have any legal effect. As such, it is not legally necessary to repeal those bylaws, unless as a matter of local preference.
- Repealing bylaws is also subject to the same approval, and other requirements that adoption of a new bylaws would be subject to, as noted under Section 137(1)(b) of the *Community Charter*. In other words, any bylaw that required the assent of the electors, even if it is no longer applicable, would require the assent of the electors to amend or repeal. Section 137(2) does, however, does make a provision whereby these bylaws can be amended or repealed without the assent approval if the Minister approves it, subject to any terms and conditions the Minister might consider appropriate. For the purposes of this audit, any bylaws that required approval from the electorate were not considered.

With the above in mind, the focus was to bring forward those bylaws that are no longer relevant yet still have legal standing, despite their inapplicability. In this instance, 52 bylaws are being brought forward for consideration of repeal and rationale for their repeal is noted on the attached Appendix "A".

### Implications

Should the Committee recommend to Council that the Miscellaneous Bylaw Repeal Bylaw, as attached to the report by the Corporate Officer be adopted, several bylaws that are no longer relevant, yet still have legal standing, will be repealed.

### Recommendation

**That the Regulatory Review Committee recommend that Council give first three readings to "Miscellaneous Bylaws Repeal Bylaw No. 3768, 2019".**

### Attachments:

1. Appendix A - Rationale for Bylaws to be Repealed
2. Appendix B - Draft 3768- Miscellaneous Bylaw Repeal Bylaw
3. Copies of the 52 Bylaws to Repeal

## Appendix A - Rationale for Bylaws to be Repealed

<b>Bylaw No.</b>	<b>Date Adopted</b>	<b>Name of Bylaw</b>	<b>Rationale for Repealing the Bylaw</b>
2	23-Jul-1914	"Interpretation Bylaw"	No longer relevant. Definitions and rules regulating bylaws are provided for in the <i>BC Interpretation Act</i> , the <i>Local Government Act</i> , <i>Community Charter</i> , and individual bylaws of North Cowichan.
3	23-Jul-1914	"Council Meeting Procedure Bylaw"	No longer relevant. Superseded by other Council Procedure Bylaws.
4	23-Jul-1914	"Employees Bylaw"	No longer relevant. Duties of the Clerk, Treasurer and Collector are outlined in the <i>Community Charter</i> . Other staff positions referenced in this Bylaw are no longer applicable.
5	29-Mar-1910	"Council Chambers Disturbance Prevention Bylaw"	No longer applicable and outdated. Disturbance of the peace is regulated by the Canadian Criminal Code, Section 175(1).
6	04-Jul-1914	"Wards Bylaw"	No longer applicable as the municipality elects Council through the at-large system.
7	23-Jul-1914	"Streets and Roads Bylaw"	No longer applicable. Local governments do not regulate running or racing, or ensuring that pedestrians use the right side of the road. It also doesn't regulate the age of people selling newspapers on the street, or the speed limit for horses travelling on a road. Signs are regulated by Bylaw No. 3479 "Sign Bylaw".
8	23-Jul-1914	"Wide Tires Bylaw"	Out of date based on current vehicles, particularly regarding the width of tires on wagons.
10	23-Jul-1914	"Public Morals Bylaw"	No longer valid as the Municipality does not regulate profanity, immoral behavior, or lewd plays or skits.
11	23-Jul-1914	"Reeve and Councillors Indemnity Bylaw"	Out of date and superseded by current Indemnity Bylaws.

## Appendix A - Rationale for Bylaws to be Repealed

18	06-Aug-1914	"Fire Department and Prevention of Fire Bylaw"	No longer valid. Regulations are covered in Bylaw No. 2822 "Fire Department and Prevention of Fire Bylaw".
19	06-Aug-1914	"Wash Houses and Laundries Bylaw"	No longer valid. There are no public wash-houses. Zoning Bylaw regulates where laundries are permitted and the Building Bylaw/BC Building Code regulates how they are built.
20	6-Aug-1914	"Health Bylaw"	North Cowichan no longer has a Public Board of Health which included the Reeve and Councillors. Public Health is the responsibility of the Province of BC.
22	31-Mar-1910	"Public Safety Bylaw"	No longer valid. Bylaw No. 1579 "Fireworks Bylaw 1974" regulates fireworks. Bylaw 3255 "Blasting Bylaw, 2006" regulates blasting.
23	06-Aug-1914	"Slaughter Regulation Bylaw"	No longer valid. Bylaw No. 2950 "Zoning Bylaw 1997" regulates slaughterhouses.
25	06-Aug-1914	"Subdivisions Plans Bylaw 1914"	No longer valid. Bylaw No. 1851 "Subdivision Control Bylaw 1979" regulates subdivisions.
26	15-Aug-1910	"Wire Stringing Regulation Bylaw"	No longer valid. Bylaw No. 2261 "Highway Use Bylaw 1988" regulates the issuance of permits for installation of wires across roadways in North Cowichan.
33	20-Sep-1913	"Firearms Bylaw 1913"	No longer valid. Regulations are covered by Bylaw No. 3077 "Firearms Regulation Bylaw 2000".
63	20-Feb-1917	"Officials Appointment Bylaw 1917"	No longer valid. Officials are no longer appointed by a majority vote of Council.
89	02-Sep-1919	"Statute Labour Abolition Bylaw 1919"	No longer valid. Regulations are provided in the <i>BC Employment Standards Act</i> .
92	04-Dec-1919	"Employees Bylaw Amendment Bylaw 1919"	Amended Bylaw No. 4 "Employees Bylaw". No longer relevant. Duties of the Clerk, Treasurer and Collector are outlined in the <i>Community Charter</i> . Other staff positions are no longer applicable.



## Appendix A - Rationale for Bylaws to be Repealed

167	30-Dec-1929	"Traffic Regulation Bylaw 1929"	No longer valid. There is no requirement to regulate where traffic signs can be placed.
185	03-Sep-1931	"Traffic Regulations Bylaw 1929 Amendment Bylaw 1931"	No longer valid. Amended Bylaw No. 167 "Traffic Regulation Bylaw 1929" which is being repealed by this "Miscellaneous Bylaw Repeal Bylaw".
236	11-May-1936	"Building Bylaw 1936"	No longer valid. Should have been repealed by Bylaw No. 580 "Regulation of Buildings and Structures".
241	03-Dec-1936	"Improvements Definition Bylaw 1936"	No longer valid. Should have been repealed by Bylaw No. 443 "Definition of Improvements Bylaw 1953".
253	09-Aug-1937	"Land Classification Bylaw 1937"	No longer valid. Land classifications are provided for in the current Zoning Bylaw.
271	8-Jun-1939	"Building Bylaw, 1936, Amendment Bylaw, 1939"	No longer valid. Amended Bylaw No. 236 "Building Bylaw 1936". Should have been repealed by Bylaw No. 580 "Regulation of Buildings and Structures".
275	6-Jul-1939	"Building Bylaw, 1936, Amendment Bylaw, 1939, No.2"	No longer valid. Amended Bylaw No. 236 "Building Bylaw 1936". Should have been repealed by Bylaw No. 580 "Regulation of Buildings and Structures".
309	08-Aug-1943	"Mill-wood and Sawdust Bylaw, 1943"	No longer valid. North Cowichan no longer inspects or approves wood or sawdust deliveries.
336	04-Jul-1946	"Consolidated Public Roads and Traffic Regulations Bylaw, 1946"	No longer valid. All Traffic Regulations are covered in Bylaw No. 2276 "Traffic Bylaw, 1988".
387	18-Nov-1949	"Subdivision Plan & Width of Roads Bylaw 1949"	No longer valid. Should have been repealed by Bylaw No. 577 "Subdivision Control Bylaw".
462	07-Apr-1952	"Traffic Regulation Bylaw, 1951"	No longer valid. Amended Bylaw No. 442 "Traffic Regulations Bylaw 1951". Should have been repealed by Bylaw No. 879 "Traffic Bylaw 1962".

## Appendix A - Rationale for Bylaws to be Repealed

475	16-Jun-1952	"Extraordinary Traffic Bylaw 1952"	No longer valid. Should have been repealed by Bylaw No. 879 "Traffic Bylaw 1962".
476	02-Sep-1952	"Extraordinary Traffic Bylaw 1952 Amendment Bylaw 1952"	No longer valid. Should have been repealed by Bylaw No. 879 "Traffic Bylaw 1962".
487	04-May-1953	"Amusement Vending Machines Regulations Bylaw 1953"	No longer valid. It is no longer necessary to regulate age limits for using vending machines.
508	21-Dec-1953	"Definition of Improvements Bylaw 1953"	No longer valid. Improvements are defined in the <i>Community Charter</i> .
515	17-Mar-1954	"Extraordinary Traffic Bylaw 1954"	No longer valid. Bylaw No. 2276 "Traffic Bylaw 1988" allows Council, by resolution, to restrict certain types of vehicles or combination of vehicles from using certain designated highways within the Municipality.
554	12-Apr-1955	"Plumbing Fees Bylaw, 1955"	Plumbing fees are included in the Bylaw No. 3603 "Fees Bylaw, 2016".
589	20-Jun-1956	"Sale of Raw Milk Bylaw 1956"	No longer applicable. The sale of milk is regulated by the Milk Industry Standards Regulation of BC.
611	06-Mar-1957	"Regulations of Coasting Bylaw 1957"	No longer applicable. Coasting (closing roads for sledding/tobogganing, etc.) is no longer practiced.
642	09-Oct-1957	"Zoning Board of Appeal Bylaw 1957"	No longer valid. Should have been repealed by Bylaw No. 1217 "Zoning Board of Variance Bylaw 1968".
840	04-Oct-1961	"Licence Fees Bylaw 1952 Amendment Bylaw 1957"	No longer valid. Should have been repealed by Bylaw No. 840 "Licence Fees Bylaw 1961".
873	06-Jun-1962	"Billiard Halls Bylaw 1962"	No longer valid. Bylaw No. 2950 "Zoning Bylaw 1997" regulates "entertainment use" (billiard halls, arcades, and the like). Bylaw No. 3153 "Business Licence Bylaw 2002" regulates business requirements.

## Appendix A - Rationale for Bylaws to be Repealed

1162	04-Oct-1967	"Fence Viewers Bylaw 1967"	No longer applicable. The Municipality no longer appoints persons to be fence-viewers. Section 36 of the BC Property Law Act offers resolutions to fences encroaching on adjacent properties.
1254	6-Jan-1969	"Shops Regulation Bylaw 1958"	No longer applicable. Stores in BC are permitted to be open 24/7.
1295	17-Dec-1969	"Sunday Sport and Entertainment Bylaw 1969"	No longer applicable. Stores in BC are permitted to be open all day on Sundays.
1478	06-Dec-1972	"Remuneration for Mayor & Aldermen Bylaw (#2) 1972"	No longer valid. Should have been repealed by Bylaw No. 1509 "Remuneration for Mayor & Aldermen 1973".
1515	15-Aug-1973	"Landlord and Tenant Advisory Bureau Bylaw 1973"	No longer applicable. Regulations are governed by the <i>Residential Tenancy Act BC</i> .
2010	02-Dec-1981	"Holiday Shopping Regulations Bylaw 1981"	No longer applicable. Regulations are in the <i>Holiday Shopping Act BC</i> .
2405	05-Dec-1988	"Building Bylaw 1982 Amendment Bylaw 1988"	No longer valid. Should have been repealed by Bylaw No. 3172 "Building Bylaw 3172".
2565	18-Nov-1992	"Building Bylaw 1982 Amendment Bylaw 1992"	No longer valid. Should have been repealed by Bylaw No. 3172 "Building Bylaw 2003".
2578	28-Aug-1991	"Remuneration for Mayor & Aldermen Bylaw 1991"	No longer valid. Should have been repealed by Bylaw No. 2620 "Remuneration for Mayor & Aldermen Bylaw 1992".



The Corporation of the District of North Cowichan  
**Miscellaneous Bylaws Repeal Bylaw No. 3768, 2019**

*Contents*

The Council of The Corporation of the District of North Cowichan enacts as follows:

**1 Title:**

This bylaw may be cited as “Miscellaneous Bylaws Repeal Bylaw No. 3768, 2019”

**2 Administration:**

This bylaw repeals the following bylaws:

<b>Bylaw No.</b>	<b>Name of Bylaw</b>
2	“Interpretation Bylaw”
3	“Council Meeting Procedure Bylaw”
4	“Employees Bylaw”
5	“Council Chambers Disturbance Prevention Bylaw”
6	“Wards Bylaw”
7	“Streets and Roads Bylaw”
8	“Wide Tires Bylaw”
10	“Public Morals Bylaw”
11	“Reeve and Councillors Indemnity Bylaw”
18	“Fire Department and Prevention of Fire Bylaw”
19	“Wash Houses and Laundries Bylaw”
20	“Health Bylaw”
22	“Public Safety Bylaw”
23	“Slaughter Regulation Bylaw”
25	“Subdivisions Plans Bylaw 1914”
26	“Wire Stringing Regulation Bylaw”
33	“Firearms Bylaw 1913”
63	“Officials Appointment Bylaw 1917”
89	“Statute Labour Abolition Bylaw 1919”
92	“Employees Bylaw Amendment Bylaw 1919”
167	“Traffic Regulation Bylaw 1929”
185	“Traffic Regulations Bylaw 1929 Amendment Bylaw 1931”
236	“Building Bylaw 1936”
241	“Improvements Definition Bylaw 1936”
253	“Land Classification Bylaw 1937”
271	“Building Bylaw, 1936, Amendment Bylaw, 1939”

275	"Building Bylaw, 1936, Amendment Bylaw, 1939, No.2"
309	"Mill-wood and Sawdust Bylaw, 1943"
336	"Consolidated Public Roads and Traffic Regulations Bylaw, 1946"
387	"Subdivision Plan & Width of Roads Bylaw 1949"
462	"Traffic Regulations Bylaw 1951 Amendment Bylaw 1952"
475	"Extraordinary Traffic Bylaw 1952"
476	"Extraordinary Traffic Bylaw 1952 Amendment Bylaw 1952"
487	"Amusement Vending Machines Regulations Bylaw 1953"
508	"Definition of Improvements Bylaw 1953"
515	"Extraordinary Traffic Bylaw 1954"
554	"Plumbing Fees Bylaw, 1955"
589	"Sale of Raw Milk Bylaw 1956"
611	"Regulations of Coasting Bylaw 1957"
642	"Zoning Board of Appeal Bylaw 1957"
840	"Licence Fees Bylaw 1952 Amendment Bylaw 1957"
873	"Billiard Halls Bylaw 1962"
1162	"Fence Viewers Bylaw 1967"
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1478	"Remuneration for Mayor & Aldermen Bylaw (#2) 1972"
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2010	"Holiday Shopping Regulations Bylaw 1981"
2405	"Building Bylaw 1982 Amendment Bylaw 1988"
2565	"Building Bylaw 1982 Amendment Bylaw 1992"
2578	"Remuneration for Mayor & Aldermen Bylaw 1991"

READ a first time on  
 READ a second time on  
 READ a third time on  
 APPROVED by  
 ADOPTED on

---

CORPORATE OFFICER

---

PRESIDING MEMBER

## No. 2.

## A BY-LAW TO PROVIDE FOR THE INTERPRETATION OF BY-LAWS .

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The Council of the Corporation of the District of North Cowichan enacts as follows:-

1. This By-law may be cited as the "Interpretation By-law."
2. The provisions of this By-law shall extend and apply to every by-law which has been passed or which shall be passed by the Council of the Corporation of the District of North Cowichan, except in so far as any provision is inconsistent with the intention and object of any by-law, or in so far as the interpretation which such provision would give to any word, expression, or clause is inconsistent with the context, and except in so far as any provision thereof is in any by-law declared not applicable thereto; but so that a particular meaning assigned by the interpretation clause of any by-law to any word, expression, or clause therein, shall be the meaning used to the exclusive of any provision of this By-law; provided that where any such interpretation clause shall not be complete, then the provisions of this By-law shall apply in order to take up any such incompleteness.
3. In this and in all by-laws enacted by the Council of the Corporation of the District of North Cowichan:
  - (a) The rules and obligations are to be considered as always speaking, and whenever any matter or thing is expressed in the present tense the same is to be applied to the circumstances as they have been and as they arise, so that effect may be given to each by-law and every part thereof, according to its spirit, true intent, and meaning;
  - (b) The word "shall" is to be construed as imperative and the word "may" as permissable.
  - (c) Whenever the word "hereby" and "herein" are used in any section of a by-law, they are to be understood to relate to the whole by-law and not to that section only, unless the context otherwise requires.
  - (d) Words importing the singular number shall include the plural, and the masculine gender shall include the feminine gender, and the converse on both cases.



(2)

(e) The word "person" shall include any body corporate or politic, or party, and the heirs, executors, administrators, or other legal representatives of such person, to whom the context can apply according to law.

(f) The word "month" shall mean a calender month, and the word "year" a calender year.

(g) If the time limited for any proceeding or for the doing of anything expires or falls upon a holiday, the time so limited shall extend to, and such thing may be done on the day next following which is not a holiday; and the word "holiday" shall have the meaning assigned to it by sub-paragraph (24) of Section 26 of the Interpretation Act of British Columbia.

(h) Words authorizing the appointment of any person shall include the power of removing him, or appointing another in his stead, in the discretion of the authority in whom the power of appointment is vested.

(i) When any act or thing is required to be done by more than two persons, a majority of such persons may do it.

(j) Where forms are prescribed, slight deviations therefrom, not affecting the substance or calculated to mislead, shall not vitiate them.

(k) The word "street" shall include any place to which the public has a right to access.

(l) Whenever power is given to do, or to enforce the doing of, any act or thing, all such powers shall be understood to be also given as are necessary to do, or to enforce the doing of, such act or thing.

(m) Where, by any by-law, any matter or thing is required to be done by any person, such by-law shall, in the absence of express words, be construed as giving to the Corporation or its agent the power, in the event of default of such person, to do such matter or thing at the expense of the person so in default, and also the right to recover the expenses thereof with interest at the rate of Six per centum per annum with Costs in like manner as Municipal taxes.

(n) The expression "the Council" shall mean the Council of the Corporation of the District of North Cowichan and shall, where necessary, include any officer or employee of the Corporation.



(3)

(c) Wherever in any by-law reference is made to a by-law, such reference shall be to a by-law enacted by the Council of the Corporation of the District of North Cowichan, unless the Contrary is stated.

(p) The repeal of any by-law, or part of a by-law, shall not revive any by-law or provision therein repealed by such by-law or part of by-law, or prevent the effect of any saving clause, therein.

(q) Where any by-law is repealed, wholly or in part, and other provisions substituted, and whenever any regulation is revoked and other provisions substituted, all officers, person, and bodies politic or corporate, acting under the old law or regulation shall continue to act as if appointed under the new law or regulation until others are appointed in their stead; and all proceedings taken under the old law or regulation shall be taken up and continued under the new law or regulation when not inconsistent therewith; and all penalties and forfeitures may be recovered, and all proceedings had in relation to matters which have happened before the repeal or revocation, in the same manner as if the law or regulation were still in force, pursuing the new provisions as far as they can be adapted to the old law or regulations.

(r) Whenever any by-law or enactment is repealed, and other provisions are substituted by way of amendment, revision, or consolidation, any reference in any unrepealed by-law, or in any rule, order, or regulation made thereunder to such repealed by-law or enactment, shall, as regards any subsequent transaction, matter, or thing, be held and construed to be a reference to the provisions of the substituted by-law or enactment, relating to the same subject matter, the repealed by-law or enactment shall stand good, and be read and construed as unrepealed, in so far, but in so far only, as is necessary to support, maintain, or give effect to such unrepealed by-law, or such rule, order, or regulation made thereunder.

(s) The repeal of a by-law or the revocation of a regulation at any time shall not affect any act done or any right of action existing, accruing, accrued, or established, or any proceedings commenced in a civil cause in respect of such by-law before the time when such repeal shall take effect, but the proceedings in such cases shall be conformable when necessary to the repealing by-law or regulation. The repeal of a by-law shall have the effect of repealing all amendments thereto unless



the contrary shall be expressly stated by such repeal by-law.

(t) No offence committed, and no penalty or forfeiture incurred, and no proceeding pending under any by-law at any time repealed, or under any regulation at any time ~~at any time~~ revoked, shall be affected by the repeal or revocation of a by-law, except that the proceedings shall be conformable when necessary to the repealing by-law or regulation, and that where any penalty, forfeiture, or punishment is mitigated by any of the provisions of the Repealing by-law or regulations, such provisions shall be extended and applied to any judgment to be pronounced after such repeal or revocation.

(u) Whenever any by-law is repealed, wholly or in part, and other provisions are substituted, all by-laws, orders, regulations, rules and ordinances made under the repealed by-law shall continue good and valid in so far as they are not inconsistent with the substituted by-law, enactment, or provision, until they are annulled or others made in their stead.

4. BY-Law No.2, being the "Interpretation By-Law" 1910 is hereby repealed.

This By-law passed the Council the 4<sup>th</sup> day of June 1914, and was reconsidered and adopted by it and fully passed and the Corporate Seal of the Corporation affixed thereto the 23<sup>rd</sup> day of July 1914.

J. Islay Mutter

Reeve

J. W. Dickinson

Clerk of the Municipal Council.

I hereby certify that the foregoing is a true copy of the By-Law No. 2, being "A By-Law to provide for the Interpretation of By-Laws." as finally passed and adopted by the Municipal Council of the Corporation of the District of North Cowichan.

*J. W. Dickinson*  
Clerk of the Municipal Council.

I hereby certify that this By-Law No. 2, was duly registered by me and sealed with the Seal of the County Court of Nanaimo holden at Duncan this 23<sup>rd</sup> day of November 1914.

*J. Macdonald - Hazel*  
Registrar.



## No. 3.

A BY-LAW TO REGULATE THE PROCEDURE AT COUNCIL MEETINGS.  
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The Council and Corporation of the District of North Cowichan enacts as follows:-

1. This By-law may be cited as the "Council Meeting Procedure By-law."

INTERPRETATION  
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2. In this By-law the expression "Clerk" shall mean the Clerk of the Council of the Corporation of the District of North Cowichan.

MEETINGS OF COUNCIL.  
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3. After its inaugural meeting, the Council shall meet on the First Thursday of each month during the year at the hour of 10.30 o'clock a.m., and at such other times as the Reeve may appoint.

4. (1) The Reeve may at any time summon a special meeting of the Council; and he shall summon a special meeting whenever requested in writing so to do by a majority of the members of the Council.

(2) In case of the absence or death of the Reeve, or, in case he shall refuse or neglect to call a meeting within twenty-four hours after a requisition for that purpose signed by three members of the Council at least shall have been presented to him, a meeting shall be convened as provided by Section 34 of the "Municipal Act,"

(3) In the absence of the Reeve, the Chairman shall have the same authority while presiding at the meeting as the Reeve would have had if present.

(4) Previous to any meeting of the Council, other than the meetings mentioned in section 3 of this By-law, and any adjourned meeting, a Notice of the time and place of such intended meeting shall be given twenty-four hours at least before such meeting by fixing a copy of the said Notice at the ordinary place of meeting of the Council, such Notice to be signed by the Reeve, or by the Municipal Clerk.

QUORUM.  
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5. Three members shall form a quorum of the Council, and, unless



specially provided for, two members shall form a quorum of any committee appointed by the Council, the first Councillor named on any Committee to be the chairman of that committee.

(6) As soon after the hour of meeting as there shall be a quorum present, the Reeve shall take the chair and call the members to order.

7. In case the Reeve does not attend within fifteen minutes after the time appointed, the Clerk shall call the members to order, and, if a quorum be present, a Chairman shall be chosen who shall preside during the meeting or until the arrival of the Reeve.

8. If there be no quorum present within half an hour after the time appointed for the meeting, the Clerk shall call the roll and take down the names of the members present, and the Council shall stand adjourned until the next day of meeting, subject to the provisions of section 4 of this By-law.

9. Immediately after the Reeve shall take his seat, the minutes of the proceeding meeting shall be read by the Clerk, in order that any mistake therein may be corrected by the Council, and such minutes with corrections (if any) shall be signed by the Reeve or Chairman.

10. The Reeve shall preserve order and decorum and decide questions of order, subject to an appeal to the Council.

11. When the Reeve is called upon to decide a point of order or practice, the point shall be stated without unnecessary comment, and the Reeve shall cite the rule or authority (if any) applicable to the case. If an appeal shall be taken by a member of the Council from the decision of the Reeve, the question - "Shall the Chair be Sustained?" - shall be immediately put by him, and be decided without debate, and the Reeve shall be governed by the vote of the majority of the members of the Council then present (exclusive of himself) in relation to such point of order, and the name of the members of the Council voting for or against the question - "Shall the Chair be Sustained?" - shall be entered on the minutes, and, in the event of the votes being equal, the question shall pass in the affirmative.

12. The Reeve may vote with the other members on all questions,



and any question on which there is an equality of votes shall be deemed to be negatived.

13. If the Reeve desires to leave the chair for the purpose of taking part in the debate or otherwise, he shall call on some other member of the Council to fill his place until he resumes the chair.

14. Every member previous to speaking to any question or motion shall rise from his seat, uncovered, and shall address himself to the Reeve, and then referring to any other member of the Council, shall refer to such member as Mr. Councillor -----.

15. When two or three members rise to speak, the Reeve shall name the member whom in his opinion, first rose from his seat; but a motion may be made that any member who has risen "be now heard" or "do now speak".

16. Every member who is present in the Council chamber when a question is put shall vote thereon, unless the Council shall excuse him, or unless he be personally interested in the question, provided such interest is resolvable into a personal pecuniary profit, or is peculiar to that member, and not one in common with the interests of the citizens at large; and in such cases he shall not vote.

17. When the Reeve is putting the question, no member shall walk across or out of the room, or make any noise or disturbance, nor when a member is speaking shall any other member pass between him and the chair, or interrupt him, except to raise a point of order. The Reeve shall rise and stand when putting the question.

18. A member called to order from the chair shall immediately sit down, but may afterwards explain and the Council, if appealed to, shall decide the case, but without debate; if there be no appeal, the decision of the Reeve shall be final.

19. No member shall speak disrespectfully of the Sovereign or the British Empire or of any of the Royal Family, or of the Governor-General of Canada, Lieutenant Governor of British Columbia, or person administering the Government of the Dominion of Canada or of British Columbia; nor shall he use offensive words in the Council Chamber, and in particular he shall not use any unseemly words against the Council or any



(4)

member thereof; and no person shall reflect upon any vote of the Council except for the purpose of moving that such vote be rescinded; nor shall he resist the rules of the Council, or disobey the decision of the Reeve or of the Council on questions of order and practise, or upon the interpretation of the rules of the Council; and in case any member shall so resist or disobey, he may be ordered by the Reeve to leave his seat for that meeting; but, in case of ample apology being made to the satisfaction of the Council, he may, by the vote of the Council, be permitted forthwith to take his seat.

20. Any member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.

21. No member shall speak more than once to the same question, without leave of the Council, except in explanation of a material part of his speech which may have been misconceived, and in so doing he is not to introduce new matter. A reply shall be allowed a member who has made a substantive motion, but not to any member who has moved an order of the day, an amendment, the previous question, or an instruction to a committee. No member, without leave of the Council, shall speak to the same question, or in reply for longer than a quarter of an hour.

22. Upon a division of the Council, the names of those who voted for and those who vote against the question shall be entered upon the minutes.

23. All inquiries shall be in writing, and shall be handed to the Clerk at least two clear days before the day of the meeting at which such inquiry is to be made; and the answer to such inquiry shall also be put in writing and handed to the Clerk at least one hour before the meeting, and shall be read by the Clerk at the meeting.

24. No person except members and officers of the Council shall be allowed to come within the bar during the sittings of the Council without the permission of a member of the Council, and no person shall be excluded from the chamber except for improper conduct. Special meetings may be opened or closed as in the opinion of the Council expressed



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by resolutions in writing the public interests require.

25. No standing rule or order of the Council shall be suspended, except by a vote of two-thirds of the members present.

26. In all unprovided cases in the proceedings of Council or in Committee, the law of the Parliament of Canada shall be followed, and the decision of the Reeve in such cases shall be final and shall be acquiesced in without debate.

27. At least one day's notice shall be given of all motions for introducing new matter other than matters of privilege and bringing up petitions, unless the Council dispense with such notice by a vote of two-thirds of the members present, without debate.

28. All motions except matters of routine business shall be in writing and seconded before being debated if put from the chair; when a motion is seconded, it shall be read, or, if viva voce, stated by the Reeve before debate.

29. After a motion is read and stated by the Reeve it shall be deemed to be in possession of the Council, but may, with permission of the Council, be withdrawn at any time before decision or amendment.

30. A motion for commitment, until it is decided, shall preclude all amendment of the main question.

31. A motion to adjourn the Council, or to adjourn the debate, shall always be in order, but no second motion to the same effect shall be made until after some intermediate proceeding shall have been had.

32. When a question is under debate, no motion shall be received, unless

- (1) to commit it,
- (2) to amend it,
- (3) to lay it on the table,
- (4) to postpone it indefinitely,
- (5) to postpone it to a certain time,
- (6) to adjourn it,
- (7) to move the previous question.

These several motions shall have precedence in the order in which they are named, and the last five shall be neither amendable or debatable.



33. When the question under consideration contains distinct propositions, the vote upon each proposition shall, upon the request of any member, be taken separately.

34. The previous question, until it is decided, shall preclude all amendment of the main question, and shall be put, without debate, in the following words: "That this question be now put." If this motion be resolved in the affirmative, the original question is to be put forthwith without any amendment or debate, but, if the previous question is resolved in the negative, the main question may then be debated and amended.

35. Amendments shall be put in the reverse order to that in which they are moved, except in filling up blanks when the longest time and smallest sum shall be put first. Every amendment submitted shall be reduced to writing and shall be decided or withdrawn before the main question is put to the vote. Only one amendment shall be allowed to an amendment, and any amendment more than one must be to the main question.

36. After a question is finally put by the Reeve, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been disclosed; and the decision of the Reeve as to whether the question has been finally put, shall be conclusive.

37. Whenever the Reeve is of opinion that a motion is contrary to the rules and privileges of the Council, he shall apprise the members thereof, immediately, before putting the question, and shall cite the rule or authority applicable to the case, without argument or comment.

38. Whenever any matter of privileges arises, it shall be immediately taken into consideration.

39. Members having been previously summoned shall immediately take their places when any division is called for, and shall remain in their places until the Reeve has declared the result of the division.

40. On adjournment, the members of the Council shall rise but shall not leave their places until the Reeve leaves the chair.

41. (1) In the appointment of any person to any position in the gift of the Council, candidates shall be proposed and shall be voted for by each member by ballot, the balloting papers having been previously



(7)

prepared and initialed by the Clerk, the candidate receiving the lowest number of votes being dropped after each vote until only two remain, or until one shall have received a majority of the votes cast. When more than one person is to be elected or appointed, each member of the Council shall be entitled to vote for as many as there are positions to be filled. Any Candidate receiving a majority of the ballots cast shall be elected. If more than one ballot is necessary, the candidate having the smallest number of votes on the preceding ballot shall be dropped. When appointments are required by Statute to be made by by-law such by-law shall contain the names chosen by ballot as aforesaid, and such by-laws shall not be subject to amendment by the Council after the election of candidates by ballot as hereinbefore provided.

(2) No member of the Council, while retaining his seat therein, shall be eligible for any office to which there is attached any salary, remuneration, or emolument payable by the Council.

#### READING AND PASSING OF BY-LAWS.

42. Every proposed by-law shall be introduced by a notice in writing, giving the name of the by-law proposed to be brought forward, by any member, which notice shall be signed by him and publicly exhibited for at least Twenty-four hours prior to any meeting of the Municipal Council, in some public place agreed upon by resolution of the Council, or upon motion to appoint a committee to prepare and bring in the proposed by-law, and subject always to the provisions of the Municipal Act.

43. No proposed by-law shall be introduced either in blank or in imperfect shape.

44. The question "That this by-law be now read a first time" shall be decided without amendment or debate, and every by-law shall be read a second time and then considered in committee of the whole, and shall be read a third time before it is passed. After a by-law has been passed it shall be reconsidered, and, if adopted by the Council (and, if so required by law, if confirmed by the Municipal Electors), it shall be finally passed by the Council and signed by the Reeve or the person



(8)

legally presiding at the meeting at which the by-law has been passed and by the Clerk, and the seal of the Municipality shall be attached thereto. Provided, however, that one day at the least shall transpire between the passage of the by-law and the reconsideration thereof.

45. A proposed by-law may after the first reading thereof be referred to a select committee of the Council to report upon the leading features of the same.

46. Every by-law shall receive three several readings and shall be passed by the vote or resolution of at least three members of the Council.

47. The Clerk shall endorse on all by-laws read in the Council the dates and times of the several readings thereof as also the dates and times of original passage, reconsideration and adoption, and final passage, and also the dates upon which the assent of the electors, if required, shall be given.

48. In advancing a by-law through its various stages, the preamble shall first be considered, then the title and then each clause in its order. On an amendment "to strike out and insert" the paragraph to be amended shall first be read as it stands, then the words proposed to be struck out and those to be inserted, and finally the paragraph as it would stand if so amended.

49. All amendments made in committee of the whole shall be reported by the Reeve, and, after the Report has been received by the Council, the proposed by-law shall be open to debate and amendment before it is ordered for a third reading.

50. Every by-law which has been finally passed by the Council shall, immediately after being sealed with the seal of the Corporation and signed by the person legally presiding at the meeting at which the by-law has been passed and by the Clerk, be deposited by the Clerk for security in the safe connected with his office.

#### COMMITTEE OF THE WHOLE.

51. The Council may, at any time upon motion being carried, go into Committee of the Whole.



(9)

52. Whenever it shall be moved and carried that the Council shall go into Committee of the Whole, the Reeve shall leave the Chair, but he shall first appoint a chairman of the Committee of the Whole, who shall maintain order in the Committee and shall report the proceedings thereof.

53. No outsider shall be present at any meeting of the Committee of the Whole.

54. The rules of the Council shall be observed in Committee of the Whole, as far as may be applicable, except that no motion shall require to be seconded, nor shall a motion for a previous question, as for an adjournment, be allowed, and in taking the yeas and nays the names of the members shall not be recorded, nor shall the number of times of speaking on any question be limited. Provided, however, that no member shall speak more than twice until every member who desires to do so shall have spoken. But in any case no member shall speak for a longer period than ten minutes.

55. Questions of order arising in Committee of the Whole shall be decided by the Chairman subject to an appeal by any member to the Council. If any disorder should arise in the Committee, the Reeve shall resume the chair without any question being put.

56. On motion in Committee of the Whole to rise and report, the question shall be decided without debate.

57. A motion in Committee of the Whole to rise without reporting or that the chairman leave the chair, shall always be in order, and shall have precedence of any other motion. On such motion debate shall be allowed, and, on an affirmative vote, the subject referred to the Committee shall be considered as disposed of in the negative, and the Reeves shall resume the chair and proceed with the next order of business.

#### APPOINTMENTS AND ORGANIZATION OF COMMITTEE.

58. The Council may, by resolution, annually appoint such standing and select committees, as shall be thought necessary, and such committees shall be appointed on a motion of a member of the Council. Any member of the Council may be placed on a committee, notwithstanding the absence of such member at the time of his being named upon such



committee. But no special or select committee shall be appointed unless and until notice thereof, specifying the matters to be dealt with by such committee and the names of the members thereof, shall have been given at a previous meeting of the Council.

59. Of the number of members appointed to compose any standing or select committee, a majority shall be a quorum.

60. The members of each standing committee of the Council shall meet at the Council Chamber for the purpose of organization within three days after their appointment, at such hour as the Reeve may direct.

61. The members of each standing committee shall at their first meeting elect from among themselves a chairman, and shall immediately thereafter determine the days and the hour of their future regular meetings.

62. Special meetings of standing committees may be called by the chairman whenever he shall consider it necessary to do so, and it shall be the duty of the chairman or, in case of his illness or absence, it shall be the duty of the Clerk to summon a special meeting of the Committee, whenever requested in writing to do so by a majority of the members comprising it.

63. Meetings of any committee of the Council may be attended by members of the Council who are not upon the committee, but they shall not take part in any discussion or debate and shall not vote.

#### ORDER OF BUSINESS AT MEETINGS OF THE COUNCIL.

64. After the minutes of the previous meeting have been read and signed as provided by Section 9 hereof, the business of the Council shall be taken up in the following order, namely:

1. Communications read and disposed of
2. Petitions
3. Report of Finance Committee
4. Report of Special Committees
5. Unfinished business on the minutes
6. By-Laws
7. New business.



(11).

65. By law No. 1, "The By-law for Regulating the meetings and the General Conduct of Business of the Municipal Council of the District of North Cowichan, British Columbia," and By-Law No. 3, 1910, "The Council Meeting procedure By-Law," is hereby repealed.

This By-law passed the Council the 4th day of June 1914, and was reconsidered and adopted by it and finally passed and the Corporate seal of the Corporation affixed thereto the 23rd day of July 1914.

J. Islay Mutter      Recvs.

J. W. Dickinson

Clerk of the Municipal Council.

I hereby certify that the foregoing is a true copy of the By-Law No. 3, being "A By-Law to regulate the Procedure at Council Meetings," as finally passed and adopted by the Municipal Council of the Corporation of the District of North Cowichan.

*J. W. Dickinson*  
Clerk of the Municipal Council.

I hereby certify that this By-Law No. 3, was duly registered by me and sealed with the Seal of the County Court of Nanaimo holden at Duncan this 25<sup>th</sup> day of November 1914.

*J. H. H. H. H. H.*  
Registrar.



## No. 4.

A BY-LAW RELATING TO CERTAIN OFFICIALS OF THE CORPORATION OF THE  
DISTRICT OF NORTH COWICHAN.

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The Council of the Corporation of the District of North Cowichan  
enacts as follows:

INTERPRETATION.  
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1. This By-law may be cited as the "Employees By-law."

TENURE OF OFFICE.  
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2. All officers and employees engaged by the Council shall hold their respective offices during the pleasure of the Council, and no interference or presumption shall be drawn or made that any person has been employed for a time certain, merely because he is paid at so much per stated time.

3. Any officer or employee who shall refuse, or wilfully fail or neglect to perform any duty enjoined upon him in respect of his employment or who, in the discharge of his official duty, shall be guilty of any fraud, extortion, oppression, favouritism, partiality, or wilful wrong or injustice, shall be subject to removal from office.

OFFICE HOURS.  
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4. The Clerk of the Council shall on week days be in attendance from 9 a.m. to 4 p.m. excepting of Saturdays when his hours shall be from 9 a.m. to 1 p.m.

CLERK OF THE COUNCIL.  
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5. The official styled Clerk in this By-law shall be understood to mean and include the Clerk of the Municipal Council.

6. It shall be the duty of the Clerk

- (a) To give notice to the Reeve and members of the Council of all meetings thereof, other than adjourned meetings: such notice to be delivered to each member, at, or mailed to, his place of residence



(2)

or business two days previous to that on which such meeting is to held.

(b) To prepare and exhibit, when required, the necessary notices of all meetings of the Council and of the business to be brought forward thereat.

(c) To notify each member of the Council of any standing committee so soon as the appointment has been made, of the members deputed to such committee, and of the time and place at which the first meeting of the committee will be held.

(d) To attend all meetings of the Council, whether regular or special, and take and enter proper minutes of the proceedings of such meetings, and prepare and draw up in proper form all resolutions proposed or suggested thereat.

(e) To conduct all the correspondence of the Council, subject to the control and direction of the Reeve or Council.

(f) To attend to the execution and completion of all such agreements and contracts between the Corporation and any other party as may from time to time be required and of all bonds and securities to be required of any officer or contractor.

(g) To keep proper books of account and records of the transactions of the Corporation.

(h) To communicate or convey to committees petitions or other documents, or copies thereof, referred to them by the Council or vice versa.

(i) To furnish the Solicitor, the Treasurer, or other officer, as well as any member of the Council, with information as to all resolutions, enactments, and orders of the Council relative to any matter.

(j) To have charge of the seal of the Corporation; and he shall attach the same to any document only upon the order of the Council or the Reeve.

(k) To provide such security for the due performance of his duties as the Council may from time to time require.

(l) To be the custodian of all documents in any way connected with the Council as also of all bonds and securities of fidelity for the faithful discharge of the duties of the officials and servants



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of the corporation; and not to permit the same to be taken from his custody, except on the order of the Council or on the requisition and receipt of the Corporation Solicitor, or on the order of a Court of Law.

THE TREASURER.

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§. The Treasurer shall be the head of the Financial Department of the Corporation and shall have the control of all moneys.

§. It shall be the duty of the Treasurer

(a) To give such security for the due performance of his duties as the Council may from time to time require.

(b) To keep or cause to be kept according to the requirements of Section 479 of the "Municipal Act" such books of account as may be necessary to show distinctly and continuously from day to day the receipts and disbursements and all other reckonings and accountings of what nature or kind soever connected with the monetary transactions of the Corporation.

(c) To keep special books and registers for recording the debenture debt of the Corporation, the retirement of the coupons or interest warrants of the same, and all other changes in the same; having special regard to the provisions to be made with the Bankers and agents of the Corporation for meeting all payments of principal and interest as the same become payable; and to give special attention to the maintenance of the sinking funds and the punctual and full appropriation and investment of all moneys necessary to said maintenance.

(d) To use all diligence in enforcing the prompt collection of all rates, taxes, interest, rentals, or other dues of the Corporation, and, where necessary, to enforce payment of the same by a prompt recourse to legal process.

(e) To deposit or cause to be deposited with the Bankers of the Corporation all moneys not required for immediate current disbursements, paying all amounts exceeding \$10.00 (excepting wages)



By cheque, and to compare and adjust monthly, or oftener, if necessary, the accounts current of the bankers.

(f) To prepare as early as may be after the close of the financial year, the annual abstract and report of the civic receipts and expenditures, with statements of the assets and liabilities, and such other information regarding the Corporation debt, sinking funds, and any other special accounts as may be required by the Reeve.

(g) To sign all cheques for any sum whatever paid on account of the Corporation (other than wages and sums under \$10.00) and to cause such cheques to be counter-signed by the Reeve.

(h) To exhibit for inspection, on demand of the Reeve, the cash book of the Corporation, together with the Corporation's Bank Books.

#### THE COLLECTOR.

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9. The Collector shall perform the following duties:

(a) He shall collect all the Revenue payable to the Corporation.

(b) He shall, on the printed forms to be secured for that purpose, put down the names of the taxable persons together with a statement of the rate due to the Municipal Council by them, giving the number of the lot or lots (if real estate) for which they are liable to be taxed, and mail the same to the known place of business or residence of each owner or his agent. Such statement shall fix a time within which the rates must be paid to the collector.

(c) He shall give on a printed form a receipt for all taxes received, which receipts shall be numbered consecutively, with counter foil, and the receipts and counter-foil shall contain a statement of amount received for each tax separately, and, in case of real estate or improvements, or both, the number of the lot or lots or portions of lots on which such tax is collected.

(d) He shall keep a cash book in which he shall enter the name of every person paying taxes, with the amount of each tax separately together with the number of the receipt issued.

(e) He shall pay to the Treasurer all moneys in his hands to



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the credit of the Corporation of the District of North Cowichan.

(f) He shall furnish such security for the due performance of his duties as the council may require.

(g) He shall carry out the duties cast upon him in respect of the sale of properties for arrears of taxes, and generally the duties imposed upon him by any by-law or direction of the Council, or required by the Reeve in the exercise of his jurisdiction.

(h) He shall, in respect of trade licenses:-

(1) Prepare classified alphabetical lists of the names of all parties doing business in the Municipality and liable to take out licenses.

(2) Keep a register of all applications for such licenses and verify the same.

(3) Make out licenses and keep duplicate counterparts thereof.

(4) Report to the Council when required in all matters relating to trade licenses.

(5) Keep a true account open to inspection by the Council and the Auditor at all times, of all moneys received by him in respect of licenses.

(6) Cause a prosecution of every violation and infraction of provisions relating to Trade Licenses.

(i) In respect of fees received from all other sources not specially provided for, he shall keep true accounts under separate and appropriate headings of such fees and shall give receipts for all moneys paid to him.

#### THE AUDITOR.

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10. The duties of the Auditor shall be as follows:

(a) He shall submit to the Council once in every year, when required, a certificate as to whether or not the Treasurer has fulfilled his obligations as regards the sinking funds.

(b) He shall periodically check all accounts and books kept by any official employed by the Council.



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(c) He shall assist in the preparation annually for publication of a report shewing the appropriation and expenditure of the Corporation during the preceding year; the state of the Revenue funds, and of the sinking funds; and a general statement of the accounts of the corporation. He shall also check the books wherein are kept a record of the license fees, in order to ascertain the total amount of licenses issued and that they are according to tariff.

(d) He shall cause to be verified the final additions of the assessment Rolls at the close of each year, and shall furnish the Treasurer with a certified statement shewing, under their respective headings:-

- (1) The total amount of original levys.
- (2) The total amount of subsequent deductions.
- (3) The total amount of collections during the year.
- (4) The total amount of balances outstanding at the close of the year.

(e) Should he in his inspection detect any irregularity or discrepancy on the part of any official, he shall report the same, in writing, to the Reeve, immediately after such discovery.

#### THE ASSESSOR.

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(11) The duties of the Assessor shall be as follows:

(a) He shall prepare an assessment Roll giving the value of all lands and improvements, real or other assessable property within the Municipality, and specifying the descriptions thereof according to the official map, together with the name of the respective owner or owners, in accordance with the Municipal Act, or any other authority in that behalf, and shall return the said roll to the Clerk.

(b) He shall notify all owners, or their agents, annually of the amount of their assessment upon real estate or upon the improvement thereon, or upon other assessable property, according to the requirements of the Municipal Act, and, in case of appeal against such assessment, he shall appear at the time and place appointed for hearing the same with such evidence as may be necessary in the cause.



(7)

(c) He shall place in a separate column on the said roll all real estate upon which no improvements have been made.

(d) He shall prepare a roll of all persons and corporations resident in the Municipality who are taxable therein.

(e) He shall, within one week after the final revision of the assessment roll by the Council, be prepared to hand his roll, so revised, to the collector.

(f) He shall attend all sittings of the Court of Revision

#### THE PURCHASING AGENT.

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12. The duties of the Purchasing Agent shall be as follows:

He shall act as agent for the Corporation in the purchase of all tools, machinery, supplies, stores, goods, and effects required by the Corporation in and about the erection, alteration repair, and maintenance of public works and Corporation property of every description, and of all goods and material required for use by the Corporation.

#### THE BUILDING INSPECTOR.

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13. It shall be the duty of the Building Inspector:

(a) To oversee the erection of all buildings to be built, altered, or repaired, or constructed within any Townsite in the Municipality

(b) To see that no buildings are erected, altered, or repaired within any Townsite in the Municipality until a permit for the erection thereof shall have been obtained from himself or the proper officer of the Corporation having jurisdiction to issue such permit.

(c) To make it his duty to be conversant with the provisions or requirements of the by-laws of the Municipality which are now or hereafter may become law for the protection from fires.

(d) To cause prosecution of all and every violation and infraction of the by-laws mentioned and to be vigilant and active in the discharge of his duty.

(e) To prepare tabular statements shewing the number of buildings erected during the year within any Townsite in the Municipality, specifying the purpose for which they are constructed and the kind of



material employed in the building thereof.

(f) To prepare tabular statements shewing the number of buildings within any townsite in the Municipality which have undergone considerable repairs or alterations, specifying particulars when such are important.

(g) To shew by tables whether the number of new buildings have increased or diminished as compared with previous years.

#### THE RETURNING OFFICER.

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13. The duties of the Returning Officer shall be such as are imposed upon him by any by-law of the Municipality and all duties usually incident to the office of Returning Officer at Municipal Elections as imposed by any Statute in that behalf.

15.

#### ROAD SUPERINTENDENT

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15. There shall be an official of the Corporation of the District of North Cowichan styled the Road Superintendent, whose duties shall be as follows-

(a) He shall have the supervision of all roads and streets within the Municipality, and shall see that the same are kept in good order and free from all unauthorised obstructions. He shall cause all roads and streets to be repaired when necessary, and for this purpose he shall report to the Council what works or measures he thinks should be adopted or carried out.

(b) He shall make to the Council any suggestions which he shall deem advisable with reference to the making of new roads or the closing of old roads, and upon such suggestions being adopted by the Council he shall prosecute the work of making such new roads or closing such old roads.

(c) He shall see that all streets and roads are used for proper purposes, and he shall take such steps as may be necessary for this purpose.

(d) He shall be responsible to the Council for the custody of all tools, tents, machinery or supplies used upon or in connection with the work of his department. He shall keep an inventory of all such



issued to any foreman or workman for use and shall report the same to the Clerk. He shall also furnish to the Clerk before the 31st day of December of each year a complete inventory of all such, together with a statement of where these may be stored.

(e) He shall perform all other matters which shall be assigned to him by the Council. And shall have power to employ at the current rate of wages, and also to discharge at his discretion, workmen, agents or laborers as may be required in connection with the work of his department.

16. By-law No. 11, being the "Assessor, the Collector and the Treasurer By-law, 1897", and any amendment thereto, "The Employees By-law 1910" and the "Employees By-law Amendment By-law 1912", is hereby repealed.

This By-law passed the Council the 4th day of June, 1914, and was reconsidered and adopted by it and finally passed and the Corporate Seal of the Corporation affixed thereto, the 23rd day of July 1914.

J. Islay Mutter

Reeve.

J. W. Dickinson

Clerk of the Municipal Council.

I hereby certify that the foregoing is a true copy of the By-Law No. 4, being "A By-law Relating to Certain Officials of the Corporation of the District of North Cowichan," as finally passed and adopted by the Municipal Council of the Corporation of the District of North Cowichan.

*J. W. Dickinson*  
Clerk of the Municipal Council.

I hereby certify that this By-Law No. 4, was duly registered by me and sealed with the Seal of the County Court of Nanaimo Holden at Duncan this 23<sup>rd</sup> day of November 1914.

*J. Matthews-Lewis*  
Registrar.



## No. 5.

A BY-LAW TO PREVENT DISTURBANCES IN THE COUNCIL CHAMBERS DURING THE  
SITTINGS OF THE COUNCIL.

The Council of the Corporation of the District of North Cowichan  
enacts as follows:-

1. This By-law may be cited as the "Council Chambers Disturbance  
Prevention By-law."

2. Any person who shall, in or near the Council Chambers, create  
a disturbance or behave in an unseemly manner during the sittings of the  
Council, or of any Committee thereof, thereby causing annoyance, or in  
any way obstructing the deliberations thereof, shall, upon conviction,  
be liable to a fine of not less than \$5.00 and not more than \$50.00,  
or in default of payment thereof, to imprisonment for a period not ex-  
ceeding thirty days.

3. By-law No. 7, being "An Act to preserve order in the Council  
Chambers" is hereby repealed.

4. This by-law passed the Council the 29th day of March 1910,  
and was reconsidered and adopted by it, and finally passed and the Cor-  
porate Seal of the Corporation affixed thereto the 31st day of March 1910.

A. C. Aitken

Reeve.

Jas. Norcross

Clerk of the Municipal Council.

I hereby certify that the foregoing is a true copy of the  
By-Law No. 5, being the "Council Chambers Disturbance Prevention By-Law,"  
as finally passed and adopted by the Municipal Council of the Corporation  
of the District of North Cowichan.

*J. H. Dickinson*  
Clerk of the Municipal Council.

I hereby certify that this BY-Law No. 5, was duly registered by me  
and sealed with the Seal of the County Court of Nanaimo holden at Duncan  
this 23<sup>rd</sup> day of November 1914.

*J. Maitland-Luzell*  
Registrar.



A BY-LAW TO DIVIDE THE MUNICIPALITY OF NORTH COWICHAN INTO WARDS.  
-----

1. This By-Law may be cited as the "Wards By-Law."
2. The territory comprised within the Municipality known as the Corporation of the District of North Cowichan shall be divided into Four wards to be known and numbered respectively as:-

Cowichan - Quamichan	No. 1.
Somenos	No. 2.
Comiaken	No. 3.
Chemainus	No. 4.

and the territory embraced by each ward shall be as follows:-

Cowichan - Quamichan Ward shall embrace and include that portion of the said Municipality comprised within the Cowichan District as the said Cowichan District is shewn on the official map of the Cowichan District, and of that portion of the said municipality comprised within the Quamichan District, exclusive of that portion set apart as comprising the area of the Corporation of the City of Duncan; as the said Quamichan District is shewn on the official map of the Quamichan District.

