

October 17, 2018

VIA EMAIL: [REDACTED]

Mr. John M. Parlett  
55-7790 King George Blvd.  
Surrey BC V3W 5Y4

**FILE: 4010-20 A06043.000**

**CIVIC: 49200 Trans Canada Hwy**

**PID: 003-318-273**

**LEGAL: THAT PORTION OF LEGAL SUBDIVISION 15 SECTION 2 LYING EASTERLY OF THE RIGHT-OF-WAY OF THE CANADIAN NORTHERN PACIFIC RAILWAY; TOWNSHIP 11 RANGE 26 WEST OF THE 6<sup>TH</sup> MERIDIAN YALE DIVISION YALE DISTRICT EXCEPT PLAN H670.**

Dear Mr. Parlett,

**RE: Stop Work Order and No Occupancy Orders – Bylaw Enforcement Contraventions - at 42900 Trans Canada Highway, Electoral Area A**

Further to our previous letter dated July 19, 2018 the following is a detailed list of bylaw contraventions confirmed by Regional District Staff during our recent September 21, 2018 site inspection that are occurring on your property at 49200 Trans-Canada Highway (the "property"), see enclosed photos below.





### 1) Construction of Multiple structures without Building Permits:

The FVRD Building Inspector has confirmed during the site inspection on September 21, 2018 that there has been new construction on no less than four unpermitted structures on your property at 49200 Trans Canada Highway (the "property") without any approved building permits. The following items were observed during this site visit:

#### A. One Ramada over two Recreational Vehicles (1)

- Posted Stop Work / No Occupancy Notice on September 21, 2018
- Requires a Building Permit for Construction; or demolition permit for removal
- Issued Bylaw Offence Notice Ticket No. 28889



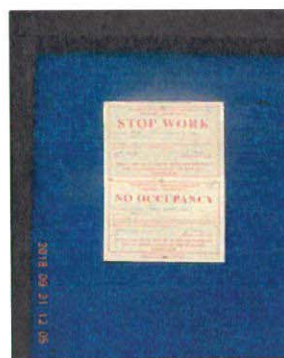
#### B. One Addition Structure to Recreational Vehicle

- Posted Stop Work / No Occupancy Notice on September 21, 2018
- Requires a Building Permit for Construction; or demolition permit for removal
- Issued Bylaw Offence Notice Ticket No. 28890



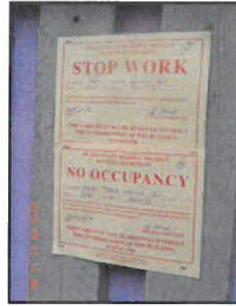
#### C. One Addition Structure to Recreational Vehicle with wood stove installed

- Posted Stop Work / No Occupancy Notice on September 21, 2018
- Requires a Building Permit for Construction; or demolition permit for removal
- Issued Bylaw Offence Notice Ticket No. 28891



## D. One Addition Structure to Commercial Vehicle Box

- Posted Stop Work / No Occupancy Notice on September 21, 2018
- Requires a Building Permit for Construction; or demolition permit for removal
- Issued Bylaw Offence Notice Ticket No. 28892



## E. Two shipping containers

- Each container requires a building permit for placement on the property or each container requires a demolition permit for removal.



Each of the unauthorized structures requires a fully completed building permit before works begin as detailed below in section 6.1 of the *Fraser Valley Regional District's Building Bylaw No. 1188, 2013*.

Building Bylaw No. 1188 Section 6 Prohibition

Section 6 of FVRD Building Bylaw No. 1188 States: *No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the occupancy of any building or structure, including excavation or other work related to construction until a building official has issued a valid and subsisting permit for the work*

During our site inspection and in the follow-up email of November 30, 2018 you reference several sections of the *Regional District Building Bylaw* that you felt exempted your new structures from Building Permits. The Regional District would like to clarify the following items:

**Mobile Homes require a Building Permit**

Under Section 5.2(a) of the *Regional District Building Bylaw No. 1188, 2013* placement of any mobile home on any property is required to obtain a building permit from the Regional District as detailed below:

- 5.2(a) *Subject to section 5.1, every owner of real property or his or her agent, in an area of the Regional District which is accessible by a highway maintained by the Ministry of Transportation and Infrastructure, shall obtain from the building official a building permit before commencing any construction, works, or change in occupancy as described below: (a) the placing on any land of any manufactured or factory-built home or of any housing component or modular structure;*



### Decks require a Building Permit

When decks are over 215 square feet or elevated 2 or more feet above grade pursuant to section 5.2 and 5.4 of the *FVRD Building Bylaw No. 1188* and the *BC Building Code* they require a Building Permit.

