

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BY-LAW # 47

BEING A BY-LAW TO AMEND BY-LAW #34, A BY-LAW TO CONTROL THE INFESTATION BY NOXIOUS AND DESTRUCTIVE INSECTS

WHEREAS By-law #34 Part 111 Section 8 subsection (1) reads as follows

"If the Inspector in his discretion, determines that any particular real property within the designated area, or any particular tree or trees, or brush, whether such trees or brush be living or dead, or other growths situate thereon, or any fruit therefrom, is or is likely to become in any infested condition, shall report the existence of such condition to the Director, together with his recommendation in relation thereto, and after consultation with the Director or the Mayor, the Inspector may, if deemed advisable, forthwith advise the owner or occupier, or his agent, in writing of such condition and require the owner or occupier of such real property, or his agent, to remove the infested condition by means of a spray programme as recommended by the British Columbia Department of Agriculture, or by the removal and destruction of any fruit, or trees, or brush, whether such trees or brush be living or dead, or other growths, deemed to be in an infested condition, within seven(7) days from the date of posting of the notice of the condition." And

WHEREAS Part 111 Section 8 subsection (3) reads as follows

"Any written notice to be given by sub-section (1) of this section shall be deemed to be validly given if delivered personally or mailed to the owner and occupier, if any, of the real property in question and his agent, if any, by prepaid registered mail and addressed to such owner, occupier, and agent in care of the ordinary postal address for such real property.

If after the expiry of seven(7) days from the date of the notice given pursuant to section 8, the infested condition has not been removed by the owner or occupier of the real property in question, or his agent, to the satisfaction of the Inspector, it shall be lawful for the Regional District of Central Okanagan, by its workmen and others, to enter upon such real property and effect the removal of the condition by spraying or removing and destroying any fruit, or trees, or brush, whether such trees or brush be living or dead, or other growths as may be necessary under the circumstances, at the expense of the person so defaulting; and the charges incurred by the Regional District of Central Okanagan, or by the Corporation of the District of Peachland for so doing, if unpaid on the thirty-first day of December in any year, shall be added to and form part of the taxes payable in respect of such real property as taxes in arrears." And

WHEREAS the Regional Board of the Regional District of Central Okanagan deems it advisable to within 72 hours, correct the infested condition

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan in open meeting assembled enacts as follows

1. That Part 111 Section 8 Subsection (1) of By-Law #34 cited as the "Regional District of Central Okanagan Noxious Insect Control By-Law #34 1971" be amended to read as follows:

"If the Inspector in his discretion, determines that any particular real property within the designated are, or any particular tree or trees, or brush, whether such trees or brush be living or dead, or other growths situate thereon, or any fruit therefrom, is or is likely to become in an infested condition, shall report the existence of such condition to the Director, together with his recommendation in relation thereto, and after consultation with the Director or the Mayor, the Inspector may, if deemed advisable, forthwith advise the owner or occupier, or his agent, in writing of such condition and require the owner or occupier of such real property, or his agent, to remove the infested condition by means of a spray programme as recommended by the British Columbia Department of Agriculture, or by the removal and destruction of any fruit, or trees or brush, whether such trees or brush be living or dead, or other growths, deemed to be in an infested condition, within seventy-two (72) hours from the date of posting of the notice of the condition.

2. That Part 111 Section 8 Subsection (3) of By-law #34 cited as the "Regional District of Central Okanagan Noxious Insect Control By-law #34, 1971" be amended to read as follows:

"Any written notice to be given by sub-section(1) of this section shall be deemed to be validly given if delivered personally or mailed to the owner and occupier, if any, of the real property in question and his agent, if any, by prepaid registered mail and addressed to such owner, occupier, and agent in care of the ordinary postal address for such real property.

If after the expiry of seventy-two (72) hours from the date of the notice given pursuant to section 8, the infested condition has not been removed by the owner or occupier of the real property in question, or his agent, to the satisfaction of the Inspector, it shall be lawful for the Regional District of Central Okanagan, by its workmen and others, to enter upon such real property and effect the removal of the condition by spraying or removing and destroying any fruit, or trees, or brush, whether such trees or brush be living or dead, or other growths as may be necessary under the circumstances, at the expense of the person so defaulting; and the charges incurred by the Regional District of Central Okanagan, or by the Corporation of the District of Peachland for so doing, if unpaid on the thirty-first day of December in any year, shall be added to and form part of the taxes payable in respect of such real property as taxes in arrears.


3. This By-Law may be cited as "The Regional District of the Central Okanagan Noxious Insect Control Amendment By-Law # 47 1972.

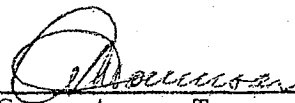
READ THE FIRST TIME this 15th day of March 1972

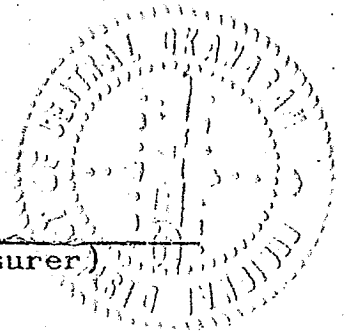
READ THE SECOND TIME this 15th day of March 1972

READ THE THIRD TIME THIS 15th day of March 1972

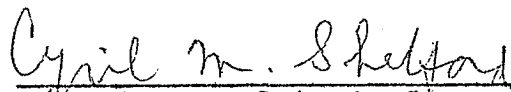
RECONSIDERED AND ADOPTED this 3rd day of May 1972


(Chairman)



(Secretary-Treasurer)



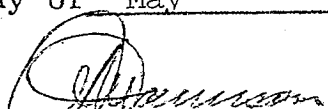
APPROVED by the Minister of Agriculture this 17th day of April 1972


(Minister of Agriculture)

I hereby certify the foregoing to be a true and correct copy of the By-law #47 cited as "Regional District of Central Okanagan Noxious Insect Control Amendment By-Law #47 1972" as read a third time by the Board on the 15th day of March 1972. Dated at Kelowna, British Columbia this 21st. day of March 1972.


(Secretary-Treasurer)

I hereby certify the foregoing to be a true and correct copy of the By-Law No. 47 cited as "Regional District of Central Okanagan Noxious Insect Control Amendment By-Law #47, 1972" as adopted by the Regional Board on the 3rd day of May 1972. Dated at Kelowna, British Columbia, this 3rd day of May 1972.


(Secretary-Treasurer)