Somenos Ward shall embrace and include all that portion of the said Municipality comprised within the Somenos District, as the said Somenos District is shewn on the official map of the Somenos District

Comiaken Ward shall embrace and include all that portion of the said Municipality comprised within the Comiaken District, as the said Comiaken District is shewn on the official map of the Comiaken District.

Chemainus Ward shall embrace and include all that portion of the said Municipality comprised within the Chemainus District, as the said Chemainus District is shewn on the official map of the Chemainus District.

Save, and except all Indian Reserves within the said Cowichan, Quamichan, Somenos, Comiaken and Chemainus Districts respectively.



3. The representation of the said wards shall be as follows:-

From Cowichan-Quamichan Ward there shall be returned to the Council of the said Municipality One Member.

From Somenos Ward there shall be returned to the Council of the said Municipality One member.

From Comaiken Ward there shall be returned to the Council of the said Municipality One member.

From Chemainus Ward there shall be returned to the Council of the said Municipality One member.

4. By-Law No. IV being the "Wards By-Law" and By-Law No 6. being the "Wards BY-Law 1910." is hereby repealed.

This By-Law passed the Council the 4th day of June 1914, and was reconsidered and adopted by it and finally passed and the Corporate Seal of the Corporation affixed thereto the 23rd day of July 1914.

J. Islay Mutter

Reeve

J. W. Dickinson

Clerk of the Municipal Council.

I hereby certify that the foregoing is a true copy of the By-law No. 6, being the "Wards By-Law," as finally passed and adopted by the Municipal Council of the Corporation of the District of North Cowichan.

*J. W. Dickinson*

Clerk of the Municipal  
Council.

I hereby certify that this By-Law No. 6, was duly registered by me and sealed with the Seal of the County Court of Nanaimo holden at Duncan this 23<sup>rd</sup> day of November 1914.

*J. Hartland-Langall*  
Registrar.



A BY-LAW TO REGULATE STREETS AND SIDEWALKS AND  
THE TRAFFIC THEREON ; AND TO PREVENT THE DES-  
TRUCTION OF ROADS,, STREETS , AND BOULEVARDS.

-----  
The Council of the Corporation of the District of North Cowichan  
enacts as follows:-

1. This By-law may be cited as the "Streets and Roads By-law."

INTERPRETATION.  
-----

2. "Municipality"--shall mean the territorial limits of the Municipality of North Cowichan as governed by the Corporation of the District of North Cowichan.

"Corporation"--shall mean the Corporation of the District of North Cowichan.

3. No person shall, within any townsite within the Municipality, run or race on the streets or sidewalks thereof, or crowd or jostle other pedestrians, so as to create discomfort, disturbance, or confusion. All pedestrians shall, when walking, keep to the right.

4. No person shall stand on any street or sidewalk within any Townsite within the Municipality so as to cause any obstruction to the free use of the said streets or sidewalks, and no person shall expectorate upon any sidewalk.

5. No girl under the age of Sixteen years shall sell, or offer for sale, any newspaper on any of the streets within the Municipality.

BEASTS AND VEHICLES.  
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6. No person shall lead, drive, ride, back, propel, or push any horse, carriage, cart, waggon, wheelbarrow, bicycle or other beast of burden, or vehicle, on, along or across any sidewalk within any Townsite within the Municipality, excepting where it may be necessary to cross any sidewalk to gain access to any yard or lot.

7. No person shall ride or drive any beast at a pace exceeding six miles per hour, or, when crossing a bridge, at a pace exceeding a walk, and any person riding or driving on any road or street within the municipality shall slacken speed when approaching intersecting roads or



streets. When meeting and passing those travelling in an opposite direction, every person shall keep to the left; and when overtaking and passing those travelling in the same direction every person shall pass on the right.

8. No person shall permit any beast to be in any road or street within the Municipality without causing the same to be sufficiently secured to prevent its running away.

9. No person shall permit any beast of burden or any vehicle to remain upon any street within the Municipality for any longer period of time than is necessary for the transaction of business, and no person shall tie any animal to any tree, post, ring, or hook or other object across any sidewalk or crossing so as to in any way obstruct the thoroughfare of any person.

10. No person shall fasten any animal to any shade or ornamental tree, shrub, or sapling in any townsite within the Municipality or to any case or barrier placed around any such tree, shrub, or sapling.

SIGNS AND OBSTRUCTIONS.  
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11. No person shall erect or cause to be erected any door-step, railing, porch, verandah, awning, signpost, hanging, swinging or projecting sign over any public street or sidewalk in any townsite within the Municipality without the consent of the Council first had and obtained.

12. Every door-step, porch, railing, verandah, awning, sign-post, hanging, swinging, or projecting sign or elevated sign, or other erection or obstruction projecting into or over any street or sidewalk, or over or upon any building, in any townsite within the Municipality, shall after one month's notice in writing requiring the removal thereof shall have been given to the proprietor or occupant of the premises under the authority of the Council, be removed, and, in the event of the said proprietor or occupant neglecting or refusing to remove the same for three days after the expiration of such one month, the same may be removed by the direction of the Council, and at the expense of such proprietor or occupant.



(3)

13. No person shall erect or cause to be erected or shall permit to remain in or over any sidewalk or street in any townsite within the Municipality, any hanging, swinging, projecting or elevated sign at a greater height than fifteen feet from the level of the sidewalk or at less height than seven feet from the level of the sidewalk.

14. No person shall, without the consent of the Council first had and obtained, place or make any movable traps or doors in any street or or sidewalk for the purpose of entrance to any cellar or premises under any building in any townsite within the Municipality.

15. Every awning or shade, and every bracket supporting the same across or over any sidewalk or street in any townsite within the Municipality, shall be at least seven feet six inches clear above the level of the sidewalk and all contrivances (other than cord and pulley) for raising and lowering any such awning or shade, shall be fastened at not less than six feet six inches above the level of the sidewalk.

16. No gate or door abutting on any public street or sidewalk within the Municipality shall open outwards over such street or sidewalk.

17. No person shall place, or cause to be placed upon any street or sidewalk within the Municipality, any obstruction or hindrance or interfere in any way with the surface thereof, save as allowed by the Council.

#### USER OF ROADS AND STREETS.

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18. No person shall, within the Municipality, draw, or cause to be drawn, on any road or street, a load of any description without the same being placed on some sufficient carriage so as to prevent any destruction to the road or street. A sleigh shall be deemed a sufficient carriage, but a crotch shall not be deemed a carriage or a sleigh.

19. No person shall leave any standing tree, in a burning state so that the same may, in falling, reach any road or street within the Municipality, or allow it to remain standing when weakened by partial burning or chopping.



# SIDEWALKS AND BOULEVARDS. -----

20. It shall be permissible for the Municipal Council by resolution to instruct the Road Superintendent to declare any Road or street closed for vehicular traffic, or the carrying of loads of over a stated amount on wheeled, or other vehicles; should the condition of the road or street so warrant it.

21. It shall be lawful for any property-owner whose property abuts upon any street within any townsite within the Municipality to build or construct sidewalks on any such street in conformity with the restrictions in this or any other by-law mentioned, and with the directions of the Road Inspector of the Corporation.

22. Any owner of property within the Municipality may plant on the boulevard in front of his property shade or ornamental trees, subject always to the approval of the said Road Inspector, which may be withheld or given. And all shade trees so planted shall become the property of the Corporation.

23. No person shall step upon any boulevard, excepting for the purpose of attending to the keep thereof, nor shall any person permit any animal to step, or any obstruction to remain, upon any boulevard.

24. Any person who shall be found guilty of an infraction of any provision of this By-law, shall be liable to a fine of not more than \$100.00, and in default of payment of the same, to imprisonment for a period not exceeding 30 days.

25. The following By-laws and any amendments thereto are hereby repealed, namely:

- (1) By-law No. VI being "The Roads Preservation By-law, 1897."
- (2) By-law No. XXVII - having reference to the width of sidewalks in the townsite of Alderlea and to the planting of shade trees on boulevards- finally passed the 15th November, 1902.
- (3) By-law No. LXIII, being a By-law "to regulate Roads, Streets and sidewalks and Traffic thereon (1908)"
- (4) By-law No. VII, the "Roads and Streets By-law, 1910."

(5)

This By-law passed the Council the 4th day of June 1914, and was reconsidered and adopted by it and finally passed and the Corporate Seal of the Corporation affixed thereto the 23rd day of July 1914.

J. Islay Mutter

Reeve

J. W. Dickinson

Clerk of the Municipal Council.

I hereby certify that the foregoing is a true copy of the By-Law No. 7, being the "Streets and Roads By-Law," as finally passed and adopted by the Municipal Council of the Corporation of the District of North Cowichan.

*J. W. Dickinson*

Clerk of the Municipal Council

I hereby certify that this By-Law No. 7, was duly registered by me and sealed with the Seal of the County Court of Nanaimo holden at Duncan this 23<sup>rd</sup> day of November 1914.

*F. Macleod-Lewis*  
Registrar



## No. 8.

2- A BY-LAW TO REGULATE THE WIDTH OF TIRES TO BE ATTACHED TO THE WHEELS  
OF VEHICLES CARRYING CERTAIN LOADS.

-----

The Council of the Corporation of the District of North Cowichan  
enacts as follows.

1. This By-law may be cited as the "Wide Tires By-Law."

INTERPRETATION .

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2. "Municipality" shall mean the territorial limits of the Municipality of North Cowichan as governed by the Corporation of the District of North Cowichan.

3. No person shall draw or carry on any wagon or other vehicle, or cause to be driven, or propelled, any wagon or other vehicle on any street road or highway within the bounds of the Municipality, a load in excess of that mentioned in Schedule "A" of this By-law without the consent of the Municipal Council as expressed by resolution.

4. Any person found guilty of an infraction of any provision of this By-law, shall be liable to a fine of not more than \$25.00, and in default of payment of the same, to imprisonment for a period not exceeding 10 days.

5. By-law No. XXXVII, having reference to the width of tyres, and finally passed the 21st day of March 1914, and By-law No 8. being the "Wide Tires By-Law 1910" is hereby repealed.

SCHEDULE "A".

Carts and two wheeled vehicles shall not carry a load in excess of the following:-

On tires under 2 inches in width	600 lbs.
2 inches and under 3 inches	1250 lbs.
3 inches and under 4 inches	<del>2000</del> lbs.
# 5 inches and under 6 inches	3500 lbs.
# 4 inches and under 5 inches	2500 lbs.



(2)

wagons and other four wheeled vehicles shall not carry a load in excess of the following:-

On tires under 2 inches in width	1500. lbs.
2 inches and under 3 inches	2000 lbs.
3 inches and under 4 inches	3000 lbs.
4 inches and under 5 inches	5000 lbs.
5 inches and under 6 inches	6500 lbs.
6 inches and under 7 inches	8000 lbs.
7 inches and under 8 inches	10000 lbs.

On wagons or other vehicles having tires of different widths the mean width of all the tires shall be taken as the width of tire.

This By-law passed the Council the 4th day of June 1914, and was reconsidered and adopted by it, and finally passed and the Corporate Seal of the Corporation affixed thereto, the 23rd day of July 1914-

J. Islay Mutter

Reeve

J. W. Dickinson

Clerk of the Municipal Council.

This By-law received the assent of the Lieutenant Governor-in-Council the day of 1914.

Clerk of the Municipal Council

I hereby certify that the foregoing is a true copy of the By-law No. 8, being the "Wide Tires By-law," as finally passed and adopted by the Municipal Council of the Corporation of the District of North Cowichan.

*J. W. Dickinson*  
Clerk of the Municipal Council.

I hereby certify that this By-law No. 8, was duly registered by me, and sealed with the Seal of the County Court of Nanaimo holden at Duncan this 23<sup>rd</sup> day of November 1914.

*J. Fairhead-Lussell*  
Registrar.



No. 10.

A BY-LAW HAVING REFERENCE TO PUBLIC MORALS.

The Council of the Corporation of the District of North Cowichan enacts as follows:-

1. This By-law may be cited as the "Public Morals By-law."

INTERPRETATION.

2. In this By-law "Municipality" shall mean the territorial limits of the Municipality of North Cowichan as governed by the Corporation of the District of North Cowichan.

3. No person shall utter any profane, obscene, blasphemous or grossly insulting words, or participate in any immorality or indecency, within the limits of the Municipality; nor exhibit or perform or cause to be exhibited or performed any indecent, immoral or lewd play, performance or skit within the Municipality.

4. No person shall write any indecent words, make any indecent picture or drawing, or post any indecent placard, writing or picture on any wall, fence tree, rock, or on any structure, or part thereof, in any street or public place within the Municipality.

5. No person shall exhibit, sell, or offer for sale any indecent or lewd book, paper, picture, plate, drawing, writing or other thing within the Municipality.

6. Persons holding a license to sell liquor within the Municipality shall not sell, or cause to be sold, or otherwise dispose of, or allow to be given, upon the premises in respect of which such persons are licensed, to any person under the age of sixteen years, any intoxicating liquor; and no license shall permit any person under the age of sixteen years to remain upon his licensed premises. In a hotel, the "licensed premises" shall mean only the bar-room thereof.

7. No person within the Municipality, on Sunday, shall sell or expose for sale or purchase any goods, chattels, or other personal property whatsoever, and no trader, vender, of merchandise or commodities of any



(2)

nature, or store-keeper, shall, within the Municipality, upon Sunday transact any business, nor shall any person as aforesaid permit premises to be opened for the purpose of transacting any business. The provisions of this section, however, shall not apply to hotel or restaurant keepers, milk venders, or druggists, for the sale of drugs, medicine or surgical appliances only.

8. Any person who shall commit any infraction of any provision of this By-law shall, upon summary conviction, be liable to a fine of not more than \$100.00, nor less than \$10.00.

9. By-law No. VIII, being the "Sunday Trading By-law," 1897, and By-law No. X, the "Public Morals By-law", 1910, is hereby repealed.

This By-law passed the Council the 18th day of June 1914, and was reconsidered and adopted by it and finally passed and the Corporate Seal of the Corporation affixed thereto, the 23rd day of July 1914.

J. Islay Mutter                      Reeve.

J. W. Dickinson  
Clerk of the Municipal Council.

I hereby certify that the foregoing is a true copy of the By-law No. 10, being the "Public Morals By-law", as finally passed and adopted by the Municipal Council of the Corporation of the District of North Cowichan.

*J. W. Dickinson*  
Clerk of the Municipal Council.

I hereby certify that this By-law No. 10, was duly registered by me and sealed with the Seal of the County Court of Nanaimo holden at Duncan this 23<sup>rd</sup> day of November 1914.

*J. Matthews-Langall*  
Registrar.



## No. 11.

A BY-LAW TO PROVIDE INDEMNITY TO THE MEMBERS OF THE MUNICIPAL  
COUNCIL.

The Council of the Corporation of the District of North Cowichan  
enacts as follows:-

1. This By-law may be cited as the "Reeve and Councillors Indemnity By-Law 1913."
2. The amounts which, by way of indemnity, the Council shall from time to time cause to be paid to the representatives of the Corporation shall be those mentioned in Schedule "A" hereto.
3. By-law No. 11, being the "Reeve and Councillor Indemnity By-law, 1910," is hereby repealed, and By-law No. 98, 1913, the "Reeve and Councillors Indemnity By-law."

This By-law passed the Council the 18th day of June 1914, and was reconsidered and adopted by it, and finally passed, and the Seal of the Corporation affixed thereto the 23rd day of July 1914.

J. Islay Mutter

Reeve.

J. W. Dickinson

Clerk of the Municipal Council.

SCHEDULE "A"

Amounts to be paid by way of indemnity.

The Reeve.	\$ 300.00 per annum
Each Councillor	\$ 200.00 per annum

I hereby certify that the foregoing is a true copy of the By-law No. 11, being the "Reeve and Councillors Indemnity By-Law, 1914," as finally passed, and adopted by the Municipal Council of the Corporation of the District of North Cowichan.

*J. W. Dickinson*  
Clerk of the Municipal Council.

I hereby certify that this By-Law No. 11 was duly registered by me and sealed with the Seal of the County Court of Nanaimo holden at Duncan this 23<sup>rd</sup> day of November 1914.

*J. Hamilton-Brazill*  
Registrar.



A BY-LAW FOR THE PREVENTION OF FIRES.  
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The Council of the Corporation of the District of North Cowichan enacts as follows:-

SHORT TITLE.  
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1. This By-law may be cited as the "Fire Department and Prevention of Fire By-law."

INTERPRETATION.  
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In this By-law the expression "The Municipality" shall mean the territorial limits of the Municipality of North Cowichan as governed by the Corporation of the District of North Cowichan.

"Corporation" shall mean the Corporation of the District of North Cowichan.

FIRE WARDENS.  
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2. There shall be appointed by the Reeve in each year three Fire Wardens to consist of the Reeve and two Councillors who shall be the Fire Wardens within the Municipality for such year, and every Fire Warden shall hold office until his successor shall be appointed. And the Council may appoint three Deputy-Fire Wardens in each townsite within the Municipality.

3. Subject to the provisions of Section 4 hereof, the Fire Wardens shall have supervision and control of the Fire Chief, officers, members and employees of the Fire Department, and shall prescribe the rules for the discipline and management thereof.

(1). The Fire Wardens shall have control and management of the public property pertaining to the Fire Department of the Corporation, and shall from time to time in their discretion, always subject to the approval of the Council, purchase, add to, and acquire, when necessary, steam or motor engines, hose carriages, fire escapes, hose and such other apparatus and property as the exigencies of the Department may require. They may also, with the like approval, sell any of such apparatus or effects when no longer required for the use of the Department.



(2)

(2). The Fire Wardens shall on the first day of January in each year, or soon thereafter as practicable, report to the Council the estimated amount of the salaries and other necessary expenditure of the Fire Department for the ensuing year.

(3). In addition to the above, the Fire Wardens and their Deputies shall have the following powers, namely:-

(a) To visit and inspect, at all reasonable hours, all buildings and places in any townsite within the Municipality.

(b) To direct and regulate in any building in any townsite within the Municipality the position of any stove, fire-place, furnace, chimney, stove-pipe and smoke-stack, and the removal, change or alteration of the same; and further generally to take such steps as they may think fit, for the prevention of fire, and to carry out such duties as shall be imposed upon them by any other by-law having force within the Municipality.

(4). The appointment, and the establishment of the amount of the salary of any official of the Fire Department shall be within the competency of the Council only.

#### FIRE CHIEF.

4. The office of the Fire Chief for the corporation shall be held, and the duties thereof defined in this By-law shall be performed, by such person who may be appointed by the Council; and it shall be the duty of such Fire Chief to control and manage the Fire Department and assist in the carrying out of the provisions of this By-law.

5. The Fire Chief, subject to the approval of the Council shall have the power to appoint a deputy, who may, when requested by the Fire Chief, act in the place and stead of the Fire Chief. The Deputy Fire Chief shall be subject to removal by the Council.

6. The Fire Chief or his Deputy, or any Fire Warden or Deputy Fire Warden, or any Peace officer authorized by them in that behalf, is hereby empowered to enter upon any premises at all reasonable hours for the purpose of inspecting the same, and shall inspect all alleyways and



(3)

back yards in any townsite within the Municipality at regular, frequent, and stated intervals during the dry season, and see that all inflammable matter is removed and that suitable safeguards against fire are provided. No person shall obstruct any Fire Warden or the Fire Chief or his Deputy or any Peace Officer in making any entry upon the premises in accordance with the power hereby given.

**FIRE DEPARTMENT.**  
-----

7. The Fire Department shall be under the control and direct supervision of the Fire Chief, who shall have complete command of the same at all times, but who shall be subject to whatever regulations may, from time to time, be imposed upon him by resolution of the Fire Wardens. The Fire Wardens shall, from time to time, appoint sufficient men to assist in the operation of the Fire Department, and such men shall be under the discipline of the Fire Chief.

(2) There shall be established such a system of fire fighting and alarms as to the Fire Chief and the Fire Wardens shall seem necessary.

**OBSTRUCTING FIREMEN OR APPARATUS.**  
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8. No person shall impede in any way or hinder any Fire Warden or any person under the direction of the Fire Chief or any person under the direction of any other officer in command at any fire or fires.

(2) No person or persons shall wilfully or carelessly permit any vehicle to obstruct the progress of the apparatus of the Fire Department going to or returning from a fire, alarm, or drill.

**BREAKING BLOCKADE.**  
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9. No person or persons, save and except the Reeve, Fire Wardens, Police, Firemen, and owners, occupiers, or employees of buildings endangered by fire, shall be permitted to enter any burning building or within the lines designated by ropes or guards across the roads, streets, and lanes; and any person or persons entering within the lines designated by ropes or guards, or refusing to move when directed to do so by any Peace Officer or other officer of the Fire Department, shall be liable to a fine or imprisonment, or both, as provided for by Section 41 of



this By-law.

DRIVING OVER HOSE.  
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10. No person shall run over with any vehicle any line or lines of hose in use at any fire alarms or drills.

RIGHT OF WAY.  
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11. All movable apparatus of the Fire Department shall have the paramount right of way at all times through all streets, lanes, and alleys, and no person shall interfere with this right of way.

FALSE ALARMS.  
-----

12. No person or persons shall, without reasonable cause, make or circulate, or cause to be made or circulated, any false alarm of fire by outcry, ringing of bells, or otherwise.

13. No person or persons shall break, remove, or injure, or interfere with any of the parts or appurtenances of the fire alarm telegraph without authority from the Fire Chief. The Fire Chief shall report any such action to the Fire Wardens.

14. No person or persons shall make or fit any key to the lock of any signal box of the fire alarm telegraph, or have or retain in his or their possession, or under his or their control, a key belonging to, or fitted to open, the lock of any signal box without authority from the Fire Chief so to do, or pick or force the lock of any such signal box.

15. No person shall put, or place, maintain, or suffer to be or remain, any article, thing, or matter on or upon the sidewalk or street so as to interfere with the free access or approach to any fire hydrant or signal box of the fire alarm telegraph.

16. Any person moving or intending to move, any house or building, in, on, or through any street or streets where it may become necessary to interfere with any alarm wire, shall give due notice to the Fire Chief before commencing to remove said house or building. The persons removing said house or building shall give security in Canadian currency, not exceeding twenty-five dollars, and any other security that may be neces-



ary, to defray all expenses in taking down, removing, fixing, and repairing said fire alarm telegraph or any portion thereof, or any damage thereto in consequence of the moving or removal of the house or building.

#### FIRE ESCAPES.

18. Every building of three stories or more in height occupied or used as a hotel, boarding or lodging house, or any factory, mill, manufactory, or workshop, shall be provided with good and sufficient means of egress in case of fire. Every building in which operatives are employed above the first floor shall be provided with metal fire escapes, and women and children shall not be employed above the second story of any factory, shop or printing office, unless there shall be two or more means of exit. All fire escapes shall be built and placed in accordance with the instructions of the Fire Chief, shall be kept free from any obstructions, and shall extend from the first story to at least four feet above the roof. The requirements of this section contained shall not supersede or diminish the requirements of the Fire Escape Act, being Chapter 87 of the Revised Statutes of British Columbia, which shall be enforced by the Fire Chief throughout the Municipality.

19. Every building of four stories or more in height used as a<sup>1</sup> store, warehouse, factory, workshop, hotel or lodging house, and all theatres, shall have a four-inch metallic stand pipe, within or near the front wall, extending from four feet above the line of sidewalk to the line with gate valves, and there shall be a Siamese inlet at the line of sidewalks, all of the proper dimensions to connect with the hose of the Fire Department.

20. No owner or occupant of any building within any townsite in the Municipality shall have therein a smokestack or pipe of metal for conveying fire or smoke fixed nearer than twelve inches to the face of any timber or have therein any smokestack or pipe of metal passing through any timber, timber framing, or partition of wood or lath or plaster or through any wooden floor unless it is encircled by a rim of solid stone or brick not less than three inches wide, or a double rim of metal with a space of not less than three inches between the two rims.



(6)

and equal in thickness to the full finished thickness of the framing through which it passes.

21. No owner or occupant of any building within the Municipality shall have within or about such building any stove, furnace, range or vessel in which fire may be kept, set, or placed in such manner that the back thereof may be less than sixteen inches from any woodwork, unless the woodwork is protected by metal, and in that case not less than twelve inches; and no such occupant shall have within or about such building any iron stove, furnace, or vessel in which fire may be kept, not built into a brick chimney, unless such iron stove, furnace, or vessel stands upon stone, brick or zinc or other incombustible material which shall project at least one foot from the front or door of same.

22. Every occupant of any building shall keep all pipe-holes in any chimney in such building, while such pipe-holes are not in use, closed by a proper stopper of metal or other incombustible material.

23. No occupant of any building shall permit any chimney, stove-pipe, or flue therein to become unclean or take fire.

#### ASHES, WASTE, ETC.

24. It shall be unlawful for any person in any townsite within the Municipality to deposit any ashes or cause the same to be deposited or placed, or permit the same to be or remain, in any wooden vessel or upon the floor of any building, or in any place or premises belonging to or occupied by him, or her, or others, or in any metallic vessel within two inches of any woodwork, or structure, or place, or permit any hay, straw, or other combustible material uncovered within his courtyard or lot of ground within ten feet of any building.

25. All receptacles for waste, rag, paper, and other substances liable by spontaneous combustion or otherwise to cause fire must be made of incombustible material.

26. It shall be unlawful for any person in any townsite within the Municipality to place or allow to be placed any shavings, hay, straw, sacks, bags, litter, paper, or any other combustible waste material or or fragments in or upon any land or premises otherwise than in recept-



aisles made of incombustible material.

27. Every person in any townsite within the Municipality making, using, or having the charge or control of shavings, hay, straw, paper, bags, litter, or any other combustible waste or fragments, shall, at the close of each day, cause the same to be securely stored or disposed of so as to be safe from fire.

#### HAY, STRAW, ETC.

28. No person shall keep in store or for sale or use in any building in any townsite within the Municipality more than the quantity of hay or straw following, namely:-

For every livery stable or hack stable, 14 tons.

For storage or sale, 15 tons.

For private consumption, 2 tons.

29. No person shall in any building where hay, straw, shavings, or other combustible materials may be, smoke, or have in his possession, any lighted lamp, candle, or taper not being enclosed in a lantern or shade so as to prevent accident from fire therefrom.

#### SMOKE AND DRY HOUSES.

30. All smoke-houses or dry-houses shall be built of brick or stone, and the doors and roofs of the same shall be constructed of some non-combustible material.

#### AISELS OF BUILDINGS.

31. All aisles and passage ways in buildings used for public assemblages shall be kept free from camp stools, chairs, benches, sofas, and from persons standing or sitting therein, or other obstructions during any performance, service, exhibition, lecture, concert, ball or public assemblage whatever.

32. In all churches, theatres, halls, or other public buildings heretofore or hereafter constructed, or used for holding public meetings or for places of public resort or amusement, all the doors shall be so hinged that they may open freely outwards, and all gates of



outer fences if not so hinged, shall be kept open by proper fastenings during the time such buildings are publicly used, to facilitate the egress of people in case of alarm from fire or other cause.

#### SMOKESTACKS AND CHIMNEYS.

33. It shall be the duty of the Fire Chief, whenever he deems it necessary or whenever directed by the Fire Wardens so to do, to examine carefully all chimney, flues, fire-places, hearths, ovens, furnaces, boilers, stoves, steam-pipes, funnels, or places for making or keeping fire or ashes, or cinders, or other apparatus or things which may be deemed by him to be dangerous in causing fire, and if the same or any of them be found to be dangerous to notify the owner, or person using the same, or occupying the building in which the same is or are situated, forthwith or within a time to be fixed by him and stated in the notice, to discontinue the use of, or to remove, alter, or amend the same.

34. Every owner or person so notified as in the last preceeding section provided for, shall immediately upon such notification or within the time directed, discontinue the use of, or remove, or alter, or amend such dangerous thing, and in the event of disobedience of such notice, such owner or other person may be proceeded against as for a breach of this By-law, and, in the alternative, or in addition, the Building Inspector may, with the authorization of the Fire Wardens, and at the expense of such owner or other person in default, remove, alter, or amend such dangerous thing or take steps to prevent its use.

#### ROOFS.

35. Within three months after the coming into force of this By-law all wooden or shingle roofs of buildings if used for or in connection with any manufacturing purpose or industry, in and upon or in connection with which fire is used for creating steam or other power for manufacturing, shall be effectively covered, to the satisfaction of



(9)

the Fire Wardens, with some incombustible roofing, and thereafter no person shall use any buildings wherein fire is employed for creating steel, or for any purpose of manufacture, unless the roof of such building shall be constructed of tin, tile, slate, or cement, or, with the consent of the Fire Wardens, previously had and obtained in each case, of some other incombustible material.

36. No owner or occupier of any building shall allow or permit upon the roof of his building any accumulation of paper, wood, debris, hay, or any other inflammable or combustible rubbish or material. Every owner of a building, the roof of which is of wood, unprotected by incombustible material, shall, if in the opinion of the Fire Chief the same is easily liable to be set on fire, within one week after notice, cause each roof to be painted with some such paint suitable to render the wood less liable to be set on fire, or otherwise if required in such notice cover such roof with iron or other incombustible material. Every owner or occupier of a building shall at all times keep the roof of such building free and clear from moss or vegetable growths, and particularly shall in the month of May of each year clear the roof from such growth.

37. Spark arrestors of wire netting (of such character and dimensions as the Fire Chief may approve) shall be placed upon such chimneys or smokestacks of buildings (other than private residences) as may be required by the Fire Chief. Any person refusing or neglecting, after the expiration of seven days from a notice from the Fire Chief requiring spark arrestors to be affixed to any stack or chimney, to do the works required in such notice shall be deemed guilty of an infraction of this By-law.

#### UNOCCUPIED BUILDINGS.

38. Whenever the entrances of any unoccupied building are not properly secured, the Fire Chief, or his Deputy, shall immediately visit the premises and notify the owner, agent, or person having



(10)

control of same of the condition of the said unoccupied building, and to have the entrances of such building forthwith properly secured, so as to prevent evil disposed persons having access thereto.

PERMIT TO KINDLE FIRES.  
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39. No person shall kindle, or cause to be kindled, or used, any fire upon any street or highway, or anywhere in the open air, in any townsite within the Municipality, without a permit to do so signed by the Fire Chief, Deputy Fire Chief, Deputy Fire Wardens, or other officer in charge of the Fire Department. This section shall not include fire in furnaces necessarily used in laying roofs or pavements, nor the fires used in furnaces of engines, nor to the fires in the open air upon private property necessarily used in setting tires upon the wheels of vehicles or in heating tar or pitch, but no such fires shall be allowed within the fire limits unless all reasonable safeguards shall be provided.

40. The Fire Chief or his Deputy, or any fireman or municipal police officer, may enter upon any property which is, or is reasonably supposed to be subject to the regulations of this By-law, in order to ascertain whether such regulations are obeyed, and no person shall obstruct any such officer in the discharge of his duty. And it shall be the duty of the Chief of the Fire Department, or if there be no such officer, then for the Chief of Police to take all necessary proceedings to compel compliance with the provisions of this By-law.

41. Any person refusing to carry out the directions of the Fire Wardens or of any person in authority under this By-law, shall be guilty of an infraction of this By-law and subject to the penalties provided for in Section 42 hereof.

42. Any person found guilty of a violation of any of the provisions of this By-law shall be deemed guilty of a misdemeanor and shall be liable, upon conviction, to a penalty of not less than \$10 and of not more than \$100, or to imprisonment, or to both fine and imprisonment, and the continuation of such violation shall be deemed a new



offence for each day on which the same is continued, and shall be punishable accordingly.

43. By-law No. 23, being the "Fire Department and Prevention of Fire By-Law, 1910," is hereby repealed.

This By-law passed the Council the 9th day of July 1914, and was reconsidered and adopted by it and finally passed and the Corporate Seal of the Corporation affixed thereto, on the 6th day of August 1914.

J. Islay Mutter

Reeve.

J. W. Dickinson

Clerk of the Municipal Council.

I hereby certify that the foregoing is a true copy of the By-law No. 18, being the "Fire Department and Prevention of Fire By-law," as finally passed and adopted by the Municipal Council of the Corporation of the District of North Cowichan.

*J. W. Dickinson*

Clerk of the Municipal Council.

I hereby certify that this By-law No. 18, was duly registered by me and sealed with the Seal of the County Court of Nanaimo holden at Duncan this 23<sup>rd</sup> day of November 1914.

*J. Maitland-Lussell*  
Registrar.



A BY-LAW TO REGULATE WASH-HOUSES AND LAUNDRIES.

The Council of the Corporation of the District of North Cowichan enacts as follows:-

1. This By-law may be cited as the "Wash-houses and Laundries By-law."

INTERPRETATION.

2. In this By-law "Municipality" shall mean the territorial limits of the Municipality of North Cowichan as governed and controlled by the Corporation of the District of North Cowichan.

3. No building of any kind shall, within the Municipality, be used for a public wash-house or laundry, unless the flooring of the same is constructed of concrete, brick, tile, or some other non-permeable material and efficiently drained, or unless ample provision is made for the drainage of all slops and materials used in washing, to the satisfaction of the Council or Sanitary Inspector or other officer for the time being, of the Council having jurisdiction in that behalf. And should the Sanitary Inspector or other said officer direct the occupants or owner of any wash house or laundry to provide for drainage in a different method from that in use, such occupant or owner shall forthwith cause such drainage to be effected in the manner directed by said Sanitary Inspector or said other officer, and in default of so doing, said Sanitary Inspector or said other officer may cause same to be done at the expense of the said occupants or owner.

4. Proper washing tubs, or other receptacles for holding water and materials for washing clothes, shall be provided by the owner or licensee of every public wash-house or laundry within the Municipality and every such tub or other receptacle shall be fitted with waste pipes at least two inches in diameter, properly connected with the public sewers or drains, if any available, or otherwise drained to the satisfaction of the Council or Sanitary Inspector or other officer of the Council having jurisdiction in that behalf, and the following regulations shall be observed by all persons engaged in the operation of a wash-house or laundry:-



(a) The main waste pipe shall not be less than four inches in diameter and shall, if inside the building, be of extra heavy cast iron with fittings to correspond; all branch waste pipes from washing tubs or other receptacles shall not be less than two inches in diameter; every such main waste pipe shall finish above the main roof of the building as a ventilating pipe and shall be carried to a height above all surrounding openings and windows. All branch waste pipes to tubs or other receptacles shall be fitted with strainers so that no rags of any kind can pass through.

(b) Should such main waste pipe be underground and outside the building, vitrified pipe of the size named may be used, except the ventilating pipe, which must be four-inch cast-iron.

(c) All waste pipes from tubs or other receptacles shall empty over the top of a proper vitrified grease trap, with at least nine inches removable grating on top and with side built up six inches with good brick and cement to prevent splash above the top of the said grease trap, otherwise a properly constructed lead grease trap may be used, of at least nine inches diameter, with a four-inch removal screw cap and properly ventilated above the roof.

(d) All buildings used as wash-houses, or laundries shall be fitted, in addition to the above mentioned pipes, with proper ventilating pipe or shafts of galvanized iron, twenty-four gauge, of the size of at least twelve inches in diameter, which shall be carried above the main roof. The opening of such pipe or shaft shall be at least ten feet above any opening or window in the said building, or in any adjoining building within fifty feet of such pipe or shaft, so that all steam or odours may have free access to the air without causing a nuisance to the neighbourhood.

(e) Every tub or other washing receptacle shall be furnished with a hood, which shall be placed over and be of sufficient size to envelope the same, and shall be connected with the main pipe or shaft by a pipe of sufficient capacity to catch and convey away all steam or odours arising from such tubs or washing receptacles.

(f) No wooden structure or erection to be used as a wash-



house or laundry shall be erected or constructed on the outside of any building within 25 feet of any street or highway, or occupied dwelling-house, nor shall land be used for the washing, drying or airing in the open air of any clothes, linen or other materials of the like nature within 40 feet of any street or highway.

5. Every owner, tenant or occupier of a wooden structure or erection, or structure or erection of substances of which wood and iron form the principal part (not being a stone or brick built erection,) now existing, used for laundry purposes, shall forthwith, upon the request of the Building Inspector or Sanitary Inspector, make such alterations, additions to and improvements in the said structure or erection and in the out-buildings and appurtenances thereto, used for laundry purposes or in connection therewith, including the removal of the same from within the limits prohibited by the preceding two sections, as may be by notice in writing required of him or them by the Building Inspector or Sanitary Inspector, or to bring the said structure and building and the condition and the position thereof into such a state, condition, or position as will comply with the requirements of this By-law and the requirements, where applicable, of the Building By-laws and Health By-laws, within the time to be named by such notice or such extended time as the Council may, upon petition in that behalf, allow; and all works, matters and things required by such notice shall be done upon the supervision of the officer giving the same, and to his satisfaction.

6. If the Sanitary Inspector or the Building Inspector or other officer of the Council shall report to the Council:

(a) That such works, matters and things so required to be done by the notice contemplated by the preceding section have not been done within the time named in such notice, or the extended time as aforesaid, and it shall appear that the persons liable to do such works neglect and refuse to do the same; or

(b) Shall report to the Council that any such building or erection as in the last section hereof is mentioned is incapable through defective construction, age or condition, or through its position, of being put into a state or condition to comply with



the requirements of this By-law, or the Building or Health By-laws, and, for the reasons aforesaid, that any such alterations, additions or improvements cannot be made to such building or structure, or that the same remains within the limits or position prohibited by this By-law, and that notice as in the preceding section contemplated has been served and has not been obeyed in a material part;

It shall be lawful for the Sanitary Inspector or Building Inspector or other officer of the Council on instruction by resolution of the Council passed and made after the Council shall have heard the owner and considered any objection he may urge, forthwith to enter upon the land and premises, and to pull or take down any structure or erection, and to deal with the same as an accumulation of refuse may be dealt with under the Health By-law; and such pulling and taking down shall be done at the expense and cost of the owner, tenant or occupier of such structure or erection, and the expense shall be recoverable in the mode penalties are enforceable by By-law.

7. Any owner, tenant or occupier of any such building or erection who, after notice as aforesaid, refuses or neglects to do the works, matters and things required in such notice within the time named therein, shall be subject to a penalty of \$10.00 for every day or part of a day during which he allows or permits the said structure or erection to be used for laundry purposes, or to carry on any laundry business thereupon, and this is additional to any other remedy the Council may have.

8. Every laundry shall be maintained, conducted and carried on in a sanitary and decent manner, and so as to occasion no offence to any one. No Laundry-man or person employed in a laundry shall sprinkle clothes, in the process of wringing, pressing or ironing, by sprinkling or spouting from the mouth, but all such sprinkling shall be done by proper and cleanly appliances.

9. Any person or persons, or the servant or agent, servants or agents of any person or persons, carrying on the business of washing in any dwelling contrary to the provisions of this By-law or without complying with the regulations in this By-law prescribed shall be deemed guilty of an infraction thereof, and be liable upon conviction to a



penalty not exceeding \$50.00 for each offence.

10. No building shall be used as a wash-house or laundry in any townsite in the Municipality unless a permit shall first be obtained from the Council.

11. (a) By-law No. 32 being the "Wash-houses By-law," is hereby repealed.

(b) By-law No. 25, being the Wash-houses and Laundries By-law, 1910," is hereby repealed."

This By-law passed the Council the 9th day of July, 1914, and was reconsidered and adopted by it and finally passed and the Corporate Seal of the Corporation affixed thereto, the 6th day of August, 1914.

J. Islay Mutter

Reeve.

J. W. Dickinson

Clerk of the Municipal Council.

I hereby certify that the foregoing is a true copy of the By-law No. 19, being "A By-law to Regulate wash-houses and Laundries," as finally passed and adopted by the Municipal Council of the Corporation Of the District of North Cowichan.

*J. W. Dickinson*  
Clerk of the Municipal Council.

I hereby certify that this By-law No. 19, was duly registered by me and sealed with the Seal of the County Court of Nanaimo holden at Duncan this 23<sup>rd</sup> day of November 1914.

*J. Martland - Langall*  
Registrar.



A BY-LAW RELATING TO PUBLIC HEALTH

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The Council of the Corporation of the District of North Cowichan  
enacts as follows:-

1. This By-law may be cited as the "Health By-law".

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INTERPRETATION  
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2. "Municipality" shall mean the territorial limits of the Municipality of North Cowichan as governed by the Council of The Corporation of the District of North Cowichan. "Corporation" shall mean the Corporation of the District of North Cowichan.

3. There shall be a public Board of Health of the Municipality of North Cowichan, and the Reeve and Councillors of the Corporation shall constitute said Public Board of Health.

4. The Board of Health shall have a general supervision over all matters, things, and officers, within the jurisdiction of the Corporation in any way pertaining to the public health, and may by resolution make and formulate rules for the preservation of the public health.

5. The Council shall from time to time as it sees fit appoint a member or members of the medical profession to be Medical Health Officer or Officers at such salary or remuneration as the Council may think fit to provide.

6. The Council may from time to time as it sees fit appoint Sanitary Inspector or Inspectors at such salary or remuneration as the Council may decide.

7. In the event of the Medical Health Officer not being available it shall be lawful for the Reeve, upon being informed that any family or person is in sickness and destitute, to require some member of the Medical profession to visit such person or family and to take such measures for their relief as to him may seem requisite, either by reporting them as fit subjects to be removed to a hospital or other place provided for that purpose, or by supplying them, or directing them to be supplied, with the requisite medicine for relief, and a regular and correct account of such case, and of such expenditure, shall be kept by him, and a return of the same shall be made to the Reeve,



8. In case of the sickness or absence of the Medical Health Officer it shall be lawful for the Reeve to appoint some member of the Medical Profession to perform all or any of his duties during such sickness or absence; and the Reeve may at all times call in and avail himself of medical or scientific advice or assistance in such cases in which he may deem it indispensable to seek such advice and assistance for carrying into effect the sanitary conditions and intentions of this By-law, and an account or report of all expenditures incurred in obtaining such advice or assistance shall from time to time be made to the Council.

9. The Council may provide permanent or temporary hospitals, tents or other place, or places or reception for the sick or infected as they shall judge best for their accommodation and the safety of the inhabitants within the Municipality. On the occurrence of any case of small-pox, cholera, or other disease of any infectious, contagious, or malignant character the Medical Health Officer may at once remove the person attacked to the hospital, tent, or other place provided, or shall cause such person to be otherwise efficiently isolated, and shall cause such person to be otherwise efficiently isolated, and shall take proper measures for the disinfection, or, if necessary, the destruction of all clothing which may have been exposed to contagion, and for the disinfection and purification of every conveyance, rail or tramcar, steamboat, sailing vessel, carriage, or other vehicle, which may have been exposed to contagion.

10. The Medical Health Officer may further isolate or remove all persons who may have been exposed to the contagion, and no such person shall go, or be permitted to go, abroad, until the Medical Health Officer permits, nor until the clothing or effects worn or carried by him may have been properly disinfected, if the same have been exposed to contagion.

11. Whenever a disease of a malignant character is discovered to exist in any premises, the Medical Health Officer may require the occupants of such premises to remove therefrom, and when so required such occupants of such premises shall remove accordingly and shall go to such house, sheds, tents, or other shelter as the Medical Health Officer shall direct, until measures can be taken for the cleaning and disinfecting of such premises, and default of immediate obedience to such requirements any occupant may forthwith be removed by the Medical Health Officer or his assistants in that behalf.

12. Whenever an infected person shall be isolated in a house or any other place whatsoever, the Medical Health Officer may appoint and employ a proper person or persons to keep constant watch over the house or place where such in-



fectured person shall be kept, and to prevent ingress or egress to or from such house or place, except to duly qualified medical men attendant upon such infected person, or other person by the permission of the Medical Health Officer and any person accepting the duty of watchman who shall depart from his duty as watchman, or shall neglect his duty, or who shall permit ingress or egress to or from the infected premises, or any communication therewith contrary to his rule, or who shall disobey, or fail to observe any direction of the Medical Health Officer relative to the duties of such watchman, shall be liable to a penalty of fifty dollars, to be recovered upon summary conviction, or in default of payment be liable to three month's imprisonment with or without hard labour.

13. Any person who shall, contrary to the preceding two sections, either refuse to remove from infected premises or shall depart from or enter any such house, or place, as so mentioned by this By-law wherein there shall be any person affected with small-pox or malignant disease, or who shall carry or remove, or permit to be carried or removed, any article or thing from such house or place, shall be subject, on summary conviction, to a penalty of one hundred dollars, or to three month's imprisonment with or without hard labour.

14. Whenever the Medical Health Officer or Sanitary Inspector believes that any person is infected, or has been exposed to infection or that his or her clothing or other effects contain infection, either of them may detain such person and his or her clothing and effects as aforesaid, and such persons and their clothing and other effect shall be at once disinfected,

15. Whenever the Medical Health Officer believes or suspects that any person within, or arriving, or coming within the limits of the Municipality of North Cowichan is, or has lately been, exposed to infection, or that his or her clothing or other effects contain, or have been exposed to, infection, or has, or have come from abroad or some other place in which any contagious or infectious disease is, or he has reason to believe endemic or epidemic, the said Medical Health Officer may cause any such person, his or her clothing and effects to be removed to a separate house, or otherwise isolate him or her, and may stop, detain or examine any such person, his or her clothing and other effects, until in the opinion of the Medical Health Officer, the period of incubation of the said contagious or infectious disease shall have been completed, and the said Medical Health Officer may disinfect or cause to be disinfected, at such place and in such manner as he may consider most convenient and beneficial to the preservation of public health, any such person, his or her clothing and effects.



16. Whenever a person suffering from or suspected to be suffering from small-pox, cholera, or any other disease of a malignant character, dangerous to the public health is an inmate of any hotel or boarding-house, the keeper or one of the keepers of such hotel or boarding-house shall immediately give notice thereof to the Medical Health Officer or the Sanitary Inspector, who shall thereupon take such steps as may be deemed necessary to prevent the spread of such disease.

17. Every person in charge of a public or private hospital, shall immediately report in writing to the Medical Health Officer, of any inmate being attacked with or suspected of having any contagious or infectious disease mentioned in this By-law.

18. No child, minor, or person from any house where any person, or persons, is, or are, sick, or effected with any of the diseases named as provided in this By-law, shall attend any public or private school within the Municipality, until the recovery or death of the said sick person or persons, and in either event the said child, minor or person, shall be provided with a written statement by the attending physician, in any, and if not, the Medical Health Officer, certifying to their being free from contagious or infection, which statement must be presented to the principal or teacher of the said public or private school before the said child, minor, or person shall be allowed to attend.

19. It shall be the duty of any principal or teacher of any public or private school within the Municipality to report at once to the Medical Health Officer, in writing, any violation of the above section.

20. If any teacher resides or lodges in any house where infectious or contagious disease exists, such teacher shall at once inform the Board of School Trustees under which he or she acts, and he or she shall not again enter his or her school, or other public house, until the fact that all danger of carrying infection or contagion is over, is duly certified by a physician or the Medical Health Officer.

21. The Medical Health Officer is hereby empowered to visit any and all public and private schools within the Municipality, and to make, or cause to be made, an examination of the teachers, children and minors in attendance therein as often as he may deem it necessary to secure compliance with the provisions thereof.

22. Every school teacher shall attend to and observe such suggestions and instructions as may be given by the Medical Health Officer in regard to ventilation and cleanliness in the school under his or her charge.



23. Every medical practitioner attending or visiting any person who is suffering from small-pox, cholera, or any other disease of a malignant character dangerous to the public health, shall immediately give notice thereof to the Medical Health Officer or Sanitary Inspector, who shall thereupon take such steps as may be deemed necessary to prevent the spread of such disease.

24. Every practising physician within the Municipality shall report, in writing, to the Medical Health Officer, the death of any of his patients who shall have died of contagious or infectious diseases mentioned in this By-law immediately thereafter, and shall state in such report the specific name and tupe of such disease.

25. Every physician in attendance upon any person or persons sick or affected with any disease named and provided for in this By-law, shall give all necessary instructions regarding the thorough ventilation of the public house, hotel, or private residence, wherein such person shall be sick, and the keeper of such plublic house or hotel, or the owner of occupant of such private residence, shall follows the instructions of the physician in attendance as aforesaid.

26. No person shall let or hire, or allow any other person to occupy any house, or part of a house, in which there has been any person sick or affected with any disease named and provided for in this By-law, without having first had the said house, or part of a house, thoroughly disinfected, together with any articles therein contained, and under the direction and to the satisfaction of the Medical Health Officer, that the said house, or part of a house, can be safely occupied by others, or that such article or articles can be safely handled or used.

27. The Medical Health Officer shall have charge of the quarantine or infectious disease hospital provided by the Corporation, and shall have power, when athorized by the Reeve, to detail such numbers of officers and to employ such persons' assistance and nurses as he may deem necessary, and to see that the said hospitals are supplied with suitable furniture, nourishment, fuel and medicine, and that the persons dlying therein, or in other places under the charge of the Corporation, are properly buried, and if necessary at the expense of the Corporation.

28. The Medical Health Officer shall have power to destroy or disinfect, as in his judgement may be deemed proper, any furniture, wearing apparel, goods, wares or merchandise, which shall be exposed to, or infected with, a contagious or infectious disease, and the owner of such property shall not be



entitled to any compensation therefor, but the Council, may, if they think fit, award same.

29. The Medical Health Officer shall cause to be affixed and maintained, or shall require the occupants of any dwelling house, store, shop or other building in which there shall be any person sick with small-pox, varioloid or other infectious, contagious or malignant disease, to put up, and maintain in a conspicuous place on the front of said dwelling house, store, shop or building, a card or sign to be furnished by the Board of Health, on which shall be written or printed in large letters the word "small-pox" or other such disease, and the Medical Health Officer may, if he considers the premises to be in a too closely populated section within the Municipality, or that the premises occupied by the patient are unsanitary or unsuitable for proper attendance or care, or for the prevention of the spread of the disease, and that the health or life of the patient will not be endangered by removal, order the removal of the patient to the quarantine or infectious disease hospital, or such place as may be provided by the Corporation for the Purpose.

30. In the event of the patient being badly treated at the premises in which he or she was taken ill, and not removed by the order of the Medical Health Officer for the Corporation to the quarantine or infectious diseases hospital, or such place as may be provided by the Corporation for that purpose; all expenses connected with the treatment of the patient and isolation of the premises, and of the occupants shall be borne and paid by the patient and the occupants, or his or their guardians, or the person or persons liable for his or their support.

31. The Medical Health Officer or Sanitary Inspector may exercise the power given by Section 77 of the Health Act to board all trains and vessels arriving within the Municipality, and may take, in respect of any persons, baggage, freight, or effects arriving by any train or vessel, any sanitary precautions which, in the opinion of such Medical Health Officer or Inspector, are necessary or expedient for guarding against the introduction of disease within the Municipality, and may attend at the railway station or steamboat wharf at any time prior to the arrival or departure of a boat, or train, and shall have power to stop, detain, and examine every person, freight, cargoes, boats, railway, and tramway cars coming from a place infected with a malignant, pestilential, or infectious disease, in order to prevent the introduction of the same within the Municipality.

32. Where there is a reason to suspect that any person who has small-pox, diphtheria, scarlet fever, cholera or typhoid fever, leprosy, or any infectious, contagious, or malignant disease, is in or upon any rail-way or tram-car,



steamboat, stage or any other conveyance, the Medical Health Officer or Sanitary Inspector of the Corporation, or if there is no such officer, any member of the Board of Health may enter such conveyance and cause any such person to be removed therefrom, and may detain the conveyance until it is properly disinfected, or such officer or member may, if he thinks fit, remain on or in, or re-enter the said conveyance, with any assistants he may require for the purpose of disinfecting the same.

33. No person, persons, or body corporate shall bring within the Municipality from any vessel, building, place, or railway car in which had lately been any person sick of any contagious or infectious disease mentioned in this By-law, any article or person whatsoever, nor shall any such person come within the said Municipality without permission in writing from the Medical Health Officer. Neither shall any person, persons or body corporate bring within the Municipality any vessel, or railway, or tramcar or conveyance in which there has been lately any person, persons or body with, or who has died from any contagious or infectious disease mentioned in this By-law, without the written consent of the Medical Health Officer or the Sanitary Inspector.

34. No owner, driver, or person in charge of any cab, omnibus, railway, street railway, or tram-way car, carriage, or of any other public or private conveyance shall use, or permit same to be used, for the conveyance of any person sick or affected with any of the diseases named or provided for in this By-law, nor for the conveyance of the body for burial, or otherwise, of any person who has died from any of said diseases, without the permission of the Medical Health Officer, and every undertaker or other person who, with a hearse or other vehicle, removes or conveys therein, for burial or otherwise, the corpse of any person who has died of any such contagious or infectious disease, is hereby required to have such cab or omnibus, street railway or tramway, carriage or other such public or private conveyance or hearse or other vehicle, thoroughly disinfected.