### Accessory Structure not requiring a Building Permit

The *FVRD Building Bylaw 1188* section 5.4 provides for an exemption for a building permit for an accessory structure, but only when it is single story and not intended to be used for residential occupancy as detailed below. Your detached accessory structures are all intended for residential occupancy.

- 5.4 *Notwithstanding section 5.2, a building permit is not required where the proposed construction consists of: (a) a new single storey detached accessory building or structure which is not intended to be used for any "residential occupancy" and which has a floor area not exceeding 20 square metres (215 square feet);*

Residential Occupancy is defined in the *Building Code* as the occupancy or use of a (Group C) building or part thereof by persons for whom sleeping accommodation is provided but who are not harboured or detained to receive medical care or treatment or are not involuntarily detained.

### Wood Stoves require a Building Permit

The *FVRD Building Bylaw 1188* Section 5.2(f) and 8.1.3 state that all wood stoves or solid fuel building appliances require a building permit as outlined below:

- 5.2 (f) *Subject to section 5.1, every owner of real property or his or her agent, in an area of the Regional District which is accessible by a highway maintained by the Ministry of Transportation and Infrastructure, shall obtain from the building official a building permit before commencing any construction, works, or change in occupancy as described below: (f) installation of solid fuel or oil burning appliances or chimneys;)*
- 8.1.3 *Every person shall apply for and obtain a solid fuel/oil burning appliance permit prior to the construction of a masonry fireplace or the installation of a solid fuel or oil burning appliance or chimney unless the works are encompassed by a valid building permit.*

### Ripped Up Stop Work Order/No Occupancy Notice Postings

Mr. Greg Price, Regional District Building Inspector posted stop work and no occupancy notices on four non-permitted structures on your property, and advised you these notices are to remain in place until such time as a required and fully completed building permit was submitted to the Regional District Office. As witnessed by FVRD Staff and by the admission of Ms. Nicole Brandy Parlett in her email dated September 21, 2018, you have removed all of the posted stop work and no occupancy notices from our September 21, 2018 site inspection. It is an offence to remove, or alter any notice posted by a Regional District Building Inspector as outlined in section 6.4 of the *FVRD Building Bylaw 1188* below:

- 6.4 *No person shall, unless authorized in writing by a building official, reverse, alter, deface, cover, remove or in any way tamper with any notice, permit or certificate posted upon or affixed to a building or structure pursuant to this bylaw.*

In the case of the structures on your property, the following items are required to bring the multiple unpermitted structures into compliance with the *Regional District Building Bylaw* and all other FVRD regulations prior to **November 26, 2018**:

1. The Stop Work Order and No Occupancy Notices remain effect for the all of the unpermitted structures. The structures that are posted with Notices are not to be occupied or used for residential purposes. The Stop Work and No Occupancy Notices are to remain posted on the building.
2. Submit fully completed Building Permit Applications for each of the unpermitted structures, to the Regional District office. Each of the completed applications must include:
  - Detailed drawings for the structure; including floor plans for use of all areas;
  - Detailed site plan; and
  - An initial application fee in the amount of \$150.00 for each permit.
3. Alternatively, you may consider demolishing each of the structures which will require a Building Permit for demolition for each individual structure.

Following the receipt of your application, the Building Department will advise you on any additional information needed. Should you have any questions with regard to your application, please contact one of our Building Inspectors at 604-702-5000. Building Permit Application forms are available online for your convenience on the Regional District's website at:

<http://www.fvrd.ca/EN/main/services/building-permits-inspection/forms.html>

## 2) Property Access:

During our September 21, 2018 partial site inspection of your property Regional District staff repeatedly stated to the persons present on the property that the site inspection was for the purpose of confirming land use under the *Zoning Bylaw* and any construction under the *Building Bylaw*. Constable Darren McKay of the Boston Bar RCMP was invited by FVRD staff to keep the peace.

