



AGENDA ITEM SUMMARY

TO: Chair and Directors, Cariboo Regional District Board

AND TO: Janis Bell, Chief Administrative Officer

FROM: Graham Barbour, Chief Building Official DATE: August 8, 2008

DATE OF MEETING: August 29, 2008

SHORT SUMMARY: On July 8, 2008, staff observed the construction of a dwelling unit at 5596 Gold Road without a valid building permit. A title search of the property shows that it is owned by Annette Bonny Field. Staff is recommending the filing of a Notice on Title as per Section 57 of the *Community Charter*.

VOTING: Stakeholder Vote – Weighted – Electoral Areas D, E, F, G, H and L

MEMORANDUM: On July 8, 2008, staff observed the construction of a dwelling unit at 5596 Gold Road without a valid building permit. A Stop Work Notice was posted on the building along with an inspection report describing the work as requiring a Building Permit. On July 17, 2008, the CRD office received an anonymous telephone call to inform staff that work was continuing on site in contravention of the Stop Work Notice. On July 18, 2008, the site was attended by the CRD Bylaw Enforcement Officer who observed that work had continued in spite of the Stop Work Notice and that the SWO had been removed. Given the size of the dwelling unit staff is concerned that the building could be finished and sold before any compliance occurs. In addition to other enforcement measures that the CRD may pursue, we are requesting consideration of the filing of a Notice of Bylaw Contravention.

Filing a Notice on Title will alert any interested third parties, including potential purchasers or lending institutions, to the contraventions of the CRD Building Bylaw. In accordance with the requirements of Section 57 of the *Community Charter*, the registered owner has been advised that this issue is being considered by the Board at today's meeting.

ATTACHMENT: Two letters to Ms. Field dated July 31, 2008, to two different addresses – the property address and the address on the property title.

POLICY IMPLICATIONS: Although there are no policies relating to filing of Notices, the Board has dealt with a number of building bylaw contraventions by filing Notices. It has proven successful over time in resolving many of these situations.

FINANCIAL IMPLICATIONS: Cost to file a Notice in the Land Title Office is approximately \$66.15. Once deficiencies are rectified, the Notice may be removed by the Cariboo Regional District upon receipt of a \$350.00 fee per the current Building Bylaw. Reviewed by the Treasurer:

OPTIONS:

1. Filing of Notice on Title
2. No enforcement action
3. Authorize litigation to have the structure removed

RECOMMENDATION: That the agenda item summary from Graham Barbour, Chief Building Official, dated August 8, 2008, be received. Further, that the Corporate Officer of the Cariboo Regional District be directed to file Notice in the Land Title Office, in accordance with Section 57 of the Community Charter, against Lot 8, District Lot 4187, Lillooet District, Plan KAP55224, with costs to be borne by the property owners. Furthermore, that upon confirmation from the Chief Building Official that the matter has been resolved and an approved final inspection issued, the Notice may be discharged from the title upon receipt of the fee stipulated in the Building Bylaw.

Respectfully Submitted



Graham Barbour
Chief Building Official



building communities together

Tel: 250 392 3351

TF: 1 800 665 1636

Fax: 250 392 2812

Suite D, 180 North Third Avenue

Williams Lake, BC V2G 2A4

www.cariboord.bc.ca

Your Reference:

Our Reference: SWN-12

July 31, 2008

REGISTERED MAIL

Annette Field
5596 Gold Road
100 Mile House, BC V0K 2E1

Dear Ms. Field:

Re: Lot 8, District Lot 4187, Lillooet District, Plan KAP55224 – 5596 Gold Road

Further to the Stop Work Notice which was posted at the above noted property on July 8, 2008 regarding contravention of the Cariboo Regional District Building Bylaw 3907, 2005 and the contravention of Land Use and Zoning Bylaws, we are preparing to file a Notice on Title.

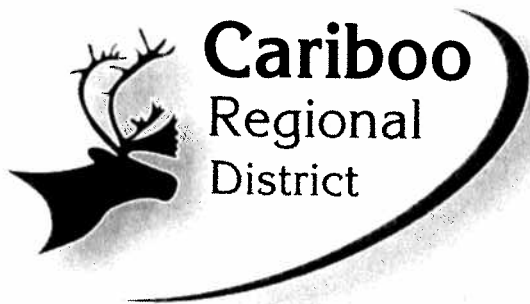
As a result of this, a recommendation will be made to the Cariboo Regional District Board to consider the filing of Notice of Bylaw Contravention in the Land Title Office, which will advise any interested third parties of the bylaw contravention. However, the filing of this Notice will not preclude any further measures the Cariboo Regional District may take to enforce the requirements of the regional district's bylaws.

You are welcome to attend a meeting of the Cariboo Regional District Board on Friday, August 29, 2008 in the Cariboo Regional District Boardroom, located at 180D North Third Avenue, Williams Lake, BC. Please visit the Cariboo Regional District's website at www.cariboord.bc.ca or call our office prior to the meeting date for an approximate time as to when this issue will be heard by the Board.

Yours truly,

Graham Barbour
Chief Building Official

GB/bw



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Your Reference:

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July 31, 2008

REGISTERED MAIL

Annette Field
PO Box 12082 Murrayville RPO
Langley, BC V3A 9J5

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Yours truly,

Graham Barbour
Chief Building Official

GB/bw