35. No person shall give, lend, transmit, sell or expose any bedding, clothing or other articles likely to convey any contagious or infectious disease, without having first taken such precautions as may be directed by the Medical Health Officer for removing all danger of communicating such diseases to others.

36. No person or persons who have been affected with any of the diseases named and included in this By-law who have been quarantined or isolated in any place established under the Provisions of the Municipal Act, Health Act, or this By-law shall be allowed to leave such quarantine or infectious disease hospital without permission in writing of the Medical Health Officer.

37. No person having the small-pox, varioloid, or other contagious



disease, shall go about within the Municipality or in any yard, common, or place so as to endanger the health of others.

38. Whenever it shall appear to the Reeve, the Medical Health Officer, or the Sanitary Inspector, that it is necessary for the preservation of the public health, or for the abatement of any nuisance or of anything dangerous to the public health, or whenever the Reeve shall receive a notice signed by two or more ratepayers of the Corporation stating the condition of any building within the Municipality to be so filthy as to be a nuisance, or dangerous, or injurious to the public health, or that upon such premises an accumulation of dung, manure, offal, filth refuse, stagnant water or other matter or thing is kept or permitted to remain so as to be a nuisance or dangerous or injurious as aforesaid; it shall be the duty of the Sanitary Inspector (or any officer of the Corporation) and he is hereby authorized to enter such building or premises for the purpose of examining the same and if necessary to order the removal of any such matter or thing as aforesaid; and the owner, lessee or occupier of, or person using said premises, or the agent or representative having charge or control of such building or premises shall within twenty four hours after receiving a notice to remove or abate the same accordingly. In case he shall neglect or refuse to remove or abate the same accordingly, it shall be lawful for the Sanitary Inspector or any officer of the Corporation to cause such matter or thing to be removed or abated, and the costs and expenses thereof shall be forfeited and paid by the person in default any may be recovered from the person or persons so neglecting and refusing, by summary procedure in the same manner as penalties are recoverable under the Municipal By-laws and the Municipal Act, and he shall be also subject to the penalties imposed by this By-law.

39. The Medical Health Officer or the Sanitary Inspector shall have power to abate or cause to be abated summararily and by force if necessary any nuisance likely to be injurious to the public health, and may cause the persons or corporation responsible for the nuisance to be prosecuted, and they may also cause the nuisance to be abated or removed at the expense of the person or corporation so offending.

40. The Sanitary Inspector or the Medical Health Officer shall examine into all nuisances, sources of filth, and causes of sickness within the Municipality or in any vessel within the Municipality, that may in his or their opinion be injurious to the health of the inhabitants, and shall cause the same to be destroyed, removed or prevented, as the case may require, and shall further enquire respecting articles that are capable of containing or conveying infection



or contagion brought or conveyed within the Municipality by or through any article, or vessel, by any means whatever.

41. If the Medical Health Officer or Sanitary Inspector is satisfied upon due examination that a cellar, room tenement or building within the Municipality, occupied as a dwelling place, has become by reason of the number or occupants, want of cleanliness, the existence therein of a contagious or infectious disease, or other cause, unfit for such purpose, or that it has become a nuisance, or in any way dangerous to the health of its occupants or of the public, he may issue a notice to such occupants, or any of them, requiring the said premises to be put in proper sanitary condition, or if he sees fit require the occupants to quit the premises within such time as he may deem reasonable. If the person so notified or any of them neglect or refuse to comply with the terms of the notice, every person so offending shall be liable to the penalties of this By-law. The Medical Health Officer may cause the premises to be properly cleaned at the expense of the owners or occupants, or may remove the occupants and close up the premises, and the same shall not be occupied until put into proper sanitary condition; or the Board of Health, if it sees fit, may cause such premises to be destroyed.

42. No owner, tenant or occupant of land, or any person or body corporate within the limits of any townsite within the Municipality shall suffer the accumulation upon his or their premises, or deposit or permit to be deposited, upon any lot belonging to or occupied by him, anything which may endanger the public health, or deposit upon or into any street, square, lane, highway, wharf, dock, slip, pond, bank, stream or sewer any dead animal, fish, dirt, rubbish, excrement, dung, manure, offal, ordure or other refuse, or vegetable or animal matter, or other filth or offensive thing.

43. If any person shall own, occupy or keep any lot of ground, building, stable or other premises in such a bad and filthy condition as to be offensive and a nuisance to the neighbourhood, or to any person or family, such person shall be subject to the penalties provided for an infraction of this By-law.

44. The keeper of every livery stable shall keep his stable and yard clean, and shall not permit more than two waggon loads of manure to accumulate in or near the same at any one time.

45. No person shall suffer the accumulation upon his premises, or deposit or permit the deposit on any land belonging to him or under his control, of anything so as to endanger the public health or shall deposit or suffer or permit to be deposited, thrown into, or leave in or upon the streets, court, square, road, alley, wharf, lane, public enclosure, vacant lot, pond, or body



of water, any dead animal, dirt, sawdust, soot, ashes, cinders, shavings, hair, shreds, manure, fishshells, waste paper, or filth of any kind, or any refuse animal, or vegetable matter whatsoever.

46. All house or store offal, whether consisting of animal or vegetable substance, shall be placed in suitable vessels, and no ashes or other refuse matter shall be mingled therewith, and the same shall be kept in some convenient place to be taken away by the scavengers.

47. No distiller, tanner, brewer, soap-boiler, tallow chandler, butcher, meat packer, fish-canner, oil manufacturer, dyer, livery stable keeper, wash-house keeper, slaughter-house keeper, or other person shall discharge out of, or permit to flow from, their still-house, tannery, brewery, oil manufactory, shop, slaughter-house, packing-house, stable, or any other place, any fuel or other nauseous liquors, slops, or other substances whatever onto any private ground, street, land or public ground, or fresh water stream, pond or lake within said Municipality.

48. No soap-boiler, tallow chandler, butcher, candle or oil manufacturer or fish-canner, shall keep or use any stable, putrid or stinking fat, grease, fish or meat, so as to be a nuisance to the public.

49. No owner or occupant of any grocery, cellar, tallow-chandler's shop, soap factory, slaughter-house, tannery, brewery, distillery, pork and beef packing-house, fish cannery, fertilizer or oil manufactory, stable or barn, laundry or wash-house, shall suffer the same to become foul, nauseous or offensive.

50. All privies, vaults or cesspits, that are foul, emitting smells and odors, are hereby declared nuisance, and the Sanitary Inspector shall have power to abate the same, and order the same to be filled up or closed, and if the owner or occupant of the premises on which the same may be situated, fails to do so on receiving notice, he or they shall be subject to the penalties provided for in this By-law, and the Sanitary Inspector shall cause the said privies, vaults, or cesspits, to be filled up. And no privies, vaults, cesspits shall be constructed in any townsite within the Municipality without the consent of the Sanitary Inspector.

51. All vaults and cesspools or privies shall be made tight, so that the contents thereof cannot escape therefrom, and as remote from any dwelling, well, or water tank as practicable and so that there shall be no percolation, into or communication with such well or water tank, or the ground under any dwelling. All privies shall be emptied at least once a week, or oftener if the Sanitary Inspector shall so require.



52. No person shall permit or suffer the accumulation so as to be a nuisance, of any offal, filth, refuse, stagnant water, or other offensive matter or thing upon his premises, or on any vacant lot belonging to him, or for the owner or lessee of which he is agent.

53. No person shall place on any land, or in or upon any street or highway, any night-soil, manure, or other refuse matter, or other dirt or filth which is or is likely to become a nuisance.

54. No person shall convey or cause to be conveyed through any street, road, or highway, any night-soil, swill, or other filth or offensive matter, between the hours of six in the morning and twelve in the evening, nor at any time except in a proper covered cart or vehicle so as to prevent slopping or spilling.

55. Every tenant or occupier of a building used as a hotel, restaurant, lunch or eating house and saloon or tavern, shall dispose of all animal and vegetable refuse from such building or on the premises occupied therewith, either by burning the same or by placing it in a proper covered receptacle, the contents of which he shall cause to be removed at least once every twenty-four hours during the summer months and every three days at other seasons of the year. The like refuse from other occupied premises shall be removed by the tenant or occupier during the summer months twice during the week and once a week during other seasons of the year.

56. The owner, lessee, agent of the owner, or of the lessee or the occupier of any ground, yard, vacant lot or other property where stagnant water or other nuisance exists abutting on any street through which a common drain shall have been constructed, shall cause the same to be effectually drained into such common drain.

57. The owner, lessee, agent, or occupier of any building or premises used as a dwelling house, hotel, restaurant, saloon, shop, store, office, factory, wash-house, or otherwise, shall furnish the same with a sufficient drain under ground to carry off all waste or foul water or liquid filth, and no such drain shall empty or discharge into or upon any street, road, highway, or land or any open drain thereon, if, in the opinion of the Council, the same be detrimental to the public health.

58. When any dumb beast shall die within the limits of the Municipality, the owner or person in possession of it shall cause the carcass to be removed and buried or cremated so that the same shall not be a nuisance.

59. It shall be the duty of the Sanitary Inspector, the members of the



Municipal Police Force, and such other persons as may for the time being be employed for health or sanitary purposes to keep a vigilant supervision over all streets, lanes, by-ways, lots, back-yards, premises or waters as aforesaid, within the municipal limits upon or in which any such accumulation as aforesaid may be found, and at once to notify the parties who own or occupy such lots or premises, or who either personally or through their employees have deposited any thing so as to endanger the public health, or who permits or suffers the accumulation thereof, to cleanse the same, and to remove what is found thereon, and such parties shall forthwith remove the same, and if the same be not removed within twenty-four hours after such notification, he or they may cause the parties so offending to be prosecuted and may also cause the same to be removed at the expense of the person or persons so offending. They may also inspect at intervals all premises within the Municipality which they have reason to believe are in an unsanitary condition. The requirement as to notification herein contained shall in no way prejudice or affect the liability of any person under any by-law of the Corporation dealing with offences of a nature similar to the offences herein defined.

60. Wherever any nuisance shall be found on any premises the Sanitary Inspector is hereby authorized, in his discretion, to cause the same to be summararily abated in such manner as he may direct, and in default of the person, persons, or body corporate refusing or neglecting to abate the same, as may be directed by the Sanitary Inspector, he may abate the same and the persons, person or body corporate so neglecting or refusing shall be liable to the penalties of this By-law, and pay the Municipality the cost of abating the same.

61. The Sanitary Inspector or the Medical Health Officer may grant permits for, or restrain, the removal of any nuisance or infected articles, when he considers it proper for the public safety to do so.

62. In all cases where no provision is herein made defining what are nuisances, and how the same may be removed, abated or prevented, in addition to what may be declared such herein, those offences which are known to the common law and the statutes of British Columbia as nuisances may, in case the same exist within the Municipality be treated as such, and proceeded against as is in this By-law provided, or in accordance with any other law which shall give the Police Magistrate or the Justice of the Peace trying the same jurisdiction.

63. Any notice required to be given by this By-law may be served if the premises are occupied, on the occupant or upon some servant or member



of the family, or posted upon some conspicuous part of the premises; and if such premises be vacant, the notice shall be served upon the owner or lessee, or left at the last or usual place of abode of such owner or lessee or agent, or posted in some conspicuous place on such premises.

64. It shall not be lawful for any person or persons to use from and out of any well or wells of water within the Municipality which has or have been complained of as being prejudicial to the health of man or beast, any water for drinking or cooking purposes, or the watering of any domestic animal, or for any use whatsoever, until said water from any and every such well so complained of has been duly analysed by a competent analyst ( to be named by the Council of the Corporation) and said analyst has certified that the water in said well or wells is of a pure and wholesome nature and fit for the use above specified.

65. If upon due analysis, as above set forth, the water in any well or wells within the Municipality should be declared unfit for the uses hereinbefore specified, such well or wells shall be immediately filled up by the owner, lessee, or occupant in possession of the premises on which they are situated; and no other or more wells shall be opened on said premises without the consent of the Council.

66. Any person complaining of the quality of the water in any well or wells used for the purposes hereinbefore specified within the Municipality, shall make his or her complaint to the Sanitary Inspector of the Corporation in writing, giving full information as to the number of lot and block, the legal subdivision on which same are situate, and an approximate estimate of the number of persons or animals using water from such well or wells.

67. Upon receipt of complaint in writing, as above set forth, the Sanitary Inspector shall, as soon as practicable, procure a sample of the water from such well or wells in the presence of at least one credible witness, which sample shall be immediately sealed up by said Inspector in an air-tight receptacle, and be left by him at the place of business of the analyst chosen and appointed by the Council for such duties, and the analyst shall immediately proceed to analyse such sample of water and report the result in writing as soon as practicable to the Board of Health of the Corporation, who shall act in accordance with the report.

68. The owner or occupier of the premises shall fill up the said well or wells immediately on receiving notice so to do from the Sanitary Inspector, and in default of his doing so shall be subject to the penalties for a breach of this By-law.

69. No person shall let or occupy, or suffer to be occupied, as a



dwelling or lodging, any room which:-

- (a) Does not contain at all times at least 384 cubic feet of space for each person occupying the same.
- (b) Has not a window made to open in a manner approved by the Medical Health Officer or the Sanitary Inspector.
- (c) Has not appurtenant to it the use of a water-closet, earth closet, or privy, constructed in accordance with the By-laws and regulations of the Corporation.
- (d) Every room in which a person passes the night or is found between the hours of midnight and five o'clock in the forenoon, shall be deemed to be occupied as a dwelling or lodging within the meaning of this section.

70. Any officer of the Corporation may seize, and under the direction of the Medical Health Officer, the Reeve, or the Sanitary Inspector, destroy any tainted or unwholesome meat, poultry, fish or other article of food exposed or offered for sale.

71. No person or persons shall sell or offer for sale any bread, milk, or other substance adulterated with any substance injurious to health, and any article so adulterated shall be forfeited and destroyed under the direction of the Reeve, Police Magistrate, or of any Justice of the Peace, before whom such case shall be tried.

72. No butcher, grocer, trader, or other person, persons or body corporate shall sell, expose or offer for sale on any public market or at any place within the Municipality, as food any tainted, diseased, damaged or unwholesome meat, poultry, fish, vegetables, milk, fruit or otherwise than by slaughter, and the Sanitary Inspector may seize and destroy any such tainted, diseased or unwholesome meat, poultry, fish, vegetables, fruit or other articles of food or provisions.

73. Every butcher, grocer, milk dealer, and other traders, and their agents, shall allow the Sanitary Inspector to freely and fully inspect their cattle and milk, meats, fish and vegetables, held, offered or intended for sale, and shall answer all reasonable and proper questions asked by such Inspector, relative to the condition thereof and of the places where such articles may be.

74. No animal affected with any infectious or contagious disease shall be brought within the Municipality.

75. Whenever in this or in any other by-law of the Corporation or in any resolution thereof any works, acts, matters or things are required to be done by any Municipal official relating to the matters hereinbefore set out within the purview of the duties of the Medical Health Officer whether preliminary to or



or incidental to, or consequent upon the report of the initiative action or the advice of such Medical Health Officer all such works, acts, matters or things shall, if the Council shall so require by resolution (and after the Council shall have declared an epidemic of disease of a malignant, infectious character to exist, without any further resolution) be done under the personal management and superintendence of the Medical Health Officer, and upon the passing of any such resolution all Municipal Officials, their workmen and others acting under their authority shall in all things obey and carry out the lawful directions of such Medical Health Officer. During the continuance of any such epidemic, and so long as the Council shall from time to time direct during such epidemic period, all works, acts, matters or things, which in the exercise of the Medical Health Officer's duties he is empowered to request, advise or report upon, as necessary to be done for the protection of the public health and the suppression of such epidemic, whether at the request of the Council or its officers or on his own initiative, shall be done by or under the direction of such Medical Health Officer without any such request, report or advice.

76. Every person/<sup>who</sup>violates by act, either of omission or commission, or who is guilty of an infraction of any of the provisions of this By-law shall, upon conviction, be liable to the penalties herein specially provided and where no special penalty is provided, to a penalty not exceeding fifty dollars for each offence.

This by-law passed the Council the 9th day of July, 1914, and was reconsidered, and adopted by it, and finally passed and the Corporate Seal of the Corporation affixed thereto the 6th day of August, 1914.

J. ISLAY MUTTER  
Reeve.

J. W. DICKINSON  
Clerk of the Municipal Council.



## BY-LAW No. 22.

A BY-LAW TO PROVIDE FOR THE SAFETY OF THE PUBLIC.  
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The Council of the Corporation of the District of North Cowichan enacts as follows:-

1. This By-law may be cited as the "Public Safety By-law."

INTERPRETATION.  
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2. In this By-law, "Municipality" shall mean the territorial limits of the Municipality of North Cowichan as governed by the Corporation of the District of North Cowichan, "Corporation" shall mean the Corporation of the District of North Cowichan.

3. No person shall in any townsite within the Municipality, or on any public street or highway within the Municipality, without permission from the Corporation first had and obtained, set fire to any fireworks, fire-crackers, squibs, or other noisy, offensive, or dangerous substances.

4. No person shall in any townsite within the Municipality, without permission from the Corporation first had and obtained, cause any blasting.

5. No permission given under the provisions of this By-law shall absolve any person from the necessity of taking every precaution to ensure the safety of the public and the property thereof, nor from being responsible for any damage resulting from any acts done in respect of which any such permission shall be given.

6. By-law No. XLIII - being "The Nuisance Abatement and Public Safety By-law, 1905" is hereby repealed.

This By-law passed the Council the 29th day of March 1910, and was reconsidered and adopted by it, and finally passed and the Corporate Seal of the Corporation affixed thereto the 31st day of March 1910.

A. C. Aitken. Reeve.

Jas. Horcross. Clerk of the Municipal Council.

I hereby certify that the foregoing is a true copy of the By-law No. 22. being the "Public Safety By-law" as finally passed and adopted by the Municipal Council of the Corporation of North Cowichan.

*J. W. Dickinson*  
Clerk of the Municipal Council.

I hereby certify that this By-Law No. 22 was duly registered by me and sealed with the Seal of the County Court of Nanaimo holden at Duncan this 23<sup>rd</sup> day of November 1914.

*J. Matthews - Insall*  
Registrar.



## No. 23.

## A BY-LAW TO REGULATE THE SLAUGHTER AND DRESSING OF ANIMALS.

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The Council of the Corporation of the District of North Cowichan enacts as follows:-

1. This By-law may be cited as the "Slaughter Regulation By-law."

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INTERPRETATION.

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2. In this By-law, the singular number shall include the plural, and vice versa where the context so requires.

"Municipality" shall mean the territorial limits of the Municipality of North Cowichan as governed and controlled by the Corporation of the District of North Cowichan.

3. No person shall, within the municipality slaughter, dress, or pack, or cause to be slaughtered, dressed, or packed, any animal usually used for food, excepting at such place and locality as the Council shall permit, and any such permission shall be had in writing from the clerk of the Council, otherwise it shall afford no protection to any person from proceedings under this By-law.

4. All slaughter houses, and the place around about same shall be kept clean and wholesome to the satisfaction of the Council or its officers, and if such slaughter house be not kept in a clean and wholesome manner, the permit for the use of such place as a slaughter house may be revoked, and should the Council or any of its officers direct the owner of or operator of any slaughter house to immediately cause same to be put in a clean and wholesome condition, such owner or operator shall do so forthwith, otherwise the Council may cause same to be done at the expense of said owner or operator.

5. Section 3 of this By-law shall not apply to persons within the Municipality killing animals bona fide for their own use as food.

6. No person shall keep or cause to be kept any pigs within any townsite within the Municipality.

7. No person shall keep, or cause to be kept, in any one space or place in the Municipality any animals in such a condition that the animals or any space or place containing them shall emit any offensive



- 2 -

odour or shall cause an eyesore to any person. Every person who shall keep any animals contrary to the provisions of Section 7 of this By-law, shall, upon being notified to that effect by the Clerk of the Municipality, forthwith cause any such animals to be removed and such space or place to be cleansed. And in default of such ~~xxxx~~ ~~xx~~ ~~xxxx~~ person causing such animals to be removed and such space or place to be cleansed, the Council may cause the same to be done at the expense of the person in default.

8. Any person who shall commit an infraction of any provision of this By-law shall, upon conviction, be liable to a penalty not exceeding Two hundred dollars, and, in default of payment thereof, to imprisonment for a period not exceeding fifteen days. And in the event of any person being convicted more than once of an infraction of the same provision, he may be imprisoned for a period not exceeding thirty days, in addition to a penalty.

9. Any permission given by the Council under this By-law may at any time be revoked by it, and, upon any such revocation, no further acts for which permission was obtained shall be committed.

10. By-Law No. 32, being the Slaughter Regulation By-Law, 1910. and any or all other "Slaughter, or Slaughter House Regulation By-Laws" are hereby repealed.

This By-Law passed the Council the 9th day of July, 1914, and was reconsidered and adopted by it, and the Corporate Seal of the Municipality affixed thereto the 6th day of August 1914.

J. Islay Mutter

Seave

J. W. Dickinson

Clerk of the Municipal Council

I hereby certify that the foregoing is a true copy of the By-Law No. 23, being the "Slaughter Regulation By-Law" as finally passed and adopted by the Municipal Council of the Corporation of North Cowichan.

*J. W. Dickinson*  
Clerk of the Municipal Council.

I hereby certify that this By-Law No. 23 was duly registered by me and sealed with the Seal of the County Court of Nanaimo holden at Duncan this 23<sup>rd</sup> day of November 1914.

*J. Hamilton-Lyall*  
Registrar.



## BY-LAW No. 25.

.....  
 TO REGULATE THE MAKING OF STREETS AND ROADS IN SUBDIVISIONS..  
 .....

The Municipal Council of the Corporation of the District of North Cowichan ( hereinafter termed "the Municipal Council") enacts as follows:-

1. All maps of subdivisions of any land within the Municipality of the District of North Cowichan shall be submitted to and approved of by the Municipal Council before being deposited in the Land Registry Office.

Sub-section (a). All such Maps or plans shall be drawn to a scale of not less than 200 feet to One inch, and shall shew all adjacent or contiguous roads. And the relation of such subdivision to adjacent sub-divisions. Whenever such map shall be approved a copy thereof shall be filed with the Clerk of the Municipal Council, together with a fee of \$ 2.00.

2. No new street or road shown on the map of any subdivision of any land within the Municipality of the District of North Cowichan shall be taken over and accepted by the Municipal Council as a public highway, unless the same has been properly graded, 18 feet wide and 18 inches high in the centre, and gravelled 9 feet wide and 6 inches deep.

Sub-section (a) Provided that the Council may require all roads to be gravelled 9 feet wide and 6 inches deep where it is of the opinion that the grade or foundation of any road should so require.

(B) And drained and bridged where necessary, to the satisfaction of the Municipal Council; and no such map shall be approved by the Municipal Council unless the person or persons presenting such map for approval shall first make, or cause to be made, and vest, or cause to be vested, in the said Municipality as a public highway, a road 33 feet in width, or street 60 feet in width at least, properly graded, drained and bridged where necessary, allowing access from the roads and streets shown on such map to some public travelled highway.

3.(a) By-Law No 48, to regulate the making of Streets and Roads in sub-divisions, which passed the Council the 28th day of March 1908, is hereby repealed.



- 2 -

(b) By-law No 78, being a "By-law concerning Roads and Streets in Sub-divisions, Amendment By-law, 1912." is hereby repealed

4. This By-law may be cited as the "Sub-divisions Plans By-law, 1914" Passed the Municipal Council on the 9th day of July, 1914.  
Reconsidered, adopted and finally passed by the Municipal Council on the 6th day of August, 1914.

J. Islay Mutter

Reeve.

J. W. Dickinson

Clerk of the Municipal Council.

I hereby certify that the foregoing is a true copy of the By-Law No. 25 being the "Sub-divisions Plans By-Law, 1914." as finally passed and adopted by the Municipal Council of the Corporation of North Cowichan.

*J. W. Dickinson*

Clerk of the Municipal Council.

I hereby certify that this By-Law No. 25 was duly registered by me and sealed with the Seal of the County Court of Nanaimo holden at Duncan this 23<sup>rd</sup> day of November 1914.

*J. Maitland-Lewis*

Registrar.



A BY-LAW TO REGULATE THE STRINGING OF WIRES ON PUBLIC HIGHWAYS  
IN THE MUNICIPALITY OF NORTH COWICHAN.

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The Council of the Corporation of the District of North Cowichan  
enacts as follows:-

1. This By-Law may be cited as the "Wire Stringing Regulation By-Law. "
2. Before proceeding to string any wires along or across any public highway within the boundaries of the Municipality of North Cowichan, every telephone, telegraph, electric light, or power company, or any other person, whether incorporated by special or private act, or otherwise, shall file with the Clerk of the Municipality an application for permission therefor, which permit must be granted by the Council of the Municipality before any work connected with the stringing of wires shall be prosecuted, such application shall be accompanied by plans and specifications of the stringing of wires proposed, specifying the size and kind of poles and wires proposed to be utilised and the positions in which the poles are to be erected and wires to be strung.
3. Before any work shall be proceeded with in connection with the replacing of any poles already erected within the Municipality the like permission shall first be obtained from the Council, and the application therefor shall be accompanied by plans and specifications of the proposed new position of the said poles.

This By-Law passed the Council the 3rd day of August 1910 and was reconsidered and adopted by it and the Corporation Seal of the Municipality attached the 15th day of August 1910.

A. C. Aitken. Reeve.

J. W. Dickinson. Clerk of the Council.

I hereby certify that the foregoing is a true copy of the By-Law No. 26. as finally passed and adopted by the Municipal Council of the Municipality of the District of North Cowichan.

*J. W. Dickinson*

Clerk of the Municipal Council.

I hereby certify that this By-Law No 26 was duly registered by me and sealed with the Seal of the County Court of Nanaimo holden at Duncan this 23<sup>rd</sup> Day of November 1914.

*C. Hayward-Lingell*  
Registrar.



## BY-LAW NO. 33.

## A BY-LAW RELATING TO FIRE-ARMS

The Municipal Council of the Corporation of the District of  
North Cowichan enacts as follows:-

1. In this By-Law "Municipality" shall mean the territorial limits under the jurisdiction of the Corporation of the District of North Cowichan.
2. No person shall discharge, or cause to be discharged; any gun, cannon, revolver, rifle, pistol, fowling piece or any firearm, upon, in or within Sixty ( 60 ) feet of any public road, street or highway within the Municipality.
3. The "Firearms Regulation By-Law, 1910," and "The Firearms Regulation By-Law, 1910, Amendment By-Law, 1910," are hereby repealed.
4. Any person who shall violate any provision of this By-law shall, upon conviction, be liable to a penalty of not more than \$50.00 and of not less than \$10.00 for each offence, and in default of payment thereof, to imprisonment for a period not exceeding Fifteen days.
5. This By-law may for all purposes be cited as the "Firearms By-Law, 1913."

This By-Law passed the Council the 18th day of September 1913,  
and was reconsidered by it , adopted and finally passed and the  
Seal of the Corporation affixed thereto this 20th day of September 1913.

P. W. Anketell Jones Reeve.

J. W. Dickinson.

Clerk of the Municipal Council of the  
Corporation of the District  
of North Cowichan.

I hereby certify that the foregoing is a true copy of the By-Law  
No. 33 being the "Firearms By-Law, 1913." as finally passed and adopted  
by the Municipal Council of the Corporation of North Cowichan.

*J. W. Dickinson*  
Clerk of the Municipal Council.

I hereby certify that this By-Law No. 33 was duly registered by  
me and sealed with the Seal of the County Court of Nanaimo holden at  
Duncan this 2<sup>nd</sup> day of November 1914.

*J. Maitland-Lawsell*  
Registrar.



## BY-LAW No. 63.

A BY-LAW TO REGULATE THE MODE OF THE APPOINTMENT OF THE OFFICIALS OF THE MUNICIPALITY.

The Municipal Council of the Corporation of the District of North Cowichan enacts as follows:-

1. This By-Law may be cited as the "Officials Appointment By-Law, 1917".
2. From and after the date of the Registration of this By-Law any person who may be appointed to any position within the power of the Municipal Council as an Official of the Corporation shall be appointed on a majority of votes cast by ballot by the members of the Municipal Council making such appointment.

This By-Law passed the Council the 5th day of February, 1917, and was reconsidered, adopted and finally passed and the Seal of the Corporation affixed thereto on the 20th day of February, 1917.

John N. Evans

Reeve

J. W. Dickinson

Municipal Clerk.

I hereby certify that the foregoing is a true copy of the By-Law No. 63 being the "Officials Appointment By-Law 1917" as finally passed and adopted by the Municipal Council of the Corporation of the District of North Cowichan.

*J. W. Dickinson*

Clerk of the Municipal Council.

I hereby certify that this By-Law no. 63 was duly registered by me and sealed with the Seal of the County Court of Nanaimo holden at Duncan this 21<sup>st</sup> day of February 1917.

*J. MacDonald-Lewis*

Registrar.



BY-LAW No. 89

BEING A BY-LAW FOR THE ABOLITION OF STATUTE LABOR  
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The Council of the Corporation of the District of North Cowichan enacts as follows:-

1. This By-Law may be cited for all purposes as the "Statute Labor Abolition By-Law, 1919."
2. That from and after the date of the registration of this By-Law the provisions of Section 278 of the "Municipal Act, 1914" for the imposition of Statute Labor shall be abolished within the bounds of this Municipality.

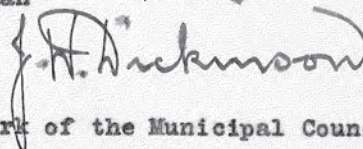
This By-Law passed the Council the 18th day of August 1919, and was reconsidered and adopted by it and finally passed and the Seal of the Corporation affixed thereto on the 4th day of September 1919

J. Islay Mutter Reeve

J. W. Dickinson

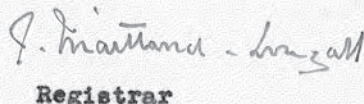
Clerk of the Council

I hereby certify that the foregoing is a true copy of the By-Law No. 89 being the "Statute Labor Abolition By-Law, 1919". as finally passed and adopted by the Municipal Council of the Corporation of the District of North Cowichan



Clerk of the Municipal Council

I hereby certify that this By-Law No. 89, was duly registered by me and Sealed with the Seal of the County Court of Nanaimo holden at Duncan this 27<sup>th</sup> day of September 1919

  
Registrar



A By Law to amend the Employees By-LAW

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The Municipal Council of the Corporation of the District of North Cowichan enacts as follows:-

1. Section 2 of ByLaw No 4 of the Corporation of the District of North Cowichan, being the "Employees By Law" is hereby repealed and the following is enacted in lieu thereof:-

"2. All officers of the Corporation properly appointed by the Council to any office or position shall hold the same during good behaviour and efficiency. Provided, however, that, notwithstanding any contract or agreement to the contrary, the Council or such Officer may terminate any engagement by giving to the other one months notice in writing"

2. Said By Law No 4 is hereby further amended by inserting the following as Sections 2A, 2B, and 2C:-

"2A. All officers of the Corporation shall be appointed by resolution of the Council, and in the event of there being more than one applicant or nominee for any office such appointment shall be determined by ballot of the Council as follows:

The names of all the candidates shall be submitted before any vote is taken. The Clerk shall prepare one ballot marked with his initials for each member of the Council, having written thereon the names of all the applicants, each member shall mark his ballot in the usual manner, by placing an x opposite the name of the person for whom he desires to vote; and the candidate receiving a majority of the votes of the members then present shall be declared appointed; in the case of other appointments being required, the balloting shall proceed in each case as at first until the requisite number shall have been appointed. Should no candidate receive a majority of votes on taking the first ballot, the name of the candidate receiving the smallest number of votes in the ballot, together with the names of all candidates receiving no votes, shall be dropped, and so on in each succeeding ballot until an appointment shall have been effected.



The Reeve and Clerk shall act as scrutineers in all such cases.

"2 B Allservants of the Corporation shall be appointed by resolution of the Council, and in the event of there being more than one applicant or nominee for any office or position, such appointment shall be determined by ballot of the Council in the same manner as is herein provided with respect to the appointment of officers of the Corporation.

"2C. The duties prescribed by this By Law to the various officers of the Corporation shall be in addition to those prescribed by Statute or by any By Law of the Council."

"3. Said By Law no 4 is hereby further amended by inserting the following as Section 2 D ":

<sup>no</sup>  
~~no~~ inference or presumption shall be drawn or made that any person has been employed for a time certain merely because he is paid at so much per stated time"

4 This By Law may be cited as the " Employees By Law Amendment By Law 1919"

Passed th Municipal Council on the fourth day of  
December A.D. 1919

Reconsidered, adopted, and finally passed by the Council  
this tenth day of December A.D. 1919

J. Islay Mutter

Reeve

C.S. Crane

Clerk of the Municipal Council of  
the Corporation of the District of North Cowichan.

I hereby certify that the foregoing is a true copy of the By Law No 92  
" A By Law to amend the Employees By Law " as finally passed and adopted  
by the Municipal Council of the Corporation of the District of North Cowichan

*C.S. Crane*  
Clerk of the Municipal Council

I hereby certify that this By Law No 92 was duly registered by me and sealed  
with the seal of the County Court of Nanaimo holden at Duncan this 11<sup>th</sup>  
day of December 1919

*J. Martindale-Langall*  
Registrar



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN.

BY-LAW NO. 167...

A BY-LAW WITH REFERENCE TO THE BETTER REGULATION  
OF TRAFFIC WITHIN THE MUNICIPALITY OF THE CORPORATION  
OF THE DISTRICT OF NORTH COWICHAN.

The Municipal Council of The Corporation of the District  
of North Cowichan enacts as follows:-

1. In construing this By-law, unless it be otherwise  
herein provided or there be something in the context or other  
provisions indicating a different meaning or calling for a dif-  
ferent construction, the word "Vehicle" shall mean and include  
any carriage, cart, waggon, sleigh, sled, conveyance, bicycle,  
tricycle, motor-vehicle (as defined by the Motor-vehicle Act,  
being Chapter 177 of the Revised Statutes of British Columbia,  
1924, or any for the time being subsisting statutory modifi-  
cation or re-enactment thereof) and all other objects on wheels  
or runners, drawn or capable of being drawn or propelled by  
any animal, muscular or mechanical power, except the cars of  
electric and steam railways and other vehicles running only  
upon rails or tracks.

2. It shall be lawful for the said Municipal Council,  
for the better regulation of traffic, to place or cause to be  
placed signs or signals on or above the surface of any or all  
of the following named streets or roads or portions of streets  
or roads within the Municipality of the said The Corporation of  
the District of North Cowichan, namely:-

- (1) Chemainus River Road at or near its junction with  
the Island Highway:
- (2) Gibbins Road at or near its junction with the Island  
Highway:
- (3) Oak Road at or near its junction with the Island  
Highway:
- (4) Victoria Street at or near its junction with  
Mill Road:



- (5) Mill Road at or near its junction with Road No.1 of The Victoria Lumber and Manufacturing Company, Limited, in Section 17, Range V, Chemainus District, in the said Municipality:
- (6) Lumber Street at or near its junction with Mill Road:
- (7) Norcross Road at or near its junction with Bell-McKinnon Road:

by making use of one or more of the following methods, namely:-

- (a) By displaying the word "Stop" on the surface of the said street or streets road or roads:
- (b) By displaying the word "Stop" on a post or posts placed on either or both sides of the said street or streets road or roads:
- (c) By placing one or more raised safety stop signs or signals with or without lights or reflectors on the surface of the said street or streets road or roads.

3. The driver of every vehicle when travelling on said Chemainus River Road, if on said Chemainus River Road any "Stop" sign or signal is placed as in Section 2 of this By-law provided, shall, when approaching and before crossing or entering the said Island Highway and while at a distance of not more than twenty feet therefrom, bring said vehicle to a stop.

4. The driver of every vehicle when travelling on said Gibbins Road, if on said Gibbins Road any "Stop" sign or signal is placed as in Section 2 of this By-law provided, shall, when approaching and before crossing or entering the said Island Highway and while at a distance of not more than twenty feet therefrom, bring said vehicle to a stop.

5. The driver of every vehicle when travelling on said Oak Road, if on said Oak Road any "Stop" sign or signal is placed as in Section 2 of this By-law provided, shall, when approaching and before crossing or entering the said Island Highway and while at a distance of not more than twenty feet therefrom, bring said vehicle to a stop.

6. The driver of every vehicle when travelling on said Victoria Street, if on said Victoria Street any "Stop" sign or



signal is placed as in Section 2 of this By-law provided, shall, when approaching and before crossing or entering said Mill Road and while at a distance of not more than twenty feet therefrom, bring said vehicle to a stop.

7. The driver of every vehicle when travelling North-Easterly on said Mill Road, if on said Mill Road any "Stop" sign or signal is placed as in Section 2 of this By-law provided, shall, when approaching and before crossing or reaching the South-Westerly Limit of said Road No.1 of The Victoria Lumber and Manufacturing Company, Limited, produced South-Easterly to its intersection with the South-Easterly limit of said Mill Road, and while at a distance of not more than twenty feet therefrom, bring said vehicle to a stop.

8. The driver of every vehicle when travelling on said Road No.1 of The Victoria Lumber and Manufacturing Company, Limited, shall, when approaching and before crossing or entering the said Mill Road and while at a distance of not more than twenty feet therefrom, bring said vehicle to a stop.

9. The driver of every vehicle when travelling on said Lumber Street, if on said Lumber Street any "Stop" sign or signal is placed as in Section 2 of this By-law provided, shall, when approaching and before crossing or entering the said Mill Road and while at a distance of not more than twenty feet therefrom, bring said vehicle to a stop.

10. The driver of every vehicle when travelling Easterly or Westerly on said Norcross Road, if on said Norcross Road any "Stop" sign or signal is placed as in Section 2 of this By-law provided, shall, when approaching and before crossing or entering the said Bell-McKinnon Road and while at a distance of not more than twenty feet therefrom, bring said vehicle to a stop.

11. No person in charge, control or possession of any vehicle shall allow or permit said vehicle to stand or remain stationary in any of the following areas within the said Muni-



cipality:-

- (1) On any part of the area comprised within the following boundaries:- Commencing at the South-Easterly corner of Block XV as shown on Plan deposited in the Land Registry Office at the City of Victoria, in the Province of British Columbia and there numbered 729; thence Northerly along the Easterly boundary of said Block XV to the North-Easterly corner of said Block XV; thence Northerly to the South-Easterly corner of Block XIV as shown on said Plan No.729; thence Northerly along the Easterly boundary of said Block XIV to the North-Easterly corner of said Block XIV; thence Northerly to the South-Easterly corner of Lot 12 in Block XIII as shown on said Plan No.729; thence Easterly along the Southerly boundary of said Block XIII to the South-Easterly corner of said Block XIII; thence Northerly along the Easterly boundary of said Block XIII to the North-Easterly corner of said Block XIII; thence Northerly to the South-Easterly corner of Lot 1, in Block V, as shown on Plan deposited in the said Land Registry Office and there numbered 1594; thence Easterly to the South-Westerly corner of Lot 1, in Block I as shown on said Plan No.1594; thence Southerly ~~South-Westerly~~ to the North-Westerly corner of Block XVII as shown on said Plan No.729; thence Southerly along the Westerly boundary of said Block XVII to the South-Westerly corner of said Block XVII; thence South-Westerly to the North-Westerly corner of that part of Section 7, in Range V, Comiaken District, in the Province aforesaid shown outlined in red on Plan deposited in the said Land Registry Office and there numbered 36 B.L.; thence South-Westerly to the most Southerly point of the part of said Section 7, in Range V, Comiaken District aforesaid, shown outlined in red on Plan deposited in the said Land Registry Of-



fice and there numbered 35 B.L.; thence Southerly along the Westerly boundary of Block XVIII as shown on said Plan No.729 to the South-Westerly corner of said Block XVIII; thence Southerly to the North-Westerly corner of Block XIX as shown on said Plan No.729; thence Southerly along the Westerly boundary of said Block XIX to the South-Westerly corner of said Block XIX; thence Westerly to the point of commencement:

- (2) On the Southerly side of Gibbins Road from a point on the Southerly side of said Gibbins Road at the Westerly end of the curve at the junction of the said Southerly side of said Gibbins Road and the Westerly side of the Island Highway to the intersection of said curve with the Westerly limit of the City of Duncan.

12. Every person who shall be guilty of an infraction of any Section or provision of this By-law shall be liable to a penalty not exceeding fifty dollars (\$50.00), and in default of payment the same to be levied by distress, and in default of distress to imprisonment not exceeding one month.

13. This By-law may be cited as the "Traffic Regulation By-law, 1929."

Passed by the Municipal Council on the 23rd day of December, A.D., 1929.

Reconsidered, adopted, and finally passed by the Municipal Council this 30th day of December, A.D., 1929.

*J. Birdall*  
.....  
Reeve.

*H. M. Ansell*  
.....  
Clerk of the Municipal Council of The Corporation of the District of North Cowichan.

I hereby certify that the foregoing is a true copy of the original By-law #167 as finally passed by the Council of the Corporation of the District of North Cowichan on the 30th day of December, 1929.

*H. M. Ansell*  
Clerk of the Corporation of the District of North Cowichan.

I hereby certify that the foregoing By-law #167 was duly registered by me and with the Seal of the County Court of Nanaimo holden at Duncan, B.C. this 31st day of

December 1929  
*J. Maitland - Long*  
Registrar.



CORPORATION OF THE DISTRICT OF NORTH COWICHAN.

BY-LAW No. 185.

A By-law to amend the "TRAFFIC REGULATION BY-LAW, 1929" which By-law is numbered 167.

The Municipal Council of the Corporation of the District of North Cowichan enacts as follows:-

1. That Section 2 of the said by-law No. 167 is hereby amended by inserting between sub-section 7 thereof and clause (a) thereof, the following three subsections:

" (8) Hord Road at or near its junction with the Bell-McKinnon Road.

(9) Jaynes Road at or near its junction with the Old Victoria Trunk Road.

(10) Quamichan Lake Road at or near its junction with the Old Victoria Trunk Road."

2. This By-law may be cited as the "Traffic Regulation By-law, 1929, Amendment By-law, 1931," .

Passed by the Municipal Council on the sixth day of August 1931.

Reconsidered, adopted and finally passed by the Municipal Council on the third day of September 1931.

*H. M. Ansell*

Clerk of the Municipal Council of  
the Corporation of the District of  
North Cowichan.

*P. Sisdall*

Reeve.

I hereby certify that the foregoing is a true copy of By-law #185, the original by-law having been finally passed by the Council of the Corporation of the District of North Cowichan on the third day of September, 1931.

*H. M. Ansell*

Clerk of the Municipal Council of the  
Corporation of the District of North  
Cowichan.

I hereby certify that the foregoing copy of By-law #185 was duly registered by me and sealed with the Seal of the County Court of Nanaimo holden at Duncan, British Columbia the 14<sup>th</sup> day of September, 1931.

*J. Maclelland - Langzell*  
Registrar.



*orig.*

THE CORPORATION OF THE DISTRICT OF NORTH  
COWICHAN.

BY-LAW NO. 236.

A BY-LAW WITH RESPECT TO AND TO REGULATE BUILDINGS.

The Municipal Council of The Corporation of the District of North Cowichan enacts as follows:-

1. In this By-law, unless the context otherwise requires:-
  - "The Council" shall mean the Municipal Council of The Corporation of the District of North Cowichan;
  - "The Corporation" shall mean The Corporation of the District of North Cowichan;
  - "The Municipality" shall mean the Municipality of The Corporation of the District of North Cowichan;
  - "Building Inspector" or "Inspector" shall include any person or persons from time to time appointed or assigned by the Municipal Council of The Corporation of the District of North Cowichan to act (as well in respect of this By-law and all its provisions or in respect of any one or more trades) as Building Inspector or Inspector including also any person or persons appointed or assigned by the Municipal Council of The Corporation of the District of North Cowichan to perform the duties and functions of the Building Inspector or Inspector temporarily during the absence or illness of the Building Inspector or Inspector.
2. The Board of Appeal shall consist of the Council.
3. The Council may from time to time appoint any person to be an Inspector under this By-law.
4. (1.) It shall be the duty of the Inspector to issue permits for the erection, enlarging, alteration or repair of buildings, in accordance with the provisions of this By-law; keep a record of the same, with a description of the construction, sanitary appliances, heating apparatus, electric apparatus, elevators, and all matters relating to the construction or alterations of buildings in the Municipality. It shall be the duty of the Inspector, on receipt of an application for a permit, accompanied by the plans and specifications of the proposed buildings or alterations, to carefully examine the same and ascertain if the supports, beams and construction of the proposed buildings or alterations are properly shown in the said plans and described in the said specifications, and are in accordance with the provisions of this By-law. If the Inspector is satisfied that they conform to this By-law and that it is in the public interests that a building permit be issued he shall, within a period of five days from the date of application, return such plans and specifications and issue a permit as hereinafter provided for. If they do not conform to this By-law or to any other valid and subsisting law or statutory provision or regulation affecting the same he shall



refuse to issue such permit. One copy of plan and specifications shall be left with the Inspector.

(2.) In the event of the Inspector refusing to issue a Permit or a Building Permit to an applicant therefor, the Inspector shall issue to such applicant a written and signed statement in the form following, or to the like effect:-  
To.....

....., B.C.  
Take Notice that your application for a permit to.....  
(here insert a short description of the work in respect whereof a permit is applied for).....has been refused and no permit will be issued for the reason that the materials filed with me disclose non-compliance with the provisions of the "Building By-law, 1936," of The Corporation of the District of North Cowichan, and that by reason of such non-compliance I have no power to issue the permit as applied for by you; such non-compliance in part being.....(here insert a short description of any definite non-compliance).....  
Dated this.....day of.....  
.....  
Inspector.

(3.) Thereupon the applicant may should he so desire appeal to the Board of Appeal by written notice delivered within ten days from the day of the date of the Inspector's written refusal to the Inspector or to the Clerk of the Council and the Board of Appeal shall fix a time and place for the hearing of the Appeal and shall notify the applicant and hear the appeal with full power to adjourn the hearing from time to time and to rehear and the decision of the Board of Appeal shall be final.

5. In all cases where plans are submitted either for a new building or the alteration or adaptation of an existing building intended for use as a dwelling house or for business purposes, and the floor space on the first or ground floor is less than 480 square feet, the Building Inspector shall, before granting a permit for such building, refer the said plans to the Council for their consideration and instructions.

6. The Inspector shall examine all buildings in course of erection or alteration as often as practicable, and in case of violation of the provisions of this By-law and refusal to comply therewith, he shall report the name of the owner, architect, builder or master mechanic concerned in the building where such violations have occurred and all matters relating thereto to the Council, so that proceedings may be taken against the party or parties concerned, according to law; and it shall be the duty of the Council, on the request of the Inspector, to prosecute all parties infringing this By-law.

7. The Inspector shall have the right to enter any building in the course of construction, alteration, enlargement or repair, or any building which has been reported to him as defective or in a dangerous condition, or which he has reason to believe to be in a defective or dangerous condition, either in regard to its construction or sanitation. In case of appeal from the decision of the Inspector, any member of the Board of Appeal shall have the same right to enter and examine such premises.

8. When the Building Inspector shall detect any imperfection, improper construction or defect, by which any building or any part thereof may become dangerous to the public safety either by fire or otherwise, he shall immediately notify the owner, agent or other person having charge or possession of such building or such other part thereof, to repair or remove such defect or imperfection within five days after the service of such notice upon him, and in default of the said owner, agent, or person having the charge or possession aforesaid, complying with the said notice within the time therein limited,



he shall be liable to the penalties of this By-law in such case made and provided.

9. In all cases where the Building Inspector shall determine that any building or part of any building or fence is dangerous to the public safety, either by fire or otherwise, it shall be lawful for the said Inspector at all reasonable times to enter upon any such premises or part of a building or fence, and thereon, at his discretion, and in the most convenient place or places, to post up notices giving warning to the public of the fact of the unsafe condition of that said building or part of a building or fence, and no person shall interfere with, destroy or remove the said notice (unless authorized so to do by the said Inspector) under penalty of this By-law in such case made and provided.

10. the Inspector shall have the right to enter any building damaged by fire or through accident, and to examine the same with a view to ascertain the cause of the accident and the condition in which the fire or accident has left the building, and make and keep an official record of the same.

11. The Inspector shall have full power to pass upon any question arising under the provisions of this By-law, relating to the manner of construction or materials to be used in the erection, enlargement, alteration or repair of any building, or respecting the steps necessary to be taken to ensure the safety of any building that has been reported or is known to the Inspector to be in a dangerous or defective condition in regard to its construction.

12. When the Council or the Inspector appointed in that behalf is satisfied that any building or structure, or portion thereof, is being erected, enlarged, altered, or repaired in violation of, or not in compliance with, this By-law, or in violation of the plans submitted, they shall serve the owner or agent of such building with a notice to remove such violation immediately after the serving of such notice.

In default of compliance with such demand to the satisfaction of the Council or the Inspector in that behalf, the Council may in its discretion institute an action or proceeding at law against the owner or owners before any Court having jurisdiction therein to restrain, correct or remove such violation or to prevent the occupation or use of any building or structure erected, enlarged, altered or repaired in violation of this By-law.

13. Should any question, other than as to the refusal to issue a permit, arise between the Inspector and the owner, contractor, builder, occupant, lessee, agent or other parties interested, or should any of the said parties object to the order or decision of the Inspector, they shall have the right within three days after the giving of such order or decision to appeal from the same to the Board of Appeal.

Should the Inspector refuse to issue a permit as required by this By-law, the applicant for such permit shall have the right to appeal from the decision of the Inspector to the Board of Appeal as laid down in paragraph 4 of this By-law, and within the time in said paragraph 4 provided.

Should the Inspector incur any expense chargeable to an owner, or should he order any person to incur any expense, the said owner or person shall have the right, within three days after the issuance of such order, to appeal from the same to the Board of Appeal, and the Board of Appeal shall proceed as directed in said paragraph 4.

Any person appealing from any order or decision of the Inspector as herein described, shall, within the time above-mentioned give notice to the Inspector in writing that he does



so appeal, with the grounds of such appeal.

14. Before the erection, enlargement, alteration or repair of any building is commenced, the person in charge of the work shall furnish the Building Inspector with the following plans and information:-

(a) A plan, drawn to scale, of the Lot or parcel of land on which the building proposed to be erected, enlarged, altered or repaired is situate, and showing upon the plan the exact location of (any new building together with the location of) any existing buildings that may have been previously erected on the same Lot or parcel of land.

(b) A short description of the Lot or parcel of land by which the same can be identified in the books of the Land Registry Office for the District in which the Municipality is situate, the name of the owner, the name of the person or firm who is or is to be in charge of the work, and the names of the architect, builders and contractors engaged or to be engaged on the work or any part thereof.

(c) A complete set of plans and specifications describing the construction and equipment of any building to be erected or the nature and extent of any enlargements, alterations or repairs to be carried out, giving full details as to elevations, location of chimneys, and estimate of the cost and value of the building, repairs, enlargements or alterations respectively when completed.

(d) A ground or block plan showing the level of the cellar and basements thereof with reference to the grade line of the adjoining street or streets, road or roads, where such grade has been established, as laid down or recorded in the office of the Municipality.

(e) All drawings to show distinctly:

- The materials of which walls are to be built;
- The thickness of the walls at each storey;
- The material and sizes of columns and supports;
- Party or existing walls with materials and several thicknesses of same;
- Fire escapes if required by any Act or By-law relating thereto;
- Gas and electric installations;
- All depths and thicknesses to be marked in figures.

(f) Blue-prints to be deposited in the office of the Inspector when plans are returned, and also copies of specifications.

(g) For areas under sidewalks a special application to the Council must be made, and no excavation shall be started until the permit therefor is granted.

15. No person shall commence the erection, enlargement, alteration or repair of a building until he has obtained a written permit from the Building Inspector to proceed therewith, and every contractor or builder shall produce to the said Inspector when required the plans of any building which such contractor or builder may be erecting within the Municipality.

16. Sections 14 and 15 of this By-law respectively shall not be held to apply to the erection of any building, or to enlargements, alterations or repairs, where the value of such building, enlargements, alterations or repairs shall not exceed the sum of Five hundred Dollars (\$500.00); and where the value of such building, enlargements, alterations or repairs shall not exceed such sum of Five hundred Dollars (\$500.00), it shall not be necessary for any person to apply for or obtain a permit under this By-law, save and except the permits referred to in Sections 24, 27, 33, 34 and 36 respectively of this By-law: Provided always that Section 24 of this By-law shall not apply to the erection of any building or to enlargements, alterations or repairs where the value of such building, enlargements, alterations or repairs shall not



exceed the sum of Five hundred Dollars (\$500.00), unless the permit referred to in said Section 24 shall be necessary or be demanded as therein provided.