During the entirety of the site inspection and in the follow-up email from Nikole/Brandy Parlett dated September 21, 2018 it was repeatedly stated the opinion that the FVRD did not have the authority to inspect the property. The Regional District's authority to enter property is governed by sections 284 and 219 of the *Local Government Act* and section 16 of the *Community Charter* which provide authority to enter onto a property at reasonable times to inspect and determine if all regulations, prohibitions and requirements are being met. In addition Section 7.2 of the *Regional District's Building Bylaw No. 1188, 2013* and Section 302 of the *Zoning Bylaw for Rural Portions of Electoral Area "A" No. 823, 1990* authorize Regional District staff to inspect property if there are reasonable grounds that a bylaw is being contravened.

In the case of your property, historically staff has inspected previous bylaw violations and once in the area we could visibly observe from Trans-Canada Highway that violations of both local *Building* and *Zoning Regulations* were underway. In the future the FVRD will contact the registered property owner, Mr. John Parlett at 604-749-1307 or via email [terrysilvers4466@gmail.com](mailto:terrysilvers4466@gmail.com) prior to any site inspections to arrange the site visits on a mutually convenient date. If we are unable to arrange a mutually agreeable date, we will provide you with at least 24 hour notice of our inspection.

## 3) Legal Action against the Fraser Valley Regional District:

The September 21, 2018 email from Ms. Nikole/Brandy Parlett references a number of legal actions against the FVRD. Please have your solicitor contact me at [mthornton@fvrd.ca](mailto:mthornton@fvrd.ca) or Paul Gipps, Chief Administrative Officer (CAO) at [pgipps@fvrd.ca](mailto:pgipps@fvrd.ca).

## 4) Zoning Unauthorized camping on the Property:

The comments by Ms. Nikole/Brandy Parlett during the on-site inspection of the property and the September 21, 2018 follow-up email to me reference your impression that it may be permissible under existing land use that family members of the property owner are authorized to live on the property in



recreational vehicles. Camping on your property is only permitted under regulated conditions and residential use of recreational vehicles is not permitted.

It is my interpretation as the Director of Planning and Development of the *Zoning Bylaw for Rural Portions of Electoral Area "A" No. 823, 1990* (Bylaw 823) that the front portion of your property is currently zoned as C-2 (Highway Commercial Zone) in Bylaw 823. Section 4.4.1 of Bylaw 823 provides for a list of permitted uses on that front portion of your property. Campground, as defined below is a permitted use in the C-2 Zone and is permitted in that front portion of the property.

#### Bylaw 823

Division Eight *CAMPGROUND is defined in part in the Zoning Bylaw No. 1190 as:*  
*any lot or parcel consisting of two or more recreational camping sites operated and occupied overnight or for part of the year only as temporary accommodation for campers in motor homes, tents, travel trailers or truck campers, but not in park model trailers;*

The development of a campground requires a permit as per the *Campground and Holiday Park Bylaw No. 1190, 1994* as detailed in part below. At this time you do not have a campground permit as required and therefore camping is a prohibited land use on your property.

#### Bylaw 1190

Section 1.07 *It shall be unlawful for any person to cause, suffer or permit the location, establishment, construction, extension, alteration, expansion, subdivision or operation of a natural camping ground, campground, holiday park, or to cause or allow a tent, mobile home, travel trailer, recreational vehicle or park model trailer to be parked or to remain in a natural camping ground, campground, holiday park or natural camping ground in contravention of this Bylaw or otherwise to contravene or fail to comply with this Bylaw.*

In consideration of the above please ensure that you achieve the following by the above mentioned deadline of **November 26, 2018**:

- Submit a completed application, as provided 4 in Schedule "B" of Bylaw No. 1190 for operation of a campground; or
- Discontinue the use of the property as a campground until a permit is obtained.

I have enclosed a Schedule "B" Application form for the operation of a Campground to this letter for your convenience. Following the receipt of your application, the Building Department will advise you on any additional information needed. Should you have any questions with regard to your application, please do not hesitate to contact one of our Building Inspectors at (604) 702-5000.

