

CITY OF PORT ALBERNI

BYLAW NO. 3911

A BYLAW TO PROHIBIT THE DEPOSIT OF SOIL,
SAND, GRAVEL, ROCK OR OTHER MATERIAL
ON CERTAIN LANDS WITHIN THE
CITY OF PORT ALBERNI

WHEREAS by Section 930(e) of the Municipal Act being Chapter 290, R.S.B.C. 1979 as amended, the Council is empowered by bylaw to regulate or prohibit:-

"The deposit of soil, sand, gravel, rock or other material within the Municipality, and require the holding of a permit for such purpose and fix a fee for such permit; and different regulations and prohibitions may be made for different areas."

AND WHEREAS it is deemed expedient in the area bounded on the south by the Somass River, on the east by Kitsuksis Creek Floodway and Gertrude Street north thereof, on the north by Compton Road, Golden Street and Georgia Road, and on the west by the City boundary, to prohibit the deposit of soil, sand, gravel, rock or other material upon any lands which have a natural ground surface less than 9.0 Geodetic Survey Canada.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF PORT ALBERNI, IN OPEN MEETING ASSEMBLED, ENACTS AS FOLLOWS:-

Title

1. This bylaw may be known and cited for all purposes as "Port Alberni Land Fill Prohibition Bylaw".

Interpretation

2. For the purpose of this bylaw:-

"Other Material" means and includes garbage and industrial refuse resulting from the manufacturing and processing of lumber and wood products only, and shall include bark, shavings, sawdust and hog fuel.

"Soil" means soil, sand, gravel, rock and material of which land is naturally composed; but shall not include "other material" as defined therein.

Prohibition in the Deposit of Soil or other material in Flood Plain area

3. Within that area of the City of Port Alberni bounded on the south by the Somass River, on the east by Kitsuksis Creek Floodway and Gertrude Street north thereof, on the north by Compton Road, Golden Street and Georgia Road and on the west by the City boundary, no person shall deposit soil or other material as defined herein upon any parcel of land the natural ground surface of which is less than 9.0 G.S.C.

Exceptions

4. Notwithstanding Clause 3:

- (a) it shall be lawful for a person to deposit soil upon lands herein described provided that such deposit is confined within the perimeter walls of a building.
- (b) the Municipal Council may by resolution grant a permit to allow a person to deposit soil on lands herein described provided such deposit is in the immediate vicinity of a dwelling unit or a septic field. No fee shall be charged for such permit.
- (c) it shall be lawful for the City of Port Alberni, its workers, servants or agents to deposit soil or other materials upon lands herein described where such deposit forms part of a project of public works authorized by Council or is for the purpose of maintaining or repairing existing public works of the City.

Penalty

5. Any person depositing soil or other materials upon land in contravention of this bylaw shall upon summary conviction be liable to a fine not exceeding Two Thousand Dollars (\$2,000.00).

Repeal

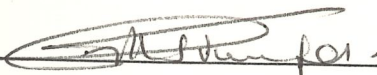
6. Bylaws numbered 3339 and 3632 are hereby repealed.

READ A FIRST TIME THIS 23rd DAY OF MAY , 1989.


READ A SECOND TIME THIS 23rd DAY OF MAY , 1989.

READ A THIRD TIME THIS 23rd DAY OF MAY , 1989.

RECONSIDERED AND FINALLY ADOPTED THIS 13TH DAY OF JUNE , 1989.



Mayor



Clerk