17. In case any deviation is made during the progress of the construction of such buildings, enlargements, alterations or repairs from the original plan thereof as filed under any of the preceding sections of this By-law, the person who filed the same shall alter or procure the alteration of such original plan, and file a new and correct plan before commencing the work of any such deviation.

18. Fire Windows, Stairway, Elevator and other Shafts, and Skylights, Warm Air Pipes and Registers, Steam and Hot Water Pipes and Vent Flues shall be in accordance with the requirements of the Fire Branch of the British Columbia Underwriters' Association.

19. In all buildings hereafter erected, all stud walls, partitions, furrings and spaces between joists where they rest on division walls or bearing partitions, and similar vertical spaces shall be fire stopped with incombustible material in a manner to cut off all concealed draft openings and form an effectual horizontal fire barrier between stories, and between a top storey and the roof space. Such fire stopping shall extend the full depth of the joists, and at least four inches above each floor level. Stair carriages shall be fire stopped at least once in the middle portion of each run.

20. The thickness of masonry bearing walls shall be not less than twelve inches for the uppermost twenty-five feet of their height and shall increase four inches in thickness for each successive thirty-five feet or fraction thereof measured downward from the top of the wall. Non-bearing walls may be twelve inches thick for the uppermost fifty feet.

Hollow walls of brick or walls of hollow burnt clay, tile or concrete blocks shall not be used as bearing walls in buildings or structures exceeding forty feet in height.

Fire walls and party walls for business and storage buildings shall be four inches thicker than the above requirements for bearing walls and shall be of solid brick masonry or reinforced concrete.

The thickness of reinforced concrete bearing walls shall be not less than three-fourths of the thickness required for masonry bearing walls.

Walls of business buildings and storage buildings, other than fire walls or party walls, not more than one storey high may be eight inches thick; provided they are reinforced at intervals not exceeding twenty feet by cross walls, piers or buttresses.

Parapets shall be provided on all fire walls, party walls, and exterior walls of masonry or reinforced concrete, where such walls connect with roofs other than roofs of fireproof construction; provided that a parapet shall not be required for a wall facing on a street or road having a width of fifty feet or more, nor on a wall of a building the roof of which is ten feet lower than the roof of a building adjoining or adjacent to such wall, nor on the walls of a detached dwelling, nor on the walls of a building which is fifty feet or more distant in all directions from other buildings. In dwellings and in buildings in which eight-inch walls are permitted, such parapets shall be not less than eight inches thick and carried at least two feet above the roof. In all other buildings such parapets shall be not less than twelve inches thick, and carried not less than three feet above the roof.

The aggregate width of all openings in a fire wall at any level shall not exceed twenty-five per cent. of the length of the wall.

Every opening in a required fire wall shall be protected on each side of the wall with an approved automatic fire door;



provided that when a fire-wall serves also as a horizontal exit it shall have no openings other than door openings not exceeding forty-eight square feet in area, and one of the automatic fire-doors at each opening shall be replaced by a self-closing fire-door.

Construction, hardware and mounting of fire-doors must be to the approval of the Building Inspector. In the construction of fire-doors, cores shall be inspected before being covered with terne plates and during the fastening of the terne plates.

Every building, except dwellings, churches and buildings of frame construction, shall have approved fire windows or other such protectives, in every opening in the exterior walls when such opening faces on a public street or road and is less than twenty-five feet from the opposite building line, or when such opening is less than twenty-five feet distant in a direct unobstructed line from another building, or when such opening is above and not more than twenty-five feet distant from any part of a neighbouring roof, or when such opening is within twenty-five feet of the neighbouring property line, provided that such protection shall not be required for show windows facing on a public street or road which do not extend above the first full storey above grade; and provided further that such protection shall not be required when the opening to be protected and the opening against which it is protected are situated in walls in the same plane or in parallel planes and are facing in the same direction.

21. Every roof hereafter placed on a building other than frame shall be covered with an approved roofing of brick, concrete, tile, slate, metal, asbestos, or built-up roofing finished with asphalt, slag or gravel, or with other approved material.

Except where roofing is of a character permitting attachment direct to steel framework, it shall be applied to a solid or close fitting deck.

Roofings which are classified as Class "A" or "B" under the test specifications of Underwriters' Laboratories, Inc. shall be accepted as meeting the requirements of this Section.

Buildings with masonry or part masonry walls shall have roofings as stated above, or roofings classified Class "C" under the test specifications of Underwriters' Laboratories, Inc.

No roofing on an existing roof shall be renewed or repaired to a greater extent than one-tenth of the roof surface, except in conformity with the requirements of this section, and all eaves troughs shall be constructed of tin, iron or such other non-combustible material to the satisfaction of the Inspector.

22. All frame buildings hereafter erected shall have a height from ground floor to eaves not greater than the total width, or depth of the ground floor, whichever be the less.

23. No builder, contractor, owner, or person, shall commence the construction of any building without first obtaining a building permit and the proper street or road level and building line where the same has been established and shall build in accordance therewith.

24. Before commencing to excavate for the erection of any building or the repair or alteration or enlargement of any building already erected full particulars shall be furnished to the Council by the owner or architect in charge, and the Council shall cause the site to be visited by the Inspector or a person duly appointed for such purpose, to make all due inquiries, and if such building, enlargement or alteration or repair is not contrary to any By-law of the Municipality it shall be



his duty, if in his opinion, the temporary use of the sidewalk or public highway is necessary for the erection of such building, enlargement, alteration or repair, to give to the builder, should he demand the same, a permit in writing defining what portion of the sidewalk and public highway (if any) may be temporarily used by the builder during the erection of any such building, or enlargement, alteration or repair, but such portion shall in no case exceed one-third of the whole width of the sidewalk and public highway immediately fronting on the space to be built on, altered or repaired. Any person receiving such permit shall remove the sidewalk so fronting such construction, if required so to do by the Council, and replace the same upon the completion of the building, enlarging, alteration or repairs, or shall protect the same by a board covering if likewise so requested. Such permit shall not exceed two months, commencing from a period not more than one week before excavation begins, unless continued for a further period by the Council or the Inspector or person appointed by the Council as aforesaid, for good reason shown.

25. All persons having the use of any portion of the public highway or sidewalk for the purpose of erecting, altering, enlarging or repairing any building or for storage of building materials or for any other purpose, shall cause red lights to be placed in a prominent position and maintained thereon at all times between sunset and sunrise, to the requirements of the Building Inspector.

26. In all cases where any person shall leave or place any material to be used in connection with the building, or rubbish, upon any of the public highways or sidewalks, such person or persons shall be answerable for any damage which may be occasioned to persons, animals or property by reason of such material or rubbish being so left or placed.

27. No person shall place any building or other material in any part of any public highway or sidewalk in the Municipality, excepting after receiving a permit to do so as aforesaid, and then only after complying with and fulfilling all the requirements in Section 24 hereof set forth, and only on the part of the highway and sidewalk respectively allowed to be used and mentioned in such permit, immediately in front of the ground to be built upon, or the building to be enlarged, altered or repaired, and such materials shall not be piled to a greater height than six feet, nor so as to obstruct the free passage of water in the drains, gutters or watercourses along the sidewalk, nor shall the same be placed upon any portion of the sidewalk, except permission to do so has been specifically given by the Building Inspector and mentioned in his permit, nor shall any person prepare or mix any mortar or cut or dress any stone or timber on any public highway, sidewalk, or lane in the Municipality or in the space allotted or mentioned in such permit. No one shall pile on the sidewalk or public highway any earth taken from the site of the building proposed to be erected, enlarged, altered, or repaired, except such as may be required to be returned for subsequent use therein.

28. The owner of the property being built upon, or of the building being enlarged, altered or repaired, as the case may be, as well as the contractor, shall be liable for the removal of all rubbish after the building, enlarging, alteration or repair is completed, or before completion if directed by the Council to do so.

29. Wooden joists, beams and girders resting on opposite sides of a masonry wall shall be separated from one another by at least six inches of solid masonry. Such separation may be obtained by corbelling the wall, or staggering the beams, or the beams may be supported by steel wall hangers, but no wall



shall be corbelled more than two inches for this purpose.

30. Every person, whether as owner, contractor or employee, building a house or other structure in the Municipality shall, before commencing the erection of such house or other structure remove all rotten wood and decayed vegetable matter from the piece of land upon which the same is to be built; and the building shall have the foundations built upon the ground to the satisfaction of the Inspector and no foundation shall be laid in any case on any ground which the Inspector shall deem unsuitable. If placed upon blocks or posts the space between the sills and the ground shall be boarded up to the sills of the said building.

31. No building for the purpose of stabling animals either temporarily or permanently shall be erected within twenty feet of any dwelling house.

32. Whenever any house or other building is about to be erected it shall be the duty of the person about to build the same to notify the Building Inspector, who shall immediately inspect the ground to see that the provisions of this By-law regarding the clearing of the land on which the building is to be erected, have been carried out.

33. The requirements of this By-law and of all other By-laws of the Municipality for the time being subsisting respecting the same shall be complied with on the moving of buildings. No person except a licensed house-mover shall remove any building within the limits of the Municipality, and every house-mover shall annually before engaging in said occupation obtain a licence therefor from the Municipality and no such licence shall be granted until the person applying therefor shall have given a bond to be approved by the Council conditional, among other things, that the said party will pay for any and all damage which may happen to any tree, pavement, street, road or sidewalk, or to any telegraph, telephone or other electric wire or pole, whether the said injury or damage be inflicted by the said party or his agents, employees, or workmen, and conditional also that the said party will save and indemnify and keep harmless the Municipality against all liabilities, judgments, costs and expenses which may in anywise accrue against the Municipality in consequence of the granting of any such licence or permit for the removing of any building, and will in all things strictly comply with the conditions of his licence and permit respectively.

34. Upon the execution of the bond provided for in the next preceding section of this By-law, and its acceptance by the Council, a licence shall be issued, and the said licensed person shall in each and every instance, before removing any building obtain a permit to do so from the Building Inspector, whereupon the Building Inspector shall issue a permit stating specifically therein all the conditions, prescribing the route to be taken, and limiting the time for the removal.

35. No building already existing shall hereafter be converted and no new building shall hereafter be built, for use as a public garage, automobile repair shop, or service station, within the limits of the Municipality, unless the floor of such building be constructed of concrete at least four inches in thickness.

36. Every Chimney, fireplace or furnace chamber constructed within the limits of the Municipality shall hereafter be built in accordance with the Province of British Columbia regulations governing the construction, installation, and maintenance of chimneys, fireplaces, smoke-pipes and furnace



chambers, and any amendments thereto, and in accordance with the permit of and to the satisfaction of the Inspector.

37. All material and work which are considered by the Council, or its duly appointed officer in that behalf or the Inspector, to be defective or unsafe, shall be at once removed and replaced by satisfactory material and workmanship.

38. Fees according to the following scale, shall be payable upon the application for a permit for the erection, enlargement, alteration or repair of any building or part thereof:

<u>Cost or value of work.</u>	<u>Fees payable.</u>
Exceeding \$500.00 but not exceeding \$1000.00	\$1.00
Each additional \$1000.00 or fraction thereof in excess of \$1000.00	\$1.00

39. For a permit for the removal of any building from one Lot or parcel of land to another Lot or parcel of land the fee payable shall be \$1.00.

40. The fees provided for in Sections 38 and 39 respectively of this By-law shall be paid by the applicant for a permit to the Collector of the Municipality upon the application for the permit and before the permit shall be granted.

41. In the event of a building permit being refused, the fees paid for same shall be refunded.

42. Every person guilty of a breach of any provision of this By-law shall be liable on summary conviction to a penalty not exceeding One hundred Dollars for each offence.

43. All By-laws or parts of By-laws of The Corporation of the District of North Cowichan that are repugnant to or inconsistent with this By-law are hereby repealed to the extent of such repugnancy or inconsistency.

44. This By-law may be cited as the "Building By-law, 1936."

Passed by the Municipal Council on the eleventh day of May, A.D., 1936.

Reconsidered, adopted, and finally passed by the Municipal Council this fourth day of June, A.D., 1936.

*W. D. D. D.*  
Reeve.

*H. M. Council*  
Clerk of the Municipal Council of  
The Corporation of the District of  
North Cowichan.



THE CORPORATION OF THE DISTRICT OF NORTH  
COWICHAN.

BY-LAW NO. 236.

A BY-LAW WITH RESPECT TO AND TO REGULATE BUILDINGS.

The Municipal Council of The Corporation of the District of North Cowichan enacts as follows:-

1. In this By-law, unless the context otherwise requires:-

"The Council" shall mean the Municipal Council of The Corporation of the District of North Cowichan:

"The Corporation" shall mean The Corporation of the District of North Cowichan:

"The Municipality" shall mean the Municipality of The Corporation of the District of North Cowichan:

"Building Inspector" or "Inspector" shall include any person or persons from time to time appointed or assigned by the Municipal Council of The Corporation of the District of North Cowichan to act (as well in respect of this By-law and all its provisions or in respect of any one or more trades) as Building Inspector or Inspector including also any person or persons appointed or assigned by the Municipal Council of The Corporation of the District of North Cowichan to perform the duties and functions of the Building Inspector or Inspector temporarily during the absence or illness of the Building Inspector or Inspector.

2. The Board of Appeal shall consist of the Council.

3. The Council may from time to time appoint any person to be an Inspector under this By-law.

4. (1.) It shall be the duty of the Inspector to issue permits for the erection, enlarging, alteration or repair of buildings, in accordance with the provisions of this By-law; keep a record of the same, with a description of the construction, sanitary appliances, heating apparatus, electric apparatus, elevators, and all matters relating to the construction or alterations of buildings in the Municipality. It shall be the duty of the Inspector, on receipt of an application for a permit, accompanied by the plans and specifications of the proposed buildings or alterations, to carefully examine the same and ascertain if the supports, beams and construction of the proposed buildings or alterations are properly shown in the said plans and described in the said specifications, and are in accordance with the provisions of this By-law. If the Inspector is satisfied that they conform to this By-law and that it is in the public interests that a building permit be issued he shall, within a period of five days from the date of application, return such plans and specifications and issue a permit as hereinafter provided for. If they do not conform to this By-law or to any other valid and subsisting law or statutory provision or regulation affecting the same he shall



refuse to issue such permit. One copy of plan and specifications shall be left with the Inspector.

(2.) In the event of the Inspector refusing to issue a Permit or a Building Permit to an applicant therefor, the Inspector shall issue to such applicant a written and signed statement in the form following, or to the like effect:-  
To.....

....., B.C.  
Take Notice that your application for a permit to.....  
(here insert a short description of the work in respect whereof a permit is applied for).....has been refused and no permit will be issued for the reason that the materials filed with me disclose non-compliance with the provisions of the "Building By-law, 1936," of The Corporation of the District of North Cowichan, and that by reason of such non-compliance I have no power to issue the permit as applied for by you; such non-compliance in part being.....(here insert a short description of any definite non-compliance).....

Dated this.....day of.....

Inspector.

(3.) Thereupon the applicant may should he so desire appeal to the Board of Appeal by written notice delivered within ten days from the day of the date of the Inspector's written refusal to the Inspector or to the Clerk of the Council and the Board of Appeal shall fix a time and place for the hearing of the Appeal and shall notify the applicant and hear the appeal with full power to adjourn the hearing from time to time and to rehear and the decision of the Board of Appeal shall be final.

5. In all cases where plans are submitted either for a new building or the alteration or adaptation of an existing building intended for use as a dwelling house or for business purposes, and the floor space on the first or ground floor is less than 480 square feet, the Building Inspector shall, before granting a permit for such building, refer the said plans to the Council for their consideration and instructions.

6. The Inspector shall examine all buildings in course of erection or alteration as often as practicable, and in case of violation of the provisions of this By-law and refusal to comply therewith, he shall report the name of the owner, architect, builder or master mechanic concerned in the building where such violations have occurred and all matters relating thereto to the Council, so that proceedings may be taken against the party or parties concerned, according to law; and it shall be the duty of the Council, on the request of the Inspector, to prosecute all parties infringing this By-law.

7. The Inspector shall have the right to enter any building in the course of construction, alteration, enlargement or repair, or any building which has been reported to him as defective or in a dangerous condition, or which he has reason to believe to be in a defective or dangerous condition, either in regard to its construction or sanitation. In case of appeal from the decision of the Inspector, any member of the Board of Appeal shall have the same right to enter and examine such premises.

8. When the Building Inspector shall detect any imperfection, improper construction or defect, by which any building or any part thereof may become dangerous to the public safety either by fire or otherwise, he shall immediately notify the owner, agent or other person having charge or possession of such building or such other part thereof, to repair or remove such defect or imperfection within five days after the service of such notice upon him, and in default of the said owner, agent, or person having the charge or possession aforesaid, complying with the said notice within the time therein limited,



he shall be liable to the penalties of this By-law in such case made and provided.

9. In all cases where the Building Inspector shall determine that any building or part of any building or fence is dangerous to the public safety, either by fire or otherwise, it shall be lawful for the said Inspector at all reasonable times to enter upon any such premises or part of a building or fence, and thereon, at his discretion, and in the most convenient place or places, to post up notices giving warning to the public of the fact of the unsafe condition of that said building or part of a building or fence, and no person shall interfere with, destroy or remove the said notice (unless authorized so to do by the said Inspector) under penalty of this By-law in such case made and provided.

10. the Inspector shall have the right to enter any building damaged by fire or through accident, and to examine the same with a view to ascertain the cause of the accident and the condition in which the fire or accident has left the building, and make and keep an official record of the same.

11. The Inspector shall have full power to pass upon any question arising under the provisions of this By-law, relating to the manner of construction or materials to be used in the erection, enlargement, alteration or repair of any building, or respecting the steps necessary to be taken to ensure the safety of any building that has been reported or is known to the Inspector to be in a dangerous or defective condition in regard to its construction.

12. When the Council or the Inspector appointed in that behalf is satisfied that any building or structure, or portion thereof, is being erected, enlarged, altered, or repaired in violation of, or not in compliance with, this By-law, or in violation of the plans submitted, they shall serve the owner or agent of such building with a notice to remove such violation immediately after the serving of such notice.

In default of compliance with such demand to the satisfaction of the Council or the Inspector in that behalf, the Council may in its discretion institute an action or proceeding at law against the owner or owners before any Court having jurisdiction therein to restrain, correct or remove such violation or to prevent the occupation or use of any building or structure erected, enlarged, altered or repaired in violation of this By-law.

13. Should any question, other than as to the refusal to issue a permit, arise between the Inspector and the owner, contractor, builder, occupant, lessee, agent or other parties interested, or should any of the said parties object to the order or decision of the Inspector, they shall have the right within three days after the giving of such order or decision to appeal from the same to the Board of Appeal.

Should the Inspector refuse to issue a permit as required by this By-law, the applicant for such permit shall have the right to appeal from the decision of the Inspector to the Board of Appeal as laid down in paragraph 4 of this By-law, and within the time in said paragraph 4 provided.

Should the Inspector incur any expense chargeable to an owner, or should he order any person to incur any expense, the said owner or person shall have the right, within three days after the issuance of such order, to appeal from the same to the Board of Appeal, and the Board of Appeal shall proceed as directed in said paragraph 4.

Any person appealing from any order or decision of the Inspector as herein described, shall, within the time above-mentioned give notice to the Inspector in writing that he does



so appeal, with the grounds of such appeal.

14. Before the erection, enlargement, alteration or repair of any building is commenced, the person in charge of the work shall furnish the Building Inspector with the following plans and information:-

(a) A plan, drawn to scale, of the Lot or parcel of land on which the building proposed to be erected, enlarged, altered or repaired is situate, and showing upon the plan the exact location of (any new building together with the location of) any existing buildings that may have been previously erected on the same Lot or parcel of land.

(b) A short description of the Lot or parcel of land by which the same can be identified in the books of the Land Registry Office for the District in which the Municipality is situate, the name of the owner, the name of the person or firm who is or is to be in charge of the work, and the names of the architect, builders and contractors engaged or to be engaged on the work or any part thereof.

(c) A complete set of plans and specifications describing the construction and equipment of any building to be erected or the nature and extent of any enlargements, alterations or repairs to be carried out, giving full details as to elevations, location of chimneys, and estimate of the cost and value of the building, repairs, enlargements or alterations respectively when completed.

(d) A ground or block plan showing the level of the cellar and basements thereof with reference to the grade line of the adjoining street or streets, road or roads, where such grade has been established, as laid down or recorded in the office of the Municipality.

(e) All drawings to show distinctly:

- The materials of which walls are to be built;
- The thickness of the walls at each storey;
- The material and sizes of columns and supports;
- Party or existing walls with materials and several thicknesses of same;
- Fire escapes if required by any Act or By-law relating thereto;
- Gas and electric installations;
- All depths and thicknesses to be marked in figures.

(f) Blue-prints to be deposited in the office of the Inspector when plans are returned, and also copies of specifications.

(g) For areas under sidewalks a special application to the Council must be made, and no excavation shall be started until the permit therefor is granted.

15. No person shall commence the erection, enlargement, alteration or repair of a building until he has obtained a written permit from the Building Inspector to proceed therewith, and every contractor or builder shall produce to the said Inspector when required the plans of any building which such contractor or builder may be erecting within the Municipality.

16. Sections 14 and 15 of this By-law respectively shall not be held to apply to the erection of any building, or to enlargements, alterations or repairs, where the value of such building, enlargements, alterations or repairs shall not exceed the sum of Five hundred Dollars (\$500.00); and where the value of such building, enlargements, alterations or repairs shall not exceed such sum of Five hundred Dollars (\$500.00), it shall not be necessary for any person to apply for or obtain a permit under this By-law, save and except the permits referred to in Sections 24, 27, 33, 34 and 36 respectively of this By-law: Provided always that Section 24 of this By-law shall not apply to the erection of any building or to enlargements, alterations or repairs where the value of such building, enlargements, alterations or repairs shall not

*Amended  
B2 271*



exceed the sum of Five hundred Dollars (\$500.00), unless the permit referred to in said Section 24 shall be necessary or be demanded as therein provided.

17. In case any deviation is made during the progress of the construction of such buildings, enlargements, alterations or repairs from the original plan thereof as filed under any of the preceding sections of this By-law, the person who filed the same shall alter or procure the alteration of such original plan, and file a new and correct plan before commencing the work of any such deviation.

18. Fire Windows, Stairway, Elevator and other Shafts, and Skylights, Warm Air Pipes and Registers, Steam and Hot Water Pipes and Vent Flues shall be in accordance with the requirements of the Fire Branch of the British Columbia Underwriters' Association.

19. In all buildings hereafter erected, all stud walls, partitions, furrings and spaces between joists where they rest on division walls or bearing partitions, and similar vertical spaces shall be fire stopped with incombustible material in a manner to cut off all concealed draft openings and form an effectual horizontal fire barrier between stories, and between a top storey and the roof space. Such fire stopping shall extend the full depth of the joists, and at least four inches above each floor level. Stair carriages shall be fire stopped at least once in the middle portion of each run.

20. The thickness of masonry bearing walls shall be not less than twelve inches for the uppermost twenty-five feet of their height and shall increase four inches in thickness for each successive thirty-five feet or fraction thereof measured downward from the top of the wall. Non-bearing walls may be twelve inches thick for the uppermost fifty feet.

Hollow walls of brick or walls of hollow burnt clay, tile or concrete blocks shall not be used as bearing walls in buildings or structures exceeding forty feet in height.

Fire walls and party walls for business and storage buildings shall be four inches thicker than the above requirements for bearing walls and shall be of solid brick masonry or reinforced concrete.

The thickness of reinforced concrete bearing walls shall be not less than three-fourths of the thickness required for masonry bearing walls.

Walls of business buildings and storage buildings, other than fire walls or party walls, not more than one storey high may be eight inches thick; provided they are reinforced at intervals not exceeding twenty feet by cross walls, piers or buttresses.

Parapets shall be provided on all fire walls, party walls, and exterior walls of masonry or reinforced concrete, where such walls connect with roofs other than roofs of fireproof construction; provided that a parapet shall not be required for a wall facing on a street or road having a width of fifty feet or more, nor on a wall of a building the roof of which is ten feet lower than the roof of a building adjoining or adjacent to such wall, nor on the walls of a detached dwelling, nor on the walls of a building which is fifty feet or more distant in all directions from other buildings. In dwellings and in buildings in which eight-inch walls are permitted, such parapets shall be not less than eight inches thick and carried at least two feet above the roof. In all other buildings such parapets shall be not less than twelve inches thick, and carried not less than three feet above the roof.

The aggregate width of all openings in a fire wall at any level shall not exceed twenty-five per cent. of the length of the wall.

Every opening in a required fire wall shall be protected on each side of the wall with an approved automatic fire door;



provided that when a fire-wall serves also as a horizontal exit it shall have no openings other than door openings not exceeding forty-eight square feet in area, and one of the automatic fire-doors at each opening shall be replaced by a self-closing fire-door.

Construction, hardware and mounting of fire-doors must be to the approval of the Building Inspector. In the construction of fire-doors, cores shall be inspected before being covered with terne plates and during the fastening of the terne plates.

Every building, except dwellings, churches and buildings of frame construction, shall have approved fire windows or other such protectives, in every opening in the exterior walls when such opening faces on a public street or road and is less than twenty-five feet from the opposite building line, or when such opening is less than twenty-five feet distant in a direct unobstructed line from another building, or when such opening is above and not more than twenty-five feet distant from any part of a neighbouring roof, or when such opening is within twenty-five feet of the neighbouring property line, provided that such protection shall not be required for show windows facing on a public street or road which do not extend above the first full storey above grade; and provided further that such protection shall not be required when the opening to be protected and the opening against which it is protected are situated in walls in the same plane or in parallel planes and are facing in the same direction.

21. Every roof hereafter placed on a building other than frame shall be covered with an approved roofing of brick, concrete, tile, slate, metal, asbestos, or built-up roofing finished with asphalt, slag or gravel, or with other approved material.

Except where roofing is of a character permitting attachment direct to steel framework, it shall be applied to a solid or close fitting deck.

Roofings which are classified as Class "A" or "B" under the test specifications of Underwriters' Laboratories, Inc. shall be accepted as meeting the requirements of this Section.

Buildings with masonry or part masonry walls shall have roofings as stated above, or roofings classified Class "C" under the test specifications of Underwriters' Laboratories, Inc.

No roofing on an existing roof shall be renewed or repaired to a greater extent than one-tenth of the roof surface, except in conformity with the requirements of this section, and all eaves troughs shall be constructed of tin, iron or such other non-combustible material to the satisfaction of the Inspector.

22. All frame buildings hereafter erected shall have a height from ground floor to eaves not greater than the total width, or depth of the ground floor, whichever be the less.

23. No builder, contractor, owner, or person, shall commence the construction of any building without first obtaining a building permit and the proper street or road level and building line where the same has been established and shall build in accordance therewith.

24. Before commencing to excavate for the erection of any building or the repair or alteration or enlargement of any building already erected full particulars shall be furnished to the Council by the owner or architect in charge, and the Council shall cause the site to be visited by the Inspector or a person duly appointed for such purpose, to make all due inquiries, and if such building, enlargement or alteration or repair is not contrary to any By-law of the Municipality it shall be



his duty, if in his opinion, the temporary use of the sidewalk or public highway is necessary for the erection of such building, enlargement, alteration or repair, to give to the builder, should he demand the same, a permit in writing defining what portion of the sidewalk and public highway (if any) may be temporarily used by the builder during the erection of any such building, or enlargement, alteration or repair, but such portion shall in no case exceed one-third of the whole width of the sidewalk and public highway immediately fronting on the space to be built on, altered or repaired. Any person receiving such permit shall remove the sidewalk so fronting such construction, if required so to do by the Council, and replace the same upon the completion of the building, enlarging, alteration or repairs, or shall protect the same by a board covering if likewise so requested. Such permit shall not exceed two months, commencing from a period not more than one week before excavation begins, unless continued for a further period by the Council or the Inspector or person appointed by the Council as aforesaid, for good reason shown.

25. All persons having the use of any portion of the public highway or sidewalk for the purpose of erecting, altering, enlarging or repairing any building or for storage of building materials or for any other purpose, shall cause red lights to be placed in a prominent position and maintained thereon at all times between sunset and sunrise, to the requirements of the Building Inspector.

26. In all cases where any person shall leave or place any material to be used in connection with the building, or rubbish, upon any of the public highways or sidewalks, such person or persons shall be answerable for any damage which may be occasioned to persons, animals or property by reason of such material or rubbish being so left or placed.

27. No person shall place any building or other material on any part of any public highway or sidewalk in the Municipality, excepting after receiving a permit to do so as aforesaid, and then only after complying with and fulfilling all the requirements in Section 24 hereof set forth, and only on the part of the highway and sidewalk respectively allowed to be used and mentioned in such permit, immediately in front of the ground to be built upon, or the building to be enlarged, altered or repaired, and such materials shall not be piled to a greater height than six feet, nor so as to obstruct the free passage of water in the drains, gutters or watercourses along the sidewalk, nor shall the same be placed upon any portion of the sidewalk, except permission to do so has been specifically given by the Building Inspector and mentioned in his permit, nor shall any person prepare or mix any mortar or cut or dress any stone or timber on any public highway, sidewalk, or lane in the Municipality or in the space allotted or mentioned in such permit. No one shall pile on the sidewalk or public highway any earth taken from the site of the building proposed to be erected, enlarged, altered, or repaired, except such as may be required to be returned for subsequent use therein.

28. The owner of the property being built upon, or of the building being enlarged, altered or repaired, as the case may be, as well as the contractor, shall be liable for the removal of all rubbish after the building, enlarging, alteration or repair is completed, or before completion if directed by the Council to do so.

29. Wooden joists, beams and girders resting on opposite sides of a masonry wall shall be separated from one another by at least six inches of solid masonry. Such separation may be obtained by corbelling the wall, or staggering the beams, or the beams may be supported by steel wall hangers, but no wall



shall be corbelled more than two inches for this purpose.

30. Every person, whether as owner, contractor or employee, building a house or other structure in the Municipality shall, before commencing the erection of such house or other structure remove all rotten wood and decayed vegetable matter from the piece of land upon which the same is to be built; and the building shall have the foundations built upon the ground to the satisfaction of the Inspector and no foundation shall be laid in any case on any ground which the Inspector shall deem unsuitable. If placed upon blocks or posts the space between the sills and the ground shall be boarded up to the sills of the said building.

31. No building for the purpose of stabling animals either temporarily or permanently shall be erected within twenty feet of any dwelling house.

32. Whenever any house or other building is about to be erected it shall be the duty of the person about to build the same to notify the Building Inspector, who shall immediately inspect the ground to see that the provisions of this By-law regarding the clearing of the land on which the building is to be erected, have been carried out.

33. The requirements of this By-law and of all other By-laws of the Municipality for the time being subsisting respecting the same shall be complied with on the moving of buildings. No person except a licensed house-mover shall remove any building within the limits of the Municipality, and every house-mover shall annually before engaging in said occupation obtain a licence therefor from the Municipality and no such licence shall be granted until the person applying therefor shall have given a bond to be approved by the Council conditional, among other things, that the said party will pay for any and all damage which may happen to any tree, pavement, street, road or sidewalk, or to any telegraph, telephone or other electric wire or pole, whether the said injury or damage be inflicted by the said party or his agents, employees, or workmen, and conditional also that the said party will save and indemnify and keep harmless the Municipality against all liabilities, judgments, costs and expenses which may in anywise accrue against the Municipality in consequence of the granting of any such licence or permit for the removing of any building, and will in all things strictly comply with the conditions of his licence and permit respectively.

34. Upon the execution of the bond provided for in the next preceding section of this By-law, and its acceptance by the Council, a licence shall be issued, and the said licensed person shall in each and every instance, before removing any building obtain a permit to do so from the Building Inspector, whereupon the Building Inspector shall issue a permit stating specifically therein all the conditions, prescribing the route to be taken, and limiting the time for the removal.

35. No building already existing shall hereafter be converted and no new building shall hereafter be built, for use as a public garage, automobile repair shop, or service station, within the limits of the Municipality, unless the floor of such building be constructed of concrete at least four inches in thickness.

36. Every Chimney, fireplace or furnace chamber constructed within the limits of the Municipality shall hereafter be built in accordance with the Province of British Columbia regulations governing the construction, installation, and maintenance of chimneys, fireplaces, smoke-pipes and furnace



chambers, and any amendments thereto, and in accordance with the permit of and to the satisfaction of the Inspector.

37. All material and work which are considered by the Council, or its duly appointed officer in that behalf or the Inspector, to be defective or unsafe, shall be at once removed and replaced by satisfactory material and workmanship.

38. Fees according to the following scale, shall be payable upon the application for a permit for the erection, enlargement, alteration or repair of any building or part thereof:

Cost or value of work.	Fees payable.
Exceeding \$500.00 but not exceeding \$1000.00	\$1.00
Each additional \$1000.00 or fraction thereof in excess of \$1000.00	\$1.00

39. For a permit for the removal of any building from one Lot or parcel of land to another Lot or parcel of land the fee payable shall be \$1.00.

40. The fees provided for in Sections 38 and 39 respectively of this By-law shall be paid by the applicant for a permit to the Collector of the Municipality upon the application for the permit and before the permit shall be granted.

41. In the event of a building permit being refused, the fees paid for same shall be refunded.

42. Every person guilty of a breach of any provision of this By-law shall be liable on summary conviction to a penalty not exceeding One hundred Dollars for each offence.

43. All By-laws or parts of By-laws of The Corporation of the District of North Cowichan that are repugnant to or inconsistent with this By-law are hereby repealed to the extent of such repugnancy or inconsistency.

44. This By-law may be cited as the "Building By-law, 1936."

Passed by the Municipal Council on the eleventh day of May, A.D., 1936.

Reconsidered, adopted, and finally passed by the Municipal Council this fourth day of June, A.D., 1936.

*[Signature]*  
Reeve.

*[Signature]*  
Clerk of the Municipal Council of  
The Corporation of the District of  
North Cowichan.



THE CORPORATION OF THE DISTRICT OF NORTH  
COWICHAN.

BY-LAW NO. <sup>241</sup>.....

A BY-LAW RESPECTING THE DEFINITION OF IMPROVEMENTS.

The Municipal Council of The Corporation of the District  
of North Cowichan enacts as follows:-

1. The definition of "improvements" as applicable to the  
Municipality of the District of North Cowichan shall be the  
definition set out in Section 2 of the "Municipal Act" (being  
Chapter 179 of the "Revised Statutes of British Columbia,  
1924"), as amended and now subsisting, with regard to city  
municipalities.

2. This By-law may be cited as the "Improvements Defi-  
nition By-law, 1936."

Passed by the Municipal Council on the fifth day  
of November, A.D., 1936.

Reconsidered, adopted, and finally passed by the Muni-  
cipal Council this third day of December, A.D., 1936.

.....  
Reeve.

*H. M. Ansell*  
.....  
Clerk of the Municipal Council of The  
Corporation of the District of North Cowichan.

I hereby certify that the foregoing is a true copy of By-law  
#241, being the "Improvements Definition By-law, 1936.", as  
finally passed by the Municipal Council of the Corporation of  
the District of North Cowichan on December 3rd, 1936.

*H. M. Ansell*  
Clerk of the Municipal Council of the  
Corporation of the District of North Cowichan.

I hereby certify that By-law #241 was duly registered by me and  
sealed with the Seal of the County Court of Nanaimo, holden at  
Duncan, British Columbia, this fourth day of December, 1936.

*E. C. [Signature]*  
Registrar.



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN.

BY-LAW NO. 253.

A By-law respecting the classification of land within the  
Municipal limits of the Corporation of the District of North  
Cowichan.

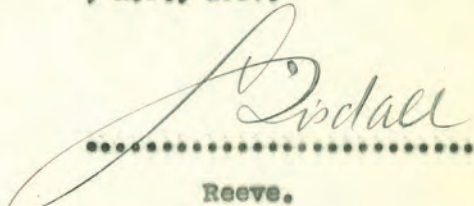
The Municipal Council of the Corporation of the District  
of North Cowichan enacts as follows :-

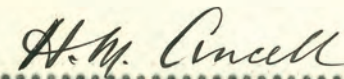
( 1 ) It is hereby declared that no land within the  
Municipal limits of the Corporation of the District of North  
Cowichan shall be classified as Wild Land.

( 2 ) This By-law may be cited as " Land Classification  
By-law, 1937. "

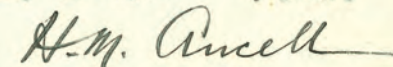
Passed by the Municipal Council on the fifth day of August ,  
A. D., 1937.

Reconsidered, adopted, and finally passed by the Municipal Council  
this ninth day of August , A.D., 1937.

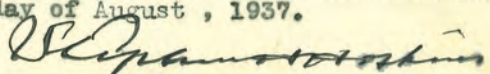
  
.....  
Reeve.

  
.....  
Clerk of the Municipal Council  
of the Corporation of the  
District of North Cowichan.

I hereby certify that the foregoing is a true copy of By-law # 253 ,  
being the " Land Classification By-law, 1937 " as finally passed  
by the Municipal Council of the Corporation of the District of  
North Cowichan on the ninth day of August , 1937.

  
Clerk of the Municipal Council of the  
Corporation of the District of North  
Cowichan.

I hereby certify that By-law # 253 was duly registered by me and  
sealed with the Seal of the County Court of Nanaimo, holden at Duncan,  
British Columbia, this 9<sup>th</sup> day of August , 1937.

  
Registrar.



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

By-law No. 271

A BY-LAW TO AMEND THE "BUILDING BY-LAW", 1936".

The Municipal Council of The Corporation of the District of North Cowichan enacts as follows:-

1. Paragraph 1 of By-law No. 236 of the said The Corporation of the District of North Cowichan (being the "Building By-law, 1936") is hereby amended by inserting the following definition immediately after the definition of "Building Inspector" or "Inspector":-  
"Building" shall mean any structure for the support, shelter, or enclosure of persons, animals or chattels."

2. Paragraph 16 of said By-law No. 236 is hereby repealed.

3. Said By-law No. 236 is hereby amended by inserting therein the following as paragraph 21A:-

"21A. (1) One Building may be built or erected or situate upon any lot or other parcel of land having an area of at least seven thousand square feet; and no more than one building shall be built, erected or maintained upon said land.  
(2) Clause (1) of this paragraph shall not apply to buildings existing at the time of passage of the By-law enacting same."

4. Paragraphs 38, 39, 40 and 41 of said By-law No. 236 are hereby repealed, and the following is substituted therefor:-

"38. The fee or fees hereinafter specified shall be payable to the Treasurer of the said The Corporation of the District of North Cowichan at the time of issuing a permit under the provisions of this By-law:-

"(a) For a permit for the erection, enlargement, alteration or repair of any building or part thereof:-

<u>Cost of Work</u>	<u>Fees payable</u>
Not exceeding \$500.00. . . . .	\$0.50
Exceeding \$500.00, but not exceeding \$1000.00 . . . . .	1.00
Each additional \$1000.00 or fraction thereof in excess of \$1000.00 . . . . .	1.00
"(b) For a permit for the removal of any building from one lot or parcel of land to another lot or parcel of land the fee payable shall be \$1.00."	

5. This By-law may be cited as the "Building By-law, 1936, Amendment By-law, 1939".

Passed by the Municipal Council on the 4th day of May, A.D., 1939.

Reconsidered, adopted, and finally passed by the Municipal Council this 8th day of June, A.D., 1939.

G. H. JOHNSON, Acting Clerk of the Municipal Council of The Corporation of the District of North Cowichan.

D. D. CHAPMAN, Reeve.



THE CORPORATION OF THE DISTRICT OF NORTH  
COWICHAN

BY-LAW NO 271

A BY-LAW TO AMEND THE "BUILDING BY-LAW, 1936."

-----  
The Municipal Council of The Corporation of the District  
of North Cowichan enacts as follows:-

1. Paragraph 1 of By-law No. 236 of the said The Corporation  
of the District of North Cowichan (being the "Building By-law,  
1936") is hereby amended by inserting the following definition  
immediately after the definition of "Building Inspector"  
or 'Inspector':-

"'Building' shall mean any structure for the support,  
shelter, or enclosure of persons, animals or chattels."

2. Paragraph 16 of said By-law No. 236 is hereby repealed.

3. Said By-law No. 236 is hereby amended by inserting  
therein the following as paragraph 21A:-

"21A. (1.) One building may be built or erected or situate  
upon any lot or other parcel of land having an area of at  
least seven thousand square feet, and no more than one building  
shall be built, erected or maintained upon said land,

"(2.) Clause (1.) of this paragraph shall not apply to  
buildings existing at the time of passage of the By-law enacting  
same."

4. Paragraphs 38, 39, 40 and 41 of said By-law No. 236 are  
hereby repealed, and the following is substituted therefor:-

"38. The fee or fees hereinafter specified shall be payable  
to the Treasurer of the said The Corporation of the District  
of North Cowichan at the time of issuing a permit under the  
provisions of this By-law:-

"(a) For a permit for the erection, enlargement, alteration  
or repair of any building or part thereof:-

Cost of Work.

Fees payable

Not exceeding \$500.00.....	\$0.50
Exceeding \$500.00, but not exceeding \$1000.00.....	1.00
Each additional \$1000.00 or fraction thereof in excess of \$1000.00....	1.00



"(b) For a permit for the removal of any building from one lot or parcel of land to another lot or parcel of land the fee payable shall be \$1.00."

5. This By-law may be cited as the "Building By-law, 1936, Amendment By-law, 1939,"

Passed by the Municipal Council on the fourth day of May, A.D., 1939.

Reconsidered, adopted, and finally passed by the Municipal Council this eighth day of June, A.D., 1939.

D.D. Chapman

.....  
Reeve

G.H. Johnson

.....  
Acting Clerk of the Municipal Council  
of The Corporation of the District of  
North Cowichan.

I HEREBY CERTIFY that the foregoing typewritten document is a true copy of By-law No. 271, being the "Building By-law, 1936, Amendment By-law, 1939." as adopted by the Municipal Council of The Corporation of the District of North Cowichan on the 8th day of June, A.D., 1939.

.....  
Clerk of the Municipal Council  
of The Corporation of the  
District of North Cowichan.

Dated at Duncan, B.C.  
this 30th day of September, 1955.



THE CORPORATION OF THE DISTRICT OF NORTH  
COWICHAN.



BY-LAW NO..2.7.1

A BY-LAW TO AMEND THE "BUILDING BY-LAW, 1936."

The Municipal Council of The Corporation of the District  
of North Cowichan enacts as follows:-

1. Paragraph 1 of By-law No. *v36* of the said The Cor-  
poration of the District of North Cowichan (being the "Building  
By-law, 1936") is hereby amended by inserting the following  
definition immediately after the definition of "Building Inspec-  
tor" or "Inspector":-

"'Building' shall mean any structure for the support,  
shelter, or enclosure of persons, animals or chattels."

2. Paragraph 16 of said By-law No. *v36* is hereby repealed.

3. Said By-law No. *v36* is hereby amended by inserting  
therein the following as paragraph 21A:-

"21A. (1.) One building may be built or erected or situ-  
ate upon any lot or other parcel of land having an area of at  
least seven thousand square feet, and no more than one building  
shall be built, erected or maintained upon said land. *outbuildings*"

"(2.) Clause (1.) of this paragraph shall not apply to  
buildings existing at the time of passage of the By-law enacting  
same."

4. Paragraphs 38, 39, 40 and 41 of said By-law No. *v36* are  
hereby repealed, and the following is substituted therefor:-

"38. The fee or fees hereinafter specified shall be pay-  
able to the Treasurer of the said The Corporation of the Dis-  
trict of North Cowichan at the time of issuing a permit under  
the provisions of this By-law:-

"(a) For a permit for the erection, enlargement, altera-  
tion or repair of any building or part thereof:-

<u>Cost of Work.</u>	<u>Fees payable.</u>
Not exceeding \$500.00.....	\$0.50
Exceeding \$500.00, but not exceeding \$1000.00.....	1.00
Each additional \$1000.00 or fraction thereof in excess of \$1000.00.....	1.00.



"(b) For a permit for the removal of any building from one lot or parcel of land to another lot or parcel of land the fee payable shall be \$1.00."

5. This By-law may be cited as the "Building By-law, 1936, Amendment By-law, 1939."

Passed by the Municipal Council on the *Fourth* day of *May*, A.D., 1939.

Reconsidered, adopted, and finally passed by the Municipal Council this *8th* day of *June*, A.D., 1939.

*D.D. Chapman*  
Reeve.

*G.H. Johnson*  
Acting Clerk of the Municipal Council  
of The Corporation of the District of  
North Cowichan.

I hereby certify that the foregoing is a true copy of By-Law #271, being the "Building By-law, 1936, Amendment By-law 1939", as finally passed by the Municipal Council of the Corporation of the District of North Cowichan on the eighth day of June, 1939.

*G.H. Johnson*  
Acting Clerk of the Municipal Council of  
The Corporation of the District of North Cowichan.

I hereby certify that By-Law #271 was duly registered by me and sealed with the Seal of the County Court of Nanaimo, British Columbia, holden at Duncan this *10th* day of June, 1939

*W. R. ...*  
Registrar.



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

By-law No. 271

A BY-LAW TO AMEND THE "BUILDING BY-LAW, 1936".

The Municipal Council of The Corporation of the District of North Cowichan enacts as follows:-

1. Paragraph 1 of By-law No. 236 of the said The Corporation of the District of North Cowichan (being the "Building By-law, 1936") is hereby amended by inserting the following definition immediately after the definition of "Building Inspector" or "Inspector":-

"Building" shall mean any structure for the support, shelter, or enclosure of persons, animals or chattels."

2. Paragraph 16 of said By-law No. 236 is hereby repealed.

3. Said By-law No. 236 is hereby amended by inserting therein the following as paragraph 21A:-

"21A. (1) One Building may be built or erected or situate upon any lot or other parcel of land having an area of at least seven thousand square feet; and no more than one building shall be built, erected or maintained upon said land.

"(2) Clause (1) of this paragraph shall not apply to buildings existing at the time of passage of the By-law enacting same."

4. Paragraphs 38, 39, 40 and 41 of said By-law No. 236 are hereby repealed, and the following is substituted therefor:-

"38. The fee or fees hereinafter specified shall be payable to the Treasurer of the said The Corporation of the District of North Cowichan at the time of issuing a permit under the provisions of this By-law:-

"(a) For a permit for the erection, enlargement, alteration or repair of any building or part thereof:-

<u>Cost of Work</u>	<u>Fees payable</u>
Not exceeding \$500.00. . . . .	\$0.50
Exceeding \$500.00, but not exceeding \$1000.00 . . . . .	1.00
Each additional \$1000.00 or fraction thereof in excess of \$1000.00 . . . . .	1.00

"(b) For a permit for the removal of any building from one lot or parcel of land to another lot or parcel of land the fee payable shall be \$1.00."

5. This By-law may be cited as the "Building By-law, 1936, Amendment By-law, 1939".

Passed by the Municipal Council on the 4th day of May, A.D., 1939.

Reconsidered, adopted, and finally passed by the Municipal Council this 8th day of June, A.D., 1939.

G. H. JOHNSON, Acting Clerk of the Municipal Council of The Corporation of the District of North Cowichan.

D. D. CHAPMAN, Reeve.



THE CORPORATION OF THE DISTRICT OF NORTH  
COWICHAN.

BY-LAW NO. 275....



A BY-LAW TO AMEND THE "BUILDING BY-LAW, 1936."

The Municipal Council of The Corporation of the District  
of North Cowichan enacts as follows:-

1. Paragraph 21A of By-law No. 236 of the said The Corporation of the District of North Cowichan (being the "Building By-law, 1936") is hereby repealed, and the following is substituted therefor:-

"21A. (1.) One building may be built or erected or situate upon any lot or other parcel of land having an area of at least five thousand square feet; and no more than one building shall be built, erected or maintained upon said land.

"(2.) Clause (1) of this paragraph shall not apply to buildings existing at the time of passage of By-law No. 275 of the said The Corporation of the District of North Cowichan (being the 'Building By-law, 1936, Amendment By-law, 1939, No. 2')."

2. This By-law may be cited as the "Building By-law, 1936, Amendment By-law, 1939, No. 2."

Passed by the Municipal Council on the sixth day of  
July, A.D., 1939.

Reconsidered, adopted, and finally passed by the Municipal  
Council this third day of August, A.D., 1939.

*B. B. Chapman*  
Veeve.

*H. M. Ansell*  
.....  
Clerk of the Municipal Council of  
The Corporation of the District of  
North Cowichan.

I hereby certify that By-law #275 was duly registered by me  
and sealed with the Seal of the County Court of Nanaimo, holden  
at Duncan, British Columbia, this 15th day of August, 1939.

*W. Chapman*  
Registrar.

I hereby certify that the foregoing is a true copy of By-law #275, being the "Building By-law, 1936, Amendment By-law, 1939, No. 2," as finally passed by the Municipal Council of The Corporation of the District of North Cowichan on the 3rd day of August, 1939.

*H. M. Ansell*  
Clerk of the Municipal Council of The Corporation of the District of North Cowichan.



THE CORPORATION OF THE DISTRICT OF NORTH  
COWICHAN.

By-law No. 275.

A BY-LAW TO AMEND THE "BUILDING BY-LAW", 1936".

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The Municipal Council of The Corporation of the District of North Cowichan enacts as follows:-

1. Paragraph 21a of By-law No. 236 of the said The Corporation of the District of North Cowichan (being the "Building By-law, 1936") is hereby repealed, and the following is substituted therefor:-

"21A. (1) One building may be built or erected or situate upon any lot or other parcel of land having an area of at least five thousand square feet; and no more than one building shall be built, erected or maintained upon said land.

"(2) Clause (1) of this paragraph shall not apply to buildings existing at the time of passage of By-law No. 275 of the said The Corporation of the District of North Cowichan (being the "Building By-law, 1936, Amendment By-law, 1939, No. 2")."

2. This By-law may be cited as the "Building By-law, 1936, Amendment By-law, 1939, No. 2."

Passed by the Municipal Council on the 6th day of July, A.D., 1939.

Reconsidered, adopted, and finally passed by the Municipal Council this 3rd day of August, A.D., 1939.

D. D. CHAPMAN, Reeve

H. M. ANCELL, Clerk of the Municipal Council of  
The Corporation of the District of North Cowichan.



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 309



A BY-LAW RESPECTING MILL-WOOD AND SAWDUST AND THE DELIVERY THEREOF WITHIN THE MUNICIPALITY OF THE DISTRICT OF NORTH COWICHAN.

The Municipal Council of The Corporation of the District of North Cowichan enacts as follows:-

1. In construing this By-law (including this paragraph), unless it is otherwise provided, or there is something in the context or other provisions thereof indicating a different meaning, or calling for a different construction:-

(a) "Cord" shall mean 168 cubic feet of loosely packed wood:

(b) "Police officer" shall mean any police officer of The Corporation of the District of North Cowichan or other person having the authority of a police officer in the Municipality of the District of North Cowichan, notwithstanding such person may be a member of the Provincial Police Force and under Provincial control:

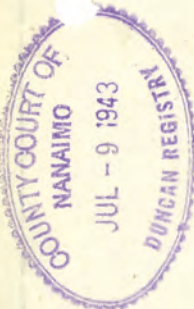
(c) "Unit" shall mean 200 cubic feet of sawdust:

(d) "Wood" shall mean mill-wood which has been sawed, or sawed and split, or otherwise cut into lengths of 16 inches or less.

2. The Municipal Council of The Corporation of the District of North Cowichan may, by resolution, from time to time appoint an Inspector for the purposes of this By-law.

3. Every person selling wood or sawdust to be delivered to a purchaser within the Municipality of the District of North Cowichan shall give to the driver or person in charge of each load of such wood or sawdust a ticket, signed by the person selling such wood or sawdust, specifying:-

- (a) The name and address of the purchaser of such load;
- (b) The measurement of wood or sawdust, as the case





may be, contained in such load;

- (c) Whether the wood or sawdust contained in such load is fir or hemlock, or, if neither fir nor hemlock, specifying what other kind of wood or sawdust it is;
- (d) Whether the wood contained in such load consists of cuttings, blocks, slabs, or edgings, or, if it is not cuttings, blocks, slabs, or edgings, specifying what other type of wood it is;
- (e) The price charged the purchaser of such load by the person selling the same.