#### **5) Septic Requirements:**

The Fraser Health Authority regulates on-site septic approval for the Boston Bar and surrounding areas. Sewage disposal from multiple recreational vehicles on your property is occurring on site without the utilization of an approved sewage disposal system. Please ensure that the non-permitted sewage disposal is discontinued immediately and appropriate clean-up is conducted to ensure there are no environmental concerns. We have forwarded our information to the Health Authority for their follow-up.

#### **6) Previous Bylaw Enforcement at 49200 Trans-Canada Highway:**

The FVRD has been in contact with the previous property owners to address the outstanding Bylaw Enforcement issues of the abandoned residence (yellow house) and the unsecured foundation other dwelling residence that was destroyed by a structure fire. As the new owner of the property at 49200

Trans-Canada Highway you may or may not have been aware of the outstanding bylaw enforcement on your property. A change in ownership in no way negates the bylaw enforcement issue.

I have enclosed a letter to the previous property owners, dated November 14, 2014 that outlines all previous bylaw enforcement matters on the property. The following two bylaw violations that continue to remain outstanding on the property are detailed below:

- A) It is required that the foundation where the structure fire occurred needs to be backfilled to reduce the risk of persons falling into the foundation wall. Alternatively you may apply for and carry out the requirements of a demolition permit to remove the damaged foundation.
- B) The single family dwelling is unsecured, may have unauthorized squatting, and has possible structural damage rendering it an unsafe structure. It is required that you submit a fully completed Building Permit Application to renovate the dwelling or alternatively apply for and carry out the requirements of a demolition permit to remove the structure.

We believe your property in its current condition creates a serious safety concern for yourself, your neighbours and or visitors to your property. We encourage you to read the Occupiers Liability Act, regarding property safety and negligence, available online at: [http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/00\\_96337\\_01](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96337_01)

#### **8) Unsightly Property:**

It has come to the attention of the Fraser Valley Regional District that your property is once in an unsightly and untidy condition due to an accumulation of rubbish, debris, refuse and building materials.

The *Fraser Valley Regional District's Unsightly Premises and Unwholesome Matter Bylaw No. 0037, 1996* (Bylaw No. 0037), defines Unsightly as:

*UNSIGHTLY as the accumulation or storage of any building material, whether new or used, on any site or premises, other than a building material storage yard, where the owner or occupier of the premises is not in possession of a valid building permit issued by the Regional District;*

#### **Section 3 of Bylaw 0037 states:**

- a) No owner or occupier of real property, or premises on the real property, shall allow the property or premises owned or occupied by him to become or remain unsightly.*

The Regional District wishes to work with you to enable you to bring your property into compliance with all current bylaws, therefore it is requested that you please remove the rubbish, debris, refuse and building materials from your property by Monday, **November 26, 2018**. Some materials can be deposited at the Chaumoux Landfill at 50390 Chaumoux Road, North Bend, BC.

#### **8) Conduct during the September 21, 2018 on-site Property Inspection:**

During the site inspection on September 21, 2018 I introduced myself and FVRD staff, provided my business card and advised the reason for the site visit. The RCMP staff member was invited to keep the pace at the FVRD request. The offensive language of Nikole/Brandy Parlett during the September 21, 2018 site was unacceptable and will not be tolerated in the presence of Regional District Staff. The FVRD has a Respectful Workplace bullying and harassment prevention policy that provides a commitment to provide a work environment that is free from discrimination, bullying and harassment where all workers are treated in a fair and respectful manner with dignity and respect; including from members of the public. We will treat you respectfully and expect that all of your interactions with Regional District staff will also be respectful.



Please find attached four separate Bylaw Enforcement Offence Notice Tickets (No. 28889, No. 28890, No. 28891 and No. 28892), one for each of the four unpermitted structures viewed on your property totaling the amount of \$2000 all for the contravention of building without required Building Permits as outlined in *Bylaw Notice Enforcement Bylaw No. 1415, 2017*.

The Regional District wishes to work with you to bring your property into compliance with the *BC Building Code* and *Regional District Bylaws*. However, if you do not meet the above outlined requirements for compliance by the above stated deadline of **November 26, 2018** then you will be subject to additional fines of \$500 per occurrence and or additional enforcement action on behalf of the Regional District. We also encourage you to read the *Occupiers Liability Act*, regarding property safety and negligence, available online at: [http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/00\\_96337\\_01](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96337_01)

Ms. Brandy Parlett has contacted FVRD staff by email and telephone. Ms. Parlett advised that since the September 21, 2018 FVRD staff visit that a number of the structures posed with stop work and no occupancy notices as detailed in this letter have been removed. It is the intent of the FVRD to work cooperatively with you to bring the property into compliance.

