



## AGENDA ITEM SUMMARY

TO: Chair and Directors, Cariboo Regional District Board

AND TO: Janis Bell, Chief Administrative Officer

FROM: Graham Barbour, Chief Building Official and Manager Responsible for Bylaw Enforcement DATE: September 29, 2009

DATE OF MEETING: October 9, 2009

SHORT SUMMARY: Notice on Title – Lot 1, District Lot 3225, Cariboo District, Plan 29582. Owners – Allan and Sherry White. Area “B” - Director Roberta Faust.

VOTING: Stakeholder Vote – Weighted – Electoral Areas A, B, C and I.

MEMORANDUM: On November 4, 2008 a Stop Work Notice was posted at this property for the construction of an ancillary building without a valid building permit.

The owners applied for a building permit but failed to provide all of the required documentation to issue the permit. When posting the Stop Work Notice it was noted that there are many serious Code violations on this structure.

Staff is recommending placing a Notice of Bylaw Contravention on the Title of this property.

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 owners have been advised that this issue is being considered by the Board at today’s meeting.

ATTACHMENT: Letter to Mr. and Ms. White from the Cariboo Regional District, dated August 10, 2009.

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.

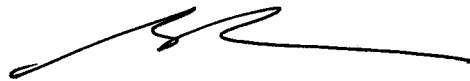
FINANCIAL IMPLICATIONS: Cost to file a Notice in the Land Title Office is \$23.75. Once deficiencies are rectified, the Notice may be removed by the Cariboo Regional District upon receipt of a \$350.00 fee per the current Building Bylaw. Reviewed by CFO:

OPTIONS:

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

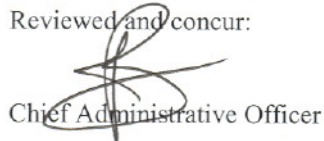
RECOMMENDATION: That the agenda item summary dated September 29, 2009 from Graham Barbour, Chief Building Official and Manager Responsible for Bylaw Enforcement, regarding Notice on Title - Lot 1, District Lot 3225, Cariboo District, Plan 29582, owned by Allan and Sherry White, be received. Further, 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 1, District Lot 3225, Cariboo District, Plan 29582, with costs to be borne by the property owners. Further, that upon confirmation from the Chief Building Official that the matter has been resolved and an approved final inspection issued or the structure removed; the Notice may be discharged from the title upon receipt of the fee stipulated in the Building Bylaw.

Respectfully submitted,

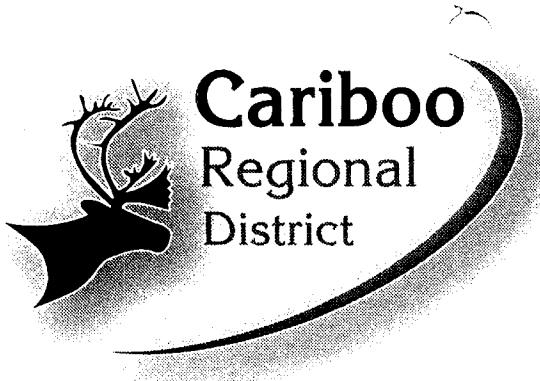


Graham Barbour  
Chief Building Official and  
Manager Responsible for Bylaw Enforcement

Reviewed and concur:



Chief Administrative Officer



**Cariboo  
Regional  
District**

*building communities together*

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Your Reference:

Our Reference: 3120-20-N10634

August 10, 2009

**REGISTERED MAIL  
Item No. 79 351 696 711**

Allan and Sherry White  
2904 Rawlings Road  
Quesnel, BC V2J 7E2

Dear Mr. and Ms. White:

Re: Lot 1, District Lot 3225, Cariboo District, Plan 29582

With regard to a lean to on the above property without the proper building permit being in place, 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, October 9, 2009** 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](http://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 and  
Manager Responsible for Bylaw Enforcement

GB:be

c: Director Roberta Faust – Electoral Area “B”