



REQUEST FOR DECISION

SLRD Ticketing System

Bylaw Notice Enforcement Bylaw No. 1447-2016
Bylaw Enforcement Officer Bylaw No. 1086, 2008,
Amendment Bylaw No. 1448-2016

Meeting dates: March 16, 2016

To: SLRD Board

RECOMMENDATIONS:

1. THAT the Board approve Policy No. 1-2016 for Bylaw Notice Dispute Adjudication Screening Officers.
2. THAT Bylaw No. 1447-2016, cited as "Squamish-Lillooet Regional District Bylaw Notice Enforcement Bylaw No. 1447-2016" be read a first, second, and third time.
3. THAT Bylaw No. 1447-2016, cited as "Squamish-Lillooet Regional District Bylaw Notice Enforcement Bylaw No. 1447-2016" be adopted.
4. THAT Bylaw No. 1448-2016, cited as "Squamish-Lillooet Regional District Bylaw Enforcement Officer Bylaw No. 1086, 2008, Amendment Bylaw No. 1448-2016" be read a first, second, and third time.
5. THAT Bylaw No. 1448-2016, cited as "Squamish-Lillooet Regional District Bylaw Enforcement Officer Bylaw No. 1086, 2008, Amendment Bylaw No. 1448-2016" be adopted.

KEY ISSUES/CONCEPTS:

The introduction of the SLRD Bylaw Notice Enforcement and Dispute Adjudication System is the outcome of the Board's resolutions from 2015. Specifically, at the April 22/23, 2015 Board meeting the following resolution was passed:

1. *THAT the SLRD adopt the Bylaw Notice Dispute Adjudication System.*
2. *THAT in pursuit of the adoption of the Bylaw Notice Dispute Adjudication System, the SLRD Board:*
 - a. *Allocate \$15,000 from the Planning and Land Use Cost Centre #1200 operational surplus reserve for the hiring of a project manager to direct the establishment of a ticketing system and the creation of a ticketing bylaw and associated procedures and materials.*
 - b. *Explore with its member municipalities to see if they are willing to join the Bylaw Notice Dispute Adjudication System.*

3. *THAT a 0.25 FTE bylaw enforcement officer be hired once the ticketing system is in place.*

This report presents the draft ticketing bylaw and associated material that is ready to be considered and adopted by the Board. There is also a small amendment to the existing SLRD Bylaw Enforcement Officer Bylaw No. 1086, 2008 required to update that bylaw as part of implementing the new Bylaw Notice Enforcement and Dispute Adjudication System.

The SLRD has advertised for the Bylaw Enforcement officer position in January/February 2016. Following the adoption of the ticketing bylaw, the SLRD must also engage with an Adjudication Contractor as part of the Bylaw Notice Dispute Adjudication System, as described in a previous staff report dated April 23, 2015 and attached to this report for information. \$5,000 has been set aside in the previously approved budget for the project to address administration of the system. This annual expense may be adjusted as the SLRD gains experience working with the system and baselines for ticketing, screening, adjudication, and other elements are established. Once the bylaw has been adopted the SLRD will be able to issue tickets for bylaw infractions, even if the adjudication contract has not been finalized yet.

The SLRD Bylaw Enforcement Policy should also be updated to reflect the new tools and procedures available. This will be done at a future meeting, under separate cover.

Once the Bylaw Enforcement Officer and the Adjudication Contractor have been contracted, the system will be able to go “live”, likely in April, 2016.

RELEVANT POLICIES:

SLRD Bylaw Enforcement Policy
SLRD Bylaw Enforcement Officer Bylaw No. 1086, 2008

BACKGROUND:

In 2003, the Provincial Government introduced the *Local Government Bylaw Notice Enforcement Act* and worked with the City of West Vancouver, the City of North Vancouver and the District of North Vancouver on a pilot project. The project was intended to provide an efficient, cost effective administrative process for dealing with local government bylaw infractions outside of the Provincial Court system.

As presented in the April 23, 2015 report, with a ticketing system and bylaw in place, the RCMP can be authorized to issue tickets and enforce SLRD bylaws in addition to SLRD personnel. This system is especially useful for enforcement issues arising from noise bylaws and special events bylaws where issues would occur, and complaints would likely be made, outside of regular SLRD office hours. Currently, the SLRD Emergency Program Manager has been responding to complaints arising in Electoral Area D associated with noise and special events. Such staffing expenses can be saved by using the RCMP once a ticketing system is established. By implementing

a system of bylaw infraction dispute review (screening) and independent adjudicators, the SLRD is looking to ensure that the regulatory provisions of its bylaws are understood and complied with, and that bylaw contraventions are dealt with in a fair, equitable and cost efficient manner for all concerned.