In the event of portions of any such load of wood or sawdust being delivered or intended for delivery to more than one purchaser, the person selling such wood or sawdust shall give a separate ticket for each order or quantity to be delivered to separate purchasers showing thereon the particulars hereinbefore required, and the respective quantities of wood or sawdust to be delivered to each such separate purchaser shall be kept separate from each other, so that the respective quantities referred to in such respective tickets may be readily identified.

4. Every box mentioned in this By-law used for the delivery of wood or sawdust shall have displayed thereon in a conspicuous place on each side thereof the cubic capacity thereof, the number of cords of wood it contains when full of wood, the number of units of sawdust it contains when full of sawdust, the name of the owner and the number of the box, in plain and legible characters.

5. Every dealer or other person selling wood or sawdust shall deliver same to the purchaser in a box, but nothing herein contained shall prevent the vendor of wood or sawdust from making the box in which it is delivered a part of his waggon, sleigh or other vehicle and from delivering the wood or sawdust therein.

6. The teamster or servant of the vendor, or person delivering wood or sawdust to the purchaser thereof, shall invite the purchaser or his servant or some member of the purchaser's family (if any such there be in and about the purchaser's premises capable of so doing), to examine such wood or



sawdust before it is unloaded from the box in which it is being delivered, and shall at the same time deliver to the said purchaser or his servant or some member of the purchaser's family (if any such there be in and about the purchaser's premises capable of receiving it) the ticket hereinbefore mentioned accompanying such wood or sawdust; but if none of such purchaser or his servant or some member of the purchaser's family shall be in and about the purchaser's premises at the time such wood or sawdust is being so delivered, capable of receiving such ticket, then such ticket shall be delivered to the purchaser by the vendor on the request of the purchaser therefor after such wood or sawdust has been delivered.

7. It shall be the duty of the Inspector to inspect, measure and number each and every box used for the delivery of wood or sawdust when requested by the owner so to do, and when found by him to be correct in measurement and when it is otherwise properly marked, to mark it with the word "Approved" followed by his signature as Inspector, such word "Approved" and signature to be placed on each outer side of the box immediately underneath the words denoting the capacity of such box; and such owner shall pay to the Inspector at the time such approval is obtained the inclusive fee of \$1.00 for such inspection, measurement, marking, numbering and approval.

8. No fuel dealer or other person shall use any box for the delivery of wood or sawdust in the Municipality of the District of North Cowichan until the same shall have been inspected and marked "Approved" by the Inspector, as provided in paragraph 7 of this By-law.

9. Every fuel dealer or other person using a box for the delivery of wood or sawdust in the Municipality of the District of North Cowichan shall submit the same for inspection and measurement by the Inspector at any time upon his request or upon the request of a police officer.

10. No person using or having any such box as aforesaid shall, after the same has been inspected and marked "Approved"



by the Inspector, use such box for the delivery of wood or sawdust in the Municipality of the District of North Cowichan, or permit the same to be used for that purpose after any alteration whereby the capacity thereof is diminished shall have been made therein or shall have occurred through use or accident or other cause, unless and until such box shall have been again inspected and measured by the Inspector and shall have been again marked "Approved" by him.

11. It shall be lawful for the purchaser of any wood or sawdust to make a complaint to the Inspector requesting him to inspect and measure the box used upon any waggon, sleigh or vehicle for the delivery of such wood or sawdust, and the Inspector shall thereupon forthwith inspect and measure such box, and report in writing the result of such inspection and measurement to the person requiring the same.

12. Either the Inspector or a police officer shall have power to inspect the quantity and quality of any load of wood or sawdust delivered or intended for delivery in the Municipality of the District of North Cowichan and to examine the ticket hereinbefore mentioned accompanying the same, and the owner or person in charge of such load of wood or sawdust shall permit the Inspector or police officer to inspect the quantity and quality of the load and the said ticket accompanying same.

13. Every person who shall be guilty of an infraction of any paragraph or provision of this By-law shall be liable on summary conviction to a penalty not exceeding fifty dollars (\$50.00) and costs for each offence, and in default of payment the same to be levied by distress, and in default of distress every such person shall be liable to imprisonment for a term not exceeding one month.

14. This By-law may be cited as the "Mill-wood and Sawdust By-law, 1943."

Passed by the Municipal Council on the 3rd., day of



June , A.D., 1943.

Reconsidered, adopted, and finally passed by the Municipal  
Council this 8th., day of July ,A.D., 1943.

.....*D. D. Chapman*.....  
Reeve.

.....*A. Wade Eastman*.....  
Clerk of the Municipal Council of The  
Corporation of the District of North  
Cowichan.

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I hereby certify that the foregoing is a true copy of  
By-law No. 309 of the Corporation of the District of North  
Cowichan, being the "Mill-wood and Sawdust By-law, 1943," as  
reconsidered, adopted and finally passed on the 8th., day of  
July 1943.

Dated at Duncan, B. C.  
this 8th day of July  
1943.

.....*A. Wade Eastman*.....  
Clerk of the Municipal Council  
of the Corporation of the  
District of North Cowichan.

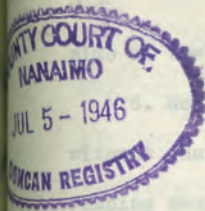
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I hereby certify that the foregoing, being duly certified  
true copy of By-law No 309 being the "Mill-wood and Sawdust  
By-law, 1943," was deposited with me and duly registered at the  
office of the County Court of Nanaimo, holden at Duncan, B. C.,  
this 9th., day of July 1943.

Dated at Duncan, B. C.  
this 9th day of July  
1943

.....*Almon S. Smythe*.....  
Deputy  
Registrar of the County Court  
of Nanaimo holden at Duncan, B. C.





THE CORPORATION OF THE DISTRICT  
OF NORTH COWICHAN

BY-LAW No. 336

A BY-LAW TO PROVIDE FOR GENERAL  
TRAFFIC AND OTHER REGULATIONS  
PERTAINING TO PUBLIC ROADS.

WHEREAS the Council of The Corporation of the District of North Cowichan (which Corporation is hereinafter referred to as the "Municipality") has from time to time passed various by-laws for the user of and the regulation of traffic and other matters pertinent to the streets roads and thoroughfares within the territorial limits of the Municipality and the said Council now deems it advisable to consolidate the provisions of the said by-laws into one main by-law with such amendments and additions thereto as seem consistent with the interests of the populace of the Municipality;

NOW, THEREFORE, the said Council enacts as follows:-

1. In this By-law the word "Municipality" shall include the words "within the territorial limits of the Municipality" and the word "road" shall include any public road, street, highway, sidewalk or other thoroughfare and shall be deemed to mean within the Municipality.

2. No person shall, within any townsite within the Municipality run or race on the roads thereof, or crowd or jostle other pedestrians so as to create discomfort, disturbance, or confusion, and all pedestrians shall, when walking, keep to the left hand side of the road.

3. No person shall stand on any road so as to cause any obstruction to the free use of same, and no person shall expectorate upon any sidewalk.

4. No person shall lead, drive, ride, back, propel, or push any vehicle or any beast of burden on or along or across any sidewalk excepting when it may be necessary to cross any sidewalk for the purpose of gaining access to any property adjacent to such sidewalk.

5. Any person riding or driving on any road shall slacken speed when approaching any intersecting road. When meeting and passing those travelling in an opposite direction every person shall keep to the right hand side of all vehicular traffic while riding or driving and shall while riding or driving and when overtaking and passing those travelling in the same direction pass on the left hand side of all vehicular traffic, the word "side" meaning the



side of the person so meeting, passing, or overtaking such vehicular traffic.

6. No person shall permit any beast of burden to be in or on any road without causing the same to be sufficiently secured to prevent same from running away.

7. No person shall tie any animal to any tree or other object across any sidewalk or any other part of a road so as to in any way obstruct the thoroughfare of any person.

8. No person shall draw, or cause to be drawn, on any road a load of any description without the same being placed on some sufficient carriage so as to prevent any destruction to the road.

9. No person shall leave any standing tree in a burning state or in any other way so that the same may, in falling, reach any road, nor shall allow any tree to stand that has been weakened by partial burning or chopping.

10. The said Council may by resolution instruct the Road Superintendent of the Municipality to declare any road, or any part thereof, closed for any particular traffic including the carrying of loads of over a stated amount of weight.

11. The said Road Superintendent is hereby empowered to close any road or and part thereof for the purpose of preventing the passing over same of any traffic while the said closed road or any part thereof is being worked upon for repairs or otherwise and to place thereon any sign or barrier by way of notice to the public that such road or part thereof is closed to all traffic, and no person other than the said Road Superintendent and any person working with him or under his direction shall pass through or over such closed road or part thereof, nor shall remove or interfere with any such sign or barrier.

12. The said Council is hereby empowered to place on or above the surface of any road any sign or signal of such character and at any place thereon as to the said Council may seem desirable for the better regulation of traffic, and may from time to time and is hereby authorized to direct and determine by resolution the locality where any such sign or signal shall be placed on any road.

13. The driver of every vehicle when travelling on any road on which any sign or signal has been placed under the powers contained in this By-law shall, when approaching any such sign or signal, comply with the following requirements, namely,



(a) If the said sign or signal is marked "STOP", the said driver shall bring the said vehicle to a stop before entering or crossing the road that intersects the road next to the said sign or signal marked "STOP" and while at a distance of not more than twenty feet therefrom.

(b) If the said sign or signal is marked "SLOW" or "SCHOOL" the said driver shall slow down the speed of the said vehicle to a rate of not more than fifteen miles per hour, and shall maintain no greater rate of speed until the said driver shall have passed the zone in which the said rate of speed is required to be observed.

14. No person shall drive or propel on any road any vehicle loaded with material extending beyond the rear of said vehicle unless there is attached to the extreme rear end of said load a red flag by day and a red light by night.

15. No person shall break or remove any planking, pavement, sidewalk, or other surface of any road, or deposit any building material thereon without having first obtained from the said Road Superintendent a permit therefor.

16. No person shall build, erect, keep or maintain, or cause to be erected, built or maintained, any sign, signboard, billboard, awning or hoarding on any road or extending over any road from any building without the permission of the said Council first had and obtained, and no person shall erect any gate or door, or allow any gate or door to be erected, that shall open onto any road and no person shall encroach upon any road with a fence or other material in place thereon, and any person who shall do, or cause to be done, anything prohibited by this section of this By-law shall forthwith remove the said prohibited thing after being advised in writing so to do, such advisement to be given by the Clerk of the Municipality, and, failing removal of such prohibited thing, the same may be removed by direction of the said Clerk at the expense of such person and the expense of such removal shall be recoverable from such person by action in any court of competent jurisdiction.

17. Every person who shall be found guilty of an infraction of any provision of this By-law shall be liable on summary conviction to a penalty not exceeding \$100.00 and in default of payment of such penalty every such person shall be liable to imprisonment for a term not exceeding Three months.

18. By-laws Numbers 7, 15, 17 and 318 of the Municipality are hereby repealed except in so far as the same repeal any by-law or any provision of any by-law of the Municipality; And all other by-laws of the Municipality which



are repugnant to or inconsistent with this By-law are hereby repealed to the extent of such repugnancy or inconsistency.

19. This By-law may be cited as the "Consolidated Public Roads and Traffic Regulations By-law, 1946."

Passed by the Municipal Council on the 7th day of June, 1946.

Reconsidered, adopted and finally passed by the Municipal Council this 4th day of July, 1946.

*H. H. Chapman*  
Reeve.

*Wanda Coatsworth*

Clerk of The Corporation of the  
District of North Cowichan.

I HEREBY CERTIFY that the foregoing typewritten document bearing the seal of The Corporation of the District of North Cowichan is a true copy of By-law No. 336 of the said Corporation as reconsidered, adopted and finally passed by the Municipal Council of the said Corporation on the 4th day of July, 1946.

Dated at Duncan, B.C., this 5th day of July, 1946.

*Wanda Coatsworth*  
Clerk of The Corporation of The  
District of North Cowichan.

I HEREBY CERTIFY that the foregoing typewritten document, being a duly certified true copy of By-law No. 336 cited as the Consolidated Public Roads and Traffic Regulations By-law, 1946, was deposited with me and duly registered in the office of the County Court of Nanaimo holden at Duncan, B.C., this 5th day of July, 1946.

Dated at Duncan, B.C., this 5th day of July, 1946.



*W. H. H. H. H.*  
Registrar of the County Court of  
Nanaimo holden at Duncan, B.C.



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 387

A BY-LAW TO PROVIDE FOR THE CONSTRUCTION OF SUBDIVISION ROADS AND FOR APPROVAL OF SUBDIVISION PLANS AND FOR THE REGULATION OF THE WIDTH OF ROADS

The Municipal Council of The Corporation of the District of North Cowichan enacts as follows:-

1. In this By-law:-

- (1) The words "The Corporation" shall mean The Corporation of the District of North Cowichan.
- (2) The words "The Municipality" shall mean The Municipality of The District of North Cowichan.
- (3) The words "The Council" shall mean the Municipal Council of The Corporation.
- (4) The words "Subdivision Plan" shall have the meaning assigned to that expression by The Land Registry Act, being Chapter 171 of the Revised Statutes of British Columbia (1948) and any Amendment thereto in force for the time being.
- (5) The words "Approving Officer" shall have the meaning assigned to that expression by Section 91 (2) of the said Land Registry Act and any Amendment thereto in force for the time being, and shall mean the Approving Officer for the time being of The Municipality.
- (6) The word "Lot" shall mean any one of the portions or subdivisions into which it is proposed that a block of land shall be subdivided.

2. The Approving Officer shall not approve of any description of property by metes and bounds for the purposes of any subdivision without a plan of the property to be subdivided.

3. Before any Subdivision Plan is approved by the Approving Officer it shall be required of the owner of the land proposed to be subdivided that all roads and lanes shown on such Plan shall be cleared and graded for the full width of the road or lane allowance and that proper road and land drainage facilities including culvert-work, be provided, and that all roads be contour graded and gravelled or rocked in accordance with the plans and specifications and requirements of the Engineer of The Corporation.



4. Each lot shown on a subdivision plan shall have a frontage on a travelled road of at least sixty feet and a length of at least one hundred and twenty feet.

5. Notwithstanding the provisions of Section 3 of this By-law, the Council shall have power by resolution to decrease the measurement of any lot when it shall appear to the Council that the strict compliance with Section 3 of this By-law would be impracticable or inequitable, having regard to the area or configuration of the land proposed to be subdivided.

6. All roads shown on any subdivision plan tendered for the approval of the Approving Officer shall be not less than fifty feet in width, unless the Council by resolution otherwise orders.

7. The widening of the Cowichan Lake Road from the Westerly boundary of the road now known as the Island Highway westerly to the Westerly boundary of The Municipality to a uniform maximum width of eighty feet and the acquisition or retention by The Corporation of sufficient land for such purpose is hereby authorized.

8. The widening of the road now known as the Island Highway from the Southerly Boundary of The Municipality northerly to the north boundary of The Municipality to a uniform maximum width of eighty feet and the acquisition or retention by The Corporation of sufficient land for such purpose is hereby authorized.

9. The widening of all roads in The Municipality except the roads referred to in Sections 6 and 7 of this By-law to a uniform maximum width of fifty feet and the acquisition or retention by The Corporation of sufficient land for such purpose is hereby authorized.

10. By-laws No. 262 and No. 325 of The Corporation are hereby repealed.

11. This By-law may be cited as the "Subdivision Plan and Width of Roads By-law, 1949".

Passed by the Municipal Council of The Corporation of the District of North Cowichan on the Third day of November, A.D., 1949.



Reconsidered, adopted and finally passed by the Municipal Council  
of The Corporation of the District of North Cowichan on the 18th day  
of November A.D., 1949.

*W. A. Besten*  
.....  
Clerk of the Municipal Council of  
The Corporation of the District of  
North Cowichan.

*D. D. Chapman*  
.....  
Reeve.



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 462

A BY-LAW TO AMEND BY-LAW NO. 442, BEING A BY-LAW TO PROVIDE FOR GENERAL TRAFFIC AND OTHER REGULATIONS PERTAINING TO PUBLIC ROADS WITHIN THE MUNICIPALITY OF THE DISTRICT OF NORTH COWICHAN

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The Municipal Council of The Corporation of the District of North Cowichan enacts as follows:-

1. Clause 17 of By-law No. 442 is amended so as to include the following offences, namely:-

(k) Impeding or hindering in any way any member of any Fire Department within the Municipality, or other person under the direction of the Fire Marshal, or any other officer of the Municipality in command at any fire or fires.

(l) Wilfully or carelessly permitting any motor vehicle or vehicles to obstruct the progress of any fire apparatus going to or returning from a fire, alarm or drill.

(m) Entering any burning building or structure or going beyond or within the lines designated by ropes or guards across all or any streets, lanes or alleys, or refusing to move when directed to do so by any Police Officer or officer of the Fire Department, except, nevertheless, this shall not apply to the Reeve, Councillors, the Fire Committee, any Police Officer, or firemen.

(n) Driving or running over with any vehicle or motor vehicle the line or lines of hose at any fire, alarm or drill.

(o) Making or circulating or causing to be made or circulated without reasonable cause any false alarm of fire by outcry, ringing of bells or otherwise howsoever.

(p) Placing or maintaining or allowing to remain any article, thing or matter on or upon the sidewalk or street so as to interfere with the free access or approach to any fire hydrant.

(q) Failing to yield the right of way at all times in any street, lane or alley to apparatus of the Fire Department.



2. This By-law may be cited as the "Traffic Regulation By-law, 1951, Amendment By-law, 1952".

PASSED by the Municipal Council on the 17th day of March, A.D., 1952.

ADOPTED by the Municipal Council on the 7th day of April, A.D., 1952.

*Wanda Casty*  
.....  
Clerk of the Municipal Council of The Corporation of the District of North Cowichan.

*A. Beasley*  
.....  
Reeve.



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 475

A BY-LAW TO REGULATE EXTRAORDINARY TRAFFIC ON AND OVER CERTAIN PUBLIC HIGHWAYS WITHIN THE MUNICIPALITY OF THE DISTRICT OF NORTH COWICHAN

WHEREAS it is the opinion of the Municipal Council that certain highways within the territorial limits of the Municipality of North Cowichan are liable to damage through the use thereof by such extraordinary traffic as is hereinafter set out:-

X AND WHEREAS all logging trucks, all lumber trucks, but not including those delivering retail lumber to householders, and all chip transport trucks, in the opinion of the Municipal Council are operated and driven in such a way as to substantially alter and increase the burden imposed on the said highways through their proper use by ordinary traffic and to cause damage and expense in respect of the said highways beyond what is reasonable and ordinary:-

X AND WHEREAS the Municipal Council is given authority to enact the regulations hereinafter set out by Section 58 (269) of the Municipal Act - R.S.B.C. 1948:-

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN ENACTS AS FOLLOWS:-

1. In this By-law the following definitions shall obtain:-
  - (a) "Municipal Council" shall mean the Municipal Council of The Corporation of the District of North Cowichan.
  - (b) "Trucks" shall include truck and trailer units.
  - (c) "The Corporation" shall mean The Corporation of the District of North Cowichan.
  - (d) "The Highways" shall mean all public highways lying within the territorial limits of the Municipality of North Cowichan but shall not include those public highways known as Sherman Road, Lakes Road, that part of Herd Road between Lakes Road and Quamichan Lake Road, Crofton Road, Quamichan Lake Road, and Henry Road.

2. The Highways as above defined shall be closed to logging trucks, lumber trucks (except those delivering retail lumber to householders), and chip transport trucks, and every person driving such a truck, owning such a truck, or owning the load carried on such a truck shall be guilty of an offence



under this By-law and shall be liable on Summary Conviction to a fine of not less than Fifty Dollars (\$50.00) and not more than Three Hundred Dollars (\$300.00).

3. Every person who violates the prohibitions contained in this By-law or any prohibition made by the Superintendent of Works or the Municipal Council under the provisions of this By-law or any amendment thereto shall be guilty of an offence, and each day's continuance of the violation shall constitute a new and separate offence.

4. It is provided that any person to whom these regulations might otherwise apply may with the approval of the Municipal Council enter into an agreement for the payment to The Corporation of compensation in respect to the damage or expense which may, in the opinion of the Municipal Council, be caused by the extraordinary traffic which is desired to be regulated by this By-law and thereafter shall not in respect to that traffic be subject to any prohibition or penalty prescribed herein.

5. The form of agreement referred to in the immediately preceding section shall be as in the form set out in Appendix 1 to this By-law.

6. The Superintendent of Works, or any other person appointed by Council by resolution, shall exercise all powers exercisable by the Minister of Public Works in respect to extraordinary traffic as set out in the "Highways Act", R.S.B.C. 1948, Chapter 144, and amendments as from time to time enacted. In particular the said Superintendent of Works will have the authority to close the highways excepted in this By-law under subsection (d) of section one (1) for any cause.

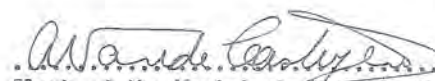
7. By-law No. 153 of The Corporation is hereby repealed.

8. This By-law shall not have any force or effect until the sanction of the Lieutenant-Governor in Council is received.

9. This By-law may be cited as the "Extraordinary Traffic By-law, 1952".

PASSED by the Municipal Council on the 16th day of June, A.D., 1952.

ADOPTED by the Municipal Council on the 7th day of July, A.D., 1952.

  
.....  
Clerk of the Municipal Council of The Corporation of the District of North Cowichan.

  
.....  
Reeve.



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 476

A BY-LAW TO AMEND BY-LAW No. 475, BEING THE "EXTRAORDINARY TRAFFIC BY-LAW, 1952"

The Municipal Council of The Corporation of the District of North Cowichan enacts as follows:-

1. By-law No. 475, being the "Extraordinary Traffic By-law, 1952" is hereby amended as follows, that is to say:-

By striking out Clause three (3) of the preamble of said By-law No. 475 and substituting therefore the following as Clause three (3), that is to say:-

"AND WHEREAS the Municipal Council is given authority to enact the regulations hereinafter set out by Section 58 (270) of the Municipal Act - R.S.B.C. 1948:-".

2. By-law No. 475, being the "Extraordinary Traffic By-law, 1952" is hereby further amended as follows, that is to say:-

"2. The Highways as above defined shall be closed to logging trucks, lumber trucks (except those delivering retail lumber to householders), and chip transport trucks, and every person driving such a truck owning such a truck, or owning the load carried on such a truck on any of the said highways shall be guilty of an offence under this By-law and shall be liable on Summary Conviction to a fine of not less than Fifty Dollars (\$50.00) and not more than Three Hundred Dollars (\$300.00)."

3. This By-law shall not have any force or effect until the sanction of the Lieutenant-Governor in Council is received.

4. This By-law may be cited as the "Extraordinary Traffic By-law, 1952, Amendment By-law, 1952".

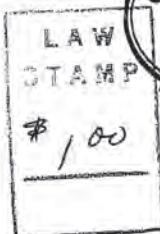
PASSED by the Municipal Council on the 2nd day of September, A.D., 1952.

ADOPTED by the Municipal Council on the 15th day of September, A.D., 1952.

... *A. Beasley* ...  
Reeve.

... *A. W. ...* ...  
Clerk of the Municipal Council of The Corporation of the District of North Cowichan.





THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 487

TO PROHIBIT THE OPERATION OF PIN-BALL MACHINES BY PERSONS UNDER THE AGE OF SIXTEEN YEARS

The Municipal Council of The Corporation of the District of North Cowichan enacts as follows:-

1. From and after the passage of this by-law it shall be an offence punishable by summary conviction for any person under the age of sixteen years to operate or play any automatic amusement vending machine, commonly known as a pin-ball machine.
2. It shall likewise be an offence for any person suffering or permitting any person under the age of sixteen years to operate or play any pin-ball machine on premises which he owns or controls.
3. Any person who commits an infraction of this by-law shall be liable, on conviction, to a fine of not less than fifty dollars (\$50.00) or more than one hundred dollars (\$100.00).
4. This By-law may be cited as the "Amusement Vending Machines Regulation By-law, 1953".

PASSED by the Municipal Council on the 20th day of April, A.D., 1953.

ADOPTED by the Municipal Council on the 4th day of May, A.D., 1953.

*Altonde Costey*  
.....  
Clerk of the Municipal Council of The Corporation of the District of North Cowichan.

*R. Beasley*  
.....  
Reeve.

I HEREBY CERTIFY that the foregoing typewritten document is a true copy of By-law No. 487, being the "Amusement Vending Machines Regulation By-law, 1953", as adopted by the Municipal Council of The Corporation of the District of North Cowichan on the 4th day of May, A.D., 1953.

Dated at Duncan, B.C., this 5th day of May, 1953.

*Altonde Costey*  
.....  
Clerk of the Municipal Council of The Corporation of the District of North Cowichan.

I HEREBY CERTIFY that By-law No. 487 was duly registered by me and sealed with the Seal of the County Court of Nanaimo, holden at Duncan, B.C., this 7th day of May, 1953.

*S. Hamilton*  
.....  
Registrar.





THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 502

A BY-LAW TO AMEND THE DEFINITION OF "IMPROVEMENTS"  
IN ACCORDANCE WITH RECENT PROVINCIAL LEGISLATION  
IN THIS RESPECT

WHEREAS by Section 245 of the Municipal Act, R.S.B.C. (1948) as amended by R.S.B.C. (1953) the Municipal Council has been given power to provide by By-law that the definition of improvements contained in Section 2 of the Municipal Act, R.S.B.C. (1948) shall not apply and in lieu thereof may substitute the definition hereinafter set out;

NOW THEREFORE the Municipal Council of The Corporation of the District of North Cowichan enacts as follows:-

1. From and after the 1st day of January, A.D., 1954, the following definition of "improvements" shall obtain and the Assessor shall carry out his duties of assessment in accordance with this definition:-

The definition of "improvements" includes the following:-

- (a) All buildings, fixtures, machinery, structures, and similar things erected or placed in, upon, or under or affixed to land or to any building, fixture, or structure therein, thereon, or thereunder, and, without limiting the generality of the foregoing, shall include aqueducts, tunnels (excluding mine-workings), bridges, dams, reservoirs, roads, transformers, and storage-tanks of whatever kind or nature, and shall include such fixtures, machinery, and similar things of a commercial or industrial undertaking, business or going-concern operation as, if so erected, affixed, or placed by a tenant, would, between landlord and tenant, be removable by the tenant;
- (b) The pole-lines, cables, towers, poles, wires, transformers, and transmission equipment of any electric light, electric power, telephone, or telegraph company, and pipe-lines for transportation of water, petroleum, petroleum products, or gas;
- (c) The track-in-place used in the operation of a railway by any person other than a railway company;



(d) Rafts, floats, and other such devices, whether anchored or secured to foreshore belonging to the owner or not, and buildings, fixtures, machinery, structures, storage-tanks, and similar things erected, affixed or placed thereon, and also includes such fixtures, machinery, and similar things of a commercial or industrial undertaking, business or going-concern operation as, if so erected, affixed, or placed by a tenant, would, between landlord and tenant, be removable by the tenant.

2. The Assessor and Collector of The Corporation shall upon the passing of this By-law make appropriate changes in the Records and Rolls of the Municipality so as to give proper effect to the provisions of this By-law.

3. The provisions of the Municipal Act and any amendments thereto relating to assessment, taxation, recovery of taxes, and tax sale shall apply, mutatis mutandis, to the assessment, taxation, recovery of taxes, and tax sale of the respective classes of improvements aforesaid.

4. This By-law may be cited as the "Definition of Improvements By-law, 1953".

PASSED by the Municipal Council on the 7th day of December, A.D., 1953.

RECONSIDERED, ADOPTED and FINALLY PASSED by the Municipal Council on the 21st day of December, A.D., 1953.

.....*W. Beasley*.....  
Reeve.

.....*Wanda Cochrane*.....  
Clerk of the Municipal Council of The Corporation of the District of North Cowichan.





CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 515

BY-LAW TO REGULATE EXTRA-ORDINARY TRAFFIC ON AND OVER  
CERTAIN PUBLIC HIGHWAYS WITHIN THE MUNICIPALITY OF THE  
DISTRICT OF NORTH COWICHAN

WHEREAS it is the opinion of the Municipal Council that certain highways within the territorial limits of the Municipality of North Cowichan are liable to damage through the use thereof by such extra-ordinary traffic as is hereinafter set out:-

AND WHEREAS all logging trucks, all lumber trucks, (but not including those delivering retail lumber to householders), and all chip transport trucks, in the opinion of the Municipal Council are operated and driven in such a way as to substantially alter and increase the burden imposed on the said highways through their proper use by ordinary traffic and to cause damage and expense in respect of the said highways beyond what is reasonable and ordinary:-

AND WHEREAS the Municipal Council is given authority to enact the regulations hereinafter set out by Section 38 (270) of the Municipal Act - R.S.B.C. 1948:-

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN ENACTS AS FOLLOWS:-

1. In this By-law the following definitions shall obtain:-

- (a) "Municipal Council" shall mean the Municipal Council of The Corporation of the District of North Cowichan.
- (b) "Trucks" shall include truck and trailer units.
- (c) "The Highways" shall mean all public highways lying within the territorial limits of the Municipality of North Cowichan but shall not include those public highways known as Sherman Road, Lakes Road, that part of Herd Road between Lakes Road and Quamichan Lake Road, Crofton Road, Quamichan Lake Road, Henry Road, James Street and Mill Street or any Arterial Highway.

2. The Highways as above defined shall be closed to logging trucks, lumber trucks, (except those delivering retail lumber to householders), and chip transport trucks, and every person driving such a truck on any of the said highways shall be guilty of an offence under this By-law and shall be liable on Summary Conviction to a fine of not less than Fifty Dollars (\$50.00) and not more than Three Hundred Dollars (\$300.00).



3. Every person who violates the prohibitions contained in this By-law or any prohibition made by the Superintendent of Works or the Municipal Council under the provisions of this By-law or any amendment thereto shall be guilty of an offence, and each day's continuance of the violation shall constitute a new and separate offence.

4. It is provided that any person to whom these regulations apply may with the approval of the Municipal Council enter into an agreement for the payment to The Corporation of compensation in respect to the damage or expense which may, in the opinion of the Municipal Council, be caused by the extra-ordinary traffic which is desired to be regulated by this By-law and thereafter shall not be subject to any prohibition or penalty prescribed herein, while not in default thereunder.

5. The form of agreement referred to in the immediately preceding section shall be as in the form set out in Appendix 1 to this By-law.

6. The Superintendent of Works, or any other person appointed by Council by resolution, shall exercise all powers exercisable by the Minister of Public Works in respect to extra-ordinary traffic as set out in the "Highways Act", R.S.B.C. 1948, Chapter 144, and amendments as from time to time enacted. In particular, the said Superintendent of Works shall have the authority to close all the highways excepted in this By-law under subsection (c) of section one (1) except Arterial Highways for any cause, to extra-ordinary traffic.

7. All previous By-laws of The Corporation of the District of North Cowichan in connection with the regulation of extra-ordinary traffic are hereby repealed.

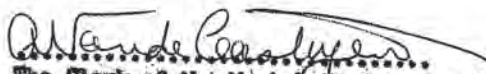
8. This By-law shall not have any force or effect until the sanction of the Lieutenant-Governor in Council is received.

9. This By-law may be cited as the "Extra-Ordinary Traffic By-law, 1954".

PASSED by the Municipal Council on the 4th day of March, A.D., 1954.

RECONSIDERED, ADOPTED, and FINALLY PASSED by the Municipal Council on the 17th day of March, A.D., 1954.

  
.....  
Reeve.

  
.....  
The Clerk of the Municipal Council of  
The Corporation of the District of  
North Cowichan.



APPENDIX 1 TO THIS BY-LAW

THIS AGREEMENT made in duplicate this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_,

BETWEEN: The Corporation of the District of North Cowichan, Duncan,  
British Columbia, herein called "The Corporation"

OF THE FIRST PART

AND: \_\_\_\_\_ Of \_\_\_\_\_, British Columbia,  
herein called "The Operator"

OF THE SECOND PART

WHEREAS by By-law No. 515 the Municipal Council of The Corporation  
closed to extra-ordinary traffic all public highways within the territorial  
limits of the Municipality of North Cowichan except Sherman Road, Lakes Road,  
that part of Herd Road between Lakes Road and Quamichan Lake Road, Crefton  
Road, Quamichan Lake Road, Henry Road, James Street and Mill Street and any  
arterial highway:

AND WHEREAS The Operator is desirous of entering into an agreement with  
The Corporation as hereinafter set out in order that the prohibitive and  
punitive aspects of the said By-law shall not apply to him:

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the  
premises the parties hereto covenant and agree as follows:-

1. The Operator will be allowed free access to and over the public  
highways specified as follows:- \_\_\_\_\_

\_\_\_\_\_

subject to the terms and conditions herein contained, from the \_\_\_\_\_  
day of \_\_\_\_\_ 19\_\_\_\_ up to and including the \_\_\_\_\_  
day of \_\_\_\_\_ 19\_\_\_\_ with the following described truck or trucks:-

\_\_\_\_\_

2. The Operator promises to pay to The Corporation all and any damage  
and expense which in the opinion of the Superintendent of Works of The  
Corporation, notice of which shall be given to The Operator, is caused by  
the use of the above described truck or trucks on the said highway, not only  
during the use thereof, but also such damage appearing and such expense being  
incurred within a period of thirty days after the expiry date mentioned above.



3. The Operator will pay on the execution of this agreement the sum of Two Hundred and Fifty Dollars (\$250.00) for one (1) truck or Five Hundred Dollars (\$500.00) for Two (2) or more trucks as security for the promise set out in the immediately preceding paragraph, and the Superintendent of Works in his discretion shall apply the monies so deposited to repairing of the said damage.

4. The Superintendent of Works shall require The Operator to deposit further sums of money in order to maintain the money deposited as security intact, and The Operator acknowledges that his continued right to use the said highways depends upon his immediate compliance therewith.

5. The Operator further acknowledges that his right to use the said highways will cease immediately upon demand made by any person identifying himself as the Superintendent of Works of The Corporation of the District of North Cowichan or his agent at any time for any cause, or upon notice being given according to clause eight (8) of the agreement.

6. The Operator, if he disagrees with the finding of liability and/or the amount of damages, may apply to the Clerk of The Corporation within thirty (30) clear days after receiving notice of such liability and such amount of damages, requesting reconsideration of the decision, and the Municipal Council of The Corporation thereupon shall notify The Operator of a time and place for the hearing of such representations as The Operator may have. Upon the conclusion of such hearing the Council shall either affirm, alter, or reverse the decision of the Superintendent of Works. It is provided that there shall be a further appeal by way of arbitration, and the provisions of the Arbitration Act, R.S.B.C., 1948, and amendments thereto shall apply if The Operator gives notice to the office of the Clerk of The Corporation stating his intention to appeal and naming his choice as arbitrator within fourteen (14) clear days of the reconsidered decision.

7. After thirty days after the expiration date of this agreement, the Clerk of The Corporation upon written request shall refund the whole of the sum or sums of money placed with The Corporation as security, or such part thereof, if any, as remains to the credit of The Operator. It is agreed that after this date The Operator will not be liable for any damage however caused.



8. Any notice required to be sent to The Operator in this agreement shall be sufficiently served mailed by prepaid registered post to the following address:-

9. Any notice which is required to be served upon the Municipal Council of The Corporation under the terms of this agreement shall be sufficiently served if mailed by prepaid registered post to the following address:-

The Clerk of The Corporation of the District of  
North Cowichan,  
DUNCAN,  
British Columbia.

IN WITNESS WHEREOF the parties hereto have hereunto set their hand and seal and affixed the Corporate Seal or Seals respectively the day and year first above written.

THE CORPORATE SEAL of the District of  
North Cowichan was hereunto affixed  
in the presence of:

\_\_\_\_\_  
Clerk of The Corporation of The Dis-  
trict of North Cowichan

\_\_\_\_\_  
Reeve

SIGNED, SEALED and DELIVERED by the  
said Operator in the presence of:

\_\_\_\_\_  
TO BE USED in the event that The Operator )  
is a Limited Company: )

THE CORPORATE SEAL of the Operator's Company )  
was affixed in the presence of the following )  
officers first duly authorized to do so: )  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO.554

A BY-LAW FOR THE ESTABLISHMENT OF A SCALE OF FEES  
TO BE LEVIED FOR PLUMBING PERMITS ISSUED IN THE  
DISTRICT OF NORTH COWICHAN.

-----

The Municipal Council of The Corporation of the District of  
North Cowichan enacts as follows:-

1. By-law No. 198, being the "Plumbing and Sewer By-law, 1932"  
is hereby amended by inserting the following as Clause 77 of the Schedule  
thereto:-

"The fee for Plumbing Permits shall be as follows:-

Minimum fee up to three (3) fixtures..... \$3.00

Fee per fixture over the first three (3)..... .75

Septic Tank ..... 3.00."

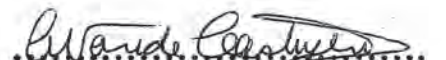
2. Any previous by-laws of The Corporation which are  
inconsistent with this by-law are hereby repealed in so far as such  
inconsistencies exist.

3. This By-law may be cited as the "Plumbing Fees By-law, 1955."

PASSED by the Municipal Council on the 5th day of April , A.D.  
1955.

RECONSIDERED, ADOPTED, and FINALLY PASSED on the 12th day of April  
A.D., 1955.

  
.....  
Reeve.

  
.....  
Clerk of the Municipal Council of  
The Corporation of the District of  
North Cowichan.





THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

By-Law No. 589

A BY-LAW TO AUTHORIZE THE SALE OF  
RAW MILK IN THE MUNICIPALITY.

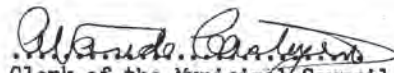
The Municipal Council of The Corporation of the District of  
North Cowichan enacts as follows:-

1. From and after the passage of this By-Law and the approval  
thereof by the Lieutenant-Governor-in-Council, it shall be lawful for  
any person to sell within the Municipality raw-milk produced on an  
approved raw-milk dairy farm within the meaning of the "Milk Industry  
Act" R.S.B.C. 1956.

2. This By-law may be cited as the "Sale of Raw-milk By-law 1956"

PASSED by the Municipal Council on the 6th day of June,  
A.D., 1956

RECONSIDERED, ADOPTED AND FINALLY PASSED by the Municipal Council on  
the 20th day of June, A.D., 1956

  
Clerk of the Municipal Council  
of The Corporation of the  
District of North Cowichan.

  
Reeve





THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

By-law No. 611

A BY-LAW TO REGULATE COASTING AND SLIDING  
WITH SLEDS AND OTHER APPARATUS ON PUBLIC  
STREETS.

WHEREAS it is deemed expedient to regulate coasting and sliding with sleds and other apparatus on public streets, highways and public places within the Municipality:

AND WHEREAS the Council is empowered by Section 58 (272) of the Municipal Act to make By-laws for that purpose:

NOW THEREFORE the Council enacts as follows:-

1. In this By-law, unless the context otherwise requires:

"Council" means the Municipal Council of The Corporation of the District of North Cowichan

"Municipality" means the Municipality of the District of North Cowichan, and shall include the words 'within the territorial limits of the Municipality'.

"Public Works Supervisor" means the person appointed and employed by the Council to superintend the construction, maintenance and repair of roads and other public works.

"Street" means any way, road, land, alley, avenue, sidewalk, thoroughfare, driveway, bridge, viaduct, square, open space or public place designed or intended for or used by the general public.

"Traffic" means pedestrians, ridden or herded animals, vehicles and other conveyances, either singly or together while standing upon or using any street.

"Vehicle" shall include any device in, upon or by which any person or property may be transported or drawn upon a street, irrespective of the motive power, including a trailer or any other attachment thereto, and shall also include a horse, led or ridden.

2. No person shall coast or slide with sleds, toboggans, skis, skates or other apparatus on snow or ice on any street, except in accordance with the provisions of this By-law.

3. For the purpose of enabling coasting and sliding to be carried on with safety, the Public Works Supervisor is empowered to set aside the roadway of any street or any section thereof for coasting or sliding with sleds, toboggans, skis, skates or other similar apparatus, and to restrict the use thus given to any one or more of such types of apparatus during any period or periods of time as he may decide.

4. The streets or any sections thereof so set aside for coasting or sliding shall be closed to all other traffic and vehicles and no person shall ride or drive any vehicle over such sections or streets during any prohibited period, except that persons who reside or operate a business in the neighbourhood of such sections of streets and whose only means of access to their premises with vehicles is by way of such sections of street, shall have the right and privilege of passing the barricade and of driving a vehicle over such sections of streets for the purpose only of leaving or entering their premises: Provided, however that no person exercising such privilege



shall drive over such sections of streets at a rate of speed in excess of 10 miles per hour.

5. The streets or any sections thereof so set aside for coasting or sliding shall be closed by barricades or other suitable barriers, and until such barricades or barriers have been removed by the Public Works Supervisor or other person authorized by him, it shall be unlawful for any other person to interfere in any way with or to pass beyond, any such barricades or barriers with any vehicle, or in any way to enter such restricted area with any vehicle, except as provided in the preceding section of this By-law.

6. Nothing contained in this By-law shall operate to prevent the use of any street, in an urgent emergency, by -

- (a) An ambulance responding to a call or transporting a patient;
- (b) A vehicle carrying rescue or first-aid or fire equipment in responding to a call or alarm; or
- (c) A vehicle driven by a Peace Officer (as defined in the Criminal Code of Canada) or constable or by a member of the Police branch of any of Her Majesty's Forces.

Provided that the driver of such ambulance or other vehicle is at the time acting within the scope and in the discharge of his duties.

7. This By-law may be cited as the "Regulation of Coasting By-law, 1957".

PASSED by the Municipal Council on the 20th day of February, A.D., 1957.

RE-CONSIDERED, ADOPTED and FINALLY PASSED by the Municipal Council on the 6th day of March A.D., 1957.

.....*John A. Jones*  
Clerk of the Municipal Council  
of The Corporation of the District  
of North Cowichan.

.....*W. A. Dumas*  
Reeve



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

By-law No. <sup>642</sup>.....

A BY-LAW TO ESTABLISH A ZONING BOARD OF APPEAL FOR  
THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

-----  
The Municipal Council of The Corporation of the District of North Cowichan in open meeting assembled enacts as follows:-

1. Definitions:
  - (a) "Council" means the Council of The Corporation of the District of North Cowichan.
  - (b) "Municipality" means The Corporation of the District of North Cowichan.
  - (c) "Zoning By-law" means the Zoning By-law of The Corporation of the District of North Cowichan from time to time in effect and all amendments thereto.
  - (d) "Municipal Act" means the Municipal Act R.S.B.C. 1957, Chapter 24.
2. There shall be established a Zoning Board of Appeal of three members as follows:-
  - (a) One to be appointed by the Municipality, and
  - (b) One to be appointed by the Lieutenant-Governor in Council, and
  - (c) A Chairman, who shall be appointed by the other appointees.
3. Each member appointed shall hold office for a term of three years or until his successor is appointed, but a person may be re-appointed for a further term or terms.
4. No person who is a member of the Advisory Planning Commission or who holds any municipal office is eligible to be appointed to or to sit as a member of the Zoning Board of Appeal.
5. A majority of the Board is a quorum.
6. The Chairman may from time to time appoint a member of the Board as Acting-Chairman to preside in the absence of the Chairman.
7. In the event of the death, resignation, or removal from office of any member of the Board, his successor shall be appointed in the manner in which such member was appointed, and until the appointment of his successor the remaining members constitute the Board.
8. The appointee of a Council may be removed at any time by the Council concerned, and the appointee of the Lieutenant-Governor in Council



may likewise be removed at any time by the Lieutenant-Governor in Council; the Chairman may be removed at any time by the Lieutenant-Governor in Council on the recommendation of the Council.

9. In the event of the death, resignation, or removal from office of a member of the Board, other than the Chairman, the Chairman shall continue to act in that capacity, and the provisions of section 2 relating to the appointment of Chairman shall not apply.

10. An appeal shall lie to the Zoning Board of Appeal in those cases provided for in Section 706 of the Municipal Act.

11. Any person exercising the right of appeal to the said Board of Appeal shall file with the Municipal Clerk of The Corporation of the District of North Cowichan, within ten days of the giving of any decision complained of, a written notice of appeal therefrom which shall state clearly the grounds upon which the appeal is made. The appellant shall therein give an address to which all notices may be mailed.

12. The Municipal Clerk shall notify the Board of Appeal of said notice of appeal, and the Board shall set a date for the hearing of the appeal. Five days' notice of the said hearing shall be mailed by the Municipal Clerk, by Registered Mail, to the appellant posted to the address described in said notice of appeal, to the owners and occupiers of all real property located adjacent to the property with respect to which the appeal is being heard and also to such other persons as may be designated by the Board. If the Board deems the matter of sufficient importance, it may give public notice of the hearing by insertion in a newspaper published or circulating in The Municipality of an advertisement to appear at least five days prior to the date set for the hearing.

13. Any person whose property is affected by any such appeal shall have the right to be heard to give evidence at the hearing thereof, or may be represented by some other person on his behalf.

14. The proceedings before such Board of Appeal shall be informal.

15. The decision in writing of all or of a majority of the members of the Board shall constitute the decision of the Board, and is final and binding.

16. In the event of the members being equally divided, the appeal shall be disallowed.

17. The decision of the Board of Appeal shall be filed with the Municipal Clerk who shall forward a copy thereof to the appellant, and to



all officials concerned in the enforcement of this By-law.

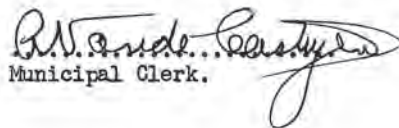
18. (a) No member of a Zoning Board of Appeal shall receive compensation for his services other than allowances for actual expenses necessarily incurred in the discharge of his official duties.

(b) The Council shall include in its annual budget such sums as are necessary to defray the expenses of the Board.

19. The terms of Office of the members of the Board shall commence January 1, 1958.

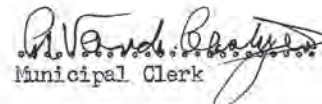
20. This By-law may be cited as the "Zoning Board of Appeal By-law 1957".  
Received the first reading on the 18th day of September, 1957  
Received the second reading on the 18th day of September, 1957.  
Received the third reading on the 18th day of September, 1957.  
Reconsidered, Adopted and Finally Passed by the Municipal Council on  
the 9th day of October, 1957.

  
Reeve

  
Municipal Clerk.

I HEREBY CERTIFY that the foregoing typewritten document is a true copy of By-law No. 642 being the "Zoning Board of Appeal By-law 1957" as adopted by the Council of The Corporation of the District of North Cowichan on the ninth day of October, 1957.

Dated at Duncan, B.C.,  
this 10th day of October, 1957.

  
Municipal Clerk



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 840

A BY-LAW TO PROVIDE FOR THE RAISING OF MUNICIPAL  
REVENUE BY MEANS OF CERTAIN LICENCE FEES

The Municipal Council of The Corporation of the District of North Cowichan

ENACTS as follows:

1. On and after the coming into force of this By-law, moneys shall be raised, levied and collected in aid and for the purposes of the revenue of The Corporation of the District of North Cowichan, as hereinafter set forth.
2. Every person carrying on within the Municipality of The Corporation of the District of North Cowichan any of the trades, businesses, professions, occupations, callings, employments, or purposes enumerated or included in this By-law and Schedule "A" hereto (the provision of which said Schedule "A" shall be deemed to be expressly enacted by and to form an integral part of this By-law), shall take out a periodical licence therefor for such period as is in the said Schedule "A" set out, paying for such licence such periodical sum as is in said Schedule "A" provided or prescribed, which said sum shall be paid by such person in advance to the Clerk, Collector or Licence Inspector of the said Corporation.
3. Every such licence may be in the form in Schedule "B" to this By-law, for a semi-annual Licence Period unless otherwise specified in Schedule "A", and shall be granted so as to terminate on the 15th day of July or the 15th day of January, and no proportionate reduction shall be made on account of any person commencing or ceasing to do business at any particular time.
4. In every case where a person required by this By-law to take out or hold a licence for any trade, business, profession, occupation, calling, employment or purpose is a member of a partnership firm (consisting of more than one partner), it shall be sufficient compliance with this By-law if one licence is taken in the name of the partnership firm and one tax paid therefor, except as otherwise provided in Clause 24 of Schedule "A" hereto.
5. (a) The Provisions of this By-law shall not apply to bona fide commercial travellers offering for sale or selling goods, wares, or merchandise to bona fide merchants for re-sale by such merchants in the ordinary course of their respective businesses, within the said Municipality.  
  
(b) The provisions of this By-law with respect to any person who is the owner or driver of any conveyance or vehicle used for the delivery of gasoline, oil, fuel-oil, wood, coal, merchandise or other commodity, shall not apply to a bona fide commercial traveller who also delivers goods, wares or merchandise referred to in subsection "A", provided that the vehicle he uses for such delivery is not a commercial vehicle licensed as such for operation on the highways of the Province.



(c) The Provisions of this By-law, except with respect to any person who is the owner or driver of any conveyance or vehicle used for the delivery of gasoline, oil, fuel oil, wood, coal, merchandise or any other commodity, shall not apply to a wholesaler or manufacturer or processor, who, having no place of business in the Municipality, is only in the business of offering for sale or selling his own goods, wares or merchandise, and delivering these in his own vehicle to merchants for re-sale by the merchants in the ordinary course of their respective businesses.

6. Notwithstanding anything contained in Section 446 of the "Municipal Act" RSBC 1960 Chapter 255, every person carrying on within the Municipality of The Corporation of the District of North Cowichan the trade or business of selling newspapers or periodicals published in Canada, or books of an educational character, shall take out a periodical licence therefor for such period as is for the time being in Schedule "A" to this By-law set out, paying in advance to the Clerk, Collector or Licence Inspector of the said Corporation for such licence such periodical sum as is for the time being in said Schedule "A" provided or prescribed in respect of the sale of newspapers, periodicals and books respectively.

7. The provisions of this By-law shall not apply to any farmer, rancher, horticulturist or market gardener within the Municipality, engaged solely in the sale of his own produce, providing said farmer, rancher, horticulturist or market gardener is not engaged in house to house delivery, in which case a truck licence must be paid as outlined in the said Schedule "A".

8. From and after the 15th day of January, 1962, the provisions of this By-law shall supersede the provisions of By-law No. 482, as amended by By-laws Nos. 491 and 522, the latter By-laws remaining in full force and effect for the period prior to that date.

9. No person shall, within the Municipality, use, follow, practise, carry on or exercise any trade, business, profession, occupation, calling, employment or purpose enumerated, described or named in this By-law without having taken out and had granted to him a licence in that behalf, under a penalty on summary conviction not exceeding the sum of Two Hundred and Fifty Dollars (\$250.00) for every such violation of this By-law, together with the amount which should have been paid for such licence, which said amount and penalty shall, for the purposes of recovery, be held to be one penalty.

10. This By-law may be cited as the "Licence Fees By-law, 1961".

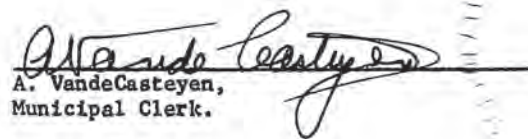
Received First Reading on the 23rd day of August, 1961.

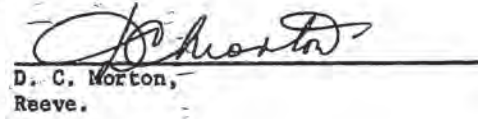
Received Second Reading on the 23rd day of August, 1961.

Received Third Reading on the 20th day of September 1961.



RECONSIDERED, ADOPTED and FINALLY PASSED by the Municipal Council  
on the 4th day of October, 1961.

  
A. VandeCasteyen,  
Municipal Clerk.

  
D. C. Morton,  
Reeve.



SCHEDULE "A"

1. From every person who is an owner of a specified vending machine, or a person who makes available or helps to make available for use or operation any specified vending machine, including

- |   |   |
|---|---|
| a) Music Box                                      | l) Gum Machine                            |
| b) Cigarette Machine                              | m) Soft Drinks Machine                    |
| c) Candy Machine                                  | n) Coffee Machine or Hot Beverage Machine |
| d) Chocolate Bar Machine                          | o) Ice Cream Machine                      |
| e) Novelty Machine                                | p) Ice Machine                            |
| f) Shoe Shine Machine                             | q) Aspirin or Medicine Dispensing Machine |
| g) Coin operated Automatic Dryer Machine          | r) Hot Food Dispensing Machine            |
| h) Coin operated Automatic Washer Machine         | s) Coin Changing Machine                  |
| i) Soap, Detergent, or Bleach dispensing Machine. | t) Electric Tube Testing Machine          |
| j) Coin operated Stamping Machine                 | u) Other coin operated Machines           |
| k) Coin operated Amusement Machine                |   |

a sum of Two dollars and fifty cents (\$2.50) for each machine for every Licence Period.

