

Memorandum

Date: January 14, 2025
Submitted by: Community Development Department – Policy Planning Division
Subject: Standards of Maintenance Bylaw No. 3467 – Amended Third Reading

At the October 22, 2024, Regular Council Meeting, the Policy Planning Division presented the draft Standards of Maintenance Bylaw (**Attachment 1**). During the question period, Council inquired about section 7.13 “Landlords and Tenants of Residential Properties must not allow conditions that encourage or tolerate infestation of pests such as mice, rats, bed bugs, cockroaches, and other vermin”. Council asked about the tenants being listed in this bylaw when it is a standards of maintenance bylaw for a landlord to uphold. Staff responded to confirm a tenant could not be fined under this bylaw, but staff would investigate the inclusion of the tenant in this section.

The Policy Planning Division sought legal clarification, and were advised to keep the tenant listed as the requirement of section 7.13 applies to tenants as well as landlords per the *Community Charter*: “Section 63 (f) [protection of persons and property - rental units and residential property]” and “Section 64 (a) [regulation of nuisances] and (g) [unsanitary conditions], do not limit a municipality to regulating only owners of property”.

Staff sought further legal clarification on wording that could be added to section 7.13 to clarify when a tenant or when a landlord is responsible for pests. The recommended additional wording to provide this clarity is included in a red-lined version of the proposed draft bylaw included as **Attachment 2**.

Draft City of Port Moody Standards of Maintenance Bylaw, 2024, No. 3467, as amended (**Attachment 3**)—a Bylaw to prescribe standards for the maintenance of rental residential premises within the City of Port Moody—will be before Council for consideration of rescinding third reading and re-reading the bylaw a third time as amended. The recommended resolutions are:

THAT third reading of City of Port Moody Standards of Maintenance Bylaw, 2024, No. 3467 be rescinded as recommended in the memo dated January 14, 2025, from the Community Development Department – Policy Planning Division regarding Standards of Maintenance Bylaw, No. 3467 – Amended Third Reading;

AND THAT City of Port Moody Standards of Maintenance Bylaw, 2024, No. 3467 be read a third time as amended.

Attachment(s)

1. Report considered at the October 22, 2024, Regular Council Meeting – Standards of Maintenance Bylaw.
2. Tracked Changes in Draft Bylaw No. 3467.
3. Draft City of Port Moody Standards of Maintenance Bylaw, 2024, No. 3467.

Report Approval Details

Document Title:	Standards of Maintenance Bylaw No. 3467 – Amended Third Reading.docx
Attachments:	- Attachment 1 - Report considered at the Oct. 22, 2024, RC meeting - Standards of Maintenance Bylaw.pdf - Attachment 2 - Tracked Changes in Draft Bylaw No. 3467.pdf - Attachment 3 - Draft City of Port Moody Standards of Maintenance Bylaw, 2024, No. 3467.pdf
Final Approval Date:	Dec 17, 2024

This report and all of its attachments were approved and signed as outlined below:

Mary De Paoli, Manager of Policy Planning - Dec 12, 2024

Kate Zanon, General Manager of Community Development - Dec 12, 2024

Tracey Takahashi, Deputy Corporate Officer, for Stephanie Lam, City Clerk and Manager of Legislative Services - Dec 13, 2024

Lindsay Todd, Manager of Communications and Engagement - Dec 13, 2024

Paul Rockwood, General Manager of Finance and Technology - Dec 16, 2024

Anna Mathewson, City Manager - Dec 17, 2024