

RESORT MUNICIPALITY OF WHISTLER

BYLAW NO. 1235, 1996

BEING A BYLAW TO PROVIDE FOR THE APPOINTMENT OF BYLAW
ENFORCEMENT OFFICERS AND TO PROVIDE FOR THE ENFORCEMENT OF ALL
RESORT MUNICIPALITY OF WHISTLER BYLAWS

WHEREAS Council may pursuant to Section 36 of the Police Act, . 1988, c.53 appoint Bylaw Enforcement Officers;

AND WHEREAS Council deems it desirable to establish the position of Bylaw Enforcement Officer for the purpose of enforcing the Municipality's bylaws;

AND WHEREAS Section 298 of the Municipal Act, R.S.B.C. 1979, c.290 provides for the enforcement and prosecution of the Municipality's bylaws;

AND WHEREAS Section 299(1) allows Council by bylaw to authorize employees of the Municipality to enter at all reasonable times on any property to ascertain whether a requirement is being met or a regulation being observed;

AND WHEREAS the Council of the Resort Municipality of Whistler deems it desirable to provide for the enforcement of its bylaws and all regulations and requirements contained within its bylaws.

NOW THEREFORE the Council of the Resort Municipality of Whistler, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as the Resort Municipality of Whistler "Bylaw Enforcement Officer Appointment Bylaw No. 1235, 1996".

2. "Enforcement Appointment Bylaw No. 825, 1990" is hereby repealed.

3. In this Bylaw:

"bylaw" means a bylaw of the Resort Municipality of Whistler and includes all resolutions of Council and regulations and requirements;

"Bylaw Enforcement Officer" means a person appointed from time to time by resolution of Council pursuant to Section 36 of the Police Act, and shall include the Supervisor of Bylaw Enforcement and Nighttime Bylaw Enforcement Officers;

"Council" means the Municipal Council of the Resort Municipality of Whistler;

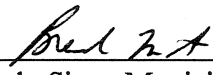
"Municipality" means the Resort Municipality of Whistler.

- 4. (a) The Council of the Municipality hereby establishes the positions of:
 - (I) Supervisor of Bylaw Enforcement;
 - (ii) Bylaw Enforcement Officer; and
 - (iii) Nighttime Bylaw Enforcement Officer
 - (b) The Council of the Municipality may from time to time appoint, by resolution pursuant to Section 36 of the Police Act, Bylaw Enforcement Officers to investigate and enforce the bylaws of the Municipality. Such resolution shall be substantially in the form set out in Schedule "A" to this Bylaw, as amended from time to time.
 - (c) Bylaw Enforcement Officers shall perform the functions and duties as specified in the applicable job descriptions attached as Schedule "B" to this Bylaw, as amended from time to time.
5. A Bylaw Enforcement Officer may enter at all reasonable times on any property on the Municipality to ascertain whether:
- (a) a requirement in a bylaw or resolution is being met, or
 - (b) a regulation in a bylaw or resolution is being observed.

GIVEN FIRST, SECOND and THIRD READINGS this 21st day of October 1996.

RECONSIDERED, and FINALLY ADOPTED this 4th day of November 1996.


 Ted Nebbeling, Mayor


 Brenda Sims, Municipal Clerk

I HEREBY CERTIFY that this is a true copy of "Bylaw Enforcement Officer Appointment Bylaw No. 1235, 1996"


 Brenda Sims, Municipal Clerk

SCHEDULE "A"
Bylaw No. 1235

BYLAW ENFORCEMENT OFFICER APPOINTMENT RESOLUTION

RESORT MUNICIPALITY OF WHISTLER

WHEREAS the Council of the Resort Municipality of Whistler ("Whistler") wishes to appoint _____ (insert name) _____ as a Bylaw Enforcement Officer pursuant to Section 36 of the Police Act, S.B.C. 1988, c.53; and upon _____ (insert name) _____ swearing the oath pursuant to Section 2 of B.C. Regulation 113/76, the Oath Regulations, before the Municipal Clerk (a Commissioner for taking Affidavits), Whistler hereby appoints _____ (insert name) _____ as a Bylaw Enforcement Officer, to perform the functions and duties specified in the _____ job description attached as Schedule "B" to Resort Municipality of Whistler "Bylaw Enforcement Bylaw No. 1235, 1996", as amended from time to time.

_____ (insert name) _____ shall be appointed for an indefinite term and shall be remunerated in accordance with the terms of the collective agreement in force between Whistler and the Canadian Union of Public Employees, Local 3853, or where no collective agreement is in force, in accordance with any contract of employment entered into between _____ (insert name) _____ and Whistler.