2. From the proprietor, lessee or manager of any carnival or show having any ferris wheel, roundabout, crack-the-whip, aeroplane ride, or other mechanical riding device, or game of skill or chance, whether balls, rings, marbles or other equipment are or is used, Five Dollars (\$5.00) for each day for each mechanical riding device, and for each game of skill or chance, in all not to exceed Fifty Dollars (\$50.00) for each day.

PROVIDED that this clause shall not apply when the proprietor, lessee, or manager, holds a licence under Clause 3(a).

3. a) From any person who exhibits a public circus or a menagerie, hippodrome, Fifty Dollars (\$50.00) for each day of such exhibition.

b) From any person who exhibits a horse, pony or dog show, Twenty-five Dollars (\$25.00) for each day of each such exhibition.

c) From any person who stages a public dance for gain or profit, Twenty-Five Dollars (\$25.00) per each day of such dance.

d) From every person operating any exhibition or show not otherwise covered in this By-law, Seven Dollars and Fifty Cents (\$7.50) for every licence period.

e) From any person exhibiting for gain or profit any of the following:-

- |                            |                            |
|----------------------------|----------------------------|
| (1) Acrobatic Performances | (5) Dancing                |
| (2) Artificial Curiosities | (6) Glass Blowing          |
| (3) Boxing                 | (7) Gymnastic Performances |
| (4) Collection             | (8) Circus Riding          |



- |   |                         |
|---|-------------------------|
| (9) Legerdemain                         | (15) Wild Animals       |
| (10) Natural Curiosities                | (16) Wrestling          |
| (11) Tableaux or other Per-<br>formance | (17) Jugglery           |
| (12) Trained Animals                    | (18) Professional Sport |
| (13) Tumbling                           | (19) Hypnotists         |
| (14) Waxworks                           | (20) Other Shows        |

Ten Dollars (\$10.00) for each day of such exhibition.

(f) From the proprietor, lessee or manager of any theatre, drive-in theatre, moving-picture theatre, amusement-hall, concert hall, music hall, opera house (except curling or skating rinks), amusement park or other places of amusement, entertainment or exhibition, Seven Dollars and fifty cents (\$7.50) every six months.

PROVIDED that, where one building contains more than one theatre, hall, or other place of amusement within the scope of this clause, a separate licence fee shall be payable in respect of each of them.

PROVIDED further that no such licence shall be required in respect of any performance, concert, exhibition or entertainment, the entire proceeds of which, over and above actual bona-fide expenses, are devoted or given to any church, school, hospital, charitable, war fund or patriotic purpose.

4. From any person operating any dance hall, cabaret or any other place of amusement not otherwise specified in this By-law, including halls and other buildings where public dances are held, Ten Dollars (\$10.00) for each licence period.

5. From any person owning or keeping any conveyance or vehicle or any other mobile equipment for hire (with or without a driver) Seven Dollars and Fifty Cents (\$7.50) for every licence period for the first two pieces of equipment, plus Two Dollars and Fifty Cents (\$2.50) for each additional piece of equipment, in all not to exceed Twenty Dollars (\$20.00).

6. From any driver or operator other than a chauffeur under the Motor Vehicle Act, of any conveyance, or vehicle, or mobile equipment kept for hire, Seven dollars and fifty cents (\$7.50) for each licence period.

PROVIDED that this clause shall not apply when equipment is licenced under Section 5.

7. From any person who is the owner or driver of any conveyance or vehicle used for the collection of produce, wood, merchandise or other commodities from premises within the Municipality not in the occupation of such owner or driver:



(a) All conveyances or vehicles up to 10,000 lbs. gross weight, Ten dollars (\$10.00) for every licence period.

(b) All others in excess of 10,000 lbs. gross weight, and not exceeding 30,000 lbs. gross weight, Twenty dollars (\$20.00) for every licence period.

(c) All others in excess of 30,000 lbs. gross weight, Twenty-five dollars (\$25.00) for every licence period.

(d) All commercial trailers shall be licenced in an amount equal to half the licence fee charged the gross weight of the unit, for every licence period.

The Gross Weight referred to here is that weight which is required by the Department of Commercial Transport of the Province of British Columbia for its schedule of licence fees.

Provincial Motor Vehicle Registration Slips may be required to be shown to authorized Municipal officials before licences can be obtained.

PROVIDED further that no licence shall be required by the owner or driver of any conveyance or vehicle who has a current licence under Section 8 of Schedule "A" of this By-law, for the said conveyance or vehicle.

PROVIDED further that the Licence Inspector may require vehicles licensed under this By-law to carry in a conspicuous place on the windshield a numbered sticker of identification issued by the Municipality.

8. From any person who is the owner or driver of any conveyance or vehicle used for the delivery of gasoline, oil, fuel oil, wood, coal, merchandise, or other commodity:

(a) Those who pay a licence fee to the Municipality as a merchant, and who are using such conveyance or vehicle for the delivery of goods, wares or merchandise sold by them, Six dollars (\$6.00) for every licence period, provided that the gross weight of the truck does not exceed 10,000 lbs.

(b) All others up to 10,000 lbs. gross weight, Ten dollars (\$10.00) for every licence period.

(c) All others in excess of 10,000 lbs. gross weight and not exceeding 30,000 lbs. gross weight, Twenty dollars (\$20.00) for every licence period.

(d) All others in excess of 30,000 lbs. gross weight Twenty-five dollars (\$25.00) for every licence period.

(e) All commercial trailers shall be licensed in an amount equal to half the licence fee charged the gross weight of the unit, for every licence period.

The Gross Weight referred to here is that weight which is required by the Department of Commercial Transport of the Province of British Columbia for its schedule of licence fees.



Provincial Motor Vehicle Registration Slips may be required to be shown to authorized Municipal Officials before licences can be obtained.

PROVIDED further that no licence shall be required by the owner or driver of any conveyance or vehicle who has a current licence under Section 7 of Schedule "A" of this By-law for the said conveyance or vehicle.

PROVIDED further that the Licence Inspector may require vehicles licenced under this By-law to carry in a conspicuous place on the windshield a numbered sticker of identification issued by the Municipality.

9. From any hawker, peddler or huckster:

(a) Who has his residence within the Municipality of North Cowichan, Fifteen dollars (\$15.00) for every licence period.

(b) Who has his residence outside the Municipality of North Cowichan, Thirty dollars (\$30.00) for every licence period.

10. From every person carrying on the business of operating a mobile store, who goes from place to place or house to house selling or offering for sale, or who vends on any highway, street, lane or public place, in the Municipality, any goods, wares, merchandise or foodstuffs, Fifteen dollars (\$15.00) for every licence period, plus the fee prescribed for the operation of trucks under Clause 7 or 8 of this Schedule.

11. From any person not withstanding any other provision of this Part, who, either, on his own behalf as, or an agent for another, in whole or in part carries on the business of:-

a) Mail Order Business Twenty-five dollars (\$25.00) for every licence period.

b) Retail Business, a fee in respect to each place of business, and for each classification of trade, plus an additional fee varying according to the number of employees as follows:-

(i) For the first classification of trader including one or two employees, Seven dollars and fifty cents (\$7.50) per licence period, and

(ii) Two dollars and fifty cents (\$2.50) for each additional employee per licence period, and

(iii) For each additional classification Two dollars and fifty cents (\$2.50) per licence period, regardless of number of employees.

The number of employees under this paragraph shall be held to be the number of persons ordinarily engaged, employed, kept or occupied in carrying on the trade licensed or to be licensed, including an individual licence, members of the family or relatives of the Licencee, members of a firm or partnership, and managers, clerks, salesmen, accountants, assistant employees, or servants.



A Retail Trader shall mean any person who sells merchandise by retail in an established place of business within the Municipality, but does not include any person who sells certain products that are merely incidental to, or attached with the operation of another category of business licence under this By-law.

Any person paying a licence under this clause shall be entitled to change his place of business at pleasure, but not to carry on business at two places at the same time under one licence.

#### LIST OF CLASSIFICATIONS

<u>Designation</u>	<u>Line of Goods</u>
1. Automobile Accessories	Batteries, Tires, Tubing Parts, Petroleum Products, Lubricants and Accessories.
2. Baking Products	Bread, Cakes, Pastries, Pies, other Bakery Products.
3. Bicycle	Bicycles, Motor-cycles, Spare Parts and Accessories.
4. Boots and Shoes	Boots and Shoes of all descriptions, Shoe Polish and Preservatives, Laces and Foot Supplies.
5. Builder's Supplies	Lumber, Bricks, Cement, Tiles, Gravel, Sand, Wallboard, Plywoods.
6. Butcher's Supplies	Fresh, Cured and Cooked Meats, Fats and Lard, Fowl and Dairy Products, Eggs and Cured Fish.
7. China and Glass	Chinaware, Glassware, Pottery and Crockery.
8. Cafe	Cafe or Coffee Shop or Restaurant.
9. Confectionary	Candies of all descriptions, Ice Cream and Soft Drinks, Fresh Fruit, Biscuits and Cookies.
10. Delicatessen	All Cooked Food prepared on premises for sale, Canned Goods excluded.
11. Drugs	Patent Medicines, Drugs, Toilet Preparations of all descriptions, (including Toilet and Facial Tissues)- Domestic Rubber Goods, Sponges, Perfumes, Pharmaceutical and Sick Room Supplies. All articles for medicinal purposes.
12. Dry Goods	Goods and Materials used in making of wearing apparel, Lace, Buttons, Ribbons, Patterns, Staples, Draperies, Bedding, (not including mattresses), and Household Linens.



<u>Designation</u>	<u>Line of Goods</u>
13. Feed and Grain	Hay, Shorts, Bran, Wheat, Corn, Straw, Chick and Chicken Feed, Cattle Disinfectants, Stock Feed, Flour and Produce.
14. Fish Monger	Fresh and Cured Fish, Fowl and Dairy Products and Eggs.
15. Florist	Cut Flowers, Plants, Seeds, Trees, Shrubs, Fertilizers, Insecticides, Pottery and Glass Containers.
16. Furniture and Office, Equipment	New articles of Household Furniture, including Floor Covering and Drapes, Table Oilcloth, Blinds, Awnings, Bedspreads, Baby Carriages, Mattresses, and Ranges, Office Furnishing and Supplies.
17. Fuels	Wood, Coal and other solid Fuels, Oil and Gas.
18. Furrier	Fur Coats, Capes, Wraps and Muffs.
19. Grocer	Groceries, Bread, Cakes, Pastries, Pies and other Bakery Products, Pet Foods, Vegetables, Fruits, Dairy Products and Eggs, Cooked and Ready to Serve Meats, Cured Meats, Cured Fish, Fats and Lards, Household Brushes, Patent Medicines, Toilet Preparations, Lotions and Disinfectants, Shoe Polish, Shoe Preservatives and Laces.
20. Hardware	Kitchen Utensils, Builders Hardware, Tools and Implements of all kinds, Cutlery, Sheet Glass, and Household Brushes, Paints, Wallpaper, Varnishes, Painters Supplies, Clocks, Watches, Electrical Supplies, other than Household Appliances.
21. Household Appliances	Stoves, Ranges, Radios, Television Sets, Sewing Machines, Gas or Electrical appliances of all kinds for Household use, Lamps and Fixtures, Oil Heaters and Electrical Supplies.
22. Jewellery	Precious Stones and Metals, Watches and Clocks, Silverware. All articles containing or consisting of precious stones or metals.
23. Ladies Wear	Women's and Children's wearing apparel of all kinds (except boots and shoes and furs) Purses and Umbrellas.
24. Leather Goods	Saddlery, Tents, Awnings, Canvas and Luggage.
25. Machinery and Equipment	Machinery and Equipment.
26. Magazines and Books	Magazines and Periodicals, Subscriptions to same, New and Used Books, or records.
27. Marine Sales	Boats, new and second-hand, Motors and Engines, Accessories.
28. Men's Wear	Wearing apparel for men and boys, (excluding boots and shoes), and Luggage.
29. Music	Musical Instruments of all descriptions, Records and Sheet Music.
30. Novelties	Custom Jewellery, Tourist Goods, Party and Table Decorations, (Wood, Metal, Pottery and Plastic Goods for decorative purpose,) Burnt and Fancy Leather Goods, Purses and Wallets.



<u>Designation</u>	<u>Line of Goods</u>
31. Pet Shops	Birds, Fish and Animal Pets, Pet Food and Pet Accessories.
32. Photographic Supplies	Photographic supplies and Equipment of all kinds.
33. Plumbing and Heating Supplies	Plumbing Fixtures, Pipe and Supplies.
34. Sporting Goods	Supplies and Equipment for outdoor and indoor sports.
35. Stationery and Books	Bound and Loose-leaf Books of all descriptions, pens and pencils, office supplies, (excluding furniture and equipment), printed cards, note paper, school supplies.
36. Tobacconist	Tobaccos, Cigars, Cigarettes, and Smoker's Supplies.
37. Toys	Toys.
38. Every other distinctive line of goods	

c) From any person carrying on the business of a Wholesale Merchant or Trader, and from any person carrying on the business of a Wholesale Merchant or Trader who is also a Retail Merchant or Trader, the sum of Twenty Dollars (\$20.00) for every licence period.

PROVIDED, however, that if the character and extent of his business is such that he maintains an office within the Municipality for the taking of orders or instructions for his business, the Wholesale or Wholesale and Retail Merchant shall pay Fifteen dollars (\$15.00) for every licence period.

Nothing contained in this clause shall grant the right to any person to carry on business at two or more places at the same time under one licence.

12. From any person, notwithstanding the Provisions of any other Act, who conducts horse-racing, the sum of Twenty-Five Dollars (\$25.00) per each day of such horse-racing.

13. From any bank or person carrying on the business of a Banker at one place of business, Seventy-five dollars (\$75.00) for every licence period, and a further sum of Fifty Dollars (\$50.00) for every licence period for each additional place of business.

14. From every person keeping any premises where a Billiard Table or Pool-table is used for hire or profit, One Dollar and fifty cents (\$1.50) for each table for every licence period.

15. From any person keeping a Bowling-alley for hire or profit, One dollar and fifty cents (\$1.50) for each alley or runway for every licence period.

16. From any person keeping a rifle-gallery or shooting-gallery for hire or profit, One dollar and fifty cents (\$1.50) for each range or target for every licence period.



17. From any person keeping or carrying on a public laundry or dry cleaning establishment according to the character and extent of his business as follows:

(a) A public laundry establishment in the Municipality, Seven dollars and fifty cents (\$7.50) for every licence period.

(b) A dry cleaning establishment in the Municipality, Seven dollars and fifty cents (\$7.50) for every licence period.

(c) A public laundry and dry cleaning establishment in the Municipality, Fifteen dollars (\$15.00) for every licence period.

(d) A public laundry or dry cleaning establishment not within the Municipality, but soliciting for business in the Municipality, Forty dollars (\$40.00) for every licence period.

For the purpose of the above set out clauses, the word "establishment" shall mean a shop or building wherein the actual operation of laundering or dry cleaning is carried on.

18. From every person operating a public transportation business as follows:

(a) Taxi business, with a place of business within the Municipality, Five dollars (\$5.00) for each vehicle for every licence period.

(b) Taxi business, without a place of business within the Municipality, Seven dollars and fifty cents (\$7.50) for each vehicle for every licence period.

(c) Bus operator, Ten dollars (\$10.00) for each bus for every licence period.

(d) Water taxi business, with a place of business within the Municipality, Five dollars (\$5.00) for each boat for every licence period.

(e) Water taxi business, without a place of business within the Municipality, Seven dollars and fifty cents (\$7.50) for each boat for every licence period.

(f) Ferry business, privately operated and having a place of business within the Municipality, Ten dollars (\$10.00) for each ferry for every licence period.

(g) Ferry business, privately operated and not having a place of business within the Municipality, Fifteen dollars (\$15.00) for every licence period.

(h) Air service (~~aeroplanes~~, helicopters, etc.), privately operated for public passengers and/or freight, and having a place of business within the Municipality, Ten dollars (\$10.00) for each plane, helicopter, etc. for every licence period.

(i) Air service (aeroplanes, helicopters, etc.) privately operated for public passengers and/or freight and not having a place of business within the Municipality, Fifteen dollars (\$15.00) for each plane, helicopter, etc., for every licence period.



19. From any person carrying on the business of manufacturing beverages for human consumption, Twenty-five dollars (\$25.00) for every licence period.
20. From any person carrying on the business of a fur-trader, Ten dollars (\$10.00) for every licence period.
21. From any person or contractor carrying on the business of:
- |                                   |  |
|-----------------------------------|--|
| (a) Bricklayer or Stone Mason     | (m) Landscape Gardener                         |
| (b) Building Contractor           | (n) Mechanical Installation Contractor         |
| (c) Carpenter                     | (o) Painter and Interior Decorator             |
| (d) Concrete or Cement Contractor | (p) Plumber                                    |
| (e) Electrical Contractor         | (q) Plasterer                                  |
| (f) Excavating Contractor         | (r) Roofing and Siding Installation Contractor |
| (g) Fencing Contractor            | (s) Shingle Layer                              |
| (h) Floor Layer                   | (t) Steel Fabricator                           |
| (i) Gas Fitter                    | (u) Tile Setter                                |
| (j) Heating Contractor            | (v) Other Contractors                          |
| (k) Insulating Contractor         |  |
| (l) Lather                        |  |

and who does any work, performs any service, or supplies any material:

- 1) Who is self-employed and resides with the Municipality, Seven dollars and fifty cents (\$7.50) for every licence period.
- 2) Who is an employer and the character of the business is such that he maintains an office for the taking of orders or instructions for his business within the Municipality, Ten dollars (\$10.00) for every licence period.
- 3) Any other person carrying on such a business shall pay Twenty dollars (\$20.00) for every licence period.
- 4) In the case of a person carrying on the business of a general contractor, it shall be lawful for him to pay a licence of Twenty dollars (\$20.00) for every licence period, provided that the character and extent of his business is such that he maintains an office for the taking of orders or instructions for his business within the Municipality, and it shall not be necessary for such a person to take out a separate licence for each aspect of his business as contemplated by the first part of this Clause.
- 5) Any other person carrying on the business of a general contractor shall pay Forty dollars (\$40.00) for every licence period.

This clause shall not apply to any person receiving remuneration by salary or wages only, or to a person who is a journeyman receiving remuneration by salary or wages only.



22. From every person carrying on business as the following:-

- (a) Assembly wharf, Fifteen dollars (\$15.00) for every licence period.
- (b) Auto wrecking yard, Twenty-five dollars (\$25.00) for every licence period.
- (c) Booming grounds, Fifteen dollars (\$15.00) for every licence period.
- (d) Brick, cement block or tile manufacturer, Fifteen dollars (\$15.00) for every licence period.
- (e) Logging, Fifteen dollars (\$15.00) for every licence period.
- (f) Lumber or log storage yards, Twenty-five dollars (\$25.00) for every licence period.
- (g) Mine, Fifteen dollars (\$15.00) for every licence period.
- (h) Paper Mill, Fifteen dollars (\$15.00) for every licence period.
- (i) Pile Driver, Fifteen dollars (\$15.00) for every licence period.
- (j) From every person operating a printing and publishing establishment, Fifteen dollars (\$15.00) for every licence period.
- (k) Pulp Mill, Fifteen dollars (\$15.00) for every licence period.
- (l) Ready Mix concrete business, Fifteen dollars (\$15.00) for every licence period.
- (m) Salvage yards, Twenty-five dollars (\$25.00) for every licence period.
- (n) Sawmill, Fifteen dollars (\$15.00) for every licence period.
- (o) Shingle Mill, Fifteen dollars (\$15.00) for every licence period.
- (p) Stone, gravel or sand quarry, Fifteen dollars (\$15.00) for every licence period.
- (q) From every Shipyard and Boat Builder, and Shipbuilder, Fifteen dollars (\$15.00) for every licence period.
- (r) From every Foundry and/or Machine Shop, Fifteen dollars (\$15.00) for every licence period.
- (s) From every person who carries on the business of a Stevedore, or who takes contracts to load or unload ships, Fifty dollars (\$50.00) for every licence period.
- (t) From every manufacturer, other than a manufacturer of beverages or a manufacturer listed hereinbefore, Ten dollars (\$10.00) for every licence period.

23. From every person operating the following:

- (a) A Caterer, Seven dollars and fifty cents (\$7.50) for every licence period.
- (b) From every person operating a curling rink, Seven dollars and fifty cents (\$7.50) for every licence period.



(c) From every person operating a market vehicle selling on any street or public place, Fifteen dollars (\$15.00) for every licence period.

(d) Public stenographer, Seven dollars and fifty cents (\$7.50) for every licence period.

(e) From every person operating a riding school or academy, Seven dollars and fifty cents (\$7.50) for every licence period.

(f) From every person operating as a Sign-Writer, Seven dollars and fifty cents (\$7.50) for each licence period.

(g) From any person following the occupation of a scavenger or chimney sweep, Seven dollars and fifty cents (\$7.50) for every licence period.

(h) From every person operating a skating rink, Seven dollars and fifty cents (\$7.50) for every licence period.

(i) From every Tailor or Dressmaker, Seven dollars and fifty cents (\$7.50) for every licence period.

(j) From every Travel Agency, Fifteen dollars (\$15.00) for every licence period.

(k) From every Collection Agency, Fifteen dollars (\$15.00) for every licence period.

(l) From every Insurance Adjustor, Ten dollars (\$10.00) for every licence period.

(m) From every Street Vendor of Fuel, Ten dollars (\$10.00) for every licence period.

(n) From every Vendor of Newspapers, who is not otherwise licenced as a Retailer, Seven dollars and fifty cents (\$7.50) for every licence period.

(o) From every Shoemaker, or Shoe Repair Man, Seven dollars and fifty cents (\$7.50) for every licence period.

24. From every person practicing, following, engaged in or carrying on the profession, calling, or occupation of:

(a) Accoustician

(b) Architect

(c) Barrister or Solicitor

(d) Accountant

(e) Chiropractor

(f) Dentist

(g) Dental Surgeon

(h) Dental Technician

(i) Engineer

(j) Faith Healer

(k) Herbalist

(l) Land Surveyor

(m) Mental Healer or other Healer of Human Diseases or Ailments

(n) Medical Practitioner or Specialist

(o) Optometrist

(p) Osteopath

(q) Physician



(r) Scalp Specialist

(t) Other professions

(s) Veterinarian

Ten dollars (\$10.00) for every licence period. In the case of a Partnership of two or more persons, Twenty dollars (\$20.00) for every licence period.

This clause shall not apply to any person receiving remuneration by salary or wages only.

25. From every person operating as a cattle dealer as follows:

(a) Twenty-five dollars (\$25.00) for every licence period, providing a slaughter house is operated in the Municipality.

(b) Thirty-five dollars (\$35.00) for every licence period, if no slaughter house is operated in the Municipality.

26. From any person operating a repair and/or Service Call Business as follows where the work or repairs or services are performed within the Municipality:

(a) Radio, Television and appliance repairman, Ten dollars (\$10.00) for every licence period.

(b) Piano-tuner and/or repairman, Ten dollars (\$10.00) for every licence period.

(c) Marine Motor and/or Boat Repairman, Ten dollars (\$10.00) for every licence period.

(d) Monumental Work Ten dollars (\$10.00) for every licence period.

(e) Motor-cycle, Go-cart, Scooter repairman, Ten dollars (\$10.00) for every licence period.

(f) Lawn-mowers, Power-saws, Garden Tractors, Ten dollars (\$10.00) for every licence period.

(g) Blacksmith Shop and/or Welding Repairs, Ten dollars (\$10.00) for every licence period.

(h) Any other Repairmen or Servicemen not previously mentioned in this By-law, Ten dollars (\$10.00) for each licence period.

The above classifications do not permit the sale of goods or wares or services while at the homes or place of service call, without such licences as may be required as outlined elsewhere in this By-law.

Any of the above classifications, listed in (a) to (h) inclusive for a person not having a place of business within the Municipality, the licence shall be for repairs and services at Twenty dollars (\$20.00) for every licence period.



27. From any person selling property by auction not being a Crown Officer selling Crown property by auction, or a Sheriff, Sheriff's Officer or Bailiff selling lands, goods or chattels under a judgment or in satisfaction of rent or taxes Twenty-five dollars (\$25.00) for every licence period.

28. From any person carrying on the business of:

(a) A gasoline or other fuel service station (or marine service station), Seven dollars and fifty cents (\$7.50) for every licence period, plus Two dollars and fifty cents (\$2.50) for each pump over the first two, in all not to exceed Twenty dollars (\$20.00).

(b) A garage for the repair of motor vehicles, Ten dollars (\$10.00) for every licence period, in addition to any licence payable under Section (a) of this clause.

(c) A dealer in new and/or used motor vehicles, Twenty-five dollars (\$25.00) for every licence period, in addition to any licence payable under section (a) of this clause.

(d) In the case of a person carrying on business in all three categories mentioned in clauses (a), (b) and (c) above, Thirty-five dollars (\$35.00) for every licence period, plus Two dollars and fifty cents (\$2.50) for each gasoline pump over the first two, in all not to exceed Forty-seven dollars and fifty cents (\$47.50).

29. From any person carrying on the business of the rental of storage or parking space for motor vehicles, as follows:

(a) Space for one (1) to Twenty-five (25) motor vehicles, Five dollars (\$5.00) for every licence period.

(b) Space for twenty-six (26) to fifty (50) motor vehicles, Ten dollars (\$10.00) for every licence period.

(c) Space for over fifty (50) motor vehicles, Twenty dollars (\$20.00) for every licence period.

30. From the manager of any partnership or unincorporated club or company carrying on the business of a club, other than an organization incorporated under the "Societies Act", Ten Dollars (\$10.00) for every licence period.

31. From every person operating the following:

(a) An hotel, including a dining room operated by the Proprietor, Twenty dollars (\$20.00) for every licence period.

(b) An hotel without a dining room operated by the Proprietor, Twenty dollars (\$20.00) for every licence period.



(c) An auto court, Seven dollars and fifty cents (\$7.50) plus Two dollars and fifty cents (\$2.50) for each additional unit over two, for each licence period, the licence in all not to exceed Twenty dollars (\$20.00).

(d) Renting rooms for lodgings, Thirty-five cents (\$.35) per room, for every licence period; providing, however, that persons having not more than two rooms available for letting shall not be required to take out or hold a licence, under this clause.

(e) Boarding house, Seven dollars and fifty cents (\$7.50), plus Thirty-five cents (\$.35) per room, for every licence period; providing, however, that persons having not more than two rooms available for letting shall not be required to take out or hold a licence under this clause.

PROVIDED FURTHER that from time to time the owners or managers of any such licenced premises and buildings shall be requested to register the rooms to let for lodging or living purposes by furnishing the names of all persons dwelling therein to police Constables and Officers of the Municipality.

32. From any person who, either on his own behalf or as agent for another (in whole or in part), sells or solicits or takes orders for the sale, by retail, of goods, wares or merchandise to be supplied by any person not doing business in the Municipality, Fifty dollars (\$50.00) for every licence period.

33. From any person who, either on his own behalf or as agent for another, solicits or takes orders for work, repairs, or services to be performed outside the Municipality, by a person not doing business in the Municipality, Fifty dollars (\$50.00) for every licence period.

34. From any telegraph company, street railway or tramway company, motorbus or railless electric-car company, radio or television broadcasting company, Fifty dollars (\$50.00) for every licence period. In the event of one company carrying on business of more than one of the kinds or descriptions hereinbefore in this clause enumerated, it shall be liable to hold and pay for a licence in respect of each kind or description of business so carried on.

35. From any person carrying on the business of a pawnbroker, Fifty dollars (\$50.00) for every licence period.

36. From any person carrying on the business of a second-hand dealer, or junk dealer, Seven dollars and fifty cents (\$7.50) for every licence period.

37. (a) From any person carrying on the business of a trust company, investment, loan or mortgage agency, society or company, Fifteen dollars (\$15.00) for every licence period.



(b) From any person carrying on the business of an insurance agent, or any person following the business of soliciting, obtaining or taking applications for insurance or negotiating for or procuring insurance or sending or delivering policies, or collecting or receiving premiums (not being an employee of an insurer and paid a bona fide salary by such insurer), Fifteen dollars (\$15.00) for every licence period.

(c) From any person carrying on the business of a real estate office within the Municipality, Fifteen dollars (\$15.00) for every licence period.

PROVIDED that any person carrying on two or more of the occupations listed in this clause may take out one licence in lieu of separate licences for a fee of Twenty-five dollars (\$25.00) for every licence period.

38. From any person or corporation carrying on the business of an express company, Ten dollars (\$10.00) for every licence period.

39. In this By-law:

"Transient trader" means a person who commences the business of offering goods, wares, merchandise, foodstuffs, materials or services of any description for sale by auction or otherwise.

"Transient hairdresser" means a person who, either on his behalf or as agent for another, offers or makes appointments to do or perform or does or performs any act of hairdressing as defined by Section 2 of the "Hairdressers Act"; and who, on being required by the Collector, Licence Collector or Licence Inspector of the Municipality to give security in the amount of Two hundred dollars (\$200.00) that he or she will carry on business as a trader, or hairdresser, as the case may be, in the Municipality continuously for not less than six months, refuses or neglects to give such security forthwith to the satisfaction of the Collector, Licence Collector or Licence Inspector.

(a) From any transient trader doing business within the limits of the Municipality of The Corporation of the District of North Cowichan, Two hundred dollars (\$200.00) for every licence period or part thereof, in addition to the fee for any other licence under this By-law.

(b) From any transient hairdresser, Twenty-five dollars (\$25.00) for every licence period or part thereof.

40. From every person operating the following:

(a) A barber shop, Seven dollars and fifty cents (\$7.50) plus Three dollars (\$3.00) for each additional employee over the first, insurable under the Unemployment Insurance Act, but not to exceed Twenty dollars (\$20.00) for every licence period.



(b) A hair dressing or beauty parlor, Seven dollars and fifty cents (\$7.50) plus Three dollars (\$3.00) for each additional employee over the first, insurable under the Unemployment Insurance Act, but not to exceed Twenty dollars (\$20.00) for every licence period.

41. From any person who owns or operates a trailer court, Seven dollars and fifty cents (\$7.50) for every licence period, plus Two dollars and fifty cents (\$2.50) for each licence period for each trailer located therein, whether permanent or transient.

42. From every person following within the Municipality, any business, trade, occupation, employment, or calling, not hereinbefore enumerated, or who enters into or carries on any contract to perform any work or furnish any material, the sum of Seven dollars and fifty cents (\$7.50) for every licence period.

This clause shall not apply to any person receiving remuneration by salary or wages only.

43. No licenced person shall be liable to pay additional licence fee by reason only of moving from one premises to another premises within the same licence period.

44. The Licence Inspector shall have access on any business day during business hours to any premises within the Municipality for the purpose of ensuring that the provisions of this By-law are being observed.



SCHEDULE "B"

Form of Licence

THE CORPORATION OF  
THE DISTRICT OF NORTH COVICHAN

\$ \_\_\_\_\_

Duncan, B. C. \_\_\_\_\_, 19\_\_

TRADE LICENCE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Has Paid the Sum of \_\_\_\_\_ Dollars

In Respect of Licence to \_\_\_\_\_ and is Entitled to

Carry on the Business of \_\_\_\_\_

\_\_\_\_\_ in This Municipality

For the licence period ending \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Collector.



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 873

A BY-LAW TO REGULATE BILLIARD HALLS AND POOL ROOMS

The Municipal Council of The Corporation of the District of North Cowichan hereby enacts as follows:-

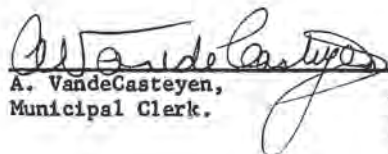
1. No person carrying on the business of the keeper of a billiard hall or pool room shall permit any youth under the age of sixteen years to play billiards or games of pool; however, a youth under the age of sixteen may play if his parents consent in writing.
2. No person carrying on the business of the keeper of a billiard hall or pool room shall permit any girl under the age of sixteen years to play billiards or games of pool; however, a girl under the age of sixteen may play if her parents consent in writing.
3. Any person committing an offence against the provisions of this By-law shall upon summary conviction be liable to a penalty not exceeding \$200.00, and in default of payment to a term of imprisonment not exceeding 6 months.
4. By-law No. 27 is hereby repealed.
5. This By-law may be cited as the "Billiard Halls By-law, 1962".


Received First Reading on the 2nd day of May, 1962.

Received Second Reading on the 16th day of May, 1962.

Received Third Reading on the 16th day of May, 1962.

RECONSIDERED, ADOPTED and FINALLY PASSED by the Municipal Council on the 6th day of June, 1962.

  
A. VandeCasteyen,  
Municipal Clerk.

  
D.C. Morton,  
Reeve.



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 1162

A BY-LAW TO AUTHORIZE THE ENFORCEMENT OF THE LINE  
FENCES ACT WITHIN THE MUNICIPALITY AND THE APPOINT-  
MENT AND PAYMENT OF FENCE VIEWERS PURSUANT TO SECTION  
867 OF THE "MUNICIPAL ACT"

WHEREAS, pursuant to Section 867 of the "Municipal Act", the Council is empowered to provide for the appointment and payment of fence-viewers who shall perform, exercise and have the duties and powers of fence-viewers under the "Line Fences Act" provided that certain provisions of the "Line Fences Act" are brought into force within the Municipality; and further that the expenses and cost of work done pursuant to an award be provided for and made recoverable under Section 377 of the "Municipal Act";

NOW THEREFORE, the Municipal Council of The Corporation of the District of North Cowichan, in open meeting assembled, ENACTS as follows:-

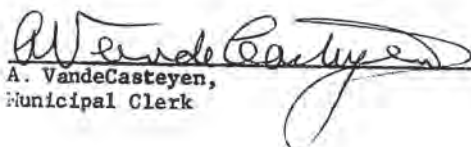
1. The provisions of Sections 3 to 16 inclusive, and Sections 19 and 20, and the Schedule of the Line Fences Act RS 1948, c. 119, s.1, and any amendments made thereto shall be lawful and shall be enforced within the boundaries of The Corporation of the District of North Cowichan.
2. The Council shall appoint from time to time five persons to be fence-viewers, of which at least three shall perform, exercise, and have the powers authorized under the Line Fences Act.
3. Fence-viewers are entitled to receive ten dollars (\$10.00) each for every day's work under the Line Fences Act, plus ten cents for every mile travelled in performance of their duties.
4. Land Surveyors and witnesses are entitled to the same compensation as if they were subpoenaed in any County Court.
5. Any charges, cost of work, fence-viewers' fees, witnesses' fees, Surveyors' compensation and all other costs involved for the enforcement of the fence-viewers' award shall be recoverable under Section 377 of the "Municipal Act".
6. This by-law may be cited as the "Fence Viewers By-law 1967".

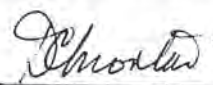
Received First Reading on the 27th day of September 1967.

Received Second Reading on the 27th day of September 1967.

Received Third Reading on the 27th day of September 1967.

RECONSIDERED, ADOPTED and FINALLY PASSED by the Municipal Council on the 4th day of October 1967.

  
A. VandeCasteyen,  
Municipal Clerk

  
D. C. Morton,  
Reeve.



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 1254

A BY-LAW TO EXEMPT "SHOPS" FROM THE PROVISIONS OF SECTIONS 858 AND 859 OF THE "MUNICIPAL ACT", BEING CHAPTER 33 OF THE STATUTES OF 1968

WHEREAS Sections 858 and 859 of the Municipal Act regulate the closing of certain classes of shops as defined by Section 857 of the said Municipal Act;

AND WHEREAS it is enacted by Section 361 of the Municipal Act that for the local convenience and well being of the residents of a Municipality, the Council may exempt any defined class or classes of shop from the provisions of Sections 858 and 859 of the aforesaid Act;

NOW THEREFORE, the Municipal Council of The Corporation of the District of North Cowichan, in open meeting assembled, ENACTS as follows:

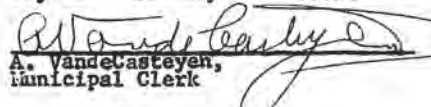
1. Every shop as defined by Subsection 1 of Section 857 of the Municipal Act shall be exempt from the provisions of Sections 858 and 859 of the aforesaid Act, with the exception of barbers.
2. Barbers shall be closed for the serving of customers:
  - (a) All day Monday;
  - (b) On Tuesday, Wednesday, Thursday and Saturday, not later than six o'clock in the afternoon;
  - (c) On Friday, not later than nine o'clock in the afternoon and shall remain closed thereafter for the remainder of each such day.
3. This by-law shall in all respects be subject to the relevant provisions of the "Lords Day Act", and nothing herein contained shall be taken to authorize or to purport to authorize the doing of anything prohibited or declared unlawful by the said Act.
4. By-law No. 690, being the "Shops Regulation By-law 1958" and amending By-laws No. 707, 786, 818 and 865 are hereby repealed.
5. This by-law may be cited as the "Shops Closing Exemption By-law, 1968".

Received First Reading on the 4th day of December 1968.

Received Second Reading on the 18th day of December 1968.

Received Third Reading on the 18th day of December 1968.

RECONSIDERED, ADOPTED and FINALLY PASSED by the Municipal Council on the 6th day of January 1969.

  
A. VandeCasteyen,  
Municipal Clerk

  
D. C. Horton,  
Mayor

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 1295

A BY-LAW TO PROVIDE FOR PUBLIC SPORTS AND ENTERTAINMENT AFTER HALF PAST ONE IN THE AFTERNOONS ON SUNDAY

WHEREAS, by Section 210 A. of the "Municipal Act", it shall be lawful for any person, after half past one in the afternoon on Sunday to provide for, engage, or be present at any public sport or entertainment at which any fee is charged for admission which would be unlawful under Section 6 of the Lord's Day Act (Canada), or to do or engage any other person to do any work in connection with any such sport or entertainment which would be unlawful under Section 4 of the Lord's Day Act providing that a by-law is submitted to the electors and providing that three-fifths of the electors who vote are in favour of passing the said by-law;

NOW THEREFORE, the Municipal Council of The Corporation of the District of North Cowichan, in open meeting assembled, ENACTS as follows:-

1. It is hereby declared that Subsection (1) of Section 210 A. of the "Municipal Act" is in force throughout the Municipality.

2. This by-law may be cited as the "Sunday Sport and Entertainment By-law 1969".

Received First Reading on the 24th day of September 1969.

Received Second Reading on the 5th day of November 1969.

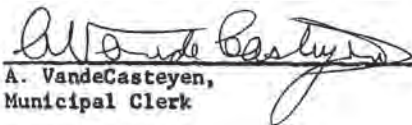
Received Third Reading on the 19th day of November 1969.

Received the Assent of the Electors on the 6th day of December 1969.

RECONSIDERED, ADOPTED and FINALLY PASSED by the Municipal Council on the 17th day of December 1969.



D. C. Morton,  
Mayor



A. VandeCasteyen,  
Municipal Clerk



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 1478

A BY-LAW TO PROVIDE FOR THE REMUNERATION OF THE  
MAYOR AND THE ALDERMEN

The Municipal Council of The Corporation of the District of North Cowichan, in open meeting assembled, ENACTS as follows:-

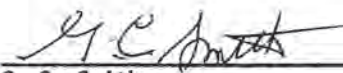
1. There shall be paid to the Mayor of the Municipality of North Cowichan, commencing in the year 1973 and subsequent years, the sum of Six Thousand, Three Hundred and Ninety Dollars (\$6,390.00) per annum.
2. There shall be paid to each Alderman of the Municipality of North Cowichan, commencing in the year 1973 and subsequent years, the sum of One Thousand, Nine Hundred and Seventeen Dollars (\$1,917.00) per annum.
3. By-law No. 1429 of The Corporation of the District of North Cowichan is hereby repealed.
4. This by-law may be cited as the "Remuneration for Mayor and Aldermen By-law (No. 2) 1972".

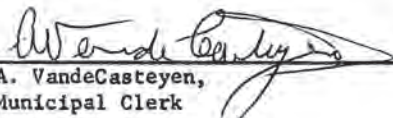
Received First Reading on the 15th day of November 1972.

Received Second Reading on the 15th day of November 1972.

Received Third Reading on the 15th day of November 1972.

RECONSIDERED, ADOPTED and FINALLY PASSED by a two-thirds majority of all the members of the Municipal Council on the 6th day of December 1972.

  
\_\_\_\_\_  
G. C. Smith,  
Mayor

  
\_\_\_\_\_  
A. VandeCasteyen,  
Municipal Clerk

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 1515

A BY-LAW TO ESTABLISH A LANDLORD AND TENANT ADVISORY  
BUREAU

The Council of The Corporation of the District of North Cowichan,  
in open meeting assembled, ENACTS as follows:

1. There is hereby established a Landlord and Tenant Advisory Bureau  
and the said Bureau shall have those functions set out in subsection (3) of  
Section 66 of the Landlord and Tenant Act, namely

- a) to advise landlords and tenants in tenancy matters;
- b) to receive complaints and seek to mediate disputes  
between landlords and tenants;
- c) to disseminate information for the purpose of educating  
and advising landlords and tenants concerning rental  
practices, rights, remedies; and
- d) to receive and investigate complaints of conduct in  
contravention of legislation governing tenancies.

2. The Bureau shall be composed of 3 members who shall be appointed  
by the Council, and one of the three members may be a member of the Council.

3. The members of the Bureau shall hold office for the term of  
two years and may be reappointed. No member, however, shall hold office for more  
than four consecutive years. In the event of death or resignation of any member,  
the Council shall appoint his replacement who shall serve for the unexpired por-  
tion of his term.

4. The Bureau shall elect from its membership a Chairman. A  
majority of the Bureau shall constitute a quorum.

5. The Bureau shall set its own procedures and shall fix the time  
and place of its meetings.

6. The members of the Bureau shall be paid no remuneration.

7. This By-law may be cited as the "Landlord and Tenant Advisory  
Bureau By-law 1973".



Received First Reading on the 1st day of August 1973.

Received Second Reading on the 1st day of August 1973.

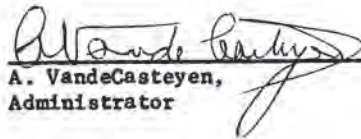
Received Third Reading on the 1st day of August 1973.

RECONSIDERED, ADOPTED and FINALLY PASSED by the Municipal Council on the

15th day of August 1973.



G. C. Smith,  
Mayor



A. VandeCasteyen,  
Administrator

THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 2010

A BY-LAW TO PERMIT THE OPERATION OF CERTAIN CLASSES  
OF RETAIL BUSINESS ON A HOLIDAY

WHEREAS the Holiday Shopping Regulation Act, S.B.C. 1980 c.17 provides that no person shall carry on retail business or admit the public to a retail establishment on a Holiday except as provided therein;

AND WHEREAS pursuant to Section 3 of the said Act a Council may, with the assent of the electors, adopt a by-law, to permit a person to carry on a certain class of retail business, to sell or offer for sale a certain class of goods or service in a retail establishment, or to admit the public to a retail establishment on a Holiday;

NOW THEREFORE, the Municipal Council of The Corporation of the District of North Cowichan, in open meeting assembled, ENACTS as follows:-

1. A word or expression used in this By-law has the same meaning as a word or expression used in the Holiday Shopping Regulation Act, except that in this By-law "retail business" shall not include "scheduled business" as that expression is defined in the Holiday Shopping Regulation Act, and such a business is now permitted to remain open pursuant to the Act.

2. Any person shall be permitted to carry on any and all classes of Retail Business, to sell or offer for sale any and all classes of goods or service in a Retail Establishment and to admit the public to a retail establishment on any and all Holidays.

3. This by-law may be cited as the "Holiday Shopping Regulation By-law 1981".

Received First Reading on the 4th day of November 1981.

Received Second Reading on the 4th day of November 1981.

Received Third Reading on the 4th day of November 1981.

Received the assent of the electors on the 21st day of November 1981.

RECONSIDERED, ADOPTED and FINALLY PASSED by the Municipal Council on the 2nd day of December 1981.

  
G. P. Bruce,  
Mayor

  
(Mrs.) Jean A. MacLeod,  
Municipal Clerk



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 2405

A BY-LAW TO AMEND THE "BUILDING BY-LAW 1982" - NO. 2070

The Municipal Council of The Corporation of the District of North Cowichan, in open meeting assembled, ENACTS as follows:

1. By-law No. 2070, being the "Building By-law 1982", is hereby amended as follows:

(a) by replacing Appendix "A" with the following:

<u>"BUILDING</u>	<u>Value of Building</u>	<u>Permit Fee</u>
	Not exceeding \$5,000.00	\$20.00
	\$5,000.00 to \$100,000.00	\$20.00 for the first \$5,000.00 plus \$4.00 for each additional \$1,000.00
	Over \$100,000.00	\$400.00 for the first \$100,000.00 plus \$3.00 for each additional \$1,000.00
	Inspection of building to be moved	\$30.00
	Permit to move building	Based on Building Permit Rates as above for the estimated construction costs
	Demolition of a building	\$15.00

PLUMBING For the purpose of this by-law, a fixture (as applying to plumbing systems) means a receptacle, appliance, apparatus or other device that discharges sewage or clear water waste and includes a floor drain.

<u>Number of Fixtures</u>	<u>Permit Fee</u>
Minimum Fee (1 or 2 fixtures)	\$15.00
3 to 100 fixtures	\$4.00 per fixture
Over 100 fixtures	\$400.00 for the first 100 fixtures plus \$2.00 for each additional fixture
Inspection fee - water lines on private property	\$10.00
Inspection fee - sewer lines on private property	\$10.00
Inspection fee for sprinkler systems	\$2.00 per sprinkler head
Inspection fee for wood- burning appliances	\$15.00

DOUBLE FEE for all construction started prior to obtaining a permit.

For inspections required as a result of Call Backs, where the work is incomplete or improperly done, a fee of \$10.00 per Call Back inspection."

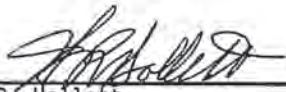
2. This by-law may be cited as the "Building By-law 1982 Amendment By-law 1988".


Received First Reading on the 16th day of November 1988.

Received Second Reading on the 16th day of November 1988.

Received Third Reading on the 16th day of November 1988.

RECONSIDERED, ADOPTED and FINALLY PASSED by the Municipal Council on the  
5th day of December 1988.

  
\_\_\_\_\_  
H.R. Hollett,  
Mayor

  
\_\_\_\_\_  
J.S. Dias,  
Municipal Clerk



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 2565

A BY-LAW TO AMEND  
THE "BUILDING BY-LAW 1982" - NO. 2070

The Municipal Council of The Corporation of the District of North Cowichan, in open meeting assembled, ENACTS as follows:

1. By-law No. 2070, being the "Building By-law 1982", is hereby amended by replacing Appendix "A" of By-law No. 2070 with the following:

<u>"BUILDING</u>	<u>NEW ONE AND TWO FAMILY RESIDENTIAL CONSTRUCTION</u>	<u>PERMIT FEE (PER SQUARE FOOT)</u>
	Main floor with full basement	\$ .30
	Main floor with crawl space	.28
	Main floor slab on grade	.25
	Second floor	.20
	<u>ALL OTHER CONSTRUCTION</u>	<u>PERMIT FEE</u>
	Value not exceeding \$5,000	\$25.00
	Value - \$5,000 to \$100,000	\$25.00 for the first \$5,000 plus \$4.00 for each additional \$1,000
	Value over \$100,000	\$400.00 for the first \$100,000 plus \$3.00 for each additional \$1,000
		<u>PERMIT FEE</u>
	Demolition of building	\$20.00
	Permit to move building	Based on above rates
<u>PLUMBING</u>	For the purpose of this by-law, a fixture (as applying to plumbing systems) means a receptacle, appliance, apparatus or other device that discharges sewage or clear water waste and includes a floor drain.	
	<u>NUMBER OF FIXTURES</u>	<u>PERMIT FEE</u>
	Minimum Fee (1 or 2 fixtures)	\$15.00
	3 to 100 fixtures	\$6.00 per fixture
	Over 100 fixtures	\$600.00 plus \$3.00 per fixture over 100
	Inspection fee of water lines on private property	\$10.00
	Inspection fee of sewer lines on private property	\$10.00
	Inspection fee for sprinkler systems	\$2.00 per sprinkler head

Inspection fee for lawn sprinkler system	\$15.00
Inspection fee for wood-burning appliances	\$25.00

DOUBLE FEE for all construction started prior to obtaining a permit.

For inspections required as a result of Call Backs, where the work is incomplete or improperly done, a fee of \$25.00 per Call Back inspection."

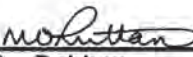
2. This by-law may be cited as the "Building By-law 1982 Amendment By-law 1992".

Received First Reading on the 4th day of November 1992.

Received Second Reading on the 4th day of November 1992.

Received Third Reading on the 4th day of November 1992.

RECONSIDERED, ADOPTED and FINALLY PASSED by the Municipal Council on the 18th day of November 1992.

  
 M.O. Ruttan,  
 Municipal Clerk

  
 H.R. Hollett,  
 Mayor



THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN

BY-LAW NO. 2578

A BY-LAW TO PROVIDE FOR THE REMUNERATION  
OF THE MAYOR AND ALDERMEN

The Municipal Council of The Corporation of the District of North Cowichan, in open meeting assembled, ENACTS as follows:

1. There shall be paid to the Mayor of the Municipality of North Cowichan, commencing on January 1, 1991, and subsequent years, indemnity in the amount of Twenty-four Thousand, and Twenty-four Dollars (\$24,024.00) per annum, one-third of which is paid as an expense allowance pursuant to Section 267(2) of the Municipal Act.

2. There shall be paid to each Alderman of the Municipality of North Cowichan, commencing on January 1, 1991, and subsequent years, indemnity in the amount of Eleven Thousand, Seven Hundred and Ninety-three Dollars and Sixty Cents (\$11,793.60) per annum, one-third of which is paid as an expense allowance pursuant to Section 267(2) of the Municipal Act.

3. In addition to the remuneration authorized pursuant to Section 1 of this by-law, the Deputy Mayor shall be paid an allowance of One Hundred and Sixty-three Dollars and Eighty Cents (\$163.80) per month effective January 1, 1991, one-third of which is paid as an expense allowance pursuant to Section 267(2) of the Municipal Act.

4. By-law No. 2492 is hereby repealed.

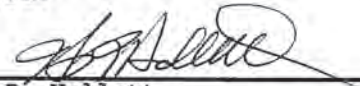
5. This by-law may be cited as the "Remuneration for Mayor and Aldermen By-law 1991".

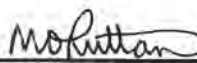
Received First Reading on the 14th day of August 1991.

Received Second Reading on the 14th day of August 1991.

Received Third Reading on the 14th day of August 1991.

RECONSIDERED, ADOPTED and FINALLY PASSED by the Municipal Council on the 28th day of August 1991.

  
H.R. Hollett,  
Mayor

  
M.O. Ruttan,  
Municipal Clerk



The Corporation of the District of North Cowichan

**Bylaw No. 3758**

**Zoning Amendment Bylaw (Keeping of Farm Animals & Poultry), 2019**

The Council of The Corporation of The District of North Cowichan enacts as follows:

**1 "Zoning Bylaw, No. 2950, 1997" is amended as follows:**

**(a) Section 12 [definitions] is amended by adding the following definitions:**

**"farm animals"** means domesticated cows, donkeys, horses, mules, llamas, emus, ostriches, swine, sheep, or goats, and other animals usually associated with farming, but not necessarily used solely for agricultural purposes;" **and**

**"poultry"** means chickens, turkeys, ducks, geese and pigeons;"

**(b) Section 48 (4) is repealed.**

**(c) Section 48.1 [Keeping of Farm Animals and Poultry] is added:**

- "48.1** (1) The keeping of farm animals and poultry is permitted on a lot greater than 8000 m<sup>2</sup> (1.98 ac) in area.
- (2) The keeping of farm animals and poultry is not permitted on a lot less than 8000 m<sup>2</sup> (1.98 ac) in area, except as follows:
- (a) on a lot greater than 1675 m<sup>2</sup> (0.41 ac) in area but less than 4000 m<sup>2</sup> (0.99 ac) in area, a total of not more than 12 rabbits or poultry;
  - (b) on a lot equal to or greater than 4000 m<sup>2</sup> (0.99 ac) in area but less than 8000 m<sup>2</sup> (1.98 ac) in area, a total of not more than 12 rabbits or poultry and a total of not more than 2 farm animals.
- (3) Any structure to house farm animals, or poultry must be set back at least 15 m from any lot line.
- (4) Any structure used for the storage of manure must be set back at least 15 m from any lot line.
- (5) Notwithstanding the foregoing, where the minimum setback requirements from all lot boundaries of the zone in which the structure is located are greater than 15 m, the greater setback requirements apply."



