



No.: 17664
Duncan Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

CITY OF DUNCAN

Petitioner

And

CRISSY BRETT, JANE DOE, JOHN DOE, and OTHER UNKNOWN PERSONS

Respondents

ORDER AFTER PETITION

BEFORE THE HONOURABLE)

MR. JUSTICE MACKENZIE)

18/APR/2017

THE HEARING of this Petition coming on for hearing at Duncan, British Columbia, on 18/Apr/2017, AND ON HEARING Troy DeSouza, counsel for the Petitioner City of Duncan, AND ON HEARING the Respondent Crissy Brett, on behalf of the Respondents Jane Doe, John Doe, and Other Unknown Persons:

THIS COURT DECLARES that:

1. The Respondents Crissy Brett, Jane Doe, John Doe and Other Unknown Persons (the "**Respondents**") are in contravention of the City of Duncan "*Parks and Public Open Spaces Bylaw No. 3154, 2016*" (the "**Bylaw**") by using the property located at Charles Hoey Park in the City of Duncan (the "**Park**") to erect tents, camp without authorization, exceeding the permitted hours for erecting and maintaining tents, and obstructing the public's enjoyment of the Park contrary to the Bylaw.

THIS COURT ORDERS that:

2. By 3:00 p.m. on Thursday, April 20th, 2017 the Respondents and any other person having notice of this Order will remove all their tents, personal equipment and personal effects from the Park and vacate the Park.
3. The Respondents and any other person having notice of this Order are permanently enjoined from setting up an encampment with tents anywhere within the City of Duncan except in compliance with all City of Duncan bylaws.
4. The Petitioner, its employees, agents, or servants may attend to remove the tents, personal equipment and personal effects of the Respondents and any other person having notice of this Order if the Respondents have not done so by 3:00 pm on Thursday April 20th, 2017.
5. The RCMP detachment at the City of Duncan and respective peace officers be in attendance to enforce the provisions of this Order.
6. There is no award as to costs.
7. The Respondents' approval of the form of this Order is dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER.



Signature of Troy DeSouza
Lawyer for the Petitioner City of Duncan

BY THE COURT



Registrar