The FVRD requires a comprehensive site inspection to catalogue all existing structures, and uses of the entire property. Please contact bylaw enforcement staff prior to **November 26, 2018** to arrange access on a mutually convenient date when you will be available to meet on site and allow access to inspect all existing structures and to confirm any if any structures have been removed. If the structures have been removed after being confirmed by an FVRD staff visit, the Bylaw Offence Notice (tickets) associated with the infractions will be reviewed. Please be aware that the authority to conduct inspections and gain entrance to property is recognized within the *Local Government Act (Section 419)* as well as the *Building Bylaw No. 1188, 2013 (Part 7.2)*.

Ms. Brandy Parlett has also requested to receive correspondence regarding the property via email: [sobergirls@outlook.com](mailto:sobergirls@outlook.com). As the registered property owner, the FVRD will correspond directly with you only. You may choose to forward the FVRD correspondence to Ms. Brandy Parlett.

If you have any questions or wish to discuss this matter further, you may contact me by calling toll-free at 1-800-528-0061, directly at 604-702-5015 or by email at [mthornton@fvr.ca](mailto:mthornton@fvr.ca). Our office hours are Monday through Friday from 8:30am to 4:30pm. Thank you in advance for your anticipated co-operation.

Respectfully,



Margaret-Ann Thornton  
Director of Planning and Development

cc: Terry Raymond, Director of Electoral Area A  
Greg Price, Building and Bylaw Coordinator  
Louise Hinton, Bylaw Compliance and Enforcement Officer  
Fraser Health Protection Office, Hope BC  
Royal Canadian Mounted Police, Boston Bar Detachment

Attach: Bylaw Offence Notice Tickets No.28889, 28890, 28891 and 28892  
Copy of Letter dated July 19, 2018  
Copy of Letter to Previous Property Owner, dated November 14, 2014



# UPPER FRASER VALLEY BYLAW ADJUDICATION SYSTEM

☐ City of Chilliwack
 ☐ District of Hope
 ☒ District of Kent
 ☒ Fraser Valley Regional District
 ☐ Village of Harrison Hot Springs

## BYLAW OFFENCE NOTICE

Local Government Bylaw Notice Enforcement Act

ISSUED TO:

SURNAME OR CORPORATE NAME PARLETT		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONTINUED) JOHN M.		GENDER M / F	BIRTHDATE (YY MM DD)
ADDRESS 49200 Trans Canada Hwy			
CITY Boston Bar		PROVINCE BC	POSTAL CODE V0K 1C0

VEHICLE INFORMATION (IF APPLICABLE)

MAKE \_\_\_\_\_ MODEL \_\_\_\_\_

COLOUR \_\_\_\_\_ LICENCE NO. \_\_\_\_\_ PROVINCE \_\_\_\_\_

THE BYLAW ENFORCEMENT OFFICER SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE, AND DOES BELIEVE, THAT THE ABOVE NAMED PERSON OR VEHICLE:

ON OR ABOUT 2018-07-21 AT THE TIME OF (24hr Clock)

AT OR NEAR 49200 Trans Canada Hwy, Boston Bar  
STREET ADDRESS, CITY, PROVINCE OF BRITISH COLUMBIA

DID COMMIT THE OFFENCE INDICATED, UNDER THE FOLLOWING BYLAW:

BUILDING BYLAW No. 1188, 2013

BYLAW NAME		
DESCRIPTION OF OFFENCE	SECTION	PENALTY
BUILD WITHOUT A PERMIT	6.1	\$500
		\$
		\$

### EARLY PAYMENT TERMS

THE PENALTY WILL BE REDUCED BY \$10.00 IF PAYMENT IS RECEIVED WITHIN 14 DAYS. A SURCHARGE OF \$10.00 WILL BE APPLIED IF PAYMENT IS NOT RECEIVED WITHIN 28 DAYS.

