



# City of Richmond

## ***BYLAW ENFORCEMENT OFFICER BYLAW***

### **BYLAW NO. 9742**

EFFECTIVE DATE – OCTOBER 23, 2017

#### **CONSOLIDATED FOR CONVENIENCE ONLY**

This is a consolidation of the bylaws listed below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

<u>AMENDMENT BYLAW</u>	<u>DATE OF ADOPTION</u>	<u>EFFECTIVE DATE</u> (If different from Date of Adoption)
Bylaw No. 9846	October 9, 2018	
Bylaw No. 10462	July 10, 2023	



## Bylaw Enforcement Officer Bylaw No. 9742

**WHEREAS** the *Community Charter* empowers Council to, by bylaw, establish officer positions and may assign certain powers, duties, and functions to such positions.

**NOW THEREFORE**, the Council of the City of Richmond, in open meeting assembled, enacts as follows:

- 1.1 The City of Richmond (the “**City**”) hereby establishes the position of Bylaw Enforcement Officer.
- 1.2 Bylaw Enforcement Officers may exercise the following powers and duties on behalf of the City:
  - (a) enforcement of the **City**’s bylaws within the boundaries of the **City**;
  - (b) entry onto or into private premises to verify compliance with the Council’s regulations, prohibitions or requirements, including **City** bylaws, pursuant to Section 16 of the *Community Charter*;
  - (c) assist in the prosecution of bylaw contraventions, including appearances in court to provide evidence;
  - (d) for certainty, issuance of tickets pursuant to Section 264(1)(b) of the *Community Charter* and subject to the City’s *Municipal Ticket Information Authorization Bylaw No. 7321*;
  - (e) for certainty, issuance of bylaw offence notices, subject to the City’s *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*;
  - (f) for certainty, prosecution of bylaw contraventions under the *Community Charter* or the *Offence Act* in the Provincial Court of British Columbia by swearing an information and, with the approval of the City Solicitor, the General Manager of Community Safety, or the Chief License Inspector, retainer of legal counsel to prosecute the bylaw contravention and settlement of the proceedings; and
  - (g) for certainty, with the approval of the City Solicitor, the General Manager of Community Safety, or the Chief License Inspector, defense or commencement and prosecution of an appeal from a decision in a bylaw enforcement proceeding, including the retainer of legal counsel to defend or commence and prosecute the appeal and settlement of the appeal.

**1.2.1** Bylaw Enforcement Officers, while acting within the limits of those powers and duties set out in section 1.2 of this Bylaw, shall be deemed to be employed for the preservation and maintenance of the public peace and shall, without adding to those powers and duties set out in section 1.2 of this Bylaw, be designated as peace officers as defined in the *Interpretation Act*, RSBC 1996, chapter 238, and in the *Criminal Code of Canada*, R.S.C. 1985, C-46.

**1.3** The **City** appoints all persons employed by the **City** and holding the following job positions as Bylaw Enforcement Officers:

- (a) Bylaw Enforcement Officer;
- (b) Bylaw Liaison Officer;
- (c) Manager, Community Bylaws;
- (d) Building Officer;
- (e) Licence Inspector;
- (f) Sign Inspector;
- (g) Tree Preservation Officer; and
- (h) Soil Bylaw Officer.

**1.4** The **City** designates all persons employed by the **City** and holding the following job positions as Building Inspectors pursuant to the *Community Charter* and the **City's Building Regulation Bylaw No. 7230:**

- (a) Building Inspector; and
- (b) Plumbing Inspector,

and such persons as appointed to exercise the powers and duties set out in Section 1.2 (a), (b) and (c) above only for the purposes of enforcing:

- (c) the *City's Building Regulation Bylaw No. 7230*;
- (d) the *City's Demolition Waste and Recyclable Materials Bylaw No. 9516*; and
- (e) the British Columbia Building Code, established by regulation under the *Local Government Act*,

all as may be amended or replaced from time to time

**1.5** References in this Bylaw to enactments, bylaws of the City, include those enactments, bylaws, and plans as they may be amended or replaced from time to time.

**1.6** If any section, subsection, paragraph, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

**1.7** This Bylaw is cited as **“Bylaw Enforcement Officer Bylaw No. 9742”**.

FIRST READING

\_\_\_\_\_

SECOND READING

\_\_\_\_\_

THIRD READING

\_\_\_\_\_

ADOPTED

\_\_\_\_\_

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER