

The Campbell River Band of Indians

By-Law No. 6-79

Being a by-law to provide regulations for occupancy and building maintenance standards.

WHEREAS under the provisions of the National Housing Act no loan may be made by the Central Mortgage and Housing Corporation (hereinafter called the Corporation) for the purpose of the rehabilitation of existing residential buildings unless standards of occupancy and building maintenance satisfactory to the Corporation have been adopted in the Reserve in which the building is located;

AND WHEREAS the Council of the Band deems it expedient to make a by-law prescribing the minimum standards for occupancy and building maintenance of all properties rehabilitated through the Residential Rehabilitation Assistance Program of the Corporation.

AND WHEREAS section 81 (h), (q) and ® of the Indian Act empowers the Council of a Band to make by-laws for the purpose of regulating construction, repair and use of buildings on reserves and the imposition on summary conviction of a fine or imprisonment for violation of a by-law;

NOW THEREFORE the Council of Campbell River Band of Indian enacts as a by-law the following:

1. This by-law shall be known as the Campbell River Band RRAP Standards By-law No. 6-79.
2. In this by-law

“Building Inspector” means a person authorized by Council to inspect buildings on the Reserve as set out in this By-Law;

“Corporation” means the Central Mortgage and Housing Corporation;

“Council” means the duly elected council of Campbell River Band of Indians;

“Owner” means a person who has legal title to or is in possession of a building situated on the reserve or land which has been surrendered to Her Majesty for leasing purposes and includes a person who has received a loan under Section 3;

“RRAP” means the Residential Rehabilitation Assistance Program of the Corporation;

“Reserve” means tract of land set aside for the use and benefit of the Campbell River Band of Indians;

3. Every person who has received a loan from the Corporation for the purpose of rehabilitation of an existing real property located within the Reserve through the RRAP shall comply with the occupancy and building maintenance standards as set forth in Schedule `A` referred to in section 4.

4. The standards for rehabilitation of residential buildings issued by the Corporation are hereby amended for the purposes of maintenance and occupancy and form part of this by-law as schedule 'A' hereto.
5. Where, in the opinion of the Building Inspector work is required to maintain the rehabilitation made of real property through the RRAP, in conformity with Schedule 'A', the Building Inspector may give notice to the owner of the property specifying the work to be done and the period of time within which the work is to be completed.
6. Every person who received notice referred to in section 5 shall comply with all the terms of such notice.
7. Every person who applies for a loan from the Corporation as stated in section 3 shall permit the Building Inspector reasonable access to the property intended to be rehabilitated through the RRAP for the purpose of determining whether such property is eligible for the RRAP assistance.
8. Every person who has received a loan from the Corporation as stated in section 3 shall permit the Building Inspector reasonable access to the property assisted through the RRAP for the purpose of determining whether the provisions of this by-law are being or have been complied with.
9. Every person who has received a loan from the Corporation as stated in section 3 shall use the rehabilitation premises solely for residential purposes and in a manner consistent with the standard of maintenance as prescribed in Schedule 'A'.
10. The Council may from time to time appoint one or more persons who shall perform the duties of Building Inspector as provided by the by-law. A person so appointed shall hold the position at the pleasure of the Council.
11. Every person who feels aggrieved by the determination of the Building Inspector may upon a written application request the Council to review the determination of the Building Inspector, and upon receipt of such application, the Council shall within seven days review in open meeting the application. Both the applicant and the Building Inspector may call evidence, be represented by counsel, cross-examine witnesses and make submissions; the Council shall forthwith deliver a decision on the application. The decision shall be binding and final.
12. Every person who impedes or interferes with the conduct of the work of the Building Inspector, or who violates any provisions of this by-law shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding thirty days, or both a fine and imprisonment.

APPROVED AND PASSED at a duly convened meeting of the Council this

17th day of April, 1979.

W.ROBERTS
(Chief)

JOHN HENDERSON
(Councillor)

DOUG DRAKE
(Councillor)