

Section 4 – Enforcement

4.1 General

4.1.1 The **Director of Planning & Development Services, Building Inspectors** and **Bylaw Enforcement Officers** are authorized to enforce the provisions of this Bylaw.

4.2 Right of Entry

4.2.1 The **Director of Planning & Development Services, Building Inspectors** and **Bylaw Enforcement Officers** shall have the right of entry and may enter onto any land or into any **building** at all reasonable hours in order to inspect the same and to ascertain whether the provisions of this bylaw have been carried out.

4.2.2 No person shall interfere with or obstruct the entry of a **Bylaw Enforcement Officer** or any authorized **City** representative onto any land or into any **building** to which entry is made or attempted pursuant to the provisions of this bylaw.

4.3 Prohibitions

4.3.1 No person shall contravene, cause, suffer, or permit a contravention of this Bylaw.

4.3.2 No person shall commence or undertake a **use** which is not permitted by this Bylaw.

4.3.3 No person shall **construct**, make an addition to or **alter** a **building** or **structure**, which is not permitted by this Bylaw.

4.3.4 No person shall contravene a condition of a permit issued under this Bylaw.

4.3.5 No person shall modify any description, specifications, or plans that were the basis for the issuance of any permit by the **Director of Planning & Development Services** or a **Building Inspector**.

4.3.6 No person shall authorize or do any **development** that is at variance with the description, specifications or plans that were the basis for the issuance of a **building permit**.

4.3.7 No **owner**, lessee, tenant, or person shall:

- (a) place or permit a commercial **vehicle** in excess of 4,100 kg. licensed gross **vehicle** weight on a **lot** in a residential **zone**;
- (b) place or permit a **recreational vehicle** in excess of 5,500 kg. licensed gross **vehicle** weight on a **lot** in a residential **zone**;
- (c) permit a motor **vehicle** in a state of disrepair or derelict for more than 30 days on a **lot** in a residential **zone**;
- (d) permit more than two **recreational vehicles** outdoors on a **lot** in a residential **zone**;
- (e) permit a fuel storage tank exceeding 205 l on a **lot** in a residential **zone**;
- (f) fail to deflect lighting away from **adjacent** property as required by Section 6.8.1;

- (g) permit a **use** in a **zone** where the **use** is not listed as a principal or **secondary use** in the **zone**;
- (h) permit occupancy of a secondary **dwelling** unit which is not a principal or **secondary use** in the **zone**; and
- (i) permit occupancy of a secondary **dwelling** unit prior to an occupancy permit issued pursuant to the **City** of Kelowna Building Bylaw, 1993, No. 7245 and all necessary approvals and licences being obtained under the provision of this or any other Bylaw.

4.4 Penalties

- 4.4.1 Every person who violates a provision of this bylaw commits an offence and is liable on summary conviction to a penalty not exceeding Ten Thousand Dollars (\$10,000.00) and the costs of prosecution.
- 4.4.2 Each day a violation of the provisions of this bylaw exists or is permitted to exist shall constitute a separate offence.