

**MISCELLANEOUS AMENDMENTS BYLAW (FOR ADMINISTRATION OF PROPERTY IN
CITY CUSTODY BYLAW)**

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the *Parks Regulation Bylaw* and the *Streets and Traffic Bylaw* to:

1. establish consistent practices for the impounding or disposal of objects occupying a highway or public place; and
2. insert references to the new *Property in Custody Bylaw*.

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Under its statutory powers, including sections 8(3)(b) and (h), 36, 46 and 64 of the *Community Charter*, the Council of the Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

Title

- 1 This Bylaw may be cited as the “Miscellaneous Amendments Bylaw (For Property in Custody Bylaw)”.

***Parks Regulation Bylaw* Amendments**

- 2 Bylaw No. 07-059, the *Parks Regulation Bylaw*, is amended in the Table of Contents as follows:
 - (a) the entry for section 19 is repealed and replaced with “Removal, Impounding and Disposal”.
- 3 The *Parks Regulation Bylaw*, is further amended in section 14 as follows:
 - (a) by repealing subsection (5) entirely and replacing it with the following:

“(5) [Repealed]”; and
 - (b) by inserting the following new subsections immediately after subsection (6):

“(7) A person must not place, or cause or permit to be placed or left, any property or thing so as to occupy any part of a park.

- (8) Subsection (7) does not apply to a person who is authorized to occupy such part of a park pursuant to this Bylaw or another City bylaw.”

4 The Parks Regulation Bylaw is further amended as follows:

- (a) by repealing section 19 entirely and replacing it with the following:

“Removal, Impounding and Disposal

19 The Director, a person authorized by the Director, a bylaw officer, or a police officer, may remove, seize, and impound or cause the removal, seizure or impoundment of any property or thing that unlawfully occupies, or has been unlawfully placed or left in, a park, and such item will be dealt with in accordance with the Property in Custody Bylaw.”

Streets and Traffic Bylaw Amendments

5 Bylaw No. 09-079, the Streets and Traffic Bylaw, is amended in section 102 as follows:

- (a) in subsection (1), by striking out “subsections 101” and replacing it with “section 101(1)”;

- (b) by repealing subsections (1)(a) and (b) entirely and replacing them with the following:

“(a) A person must not place, or cause or permit to be placed or left, any of the following items so as to occupy, obstruct, or cause a nuisance on any part of a street, sidewalk or other public place:

- (i) any property or thing, or
- (ii) a sign, as defined in the Sign Bylaw.

(b) [Repealed]”;

- (c) in subsection (2), by striking out “(a)”

- (d) in subsection (2)(d), by striking out “102” and replacing it with “101”;

- (e) by repealing subsection (3) entirely and replacing it with the following:

“(3) The Director of Engineering, a person authorized by the Director of Engineering, a bylaw officer, or a police officer, may remove, seize, and impound or cause the removal, seizure or impoundment of any property or thing that unlawfully occupies, or has been unlawfully placed or left in, a street, sidewalk or public place, and such item will be dealt with in accordance with the Property in Custody Bylaw.”;

- (f) by repealing subsections (4) through (10) entirely; and

(g) by renumbering current subsection (11) as new subsection (4).

6 The Streets and Traffic Bylaw is further amended as follows:

(a) in both sections 102A(13) and 103A(4), by inserting the following immediately after the words “this section”:

“, and the portable sign will be dealt with in accordance with the Property in Custody Bylaw.”;

(b) Schedule H (Detention, removal and impoundment fees) is repealed entirely; and

(c) in the Table of Contents, the entry for Schedule H is repealed and replaced with the following:

“Schedule H – [repealed]”.

Commencement

7 This Bylaw comes into force on adoption.

READ A FIRST TIME the	7th	day of	December	2023
READ A SECOND TIME the	7th	day of	December	2023
READ A THIRD TIME the	7th	day of	December	2023
ADOPTED on the		day of		2023

CITY CLERK

MAYOR