IF YOU WISH TO DISPUTE THE ALLEGATION CONTAINED IN THIS TICKET, YOU MAY APPEAR AT THE FOLLOWING LOCATION TO FILE AN ADJUDICATION REQUEST:

**Upper Fraser Valley Bylaw Adjudication Registry**  
8550 Young Road, Chilliwack, BC, V2P 8A4

OR DELIVER, HAVE DELIVERED OR MAIL AN ADJUDICATION REQUEST TO THE ADDRESS ON THE REVERSE.

IF YOU WISH TO PAY THE PENALTY, THE PENALTY AMOUNT MAY BE PAID AT THE ABOVE ADDRESS IN ACCORDANCE WITH THE PRESCRIBED INSTRUCTIONS (SEE REVERSE).

DATE SERVED 2018-10-15

☐ BY MAIL/COURIER
 ☐ HAND DELIVERED
 ☐ POSTED ON PROPERTY

ISSUING OFFICER #1578

SIGNATURE [Signature]

IF THE PENALTY IS NOT PAID, OR AN ADJUDICATION REQUEST IS NOT SUBMITTED WITHIN 14 DAYS OF RECEIVING THIS NOTICE, THE PENALTY INDICATED WILL BECOME DUE AND PAYABLE.

ALLEGED OFFENDER'S COPY

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☐ City of Chilliwack
 ☐ District of Hope
 ☒ District of Kent
 ☒ Fraser Valley Regional District
 ☐ Village of Harrison Hot Springs

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ADDRESS 49200 Trans Canada Hwy			
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 **BNE No 28892**  
☐ District of Kent
 ☒ Fraser Valley Regional District  
☐ Village of Harrison Hot Springs

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SURNAME OR CORPORATE NAME <b>PARLETT</b>		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONTINUED) <b>JOHN M.</b>		GENDER <b>M / F</b>	BIRTHDATE (YY MM DD)
ADDRESS <b>49200 Trans Canada Hwy</b>			
CITY <b>Boston Bar</b>	PROVINCE <b>BC</b>	POSTAL CODE <b>V0K1C0</b>	

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DATE SERVED **2018-10-15**

☒ BY MAIL/COURIER ☐ HAND DELIVERED ☐ POSTED ON PROPERTY

ISSUING OFFICER **#1528**

SIGNATURE **[Signature]**

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CITY <b>Boston Bar</b>	PROVINCE <b>BC</b>	POSTAL CODE <b>V0K1C0</b>	

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**BUILDING BYLAW NO. 1188, 2013**

BYLAW NAME		
DESCRIPTION OF OFFENCE	SECTION	PENALTY
BUILD WITHOUT A PERMIT	6.1	\$500
		\$
		\$

### EARLY PAYMENT TERMS

THE PENALTY WILL BE REDUCED BY \$10.00 IF PAYMENT IS RECEIVED WITHIN 14 DAYS. A SURCHARGE OF \$10.00 WILL BE APPLIED IF PAYMENT IS NOT RECEIVED WITHIN 28 DAYS.

IF YOU WISH TO DISPUTE THE ALLEGATION CONTAINED IN THIS TICKET, YOU MAY APPEAR AT THE FOLLOWING LOCATION TO FILE AN ADJUDICATION REQUEST:

**Upper Fraser Valley Bylaw Adjudication Registry**  
8550 Young Road, Chilliwack, BC, V2P 8A4

OR DELIVER, HAVE DELIVERED OR MAIL AN ADJUDICATION REQUEST TO THE ADDRESS ON THE REVERSE.

IF YOU WISH TO PAY THE PENALTY, THE PENALTY AMOUNT MAY BE PAID AT THE ABOVE ADDRESS IN ACCORDANCE WITH THE PRESCRIBED INSTRUCTIONS (SEE REVERSE).

DATE SERVED **2018-10-15**

☒ BY MAIL/COURIER ☐ HAND DELIVERED ☐ POSTED ON PROPERTY

ISSUING OFFICER **#1528**

SIGNATURE **[Signature]**

IF THE PENALTY IS NOT PAID, OR AN ADJUDICATION REQUEST IS NOT SUBMITTED WITHIN 14 DAYS OF RECEIVING THIS NOTICE, THE PENALTY INDICATED WILL BECOME DUE AND PAYABLE.

**ALLEGED OFFENDER'S COPY**