**(d) Section 51 (6) [minimum setbacks in the Agricultural (A1) Zone] is amended by adding the following:**

"(g) Kennel  
Yard, Front, 46 m (150.91')  
Yard, Side, 46 m (150.91')  
Yard, Rear, 46 m (150.91')".

**(e) Section 51 (8) [conditions of use in the Agricultural (A1) Zone] is amended by adding the following:**

"(g) A kennel must not be located on a lot less than 8000 m<sup>2</sup> (1.98 acres) in area."

**(f) Section 52 (6) [minimum setbacks in the Rural (A2) Zone] is amended by adding the following:**

"(f) Kennel  
Yard, Front, 30 m (98.43')  
Yard, Side, 30 m (98.43')  
Yard, Rear, 30 m (98.43')".

**(g) Section 52 (8) [conditions of use in the Rural (A2) Zone] is amended by adding the following:**

"(g) A kennel must not be located on a lot less than 8000 m<sup>2</sup> (1.98 acres) in area."

**(h) Section 56 (8) (e) [conditions of use in the Residential Rural (R1) Zone] is repealed.**

**(i) Section 58 (8) (f) [conditions of use in the Residential One and Two Family (R3) Zone] is repealed.**

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READ a first time on November 06, 2019

READ a second time on November 06, 2019

CONSIDERED at a Public Hearing on November 20, 2019

READ a third time on November 20, 2019

APPROVED by Ministry of Transportation and Infrastructure on November 22, 2019

ADOPTED on

---

CORPORATE OFFICER

---

PRESIDING MEMBER



The Corporation of the District of North Cowichan  
**Zoning Amendment Bylaw (Cannabis Sales – 8432 Trans-Canada Highway), 2019**

Bylaw 3763

The Council of The Corporation of The District of North Cowichan enacts as follows:

**1      *Zoning Bylaw 1997, No. 2950, is amended by adding the following text as a new subsection after 40.6:***

**"40.7** Despite section 40.5, one cannabis retail store is permitted at 8432 Trans-Canada Highway (PID: 001-305-310)."

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READ a first time on September 4, 2019

Information Meeting held on October 3, 2019

READ a second time as amended on October 16, 2019

CONSIDERED at a Public Hearing on November 20, 2019

READ a third time on November 20, 2019

APPROVED BY the Ministry of Transportation and Infrastructure on November 22, 2019

ADOPTED on

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CORPORATE OFFICER

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PRESIDING MEMBER



# Report

Date December 4, 2019

File: DP000155

To Council

From Rob Conway, Director of Planning and Building

Endorsed:



Subject Reconsideration of Development Permit Application DP000155

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## Purpose

To provide additional information regarding Council's reconsideration of Development Permit Application DP000155.

## Background

At the November 6, 2019 Council meeting, a request to reconsider development permit application DP000155 for the "Phase 2" expansion of the Vancouver Island Motorsport Circuit (VIMC) was presented. A staff report outlining application, staff's decision to deny the application and other related information was provided to Council at that time (Attachment 1).

Because Council was in the process of reconsidering Zoning Amendment Bylaw No. 3761 (Bylaw No. 3761) and had decided to conduct a second public hearing before reconsidering the bylaw, Council decided to defer reconsideration of Development Permit Application DP000155 until it concluded its reconsideration of Bylaw No. 3761.

A letter dated November 26, 2019 from the legal counsel representing VIMC was recently received that provides additional information related to the development permit reconsideration request. (Attachment 2). The letter also requests that Council reconsider staff's decision to deny development permit application DP000155 at the December 4, 2019 Council meeting.

## Discussion

The second public hearing for Bylaw No. 3761 is scheduled for December 9, 2019. Based on Council's November 6, 2019 resolution, it is expected that Council will reconsider development permit application DP000155 at the Council meeting following the public hearing on December 18, 2019. Should Council wish to advance the reconsideration of the development permit application decision to the December 4, 2019 Council meeting, available options are:

1. That reconsideration of Development Permit Application DP000155 be deferred until Council has concluded its reconsideration of Bylaw No. 3761.
2. That Council confirm the Director of Planning and Building's decision to deny Development Permit Application DP000155 due to non-compliance the Zoning Bylaw.

3. That Council set-aside the Director of Planning and Building's decision to deny Development Permit Application DP000155 due to non-compliance with the Zoning Bylaw and direct staff to process the development permit application in accordance with applicable policies, regulations and development permit guidelines.

### **Recommendation**

**For Council's information (no recommendation).**


Attachments (2)

Attachment 1 – Nov. 6 Staff Report

Attachment 2 – Nov. 26 Letter From Sean Hern



# Report

Date	November 6, 2019	File: DP000155
To	Council	
From	Rob Conway, Director of Planning and Building	Endorsed: 
Subject	Reconsideration of Development Permit Application DP000155	

## Purpose

To provide an outline of the process for Council's reconsideration of Development Permit Application DP000155.

## Background

A development permit application for the expansion of the Vancouver Island Motorsport Circuit (VIMC) at the Cowichan Valley Highway and Drinkwater Road was received by the Municipality in December, 2018. With the concurrence of the applicant, consideration of the development permit application was deferred pending a decision on a zoning amendment application for the same site. If approved, the rezoning application would have explicitly permitted "motor vehicle testing and driver training" and related uses as permitted uses on the subject land.

On October 4, 2019, Council denied Zoning Amendment Bylaw No. 3761 ("Bylaw No. 3761"). The owner's representative, in a letter dated October 15, 2019 (Attachment A), subsequently requested that a development permit for the Phase 2 expansion be issued. After reviewing the development permit application the Director of Planning and Building, who is delegated the authority to issue development permits by Council, concluded that the proposed uses of land in the Phase 2 expansion is not permitted by Zoning Bylaw No. 2950 (the "Zoning Bylaw"). In a letter dated October 25, 2019 (Attachment B), the applicant was advised that development permit application DP000155 was denied and that the decision could, upon request to the Municipality's Corporate Officer, be reconsidered by Council. On October 30, 2019, the Corporate Officer received a letter from the property owner's representative requesting reconsideration of the development permit application (Attachment C).

## Discussion

### Delegation of Authority Bylaw No. 3734:

Delegation of Authority Bylaw No. 3734 (Attachment D) delegates specified powers, duties and decision making authorities to designated Municipal officers and employees. Section 22 of the Bylaw delegates the authority to issue development permits that do not involve variances to Municipal Bylaws to the Director of Planning and Building. The delegated authority allows the Director to issue development permits without Council authorization, provided the permit is compliant with applicable bylaws.

Section 23 of Bylaw No. 3734 allows the owner of land that is subject to a decision made by Council's delegate to have the delegate's decision reconsidered by Council. The terms and conditions for reconsideration are provided in Section 23. In reconsidering the delegate's decision, Council may confirm the decision, amend the decision, or set the decision aside and substitute a decision of Council.

Zoning Bylaw No. 2950:

Development Permit Application DP000155 was denied because the primary use associated with development proposed in the application was not considered to be compliant with the Zoning Bylaw and the uses the Zoning Bylaw permits on the subject property. Primary uses proposed in the application include a five kilometre paved motor vehicle circuit and an off-road motor vehicle circuit. Secondary uses include a clubhouse and structures for repairing maintaining and storing motor vehicles. A plan showing the proposed development is provided in Attachment E.

The subject parcel is zoned Industrial Heavy (I2). The I2 zone (Attachment F) does not include "motor vehicle circuit", "motor vehicle testing and driver training facility", or similar-type uses that reasonably describe the uses intended for the Phase 2 expansion. In the absence a use within the zoning that permits the proposed land use, I was compelled to deny the development permit application.

The applicant and lawyers representing the property owner note that the Municipality's Planning Department previously issued a development permit for the Phase 1 motorsport circuit and contend that it is "arbitrary and irrational" to deny the Phase 2 development permit application when the I2 zoning that applies to much of Phase 1 also applies to Phase 2. While it is true that a development permit was issued for Phase 1, and a determination was made at that time that the Phase 1 motorsport circuit was a permitted use in the I2 zone, I did not authorize that permit and my analysis of the Zoning Bylaw led me to conclude that the development proposed in application DP000155 is not compliant with the applicable I2 zoning and therefore cannot be authorized by development permit.

Procedural Considerations and Recommendations:

Mayor Siebring has required, under Section 131 of the *Community Charter*, that Council's October 4, 2019 decision to deny third reading of Bylaw No. 3761 be reconsidered. It has been recommended that Council conduct a public hearing prior to reconsideration of Bylaw No. 3761. As the basis for denying application DP000155 was non-compliance with the Zoning Bylaw and the zoning issue would be resolved should Council decide to adopt Bylaw No. 3761, it is recommended that reconsideration of refusal of development permit application DP000155 be deferred until the reconsideration of Bylaw No. 3761 is concluded.

## Options

1. That Council confirm the Director of Planning and Building's decision to deny Development Permit Application DP000155 due to non-compliance the Zoning Bylaw.
2. That Council set-aside the Director of Planning and Building's decision to deny Development Permit Application DP000155 due to non-compliance with the Zoning Bylaw and direct staff to process the development permit application in accordance with applicable policies, regulations and development permit guidelines.



## Recommendation

**That reconsideration of Development Permit Application DP000155 be deferred until Council has concluded its reconsideration of Bylaw No. 3761.**

Attachments: (6)

Attachment A - October 15, 2019 Letter from Lorenzo G. Oss-Cech, Hutchinson, Oss-Cech, Marlatt

Attachment B – October 25, 2019 Letter from Director of Planning and Building

Attachment C – October 30, 2019 Letter from Sean Hern, Farris LLP

Attachment D – Delegation of Authority Bylaw No. 3734

Attachment E – Development Plan

Attachment F – I2 Zone

James S. Hutchison†  
Lorenzo G. Oss-Cech†  
Barri A. Marlatt†  
Dana G. Quantz  
Andrew W. Tomilson  
Esteban T. Káhs



Telephone: (250) 360-2500  
Facsimile: (250) 360-0208  
1 – 505 Fisgard Street  
Victoria, British Columbia  
Canada V8W 1R3

Our File: 5469001

Reply To: Lorenzo G. Oss-Cech  
E-mail address: lgo@hom-law.com

Tuesday, October 15, 2019

Young Anderson  
Barristers and Solicitors  
1616-808 Nelson Street  
Box 12147 – Nelson Square  
Vancouver, BC V6Z 2H2

Via Email & Hand Delivered

**Attention: Suhkbir Manhas**

**Re: Development Permit Application – Phase Two**

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I write further to the public meetings of October 1<sup>st</sup> and 3<sup>rd</sup> 2019.

It would be an understatement to say that my client is frustrated and disappointed with the outcome, which we believe to be misguided in view of the project's history.

In 2016, with the consent and knowledge of the then North Cowichan Council, the North Cowichan Municipality ("NCM") sold a large part of the subject lands to my client and provided written assurances (**without any disclaimers**) that the zoning for my client's intended use was appropriate.

My client relied on those assurances in purchasing the properties.

Furthermore, based on those assurances, my client applied for and received a development permit and building permits. It then invested over \$37 million to construct Phase One of the facility. It did so, fully intending and expecting to build Phase Two on the adjacent lands.

In addition, my client paid \$266,500.00 to build a new water line off Drinkwater Road as part of the development agreement for Phase One.



At the well-publicized opening of Phase One in June 2016, the then Mayor and several councilors attended. Phase One has been operating ever since and is a highly successful enterprise, both in isolation and as an integral component of GAIN's interrelated businesses on Vancouver Island.

Shortly after the opening, three resident households (**two from outside NCM**), mounted a campaign against the facility, claiming that it was too noisy and it did not have the proper zoning.

My client made countless attempts to address the noise concerns, by: conducting extensive testing with the top sound experts; voluntarily restricting operating hours; and removing certain types of vehicles from the circuit.

Other than the controls and restrictions imposed by my client, the operation and business has not changed from the beginning.

My client has operated within the bounds of their legal rights at all times. It has had a good relationship with NCM and has never received any violation, charge or warning from NCM's staff.

In 2017 NCM asked my client to apply to rezone the properties under one comprehensive by-law. NCM's staff believed that the rezoning would provide greater clarity and establish operating rules for the circuit to provide NCM and the public certainty in that regard. Given its good relationship with NCM and most of the community, my client, in good faith, agreed. A rezoning application was submitted for Phase One and a Phase Two configuration that extended the circuit into both the I2 and A4 lands owned by my client.

On June 5, 2017, as the rezoning application was being prepared, the same above mentioned households, opposed to the circuit, filed a lawsuit against my client and NCM seeking to close Phase One by challenging the zoning for the facility and alleging that the noise from the circuit constituted a nuisance at law.

My client nevertheless carried on with the rezoning efforts in good faith, meeting with stakeholders and interested parties, and holding an open house in April 2018, which was attended by approximately 500 people. My client listened to concerns that were expressed and revised the rezoning application to address those concerns.

In September 2018, my client filed a revised rezoning application responding to the public's comments and concerns, moving all of Phase Two into the lands already zoned I2 and proposing extensive environmental and sound mitigation measures, and offering substantial community amenities.

My client also filed a development permit application at the same time, which is permitted by the existing I2 zoning and also consistent with the rezoning, if approved. At the request of NCM my client agreed, again as a matter of good faith, that NCM could wait to issue the development permit until after the rezoning application was addressed.

Meanwhile, in September 2018, my client, and subsequently NCM, applied to dismiss the lawsuit regarding the zoning and to remove NCM as a Defendant. During that application, NCM informed the Supreme Court of British Columbia that my client was operating lawfully and that both the I2 and C8 zoning were appropriate for the operation of the circuit. On October 11 2018, that application succeeded. The zoning claims were dismissed and NCM was removed as a Defendant.

The nuisance part of the lawsuit persisted until only shortly after examinations for discovery of the plaintiffs were held in early 2019, after which the plaintiffs agreed to the dismissal of the rest of the lawsuit.

After that, they focused their attention of a new series of complaints and opposing the rezoning application. Furthermore, after the dismissal of the lawsuit, my client became aware of the involvement of two of those same plaintiffs in NCM's elections, even though they were not residents of NCM.

As part of the rezoning application, my client was asked by NCM's staff to provide a variety of concessions. Those included:

1. A limit on sound;
2. Offsite monitors to gauge the sound within the community;
3. Real time readings for the sound;
4. A \$5,000.00 penalty for each breach of the sound limits;
5. A limit on hours of operation;
6. A limit on days of operation (statutory holidays); and
7. A limit on the type of cars allowed on the track (street legal).  
(the "Concessions")

In addition to the Concessions, my client was also asked:

1. To transfer to NCM a portion of the lands for use as a site for a water storage reservoir;
2. To license to NCM or the Cowichan Trail Stewardship Society a significant portion of the lands (approximately 100 acres);
3. To make the circuit available to the Vancouver Island Karting Association for its use for a minimum of 6 events a year;
4. To transfer to NCM a corridor of the land along Bings Creek (approximately 40 acres);



5. To make a further financial contribution to NCM of \$600,000.00 for environmental and habitat enhancement projects for streams and other waterbodies and/or the construction of a trail up Mount Prevost;
6. To construct, to the satisfaction of NCM a Water Reservoir at a cost of approximately \$2.5 million;
7. To construct, to NCM's satisfaction, Drinkwater Road from Highway 18; and
8. To register all of the above in a covenant.  
(the "Amenities").

Despite all of the above NCM council voted (5-2) against the rezoning, evidently on the basis of late submissions from the Cowichan Tribes (who had earlier indicated support, was otherwise disinterested and refused to meet with my client).

The rejection of the rezoning was surprising to my client as it is otherwise entitled to a development permit, and the Concessions and Amenities are only available by way of rezoning.

My client is, of course, content to save the millions of dollars that the Amenities would cost and to not have any Concessions apply, but is extremely disappointed that so much time has been wasted on a fruitless rezoning process.

In particular because the public discussion of the rezoning process was used by a small group of residents as a platform to spread numerous lies about the facility and to circulate personal and racist attacks against my client's owners and staff.

My client has followed the law slavishly. It went above and beyond what is required to be a good neighbor and citizen by committing to the Concessions and agreeing to provide the Amenities.

My client has issued contracts, booked clients and has mobilized equipment to the site to commence construction of Phase Two, based on the issuance of the development permit.

**By copy of this letter to NCM my client requests that NCM now move forward and issue the development permit for Phase Two.**

Be advised that should the development permit be refused or some other action be taken to interfere with my client's lawful rights to establish and operate its business, my client will pursue all legal remedies available.

In the circumstances, having invested so much time and money in reliance on NCM's assurances and conduct to date, it will be left with no other choice.

I remain

Yours truly,

**HUTCHISON OSS-CECH MARLATT**

Per:



Lorenzo G. Oss-Cech

lgo/ed

cc. North Cowichan Building Department – by hand  
Clients.  
Sean Hern



October 25, 2019

Prospero No: DP000155  
Folio No: 29019-030  
File No: 3060-20 17.24

Mark Holland  
Holland Planning Innovations Inc.  
mark@hollandplan.com

Dear Mr. Holland

**RE: Development Permit for Vancouver Island Motor Circuit - Lot A, Drinkwater Road<sup>1</sup>**

I am writing to advise that I am obliged to deny development permit application DP0000155 on the basis that the proposed land use does not comply with Zoning Bylaw 2950.

I have not come to this conclusion lightly. I appreciate that it is your client's position that the development proposed in the application is for the same land use as under the development permit issued by North Cowichan for Phase 1 of the Vancouver Island Motor Circuit and, as such, there has been a past determination that the land use is in compliance with Zoning Bylaw 2950. However, upon careful review, I have concluded that the proposed land use is not permitted under Zoning Bylaw No. 2950. "Motor vehicle testing and driver training facility" is not listed as a permitted use in the Industrial Heavy (I-2 zone), and I have found no permitted use within the I2 zone that includes that use.

Please be advised that Section 23 of Delegation of Authority Bylaw No. 3734 allows you to have my decision to deny the development permit application reconsidered by Council. Section 23 provides as follows:

**"Land use approvals – reconsideration**

23 (1) The owner of land who is subject to a decision made under the delegated authority under section 22 of this bylaw is entitled to have the decision reconsidered by Council in accordance with this section.

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<sup>1</sup> SECTION 4 RANGE 1 SOMENOS EXCEPT PLAN EPP60766. - PID: 009-751-297

(2) Where the owner wishes to have Council reconsider a decision made under the delegated authority under section 22 of this bylaw:

(a) The owner must, within 30 days of the decision having been communicated to the owner, make an application in writing to the Corporate Officer, which application must include the following:

- (i) A description of the decision sought to be reconsidered by Council;
- (ii) The date of the decision;
- (iii) The name of the delegate who made the decision;
- (iv) The grounds on which reconsideration is being requested; and,
- (v) A copy of any materials that the owner wishes Council to take into account when reconsidering the decision.

(b) Council must reconsider the decision at a regular meeting of Council held within a reasonable period of time after the date on which the application for reconsideration was delivered to the Corporate Officer.

(c) The Corporate Officer must:

- (i) Place the reconsideration of the decision on the agenda for a regular meeting of Council in accordance with paragraph (b) above;
- (ii) Give notice of reconsideration of the decision in accordance with any notice requirements applicable to the original decision; and,
- (iii) Before the reconsideration of the decision by Council, deliver to each Council member a copy of the materials that were considered by the delegate in making the decision that is to be reconsidered, and a copy of all materials submitted by the business license applicant or holder to the Corporate Officer as part of the application for reconsideration.

(d) In reconsidering the decision, the Council must consider all the material before it.

(e) At the meeting at which Council is to reconsider the decision, Council will first hear from staff in relation to the subject matter of the decision and in relation to the decision itself, and will then hear from the owner. Council may then hear from staff in relation to any new information raised by the owner in its submissions to Council.

(f) Council is entitled to adjourn the reconsideration of the decision; and,

(g) After hearing from staff and the owner, Council will reconsider the decision and may either confirm the decision, amend the decision, or set aside the decision and substitute the decision of Council."



A copy of Bylaw No. 3734 is enclosed for your reference.

Sincerely

A handwritten signature in blue ink, appearing to be 'Rob Conway', with a long horizontal flourish extending to the right.

Rob Conway, MCIP, RPP  
Director  
PLANNING AND BUILDING DEPARTMENT

Reply Attention of: Sean Hern  
Direct Dial Number: 250 405 1982  
Email Address: shern@farris.com

**FARRIS**

File No: 041125-0001

October 30, 2019

BY EMAIL

Municipality of North Cowichan  
7030 Trans-Canada Highway  
Duncan BC V9L 6A1

**Attention: Corporate Officer**  
**([karen.robertson@northcowichan.ca](mailto:karen.robertson@northcowichan.ca))**

Dear Sirs/Mesdames:

**Re: Development Permit for Vancouver Island Motor Circuit - Lot  
A, Drinkwater Road, Section 4 Range 1 Somenos Except Plan  
EPP60766 - PID: 009-751-297**

We write on behalf of 1909988 Ontario Limited ("**VIMC**") the owner of the above-noted lands and the applicant in development permit application DP0000155 ("**VIMC's Development Permit Application**").

Pursuant to section 23(1) of the Delegation of Authority Bylaw 3734, VIMC hereby requests a reconsideration by Council of the decision of Rob Conway, Director of Planning, dated October 25, 2019, a copy of which is attached hereto (the "**Decision**"). In the Decision, Mr. Conway denied VIMC's Development Permit Application on the basis that the proposed land use in did not comply with Zoning Bylaw 2950.

The grounds on which reconsideration is requested are three-fold:

1. First, a decision of whether to issue a development permit is an assessment of the application in light of the municipality's Official Community Plan. It is not a land use decision, as has been made in this case by the Director of Planning. To proceed otherwise is to exceed the statutory jurisdiction delegated in respect of development permit applications. There are many examples of the court's enforcement of this constraint on municipal jurisdiction in relation to development permit applications, including: *Westfair Foods Ltd v Saanich (District)* (1997), 49 BCLR (3d) 299 (C.A.); *Rocky Point Metalcraft Ltd. v. Cowichan Valley (Regional District)*, 2012 BCSC 756; and *0742848 B.C. Ltd. v. Squamish (District)*, 2011 BCSC 747.
2. Second, the suggestion that the VIMC Development Permit Application may not comply with the I2 zoning for the purposes of the development permit application analysis is arbitrary and irrational in light of VIMC having been issued a development permit in 2015 for the adjacent I2 lands and having operated without interference on those lands in essentially an identical manner as intended for the subject lands. Moreover, as you know, North Cowichan's Planning Department repeatedly confirmed in writing to VIMC that the uses on the adjacent I2 land were consistent with *both* the I2 zoning and the C8 zoning that is present there. A copy of that correspondence is enclosed for your reference. Further, North Cowichan's

**FARRIS LLP**

3rd Floor - 1005 Langley Street Victoria, BC Canada V8W 1V7  
Tel 250 382 1100 farris.com



October 30, 2019

- 2 -

**FARRIS**

lawyer filed pleadings and made submissions to the BC Supreme Court on behalf of North Cowichan to the same effect.

3. Third, and alternatively, the planned use for the subject lands is not singular, but is rather a collection of a number of different uses, and even if North Cowichan were to be concerned that some of those uses may not be consistent with the I2 zoning, many of the uses clearly are (for example, motor vehicle storage, repair, sales, servicing, driving trade school and accessory uses). Accordingly, the matter of whether the user operates in compliance with the zoning in the future is, at most, a matter of municipal enforcement and not a basis to deny the development permit application: see the case authority cited in point 1, above. VIMC is committed to using the lands in accordance with the I2 zoning. If there is a difference of opinion at some point in the future about what precisely that is, it may have to be resolved, but clearly many of the planned and potential uses are expressly and directly authorized in the I2 zone, and VIMC will make use of circuit and facilities accordingly. As a result, in the process of considering the VIMC Development Permit Application, there is no basis to presume that the owner will not use the land in a manner consistent with the current zoning.

On the basis of the above, we hereby request that the VIMC Development Permit Application be reconsidered and the requested development permit issued forthwith.

Yours truly,

FARRIS LLP

Per:

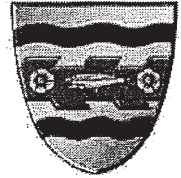


Sean Hern

Enclosures

cc. Sukhbir Manhas

# Municipality of North Cowichan



7030 Trans Canada Highway, Box 278  
Duncan, BC V9L 3X4

Telephone: (250) 746-3100  
Fax: (250) 746-3139  
[www.northcowichan.ca](http://www.northcowichan.ca)

November 12, 2013

File: 0930-20 CVH

Mr. John D. Srebot, General Counsel  
Auto World Imports  
220 Steeles Avenue West  
Thornhill, ON L4J 1A1

Dear Mr. Srebot

**Re: Proposed Land Acquisition – Lot A, Section 3, Range 1, Somenos District, Plan EPP35449**

The purpose of this letter is to clarify the Municipality's position regarding the proposed use of lands legally described as Lot A, Section 3, Range 1, Somenos District, Plan EPP35449.

The subject property is currently split-zoned I2 (Industrial Heavy Zone) and C8 (Rural Recreation Zone).

The prospective purchaser has verbally outlined their intended use of the properties as a "Recreational Testing Facility" for motor vehicles. While not specifically listed as permitted use under the *Zoning Bylaw*, No. 2950, it is the Municipality's position that the proposed "Recreational Testing Facility" would be considered a permitted use under the definitions of "Recreational Facility" (C8) and "Industrial Use" (I2) so this use is permitted on any portion of the subject property.

Secondary or accessory facilities, such as space for office and meetings, motor vehicle repair, food service, etc. are acceptable and would be permitted on any portion of the subject property. Any proposed use of the property is subject to issuance of a Development Permit as per the Municipality's *Official Community Plan Bylaw*, No. 3450, and *Zoning Bylaw*, No. 2950.

Any use of the subject property for racing, or as a "Race Track" for either go-karts or other motor vehicles must be contained to that portion of the property that has C8 zoning. Racing and "Race Track" are not permitted uses in the I2 zone.

Please feel to contact us directly if you require any additional clarification or supporting information.

Sincerely

Dave Devana  
Chief Administrative Officer

[devana@northcowichan.ca](mailto:devana@northcowichan.ca)

pc P. Trzewik  
S. Mack, Director of Planning and Development

ddnov12\_2013Indt\_Srebot\_Highway 18

**cowichan**





GAIN  
2546 Government Street  
Victoria, BC V8T 4P7

November 4, 2015

Municipality of North Cowichan  
7030 Trans-Canada Highway, Box 278  
Duncan, British Columbia V9L 3X4

To Whom It May Concern,

We write with respect to our planned vehicle testing and driver training facility at 4063 Cowichan Valley Highway.

Because the property is split-zoned, and our facility design will have the driving track extending across both the I2 and C8 portions of the property, we are seeking further comfort that the activities proposed for the vehicle testing and driver training facility are compliant with local zoning. Please confirm that the following activities are permitted in both the I2 and C8 zones:

On the Driving Track:

1. Hold driving programs of up to 100 cars and drivers per day in different areas of the facility;
2. Use the track in different configurations with different groups;
3. Single vehicles driving the track with the goal to achieve and improve "fast lap" times;
4. Single vehicles practicing emergency braking, lane change, cornering, slalom and other emergency manoeuvres, some at high speed;
5. Multiple vehicles on the track simultaneously, driving during club or manufacturers activities to achieve and improve their "fast laps" however not to race each other or hold events that would be considered a race.
6. Change settings of the cars and guide the drivers to improve lap times further and further;

In the Pit Area:

7. Changing tires and conducting minor maintenance;
8. Set up work on cars to improve their lap times.

Should you have any questions, please do not hesitate to contact me. I can be reached by email at [ptrzewik@gain-vi.ca](mailto:ptrzewik@gain-vi.ca) or by phone at (250) 818-8038.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Trzewik', written over a faint, curved line.

Peter Trzewik

November 4, 2015

Mr. Peter Trzewik  
GAIN  
2546 Government Street  
Victoria, BC V8T 4P7

Dear Mr. Trzewik

**Re: 4063 Cowichan Valley Highway - (Lot A, Section 3, Range 1, Somenos District,  
Plan EPP35449 and Section 4, Range 1, Somenos District)**

We write to you further to your letter of November 4, 2015, in which you have requested confirmation of permitted activities on the above-noted lands owned by 1909988 ONTARIO LTD.

The Municipality of North Cowichan confirms that the eight activities (listed 1 through 8 in your letter), are permitted on the split-zoned C8 (Commercial Rural Recreation Zone) and I2 (Industrial Heavy Zone) properties as they are activities consistent with a vehicle testing facility.

We trust the above provides the information you require. If you have any questions or require any clarification please contact me as noted above.

Sincerely



Dave Devana  
Chief Administrative Officer

[dave.devana@northcowichan.ca](mailto:dave.devana@northcowichan.ca)

c: S. Mack, Director of Development Services



BC CLIMATE ACTION  
COMMUNITY 2014



October 25, 2019

Prospero No: DP000155  
Folio No: 29019-030  
File No: 3060-20 17.24

Mark Holland  
Holland Planning Innovations Inc.  
mark@hollandplan.com

Dear Mr. Holland

**RE: Development Permit for Vancouver Island Motor Circuit - Lot A, Drinkwater Road<sup>1</sup>**

I am writing to advise that I am obliged to deny development permit application DP0000155 on the basis that the proposed land use does not comply with Zoning Bylaw 2950.

I have not come to this conclusion lightly. I appreciate that it is your client's position that the development proposed in the application is for the same land use as under the development permit issued by North Cowichan for Phase 1 of the Vancouver Island Motor Circuit and, as such, there has been a past determination that the land use is in compliance with Zoning Bylaw 2950. However, upon careful review, I have concluded that the proposed land use is not permitted under Zoning Bylaw No. 2950. "Motor vehicle testing and driver training facility" is not listed as a permitted use in the Industrial Heavy (I-2 zone), and I have found no permitted use within the I2 zone that includes that use.

Please be advised that Section 23 of Delegation of Authority Bylaw No. 3734 allows you to have my decision to deny the development permit application reconsidered by Council. Section 23 provides as follows:

**"Land use approvals – reconsideration**

23 (1) The owner of land who is subject to a decision made under the delegated authority under section 22 of this bylaw is entitled to have the decision reconsidered by Council in accordance with this section.

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<sup>1</sup> SECTION 4 RANGE 1 SOMENOS EXCEPT PLAN EPP60766. - PID: 009-751-297

(2) Where the owner wishes to have Council reconsider a decision made under the delegated authority under section 22 of this bylaw:

(a) The owner must, within 30 days of the decision having been communicated to the owner, make an application in writing to the Corporate Officer, which application must include the following:

- (i) A description of the decision sought to be reconsidered by Council;
- (ii) The date of the decision;
- (iii) The name of the delegate who made the decision;
- (iv) The grounds on which reconsideration is being requested; and,
- (v) A copy of any materials that the owner wishes Council to take into account when reconsidering the decision.

(b) Council must reconsider the decision at a regular meeting of Council held within a reasonable period of time after the date on which the application for reconsideration was delivered to the Corporate Officer.

(c) The Corporate Officer must:

- (i) Place the reconsideration of the decision on the agenda for a regular meeting of Council in accordance with paragraph (b) above;
- (ii) Give notice of reconsideration of the decision in accordance with any notice requirements applicable to the original decision; and,
- (iii) Before the reconsideration of the decision by Council, deliver to each Council member a copy of the materials that were considered by the delegate in making the decision that is to be reconsidered, and a copy of all materials submitted by the business license applicant or holder to the Corporate Officer as part of the application for reconsideration.

(d) In reconsidering the decision, the Council must consider all the material before it.

(e) At the meeting at which Council is to reconsider the decision, Council will first hear from staff in relation to the subject matter of the decision and in relation to the decision itself, and will then hear from the owner. Council may then hear from staff in relation to any new information raised by the owner in its submissions to Council.

(f) Council is entitled to adjourn the reconsideration of the decision; and,

(g) After hearing from staff and the owner, Council will reconsider the decision and may either confirm the decision, amend the decision, or set aside the decision and substitute the decision of Council."



A copy of Bylaw No. 3734 is enclosed for your reference.

Sincerely

A handwritten signature in black ink, appearing to be 'Rob Conway', with a long horizontal stroke extending to the right.

Rob Conway, MCIP, RPP  
Director  
PLANNING AND BUILDING DEPARTMENT

Reply Attention of: Sean Hern  
Direct Dial Number: 250 405 1982  
Email Address: shern@farris.com

## FARRIS

File No: 41125-0001

November 26, 2019

BY EMAIL

Municipality of North Cowichan  
7030 Trans-Canada Highway  
Duncan BC V9L 6A1

**Attention:** Corporate Officer  
([karen.robertson@northcowichan.ca](mailto:karen.robertson@northcowichan.ca))

Dear Sirs/Mesdames:

**Re: Development Permit for Vancouver Island Motor Circuit - Lot  
A, Drinkwater Road, Section 4 Range 1 Somenos Except Plan  
EPP60766 - PID: 009-751-297**

Further to VIMC's October 30, 2019 application for reconsideration of VIMC's development permit application DP0000155, we enclose five documents that the Municipality of North Cowichan's council may wish to consider in addition to the materials attached to our October 30 letter and the development permit application materials and file that staff will be providing to council. What these additional documents refute is the suggestion some observers have made that the second phase of the development was a surprise to the municipality. The following documents are instructive on this issue:

- (a) The development permit for the circuit that was constructed on phase one was approved on August 17, 2015 by Scott Mack. The building permit for the clubhouse was issued on October 20, 2015.
- (b) In late 2015, I am advised that VIMC provided North Cowichan's staff with a sketch that was prepared by the circuit designers, Tilke, as to what a potential second phase could look like (Appendix A).
- (c) In an email exchange on November 30 – December 1, 2015, North Cowichan's Engineering Assistant John Pite was communicating with VIMC's engineer, Jeff Tomlinson, about the design requirements for water service. Mr. Pite's drawing is attached to the email, showing that the municipality understood there was likely to be a phase two expansion, and this informed its interest in having a watermain extension to service future development in the adjacent industrial-zoned lands as well as the clubhouse in phase one of the circuit's development (Appendix B).
- (d) Further emails were exchanged on the subject on December 1, 2015 with Dave Conway included, attaching Mr. Pite's sketch (Appendix C).
- (e) Meeting minutes from a December 1, 2015 meeting between North Cowichan Engineering and Operations and JE Anderson show the details of the watermain extension being discussed (Appendix D)

**FARRIS LLP**

3rd Floor – 1005 Langley Street Victoria, BC Canada V8W 1V7  
Tel 250 382 1100 [farris.com](http://farris.com)



November 26, 2019

- 2 -

**FARRIS**

- (f) Council then voted on January 20, 2016 to approve the watermain extension that was designed to service both phases, and contributed \$325,000 for that purpose (Appendix E, item 8.4).
- (g) For reference, in June 2016, the phase one circuit opened.

We understand there is to be a meeting of council on December 4, 2019. We ask that the reconsideration of Mr. Conway's decision be placed on the council agenda for that meeting. The matter should not be further delayed.

Yours truly,

FARRIS LLP

Per:



Sean Hern

SH/jf  
Enclosures

cc. Sukhbir Manhas

## **APPENDIX A**





## **APPENDIX B**



On 2015-12-01, 9:50 AM, "John Pite" <John.Pite@northcowichan.ca> wrote:

Hi Jeff, pls review attached and phone Dave Conway at 250.746.3130 at 10:30 this morning so we can discuss. Both Dave and I have appts at 11. Assuming this works for you... thx

John Pite, ASCT  
Engineering Assistant / Development Coordinator  
ENGINEERING AND OPERATIONS  
john.pite@northcowichan.ca  
T 250.746.3129

-----Original Message-----

From: Jeff Tomlinson [mailto:jwt@jeanderson.com]  
Sent: November-30-15 12:57 PM  
To: John Pite  
Subject: Drinkwater Water System

Hi John,

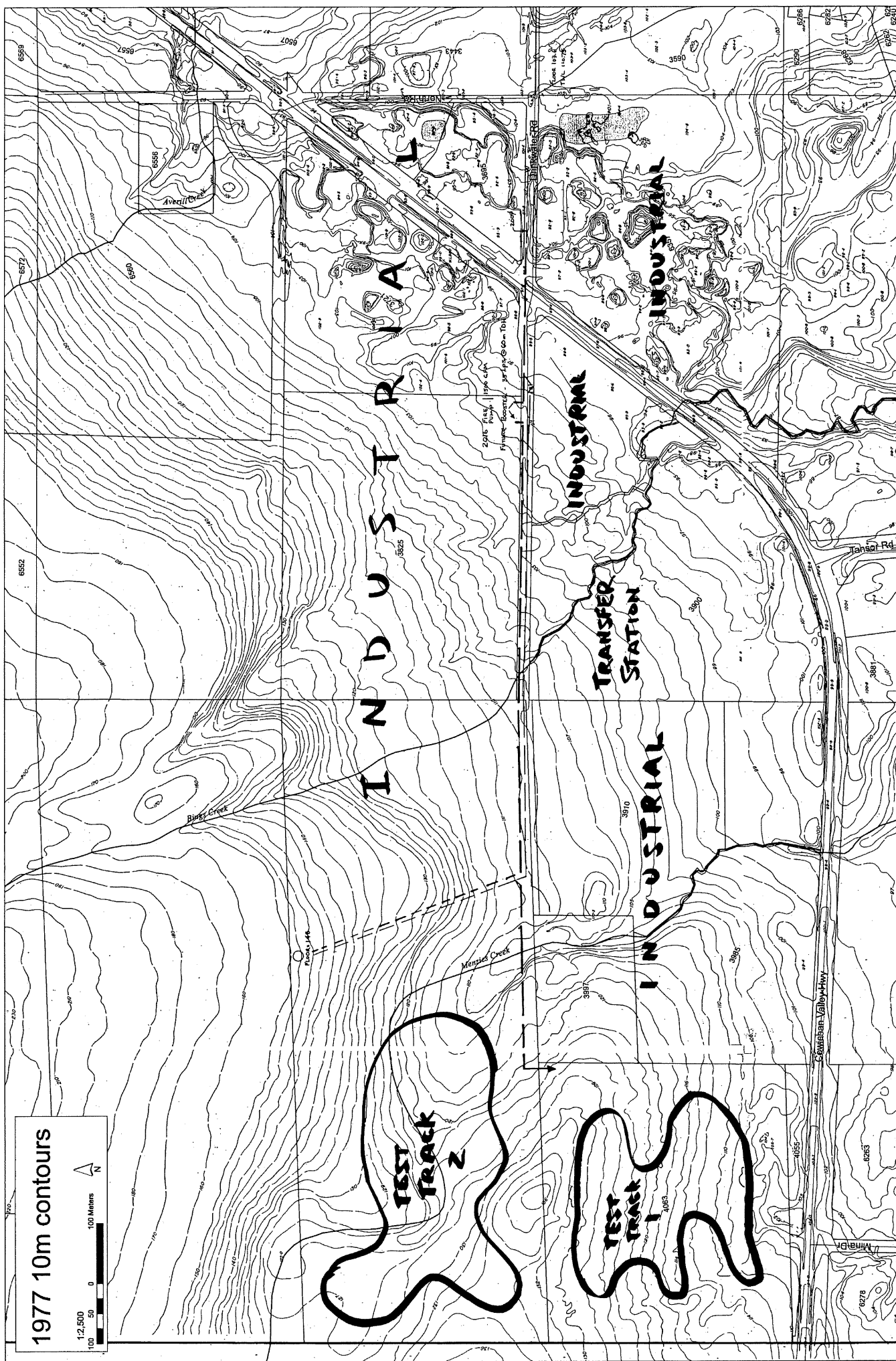
I'm getting some pressure from our clients regarding the water system. They are reluctant to give the civil contractor the go-ahead with construction of the fire protection infrastructure on site until they know what is happening with the Drinkwater water system. Once they proceed with the on-site protection they won't have money available for the Drinkwater system.

Do you know when you and Dave might have some demands/service areas available? We have our survey crew scheduled to start the topo survey this week.

Thank you,  
Jeff

Sent from my iPhone





## **APPENDIX C**



---

**From:** Jeff Tomlinson <[jwt@jeanderson.com](mailto:jwt@jeanderson.com)>

**Date:** Tuesday, December 1, 2015 at 12:00 PM

**To:** Peter Trzewik <[ptrzewik@gain-vi.ca](mailto:ptrzewik@gain-vi.ca)>, Chris Erb <[chris@chrisherb.ca](mailto:chris@chrisherb.ca)>

**Cc:** John Pite <[John.Pite@northcowichan.ca](mailto:John.Pite@northcowichan.ca)>, Dave Conway <[david.conway@northcowichan.ca](mailto:david.conway@northcowichan.ca)>, Jim Buchanan <[jim@jeanderson.com](mailto:jim@jeanderson.com)>

**Subject:** Drinkwater Water System

Hi Peter and Chris,

North Cowichan have provided the attached plan showing the service area and water system concept. We met with Dave Conway and John Pite this morning to review their expectations and requirements.

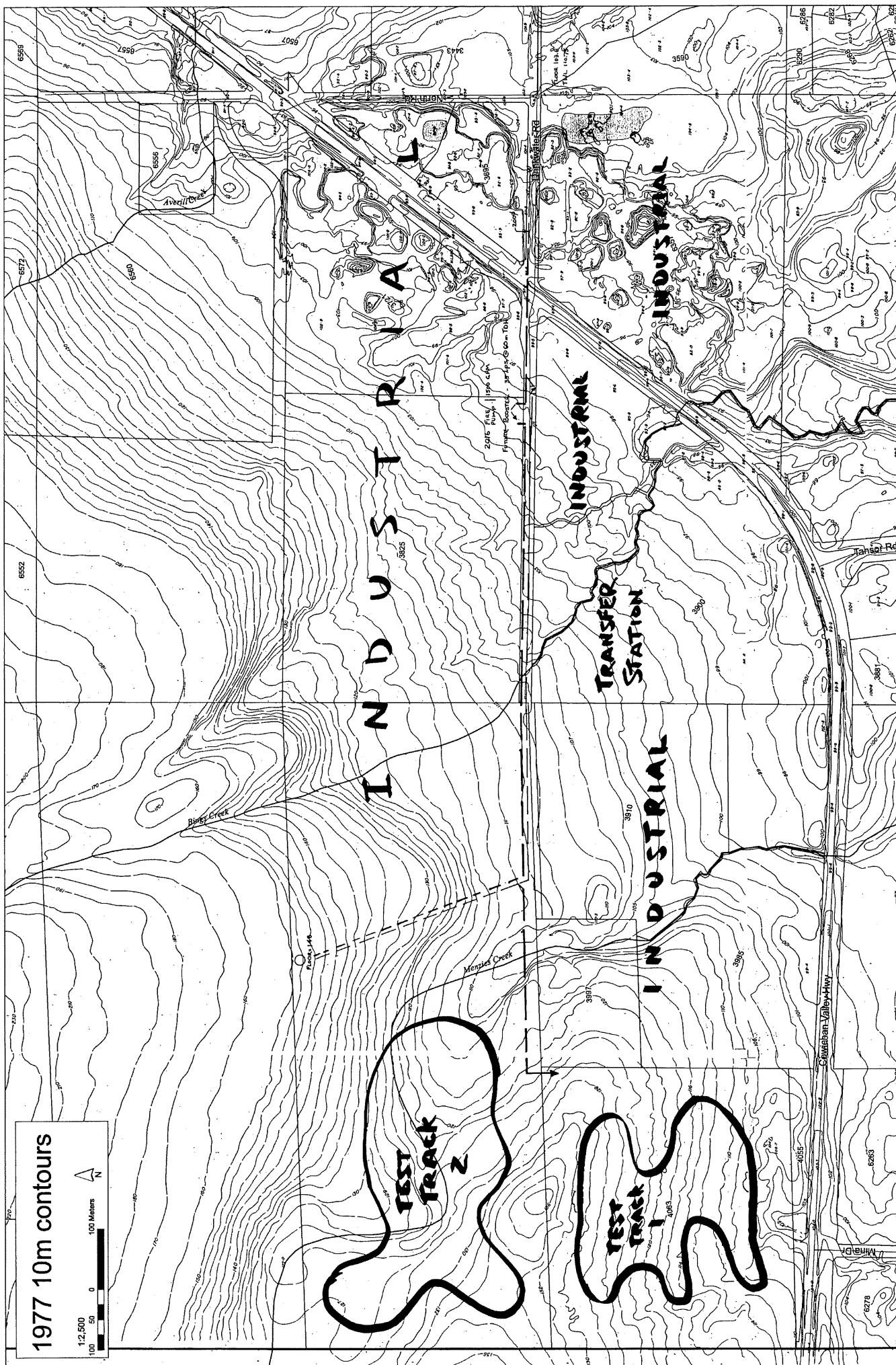
Jim and I are now in the process of putting together a design schematic and design brief that will be necessary for you to review before we move forward with any detailed design. I would like to schedule a telephone meeting with Jim, Jeff, Chris and Peter tomorrow at 1:30. Please let me know if this works for you.

Thank you,

Jeff Tomlinson  
Manager, Engineering  
J.E. Anderson and Associates  
Office (250) 758-4631  
Cell (250) 740-7088



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## **APPENDIX D**

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**From:** Jeff Tomlinson <[jwt@jeanderson.com](mailto:jwt@jeanderson.com)>

**Date:** Tuesday, December 1, 2015 at 6:53 PM

**To:** Dave Conway <[david.conway@northcowichan.ca](mailto:david.conway@northcowichan.ca)>, John Pite <[John.Pite@northcowichan.ca](mailto:John.Pite@northcowichan.ca)>, Jim Buchanan <[jim@jeanderson.com](mailto:jim@jeanderson.com)>

**Subject:** Telephone Meeting Summary - Drinkwater Road Water Systeme

Thank you for the quick telephone meeting. I've attached my meeting notes. If you have anything to revise or add please let me know.

Cheers,

Jeff Tomlinson  
Manager, Engineering  
J.E. Anderson and Associates  
Office (250) 758-4631  
Cell (250) 740-7088



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## **Meeting Summary**

**Date:** December 1, 2015

**File:** 88396

**Meeting With:** Dave Conway, North Cowichan  
John Pite, North Cowichan  
Jim Buchanan, JEA  
Jeff Tomlinson, JEA (Author)

**Purpose of Meeting:** Review possible water system on  
Drinkwater Road.

### **BY TELEPHONE**

1. North Cowichan have prepared a plan showing the servicing area, anticipated reservoir, water mains and temporary/permanent pump station. This plan was prepared at the request of property owners attending meeting November 24<sup>th</sup>.
  - a. The plan indicates a schematic solution for providing fire flows to VIMR - Phase 1 and a final solution for servicing the industrial service area.
2. There are 2 Stages shown on the plan
  - a. Stage 1 – a system for providing Fire Supply Only to VIMR Phase 1. This includes connection to the existing system on the south side of the Cowichan Valley Highway, installation of a 200mm water main to a temporary private fire pump and installation of necessary watermains to the site. A second water main should be installed along side the fire main, for future use.
  - b. Stage 2 is the construction of a complete water system to provide both domestic and fire demands to the industrial area.

- c. Stage 1 can be skipped if the preference is to construct all of the water system, therefore eliminating construction of a fire pump.
- 3. The proposed reservoir site has been shown based on the highest point indicated on the existing contour plan.
  - a. Given that the floor elevation is approximately 148m, the maximum elevation for domestic servicing (40psi) will be 123m. (The final elevation of the reservoir is still to be determined so the actual domestic servicing contour will be determined during detailed design.)
  - b. All properties located above the 40psi contour will require a booster pump. A covenant will be required on these properties allowing for individual booster stations.
- 4. The system will require a private fire pump to ensure sufficient fire flows. This fire pump is to be located outside of any road dedication, so a private easement agreement will be required with one of the property owners on Drinkwater Road.
  - a. The location of this fire pump station shall be large enough to construct the final Future pump station.
  - b. The easement agreement shall allow for a conversion to Statutory Right of Way when the Future pump station is required.
- 5. The fire pump shall include a diesel generator to ensure power during electrical outages.
- 6. Standard protocols for testing the fire pump station.
- 7. Detector check at the fire pump to protect the public system.
- 8. Fire flows shall be limited to 200 L/s
- 9. No domestic water will be available to the industrial area (including VIMR Phase 1) until a reservoir has been constructed
- 10. The reservoir size is to be determined during the design stage.
- 11. Road dedication shall be provided from the end of Drinkwater Road to 3997 Cowichan Valley Highway. This will not just be a 10m widening to create a 20m total dedication. The intent is to eliminate the immediate jog at the current termination of the road.
  - a. The road does not require construction, but it will be required that it is graded to within 250mm of the final elevation. A complete road design will be required over the



portion between the end of Drinkwater Road and the connection at VIMR Phase 1.

12. JEA to complete a design brief and system layout prior to commencing final designs. A construction budget will be provided at this time and a further review with North Cowichan will be required.

## **APPENDIX E**



# **Municipality of North Cowichan Regular Council MINUTES**

**January 20, 2016, 1:30 p.m.  
Municipal Hall - Council Chambers**

Members Present            Mayor Jon Lefebure  
                                 Councillor Joyce Behnsen  
                                 Councillor Rob Douglas  
                                 Councillor Maeve Maguire  
                                 Councillor Kate Marsh  
                                 Councillor Al Siebring  
                                 Councillor Tom Walker, (participated electronically)

Staff Present                Dave Devana, Chief Administrative Officer (CAO)  
                                 Mark Ruttan, Director of Corporate Services / Deputy CAO  
                                 Scott Mack, Director of Development Services  
                                 Brian Green, Manager of Planning and Sustainability  
                                 David Conway, Director of Engineering and Operations  
                                 John Gunn, Manager of Information Services

## **1. CALL TO ORDER**

There being a quorum present, the meeting was called to order at 1:30 p.m.

## **2. APPROVAL OF AGENDA**

It was moved and seconded:

That Council approve the agenda as amended to add the following:

1. 3.1 New Appointment to the closed session;
2. 9.1 Rail Service;
3. 11.2 Amalgamation;
4. 11.3 2015 - 2019 Priority Projects.

**CARRIED**

## **3. ADOPTION OF MINUTES**

It was moved and seconded:

That Council adopt the minutes of the Special meeting held December 10, 2015 and the Regular meeting held December 16, 2015, as amended to change item 5.2 to read "waiving".

**CARRIED**

**4. PUBLIC INPUT**

Council received brief public input regarding agenda items from registered speakers.

**5. PUBLIC MEETINGS & HEARINGS**

**5.1 Public Meeting - Development Variance Permit - 5803 Trans-Canada Highway**

Council received a presentation from the Manager of Planning and Sustainability, and offered the applicant and public an opportunity to address Council regarding the proposed variance (no one came forward).

It was moved and seconded:

That Council authorise issuance of development variance permit No. DVP00020, to vary section 6 (c) of the Sign Bylaw to increase the maximum permitted fascia sign area from 11.7 sq. m to 13.4 sq. m for Speedy Cash's 2 box fascia signs.

(Opposed: Douglas)

**CARRIED**

**6. DELEGATIONS & PRESENTATIONS**

**6.1 RCMP Quarterly Report**

Council heard from Inspector Carfantan regarding North Cowichan/Duncan RCMP detachment's 4th Quarter (October - December 2015) activities and accomplishments and answered questions from Council.

**6.2 Cowichan Green Community**

Council received a video presentation from Judy Stafford regarding the Cowichan Green Community's accomplishments during 2015.

**6.3 Cowichan Intercultural Society**

Council heard from Lynn Weaver of Cowichan Intercultural Society regarding refugee resettlement.

It was moved and seconded:

That Council authorize the Mayor to send a letter to the federal government confirming community capacity and interest in refugee resettlement.

**CARRIED**

It was moved and seconded:

That Council direct staff to provide a report to the next Regular Council meeting regarding the Cowichan Intercultural Society's request for financial assistance to undertake a public relations campaign to increase community support for refugee resettlement.

**CARRIED**



**7. BYLAWS**

**7.1 Bylaw 3605 - Zoning Amendment Bylaw (No. 10 - Cowichan Lake Road), 2015**

It was moved and seconded:

That Council read a first and second time "Zoning Amendment Bylaw (No. 10 - Cowichan Lake Road), 2015", No. 3605.

(Opposed: Behnsen and Douglas)

**CARRIED**

It was moved and seconded:

That Council require registration of a restrictive covenant, prior to considering adoption of Bylaw 3605, to prohibit the following uses on the subject properties: Appliance and Small Equipment Repair; Bed and Breakfast; Bus Depot; Commercial Cardlock Facility; Home-Based Business; Mini-Warehousing; Night Club; Retail Lumber and Building Supply Yard; Single Family Dwelling; and Tool Rental.

**Amendment:**

It was moved and seconded:

That Council add "liquor store and gas station" to the main motion.

(Opposed: Lefebure, Maguire, Marsh, Siebring and Walker)

**DEFEATED**

**Amendment:**

It was moved and seconded:

That Council add "outdoor storage" after Tool Rental in the main motion.

(Opposed: Walker)

**CARRIED**

It was moved and seconded:

Council recessed at 3:58 p.m. resumed at 4:04 p.m.

**CARRIED**

**Amendment:**

It was moved and seconded:

That Council add "and drive through" to the main motion.

(Opposed: Lefebure, Behnsen and Siebring)

**CARRIED**

**Main motion as Amended:**

It was moved and seconded:

That Council require registration of a restrictive covenant, prior to considering adoption of Bylaw 3605, to prohibit the following uses on the subject properties: Appliance and Small Equipment Repair; Bed and Breakfast; Bus Depot; Commercial Cardlock Facility; Home-Based Business; Mini-Warehousing; Night Club; Retail Lumber and Building Supply Yard; Single Family Dwelling; Tool Rental (outdoor storage) and drive through.

(Opposed: Siebring)

**CARRIED**

It was moved and seconded:

That Council require registration of a restrictive covenant, prior to considering adoption of Bylaw 3605, to require the following be completed to the satisfaction of the Director of Engineering and Operations:

1. Design and construction of a BC Transit (bus) stop along the Cowichan Lake Road (South) frontage of the subject property;
2. Design and construction of a sidewalk along Cowichan Lake Road (West) between the northwest corner of the subject property across the frontage of Lot 1, Plan VIP30275 and to a point (trailhead) where the Trans-Canada Trail intersects with Cowichan Lake Road (west); and
3. Road dedication from the subject property along the Cowichan Lake Road (South) frontage in order to provide for a 20 m road right-of-way, and at the northwest corner of the intersection of Cowichan Lake Road (South) and Skinner Road to accommodate the future re-alignment of Skinner Road.

**Amendment:**

It was moved and seconded:

That Council amend the motion to delete number 1.

(Opposed: Maguire, Marsh and Walker)

**CARRIED**

**Main motion as Amended:**

It was moved and seconded:

That Council require registration of a restrictive covenant, prior to considering adoption of Bylaw 3605, to require the following be completed to the satisfaction of the Director of Engineering and Operations:

1. Design and construction of a sidewalk along Cowichan Lake Road (West) between the northwest corner of the subject property across the frontage of Lot 1, Plan VIP30275 and to a point (trailhead) where the Trans-Canada Trail intersects with Cowichan Lake Road (west); and
2. Road dedication from the subject property along the Cowichan Lake Road (South) frontage in order to provide for a 20 m road right-of-way, and at the northwest corner of the intersection of Cowichan Lake Road (South) and Skinner Road to accommodate the future re-alignment of Skinner Road.

**CARRIED**

**7.2 Bylaw 3609 - Zoning Amendment Bylaw (No. 11 - Lakes Road), 2015**

It was moved and seconded:

That Council read a first and second time "Zoning Amendment Bylaw (No. 11 - Lakes Road), 2015", No. 3609.

**CARRIED**



It was moved and seconded:

That Council require registration of a restrictive covenant, prior to considering adoption of Bylaw 3609, that will require the following:

1. A tree replacement plan, prepared by a qualified professional, that requires the planting of 5 replacement trees per lot as part of the overall property development, including provisions that will proportionally reduce the number of trees based on the number of existing trees retained and protected on the site following the completion of lot grading and the construction of servicing; and
2. Design and construction of a full cul-de-sac bulb, to Municipal standards, at the termination of Arnhem Road in conjunction with the construction of lot servicing on and adjacent to the subject property.

**CARRIED**

## **8. REPORTS**

### **8.1 Application to Discharge Covenant - 2886 Oak Street**

It was moved and seconded:

That Council extend the meeting to 6:00 p.m.

**CARRIED**

It was moved and seconded:

That Council:

1. Not release restrictive covenant EM20780 from the title of 2886 Oak Street; and
2. Direct staff to provide a report recommending an appropriate multi-family zoning designation as part of the proposed new Zoning Bylaw (and in accordance with Official Community Plan policy and Chemainus Town Centre Revitalization Plan), which would facilitate development of 4 to 10 residential units on 2886 Oak Street.

(Opposed: Behnsen)

**CARRIED**

### **8.2 The Somenos Marsh Wildlife Society**

It was moved and seconded:

That Council grant \$1,000 to the Somenos Marsh Wildlife Society to help host the 2016 WildWings Festival.

**CARRIED**

### **8.3 2016 Islands Agriculture Show**

It was moved and seconded:

That Council authorize Councillor Maeve Maguire to attend the 2016 Islands Agriculture Show, February 12 – 13, 2016.

**CARRIED**

#### **8.4 Drinkwater Road Watermain Extension**

It was moved and seconded:

That Council invite the Vancouver Island Motorsport Resort to petition to include its properties in the South End water local area service.

**CARRIED**

It was moved and seconded:

That Council require the Vancouver Island Motor Sport Resort to:

1. Provide excess or extended services (in the form of a 1400 m long, 300 mm diameter watermain extension along Drinkwater Road);
2. Dedicate 15 m of road widening along Drinkwater Road frontage; and
3. Pay the required capital cost fee (calculated at \$5,513.60).

**CARRIED**

It was moved and seconded:

That Council:

1. Contribute \$325,500 towards the cost of the Drinkwater Road watermain extension excess or extended services; and
2. Grant North Cowichan latecomer protection in order to recover North Cowichan's financial contribution to the watermain extension.

**CARRIED**

#### **8.5 2016 Committee Meeting Calendar**

It was moved and seconded:

That Council receive the proposed 2016 Committee Meeting Calendar for information purposes.

**CARRIED**

### **9. NOTICE OF MOTIONS**

#### **9.1 Rail Service**

Councillor Behnsen gave notice that she intends to move the following motion at the February 3, 2016 meeting:

"That Council invite the Island Corridor Foundation and Southern Railway Vancouver Island to provide a joint delegation to Council to provide Council with an update on the likelihood and timing of the resumption of freight and passenger rail service on Vancouver Island."

### **10. REVIEW OF COMMITTEE MINUTES**

Council reviewed, for information, the December 14, 2015 Community Planning Advisory Committee minutes.



**11. NEW BUSINESS**

**11.1 Amalgamation**

Council received a brief update from the Chief Administrative Officer on amalgamation.

**11.2 2015 - 2019 Priority Projects**

Council received a brief update from Chief Administrative Officer on Council's priorities and noted a report will go to Council in February seeking Council's further direction.

**12. QUESTION PERIOD**

Council received a question from the media regarding business considered at this meeting.

**13. CLOSED SESSION**

Council closed the meeting to the public at 5:45 p.m. on the basis of section (90) (1) (a), (e) and (g) of the *Community Charter* and rose and reported at 6:35 p.m. on the following:

**13.1 Committee Vacancies**

It was moved and seconded:

That Council appoint Mona Kaiser to fill one of the Community Planning Advisory Committee membership vacancies.

**CARRIED**

It was moved and seconded:

That Council appoint Sharon Horsburgh to fill one of the Community Planning Advisory Committee membership vacancies.

(Opposed: Siebring)

**CARRIED**

It was moved and seconded:

That Council appoint Rhonda Hittinger to fill the Chemainus Advisory Committee membership vacancy.

**CARRIED**

It was moved and seconded:

That Council appoint Ryan Hollett to fill the Environmental Advisory Committee membership vacancy.

(Opposed: Siebring)

**CARRIED**

January 20, 2016 - Regular Council Meeting Minutes

It was moved and seconded:

That Council accept resignations from Reed Early and Katherine Garrah and advertise the two Environmental Advisory Committee vacancies.

**CARRIED**

It was moved and seconded:

That Council invite Dan Robin to apply for one of the upcoming Environmental Advisory Committee vacancies.

**CARRIED**

**13.2 Regional Recreation Select Committee**

It was moved and seconded:

That Council invite the Parks & Recreation Advisory Committee to recommend a representative to be appointed to the Regional Recreation Select Committee.

**CARRIED**

**14. ADJOURNMENT**

The meeting ended at 6:35 p.m.

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Signed by  
Mayor or Presiding Member

---

Certified by  
Director of Corporate Services



# Report

Date	December 4, 2019	File: SPP00068
To	Council	
From	Larissa Barry-Thibodeau Development Planner	Endorsed: 
Subject	Second Dwellings on Lands Outside the Urban Containment Boundary	

## Purpose

The purpose of this report is to present Council with options with respect to the development of detached suites and detached second dwellings on rural lands through site specific zoning amendments, including background information, policy analysis, and preliminary recommendations.

## Background

In April of 2019, staff advised Council that a policy review report was being initiated by staff to provide Council with an analysis of relevant OCP policy to propose guidelines for future decision-making for site specific zoning amendments to permit two detached dwellings. This report focuses on OCP policy analysis for site specific zoning amendments outside the urban containment boundary, explores gaps in present OCP policy regarding housing in rural areas, and presents options for moving forward including differentiating between types of detached residences, and possible criteria for the development of second dwellings on lands outside the urban containment boundary.

Since 2014, sixteen site specific zoning amendment applications to permit two detached residential buildings on one property have been approved by Councils past and present, with one application denied. Sixteen out of the seventeen applications were on lands outside the urban containment boundary, on a mix of R1, A1, A2, A3, and A5 zoned properties, with sizes ranging from 0.23 Ha (0.58 acres) to 2.8 Ha (7 acres).

The reason that site specific zoning amendments to permit detached second dwellings have been used is largely because this type of residential housing option is limited to a small number of zones:

1. R3-CH permits coach houses and garden suites but is an urban zone, found within the Urban Containment Boundary
2. A1/A2 permit two detached dwellings on lots over 2 Ha (4.95 acres) in size,
3. A1/A2 (in the Agricultural Land Reserve) may permit two detached dwellings where the use of the second dwelling is for farm labour, and the Agricultural Land Commission agrees.

Detached second dwellings, usually presented in zoning amendment applications as detached suites due to their limited size, are an increasingly requested housing option; front counter staff receive approximately 2-3 enquiries per week regarding the process to build a detached suite on residential property, with the rationale generally being to house adult children or aging family members. Often, these enquiries are for larger semi-rural properties between 0.4 ha-1 ha. And, while the policies of the OCP are largely focused on housing development within growth centres, the focus of this report is on housing on lands outside the UCB, and identifying where current policy gaps exist.

### Official Community Plan

The following Official Community Plan policies are relevant to the scope of housing development and growth management outside of the urban containment boundary.

## **2.1.5 Housing and Services in Rural Areas**

*2.1.5.1 The Municipality will discourage any relaxation of subdivision and zoning standards that have the effect of increasing net density in rural areas. Panhandle lots in rural areas will not be permitted.*

*2.1.5.5 Rezoning applications seeking to increase densities in rural areas are strongly discouraged unless the proposed lots would be 6 hectares [15 acres] or larger in size. In limited cases, proposed new lots of less than 6 ha in size may be supported. All rezoning applications in rural areas are required to consider policy 2.1.5.6.*

*2.1.5.6 The Municipality may consider rezoning applications in rural areas to allow additional residential units if all of the following provisions are met:*

- i) The proposal demonstrates how the applicant will produce, complement or expand rural economic development activity or preserve a significant natural area for public use, and incorporate provisions for the long-term security of the land (e.g., through an Agricultural Land Reserve (ALR) designation or a covenant on use); and*
- ii) Rural views from public areas will be maintained; and*
- iii) Any adjacent agricultural or other resource uses (e.g., forestry, gravel removal) will be appropriately buffered from the residential units; and*
- iv) The extension of municipal services is not anticipated or, should service extension be required, the proposed development will cover the full cost of installing, maintaining and operating the additional services; and*
- v) Where property is in the ALR, the Agricultural Land Commission has determined that the land is unsuitable for agriculture and has approved subdivision or exclusion.*



*In evaluating proposals for additional rural residential units created in this manner, the Municipality will seek to ensure that rural residential increases do not, calculated as a proportion, exceed residential increases in growth centres. The Municipality will consider collective ownership or alternative forms of land tenure as appropriate.*

*2.1.5.9 The Municipality generally discourages the development of accessory (second) residences on rural lands, except to address farm labour housing needs.*

### **2.1.1 Agriculture**

*f) To protect the integrity of farmland and minimize the footprint of housing and farm buildings on agricultural lands, the Municipality will encourage innovations in the layout of new on-farm buildings (residential, accessory, and principal farm buildings).*

### **2.5.2 Housing**

*A variety of housing makes it easier for residents to stay in their neighbourhood as their housing needs and preferences change.*

*Policy Direction/Commitment*

*The Municipality will:*

- *Recognize the importance of housing as a fundamental part of community health and liveability,*
- *Ensure that housing remains affordable for all residents,*
- *Respect the character of residential neighbourhoods and the surrounding environment,*
- *Encourage development of a variety of housing types.*

*2.5.2.1 The Municipality recognizes the need for a variety of housing types (by size, type, tenure, density and cost) integrated into a range of neighbourhoods in all growth centres, and especially for housing types suitable for the aging population and young families.*

*Policy 2.5.2.3 The Municipality supports the development of new market forms of affordable housing, both for rent and purchase. –not limited to growth centres.*

### **Analysis and Discussion**

This section presents an analysis of detached suites and detached second dwellings, permitted density, existing OCP policy for housing and land use designations on lands outside the UCB.

### Detached Suites versus Second Dwellings Analysis

Staff see a distinction between permitting two detached dwellings, and permitting a single family residence with a detached suite. However, OCP policy presently does not differentiate the two. There are different implications from the perspective of servicing, property use, and potential subdivision, with the largest implication being size. Second detached dwelling are limited by the existing zoning provisions and considered second principal dwellings, not accessory to the principal residence. An implication therefore, is that these types of site specific permissions, without limitations other than the existing zoning provisions, could result in a greater demand for servicing, and be more ideal to strata subdivide. Secondary suites, when attached, are limited by size. Should the Municipality permit detached suites, there could be additional size limitations imposed, which then limits the impact on servicing demand, and reduces the risk of strata subdivision, because a detached suite would be considered accessory to the principal dwelling, not its own principal building.

The majority of the applications approved for site specific amendments to permit two detached dwelling units have been followed up with building permits for residential buildings under 93 m<sup>2</sup> (1000 square feet), with a few exceptions. The bylaw amendments themselves however, generally have not limited the size of the second dwelling to be permitted, except under the provisions of the zone which already exist. There is clearly a demand for detached suites, and site specific amendment proposals, while generally not considered a best planning practice, have been utilized as a tool for authorizing this type of request.

### Density Analysis

Past successful site specific zoning amendments do not exceed permitted net density per OCP Policy 2.1.5.1, or permitted residential units, for their respective zones, as two dwelling units are permitted in the form of either an attached secondary suite or a duplex, on the majority of residentially zoned properties in North Cowichan inside and outside the UCB, with limitations on ALR Lands. However, through preliminary research, building permits issued for secondary suites, have been largely located within the Urban Containment Boundary.

Given this preliminary review, there may be more uptake for detached suites in rural areas, should they be permitted, than attached secondary suites. While not an explicit regulatory increase in density, permitting detached suites could indirectly affect density increases outside growth centres by allowing people further flexibility for housing options. This implication warrants further investigation through the OCP review process.



### Housing Policy Gap Analysis

The OCP discourages increases in residential densities outside the UCB, per Policies 2.1.5.5 and 2.1.5.6, without clear rationale to address protection of agricultural lands, views, and development of rural economic activity. There are typically four-five main policy parameters considered in these types of applications: growth management, housing and services in rural areas, agriculture, residential form and character and housing (general). Other policies may apply depending on the situation, as each application is assessed on a case by case basis. However, there is a lack of differentiation in terminology with respect to housing forms and land use designations outside the Urban Containment Boundary, and for much of the Municipality.

The OCP does not clearly differentiate between types of housing on lands outside the Urban Containment Boundary, particularly with respect to Section 2.1.5 Housing and Servicing in Rural Areas. Second residences are mixed in with accessory residences and additional residential units, without adequate definition. There is little direct policy guidance to address the frequently requested housing option of a detached secondary suite or detached second dwelling on lands outside the UCB, where the lands are not clearly agricultural in nature.

### Land Use Designations outside the UCB Analysis

All lands outside the UCB are designated as rural despite the diversity in land use; not all lands fall easily into this category; some lands are agricultural, some are residential, some are industrial or commercial; some have a higher level of service provision with connections to Municipal water, and infrequently Municipal sewer, and some have no services; therefore, OCP policy is generally underdeveloped in terms of addressing differentiated land uses outside the Urban Containment Boundary. Given this, the rural designation is of limited applicability to address where detached second dwellings and detached secondary suites should and shouldn't be permitted, given the variety of land uses occurring outside the Municipality's UCB.

### Neighbouring Jurisdictions Comparison

The size of North Cowichan, and the percentage of land in the area designated outside the Urban Boundary, lends justification to comparing the Municipality with the CVRD's Electoral Areas and other Regional Districts, including the Regional District of Nanaimo and the Comox Valley Regional District, as Regional Districts are more likely to have large areas of rural, agricultural, unserviced, or limited serviced lands, similar to North Cowichan's rural areas. The research indicates that nearby Regional Districts generally permit second dwelling units in the form of detached suites, with limitations. Second dwellings are differentiated from detached suites, and generally only permitted on large lots. The naming of detached suites is varied (accessory dwelling units, small suites, secondary suites [detached], coach houses), however there are noted consistencies around three main regulatory parameters: size of the detached suite, minimum lot size, and subdivision regulations:

### 1. Size of the Detached Suite

- Between 72 m<sup>2</sup> (775 square feet)-92 m<sup>2</sup> (990 square feet) or 40% of Gross Floor Area of Principal Residence (whichever is less).

### 2. Minimum Lot Size (Based on Servicing)

- Both services (community water and sewer)-between no limitation and 0.06 Ha (0.14 Acres)-0.08 Ha (0.19 Acres)
- One service (community water only)-between 0.4 Ha-0.8 Ha (1-2 Acres), with most erring on the side of 0.4 Ha (1 acre).
- No service (neither community water nor community sewer)-1 Ha (2.5 Acres) or greater.

### 3. Subdivision

- No subdivision permitted, including strata subdivision.

These limitations are linked both to Island Health and to the BC Building Code. Parameters for Minimum Lot Size are based largely on Island Health's regulations for servicing in cases of subdivision. The size of the permitted detached suites generally reflects size requirements found in the *BC Building Code* for secondary suites. Strata subdivision can be a concern, so some jurisdictions require a covenant to preclude subdivision as a condition of approval for detached suites and dwellings.

### Discussion

The OCP recognizes that a mix of housing types is better able to accommodate the diverse needs of the population inside and outside the UCB, and prioritizes the provision of affordable housing options. It also directs the majority of housing development towards designated growth centres, providing some leeway for rural housing development, but with limited and unclear language with respect to permitting second detached dwellings or detached suites.

Secondary suites, and duplexes are permitted liberally in agricultural and residential zones inside and outside the Urban Containment Boundary. Secondary suites are limited by size and being attached to the principal dwelling, and duplexes are limited by parcel coverage, floor area ratio, and being attached to the other dwelling unit. This begs the question of whether separating density into two residential buildings constitutes growth, and whether the intent of directing growth to growth centres means sterilizing options for 'rural' housing. These are important questions that will be considered as part of the OCP review.

In the interim, Council may wish to consider establishing additional criteria, further to the existing OCP policies, to help assess site specific zoning amendments for additional housing options (detached suites) on lands outside the Urban Containment Boundary:

1. That size of the proposed detached suite be restricted by covenant to 92 m<sup>2</sup> or less.
2. That subdivision be restricted by covenant to prevent subdivision including strata subdivision.



3. That the size of the parcel be a minimum of 1 ha (2.5 acres) where no municipal sewer or water exist; 0.4 ha (1 acre) where no municipal sewer exists; and 0.2 ha (0.5 acres) where municipal water and sewer exist.
4. That siting of detached suites on agricultural lands be established and restricted by covenant to preserve viable agricultural land.

## Conclusion

Staff provide this report for Council's consideration and to suggest criteria for the development of second dwellings on lands outside the UCB to complement existing OCP policy.

The issue of housing in rural areas, including detached suites and second dwellings, will be considered as part of the OCP review and zoning bylaw rewrite. It is expected that more sufficient policy will be developed to address housing options and land use designations as part of these processes.

However, should Council be comfortable with the idea of permitting detached suites and wish to proceed permitting them in advance of the OCP review and zoning bylaw rewrite, staff could be directed to prepare a comprehensive zoning amendment based on the parameters discussed in this report.

Staff recommend that additional criteria for building size, lot size, subdivision, and siting be added to the review of site specific zoning amendments, as a way to continue to address the demand for this type of housing option in the context of existing OCP policy, but to limit the extent of the approval granted. Staff do not recommend undertaking a comprehensive zoning amendment at this point in time, as the OCP update and zoning bylaw rewrite are priorities for staff and Council.

## Communication

Initial referrals to Building, Engineering, and Bylaw Departments indicate general support for permitting detached suites with parameters including limiting housing size, proving septic capability, and limiting subdivision. Should Council wish to proceed with amendments to the zoning bylaw to permit detached suites, both staff and the public would be engaged through the public hearing process.

## Options

The following options are available to Council:

### Option 1 (Recommended):

That Council direct staff to review all future site specific applications for second dwellings, including second residences and detached suites, in the context of existing OCP Policy; and  
That all future site specific applications for second dwellings, be reviewed with respect to the following criteria:

- i. That size of the proposed detached suite be restricted by covenant to 92 m<sup>2</sup> or less.
- ii. That subdivision be restricted by covenant to prevent subdivision including strata subdivision.

- iii. That the size of the parcel be a minimum of 1 ha (2.5 acres) where no municipal sewer or water exist; 0.4 ha (1 acre) where no municipal sewer exists; and 0.2 ha (0.5 acres) where municipal water and sewer exist.
- iv. That siting of detached suites on agricultural lands be established and restricted by covenant to preserve agricultural land.

Option 2 (Alternate recommendation):

That Council direct staff to review all future site specific applications for second dwellings, including second residences and detached suites, in the context of existing OCP Policy.

Option 3 (Alternate recommendation):

That Council direct Staff to prepare a comprehensive zoning amendment bylaw to permit detached suites in zones which permit secondary suites and duplexes, excluding those properties in the ALR, and in consideration of the following parameters:

Size of the Detached Suite:

- 92 m<sup>2</sup> (990 square feet)

Minimum Lot Size (Based on Servicing):

- Both services (Municipal water and sewer)-0.08 Ha
- One service (Municipal water)-0.4 Ha minimum parcel size
- No service (neither Municipal water nor sewer)-1 Ha or greater

Subdivision:

- No subdivision, including strata subdivision

**Recommendation**

**That Council direct staff to review all future site specific applications for second dwellings, including second residences and detached suites, in the context of existing OCP Policy; and**

**That all future site specific applications for second dwellings, outside the Urban Containment Boundary, be reviewed with respect to the following criteria:**

- (a) That size of the proposed second dwelling be restricted by covenant to 92 m<sup>2</sup> (990.28 ft<sup>2</sup>) or less;**
- (b) That subdivision be restricted by covenant to prevent subdivision including strata subdivision;**
- (c) That the size of the parcel be a minimum of:**
  - (i) 1 ha (2.5 acres) where no Municipal sewer or water exists;**
  - (ii) 0.4 ha (1 acre) where no Municipal sewer exists;**
  - (iii) 0.2 ha (0.5 acres) where Municipal water and sewer exist; and**
- (d) That siting of second dwellings on agricultural lands be established and restricted by covenant to preserve agricultural land.**



# Council Report

Date December 4, 2019

File: 5610-01

To Council

From David Conway, P. Eng, Director, Engineering | Approving Officer

Endorsed:



Subject Opportunity to Construct Crofton Water Storage Reservoir

## Purpose

To advise Council of the opportunity to construct a new water storage reservoir capable of better servicing the upper elevations of the Crofton community and the recently approved project known as "The Commons at Osborne Bay".

## Background

Council received funding of approximately \$2.4 million to construct a watermain connecting the South End Water utility to the Crofton Water utility. The immediate purpose was to provide Crofton with a safe and reliable backup water supply to replace Crofton Lake in the event that Catalyst cannot supply water to the Crofton Utility as it does today. The additional benefits are fire protection along Osborne Bay Road, water service to the Maple Mountain parking lot, and a location for an additional water storage reservoir that could provide better service to the higher elevations (south of Adelaide Street) and improved fire flows in the area. The reservoir could also serve as backup to the South End due to creative valving incorporated into the design. This connection was completed in 2019, but did not include the future reservoir. The "ultimate" reservoir was estimated to cost \$2.2 million.

In 2017, "The Commons at Osborne Bay" was in the process of a rezoning application. This project would allow over 200 homes through a comprehensive development plan. However, studies showed that the existing system utilizing a reservoir at the east end of Chilco Road could not provide the required fire flows to current standards. Regardless, the project was approved in 2018 with two conditions relevant to the supply of water. First, that the developer provide North Cowichan with a \$300,000 cash bond for a potential funding application in the future for a new reservoir. Secondly, that the developer restrict building to 45 homes and only if those homes were constructed with residential sprinkler systems until a reservoir is constructed. The developer reports that this restriction adds a cost of between four and five thousand dollars per home.

The developer complied with both requirements but has not proceeded with the project.

## Discussion

Staff and the developer have not found a suitable grant intake that would provide the funds to construct the reservoir but the developer has been working on conceptual designs in order to refine the construction costs. The developer's recent estimate for the "ultimate" reservoir in bolted steel is about \$1 million. The developer (current owner) has also been actively marketing the project to experienced development companies and has been in frequent contact with staff. Through this process, the developer has found the issue of the reservoir and sprinkling homes to be a main impediment to moving the project forward.

Recently, the government transferred additional Gas Tax funds to municipalities through a "top-up" under the notion that local governments would quickly put the money to infrastructure projects and avoid the bureaucracy involved in project funding requests and reviews. North Cowichan received \$1.328 million in Gas Tax grant for this one time transfer.

Staff suggested to the developer that there was staff support for North Cowichan to fund \$500,000 towards a new reservoir on the proviso that the developer provide a turn-key project to North Cowichan. This would require Council agreement. The developer has indicated to staff in a meeting last week that they have a prominent Vancouver Island based company ready to take on the project and build the reservoir at the first phase of housing if North Cowichan provides \$500,000 in funding. Thus avoiding the cost of sprinkling homes.

## Options

1. Agree to contribute \$700,000 to the reservoir project from the one time Gas Tax funds and the developer deliver a turnkey project that completes the "ultimate" design upgraded to concrete. North Cowichan will be able to collect some of the contribution in the form of a latecomer charge.
  - a. Advantages
    - i. increases water security for Crofton and the South End utilities including those times when the Catalyst Mill cannot supply water;
    - ii. provides upgraded fire protection and flow;
    - iii. leverages the developer's contribution and willingness with lower risk to the Municipality for construction delays and contingencies;
    - iv. preserves the money annually available for Crofton water utility capital projects (approximately \$200,000 in 2020);
    - v. encourages development in Crofton by removing fire flow issues;
    - vi. does not impact the future Development Cost Charge (DCC) Bylaw update which potentially leaves room for other projects to be listed; and
    - vii. Water DCC's would still be collected at the time of development.



b. Disadvantages

- i. Total amount of the one-time Gas Tax top-up will not be available for other infrastructure projects including replacement of aging piping in all areas; and
  - ii. Increases the supply requirement from the South End Water utility.
- 2. Agree to contribute \$500,000 to the reservoir project from the one time Gas Tax funds and the developer deliver a turnkey project that completes the design that satisfies the requirements for "The Commons at Osborne Bay" only. This would be a reservoir of about 50% of the ultimate capacity.
- 3. Maintain the status quo requiring the developer to build the project as originally contemplated with the requirement that the developer entirely fund a new reservoir unless a grant is applied for and received.

### Implications

- Financial
  - Finance has been consulted and confirmed that the Gas Tax money is being held by Finance awaiting suitable projects. Staff deem that the recommended option is an appropriate use of the money and is forward thinking.
  - There would be no impact on taxes or utility rates as a result of this project except the expectation of more users in Crofton helping to pay for the entire utility function.
- Environmental
  - Environmental issues will be considered during construction to minimize impacts.
  - Increased fire protection is achieved in the area.
- Social
  - Crofton community benefits from increased fire protection and supply.
  - Resiliency and potable water when the mill is unable to supply water.
  - A large scale (for Crofton) project that can address housing and affordability to build and support the community.
- Council's Strategic Plan
  - Within the context of Council's plan, the following are relevant:
    - Focusing development within urban containment boundary and greater collaboration with developers.
    - Revitalization of core communities.
  - Under the **Housing** priority, the following apply:
    - Seek opportunities to partner and support affordable housing initiatives.
    - Develop incentives for creating compact development (e.g. infill).
  - Under the **Community** priority, the following applies:
    - Incentivize or prioritize new growth in areas close to existing core development.

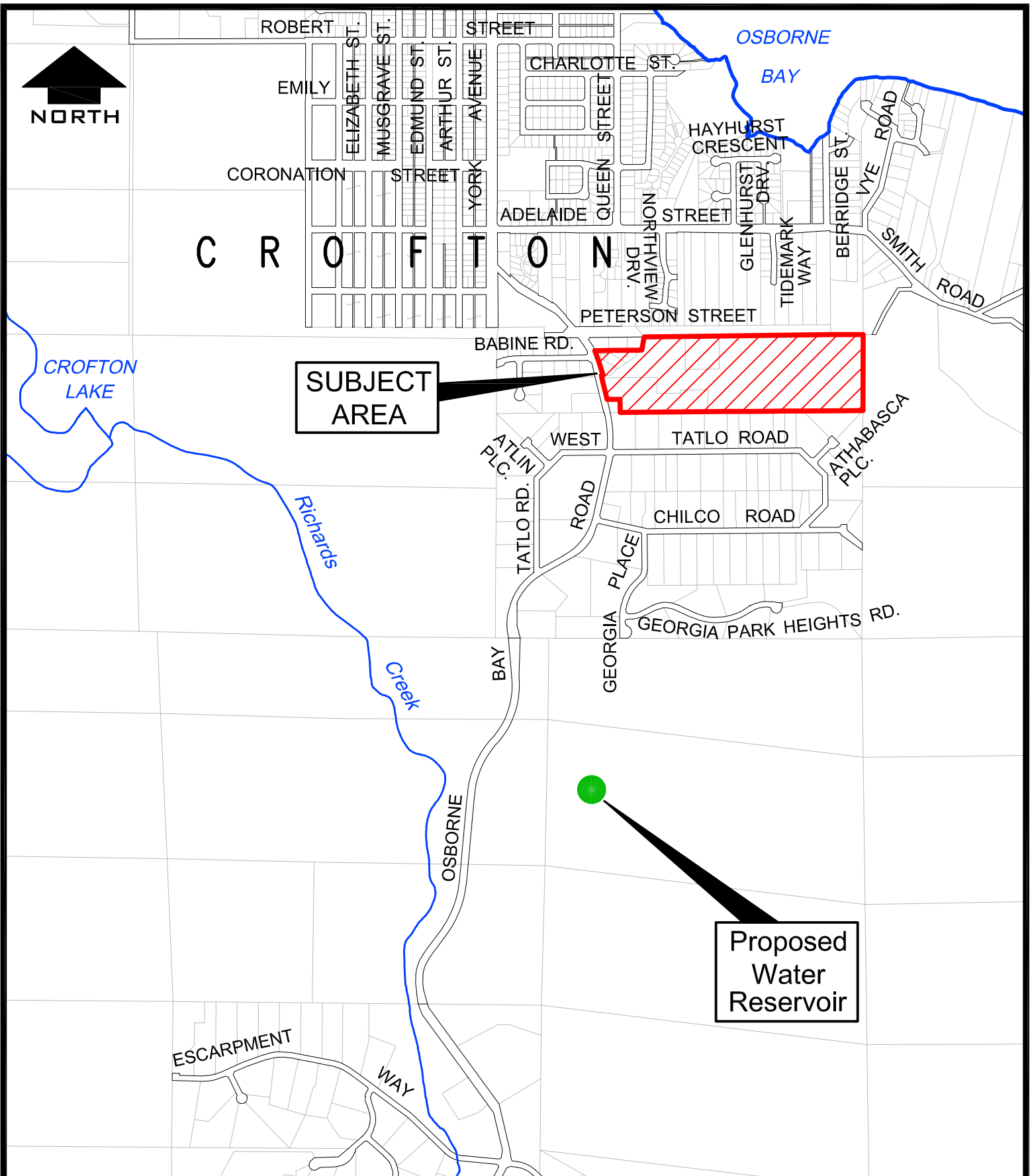
## Recommendation

### That Council direct staff to:

- 1. Prepare an agreement with the developer for the reservoir project that includes**
  - a. a \$700,000 contribution by North Cowichan from the one time Gas Tax funds,**
  - b. the developer's delivery of a turnkey project that includes complete construction of the "ultimate" design reservoir, and**
  - c. a termination clause that sets out the Agreement will be terminated immediately, with terms null and void, if construction has not substantially started within 24 months of execution of the Agreement; and**
- 2. Research and prepare a latecomer charge agreement in favour of North Cowichan for future recovery of the appropriate portion of North Cowichan's contribution from future benefitting areas.**

Attachment 1 - Sketch





# COUNCIL POLICY:

## COUNCIL CONFERENCE ATTENDANCE

Council Approval Date: December 6, 2006

Department: Legislative Services

Amended: December 16, 2015

### 1. PURPOSE

To identify what conferences and professional development opportunities are provided to Council.

### 2. SCOPE

This policy applies to all members of Council.

### 3. POLICY

The recommendations as outlined in the December 9, 2015 report by the CAO, which was endorsed by Council at its December 16, 2015 regular meeting to set as policy, Council attendance at the following conferences, convention, and seminars:

1. Federation of Canadian Municipalities (FCM) – held annually in May/early June

FCM is a national voice of municipal government and advocates on behalf of municipalities across Canada. Municipal leaders meet annually to establish FCM policy on key issues.

***The Mayor, and one Councillor (randomly selected) is permitted to attend the FCM annual convention.***

2. Union of British Columbia Municipalities (UBCM) – held annually in mid-late September

UBCM provides a common voice for local governments throughout the entire province and it uses the annual convention as the main forum for policy-making. Positions, developed by members are carried out on behalf of the members to other orders of government and organizations involved in local affairs.

***All members of Council are permitted to attend the UBCM annual convention.***

3. Association of Vancouver Island Coastal Communities (AVICC) – held annually in April

The AVICC is one of five area associations of local governments throughout British Columbia which represent municipalities, regional districts, and other local governments in order to advance local government principles and issues. Area associations work under the umbrella of the UBCM. Resolutions supported by the AVICC are advanced to UBCM for consideration.

***All members of Council are permitted to attend the AVICC annual convention.***



4. Local Government Leadership Academy (LGLA) – held annually in February

The LGLA is a leadership development initiative which provides training and educational resources to local elected officials and senior administrators across BC. Participants develop competencies needed to effectively manage and lead communities.

The LGLA present a leadership forum annually in February but in the spring immediately following the election puts on an elected officials seminar (in lieu of the leadership forum).

***All members of Council are permitted to attend the LGLA yearly Leadership Forum/Elected Officials Seminar held annually.***

5. Vancouver Island Economic Alliance (VIEA) – held annually in October

Economic Development within North Cowichan, and through the greater Cowichan Valley, has been a priority of Council and the VIEA is a regional alliance of local government, First Nations, businesses and other key stakeholders that collaborate on broad-based economic development programs to improve and strengthen the region's economic capacity.

***All members of Council are permitted to attend the VIEA annual Economic Summit.***

6. Miscellaneous seminars, conferences, and conventions

Along with the standard yearly cycle of conferences, there are miscellaneous seminars, conferences, and conventions that arise from time to time.

***Requests from any member of Council wishing to attend miscellaneous events held throughout the year must be approved by Council and subject to available budget.***

#### **4. PROCEDURE FOR ATTENDANCE**

The Executive Assistant to the Mayor and CAO coordinates, registers, and makes the necessary travel arrangements for all approved conferences, conventions, and seminars attended by Council.

Travel allowances, expenses, and reimbursement are outlined in the Travel Expenses Policy, as amended from time to time.

**From:** [avicc@ubcm.ca](mailto:avicc@ubcm.ca) <[avicc@ubcm.ca](mailto:avicc@ubcm.ca)>

**Sent:** Wednesday, November 6, 2019 4:34 PM

**To:** [avicc@ubcm.ca](mailto:avicc@ubcm.ca)

**Subject:** AVICC Call for Resolutions for 2020 Convention, Nominations for 2020/21 AVICC Executive, Proposal Submission Form

*Please forward to elected officials, the CAO and Corporate Officer.*

Please find attached a package outlining the Resolutions Process for the 2020 AVICC Convention to be held in Nanaimo from April 17-19, 2020.

Also attached is the Nomination package with the form and procedures for the election of the 2020/21 AVICC Executive Committee.

The deadline for both resolutions and nominations is Thursday, February 6, 2020.

At the AVICC lunch during the UBCM Convention, President Jensen informed members that the proposal form for sessions at the 2020 Convention was available on the AVICC website. We have received several proposals to date, but would like to hear from our members about the kind of sessions you would like to have. A copy of the proposal form is attached to this email, please send through your suggestions to [avicc@ubcm.ca](mailto:avicc@ubcm.ca) by Wednesday, November 27<sup>th</sup>.

Please don't hesitate to get in touch if you have any questions.

---

**Liz Cookson, BA (Econ.), MBA**

Secretary-Treasurer, AVICC

Union of BC Municipalities

525 Government Street, Victoria, BC

V8V 0A8

(250) 356-5122





## 2020 AGM & CONVENTION

### RESOLUTIONS NOTICE REQUEST FOR SUBMISSIONS

#### DEADLINE FOR RESOLUTIONS

All resolutions must be received in the AVICC office by: **Thursday, February 6, 2020**

#### IMPORTANT SUBMISSION REQUIREMENTS

To submit a resolution to the AVICC for consideration please send:

1. One copy as a **word document** by email to [avicc@ubcm.ca](mailto:avicc@ubcm.ca); AND
2. One copy of the resolution by regular mail to:  
AVICC, 525 Government Street, Victoria, BC V8V 0A8

Guidelines for preparing a resolution follow, but the basic requirements are:

- Resolutions are only accepted from AVICC member local governments, and must have been endorsed by the board or council.
- Members are responsible for submitting accurate resolutions. Local government staff must check the accuracy of legislative references, and be able to answer questions from AVICC/UBCM about each resolution. Contact AVICC/UBCM for assistance.
- Each resolution **must include a separate backgrounder** that is a maximum of 3 pages and specific to a single resolution. Do not submit backgrounders for multiple resolutions. The backgrounder may include links to other information sources and reports.
- Sponsors should be prepared to introduce their resolutions on the Convention floor.
- Resolutions must be relevant to other local governments within AVICC rather than specific to a single member government.
- The resolution should not contain more than two "whereas" clauses.
- Each whereas clause must only have **one sentence**.

#### LATE AND OFF THE FLOOR RESOLUTIONS

- a. A resolution submitted after the regular deadline is treated as a "Late Resolution". Late Resolutions need to be received by AVICC by noon on **Wednesday, April 15<sup>th</sup>**.
- b. Late resolutions are not included in the resolutions package sent out to members before the Convention. They are included in the Report on Late Resolutions that is distributed on-site.
- c. The Resolutions Committee only recommends late resolutions for debate if the topic was not known prior to the regular deadline date or if it is emergency in nature. Late resolutions require a special motion at the convention to admit for debate.
- d. Late resolutions are considered after all resolutions printed in the Resolutions Book have been debated. The time is set out in the program, and is normally on Sunday morning.
- e. Off the Floor resolutions must be submitted in writing to the Chair of the Resolutions Session, and copies must be made available to all delegates no later than Sunday morning.

## **UBCM RESOLUTION PROCEDURES**

UBCM urges members to submit resolutions to Area Associations for consideration. Resolutions endorsed at Area Association annual meetings are submitted automatically to UBCM for consideration and do not need to be re-submitted to UBCM by the sponsor.

UBCM and its member local governments have observed that submitting resolutions first to Area Associations results in better quality resolutions overall. If absolutely necessary, however, local governments may submit council or board endorsed resolutions directly to UBCM prior to June 30. Should this be necessary, detailed instructions are available on the UBCM website.

## **UBCM RESOLUTIONS PROCESS**

1. Members submit resolutions to their Area Association for debate.
2. The Area Association submits resolutions endorsed at its Convention to UBCM.
3. The UBCM Resolutions Committee reviews the resolutions for submission to its Convention.
4. Resolutions endorsed at the UBCM Convention are submitted to the appropriate level of government for response.
5. UBCM will forward the response to the resolution sponsor for review.

## **UBCM RESOLUTIONS GUIDELINES**

### **The Construction of a Resolution:**

All resolutions contain a preamble and an enactment clause. The preamble describes *the issue* and the enactment clause outlines *the action being* requested. A resolution should answer the following three questions:

- a) What is the problem?
- b) What is causing the problem?
- c) What is the best way to solve the problem?

### **Preamble:**

The preamble begins with "WHEREAS", and is a concise paragraph about the nature of the problem or the reason for the request. It answers questions (a) and (b) above, stating the problem and its cause, and should explain, clearly and briefly, the reasons for the resolution.

The preamble should contain no more than two "WHEREAS" clauses. Supporting background documents can describe the problem more fully if necessary. Do not add extra clauses.

Only one sentence per WHEREAS clause.

### **Enactment Clause:**

The enactment clause begins with the phrase "THEREFORE BE IT RESOLVED", and is a concise sentence that answers question (c) above, suggesting the best way to solve the problem. The enactment should propose a specific action by AVICC and/or UBCM.

Keep the enactment clause as short as possible, and clearly describe the action being requested. The wording should leave no doubt about the proposed action.



## **HOW TO DRAFT A RESOLUTION**

### **1. Address one specific subject in the text of the resolution.**

Since your community seeks to influence attitudes and inspire action, limit the scope of a resolution to one specific subject or issue. Delegates will not support a resolution if it is unclear or too complex for them to understand quickly. If there are multiple topics in a resolution, the resolution may be sent back to the sponsor to rework and resubmit, and may end up as a Late Resolution not admitted for debate.

### **2. For resolutions to be debated at UBCM, focus on issues that are province-wide.**

The issue identified in the resolution should be relevant to other local governments across BC. This will support productive debate and assist UBCM to represent your concern effectively to the provincial or federal government on behalf of all BC municipalities and regional districts. Regionally specific resolutions may be referred back to the AVICC, and may not be entered for debate during the UBCM Convention.

### **3. Use simple, action-oriented language and avoid ambiguous terms.**

Explain the background briefly and state the desired action clearly. Delegates can then debate the resolution without having to try to interpret complicated text or vague concepts.

### **4. Check legislative references for accuracy.**

Research the legislation on the subject so the resolution is accurate. Where necessary, identify:

- the correct jurisdictional responsibility (responsible ministry or department, and whether provincial or federal government); and
- the correct legislation, including the title of the act or regulation.

### **5. Provide factual background information.**

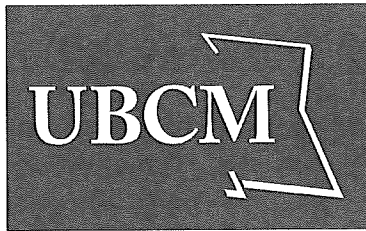
Even a carefully written resolution may not be able to convey the full scope of the problem or the action being requested. Provide factual background information to ensure that the resolution is understood fully so that members understand what they are debating and UBCM can advocate effectively with other levels of government and agencies.

Each resolution **must include a separate background**er that is a maximum of 3 pages and specific to a single resolution. Do not submit backgrounders that relate to multiple resolutions. The backgrounder may include links to other information sources and reports.

The backgrounder should outline what led to the presentation and adoption of the resolution by the local government, and can link to the report presented to the council or board along with the resolution. Resolutions submitted without background information **will not be considered** until the sponsor has provided adequate background information. This could result in the resolution being returned and having to be resubmitted as a late resolution.

### **6. Construct a brief, descriptive title.**

A title identifies the intent of the resolution and helps eliminate the possibility of misinterpretation. It is usually drawn from the "enactment clause" of the resolution. For ease of printing in the Annual Report and Resolutions Book and for clarity, a title should be no more than three or four words.



## Sample Resolution

### **CURTAIL JUMPING OVER DOGS**

[SHORT TITLE]

**City of Green Forest**

[Sponsor]

WHEREAS the quick brown fox jumped over the lazy dog;

**Semicolon** precedes  
"WHEREAS" clause.

AND WHEREAS the lazy dog does not enjoy games of leapfrog:

**Colon** precedes  
"THEREFORE" clause.

THEREFORE BE IT RESOLVED that the quick brown fox will refrain from jumping over the lazy dog.

[A second enactment clause, if absolutely required:]

AND BE IT FURTHER RESOLVED that in the future the quick brown fox will invite a different partner to participate in games of leapfrog.

*Your resolution should follow the structure of this sample resolution.*

*Draft your resolution to be as readable as possible within these guidelines.*





**AVICC 2020 Convention**  
**April 17-19, 2020**  
**Vancouver Island Conference Centre**  
**CALL FOR SUBMISSIONS**

Thank you for your interest in participating in the 2020 AVICC Convention. It will be held Friday through Sunday, April 17-19, 2020 at the Vancouver Island Conference Centre in Nanaimo.

To submit a proposal fill in the information requested below and email this document back as a **word document** to [avicc@ubcm.ca](mailto:avicc@ubcm.ca)

The deadline for submissions is November 27, 2019.

There are limited spots on the program including 45-60 minute plenary presentations, 60 minute concurrent workshops on Saturday afternoon, and two to three hour pre-convention workshops and study tours on Friday morning.

Delegates prefer sessions that involve multi-party perspectives and ones that are interactive rather than “talking heads”.

Title of Session:	
Name of Organization:	
Contact Person Name:	
Phone:	
Address:	
Email:	

Session Description (for review of AVICC Executive Committee in choosing sessions. This information will also be used in program materials):	
Proposed Session Length:	
Preferred Time and Day:	
Audio Visual Requirements:	
Travel or other expenses if any:	
# of Proposed Presenters:	
Name - Presenter #1:	
Bio and Organization - Presenter #1:	
Name - Presenter #2:	
Bio and Organization - Presenter #2:	
Name - Presenter #3:	
Bio and Organization - Presenter #3:	
Name - Presenter #4:	
Bio and Organization - Presenter #4:	



Any other Information or requirements:	
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Successful applicants must confirm their session description, session title, and final list of presenters with AVICC by February 21 for inclusion in the program. Changes to presenters or failure to meet this deadline may result in the session being cancelled.

Presenters must agree to submit all PowerPoint presentations by April 10<sup>th</sup>

**I agree to the above conditions and deadlines:**

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_



## 2020 AGM & CONVENTION

### CALL FOR NOMINATIONS FOR AVICC EXECUTIVE

AVICC members elect directors to the Executive Committee at the Convention. The Executive Committee ensures that the policies set by the general membership are carried forward, and provides direction for the Association between Conventions. This circular is notice of the AVICC Executive Committee positions open for nomination, and the procedures for nomination.

#### 1. POSITIONS OPEN TO NOMINATIONS

The following positions are open for nomination:

- President
- First Vice-President
- Second Vice-President
- Director at Large (3 positions)
- Electoral Area Representative

#### 2. NOMINATION PROCESS AND QUALIFICATIONS FOR OFFICE

Candidates must be an elected official of an AVICC local government member and must be nominated by two elected officials of an AVICC local government member. Background information on the key responsibilities and commitments of an AVICC Executive member is provided following the nomination form. The Chair of the 2020 Nominating Committee is Past President Edwin Grieve.

#### 3. NEXT STEPS

The Nominating Committee will review the credentials of each candidate for eligibility. A Report on Nominations including a photo and 300-word biography will be prepared under the direction of the Nominating Committee and distributed prior to the Convention.

**To be included in the Report on Nominations,  
Nominations Must Be Received by February 6, 2020**

#### 4. AT CONVENTION

Candidates may also be nominated at the Convention from the floor. Candidates and their two nominators must be elected officials of an AVICC local government member.

#### 5. FURTHER INFORMATION

All enquiries should be directed to:

**Past President Edwin Grieve, Chair, 2020 Nominating Committee**  
c/o AVICC  
525 Government Street  
Victoria, BC V8V 0A8  
Phone: (250) 356-5122  
email: [avicc@ubcm.ca](mailto:avicc@ubcm.ca)



## NOMINATIONS FOR THE 2020-21 AVICC EXECUTIVE

We are qualified under the AVICC Constitution to nominate<sup>1</sup> a candidate and we nominate:

Candidate Name: \_\_\_\_\_

Local Government Position (Mayor/Councillor/Director): \_\_\_\_\_

Local Government Represented: \_\_\_\_\_

**AVICC Executive Office** Nominated For: \_\_\_\_\_

### MEMBERS NOMINATING THE CANDIDATE:

Printed Name: \_\_\_\_\_ Printed Name: \_\_\_\_\_

Position: \_\_\_\_\_ Position: \_\_\_\_\_

Muni/RD: \_\_\_\_\_ Muni/RD: \_\_\_\_\_

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_

### CONSENT FORM

I consent to this nomination and attest that I am qualified to be a candidate for the office I have been nominated for pursuant to the AVICC Bylaws and Constitution<sup>2</sup>. I also agree to provide the following information to [avicc@ubcm.ca](mailto:avicc@ubcm.ca) by **Thursday, February 6, 2020**.

- Photo in digital format
- Biographical information of approximately 300 words that may be edited by AVICC

Printed Name: \_\_\_\_\_

Current Position: \_\_\_\_\_

Muni/RD: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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<sup>1</sup> Nominations require two elected officials of local governments that are members of the Association.

<sup>2</sup> All nominees must be an elected official of an AVICC local government member. Nominees for the position of Electoral Area Representative must be an Electoral Area Director.

**Return To: Past President Edwin Grieve, Chair, Nominating Committee,  
c/o AVICC, 525 Government Street, Victoria, BC V8V 0A8  
or scan and email to [avicc@ubcm.ca](mailto:avicc@ubcm.ca)**



## BACKGROUND INFORMATION FOR CANDIDATES TO THE AVICC EXECUTIVE

### 1. RESPONSIBILITY OF AVICC EXECUTIVE

Under the AVICC Bylaws:

*"The Executive shall manage or supervise the management of the Society"*

See <http://avicc.ca/about-the-avicc/constitution-bylaws/> for a complete copy of the AVICC Constitution and Bylaws.

### 2. AVICC EXECUTIVE STRUCTURE

- President
- First Vice-President
- Second Vice-President
- Director at Large (three positions)
- Electoral Area Representative
- Past President

#### COMMITTEES

The President may appoint Executive members to AVICC committees and to external committees and working groups as required. The Nominating Committee is a standing committee and is comprised of the Past President and the Secretary-Treasurer. All members of the Executive serve on the Resolutions Committee.

#### CONTRACTED EMPLOYEE

The Association contracts with UBCM for the provision of key services that support the Association. A staff person based in Victoria's Local Government House provides the key functions. The President is responsible for overseeing the regular activities of the Association and for providing direction to staff.

### 3. EXECUTIVE MEETINGS

The full Executive meets in person five times a year, following this general pattern:

- During the last day of the annual Convention (less than 15 minutes)
- Mid June
- End of October
- Mid January
- Thursday before the Annual Convention

Executive meetings (other than those in conjunction with the Convention) are generally held on a Friday or Saturday from 10:00 am to 3:00 pm and are typically held in Nanaimo. Meetings by teleconference occur 2-3 times per year on an as needed basis (60-90 minutes).

Travel expenses and a per diem are provided for Executive Meetings. For the meeting held on the Thursday before the Convention, reimbursement is only for the added expenses that would not normally be incurred for attending the annual Convention.