IMPACTS ANALYSIS:

The adoption of the Bylaw Notice Dispute Adjudication system (BNAS) and the creation of a ticketing bylaw will provide the necessary and valuable tools to aid such a position in establishing modern, timely, effective, and efficient bylaw enforcement services throughout the Electoral Areas of the Regional District. A positive result of hiring a dedicated bylaw enforcement officer will be the provision of effective and efficient bylaw enforcement services throughout the Regional District. It will reduce the excess task loading on existing planning and emergency management department staff that already have full planning & GIS workloads.

Moving forward, the ticketing bylaw will need to be kept up to date and amended every time relevant new bylaws are created or changed. This will be an administrative process to track and check new bylaws as they are developed to see if they need to be added to the ticketing bylaw.

ANALYSIS:

As part of the approved work stemming from the February 2015 report, a project manager was contracted in 2015 to handle the establishment of the ticketing system, creation of bylaws, and associated procedures and materials. Many of the documents have been based on examples developed by other local governments such as North Vancouver etc. The following key documents have now been completed:

- Key system features such as the time to pay or dispute, matters to be enforced by Bylaw Notice (ticket), use of screening officers, fine and fee amounts, etc.
- Bylaw to adopt the Bylaw Dispute Adjudication System
- Screening Officer Policy (see Appendix 6)
- Registry Operations Policy (administrative policy for staff to follow)
- BNAS Registry Agreement- for member municipalities to be able to join the system (to be brought forward under separate cover)
- Communications plan
- Templates for enforcement and collections tools using MS Office software
- Bylaw Notice forms
- Notification letters
- Screening Officer forms

The following information outlines the system, bylaw, and process as prepared by the contractor. It is presented here as a brief summary for the Board. This material, including the backgrounder (attached to this report), will be available to the public on the SLRD website in order to provide information on the bylaw and system.

Advantages of the Bylaw Notice system associated with the bylaws proposed for adoption include:

- Providing the statutory authority for local governments to issue tickets with penalties up to \$500, including potential surcharges
 - It should be noted that the \$500 maximum penalty is prescribed in law as part of the *Local Government Bylaw Notice Enforcement Act*. Penalties were set based on the severity of the infraction.
 - This means that for an individual ticket, the fine itself (penalty) and the late payment surcharge (if any) must be no more than \$500.
 - Each day an offence continues to occur is considered a new infraction for which a new ticket may be issued.
- Resolving ticketing disputes locally and in a timely manner
- Simplifying and expediting the dispute process by removing straight-forward bylaw contraventions from the Provincial Court system
- Reducing costs for all parties typically associated with going to court (e.g. court backlogs, lawyers and time spent by enforcement officers waiting to testify)
- Including dedicated staff members (Screening Officers) to act as a resource to help residents understand the SLRD's regulations, their compliance obligations and their options for dealing with Bylaw Notices – the screening officers are outlined in the bylaw in Appendix 1 and are:
 - Chief Administrative Officer
 - Director of Legislative and Corporate Services (Corporate Officer)
 - Director of Planning and Development Services
 - Director of Utilities and Environmental Services
 - Emergency Program Manager
 - Recreation Services Manager
 - Building Inspector
 - Senior Building Clerk
 - Planner
 - Planning and GIS Technician
 - Bylaw Enforcement Officer
- Providing additional flexibility through Compliance Agreements where appropriate
 - Compliance Agreements (see Appendix 7) are an optional tool that may be used by a local government to secure bylaw compliance that outlines the particulars of how and when a violator will resolve the bylaw infraction. As part of the Compliance Agreement process there is typically a discount available that would be subtracted from the penalty. If such an agreement is broken then further enforcement measures are available.
 - The Compliance Agreement form does not have to be part of the bylaw. This allows for greater flexibility than if the form was prescribed in the bylaw.
- Allowing for dispute resolution through an independent Provincially appointed adjudicator
- It should be noted that a bylaw notice may not be issued more than 6 months after the contravention is alleged to have occurred.

Once the Bylaw Notice Enforcement Bylaw No. 1447-2016 has been adopted, how will the SLRD Bylaw Notice Enforcement and Dispute Adjudication System work? There are two general paths for bylaw enforcement to take under this system outlined as follows:

Option 1: Pay the Bylaw Notice

- The new system can include some incentives for people to pay their penalties on time. It can also include additional surcharges if penalties are not paid on time. This is dependent on the nature of the infraction and the particular bylaw and what has been set in the Bylaw Notice Enforcement Bylaw. Some bylaw infractions have been set at the maximum fine with no discount to address serious violations while other offences may include discounts and late payment penalties.
- If a discount is available, and the Bylaw Notice is paid within 21 days, an early payment discount will be subtracted from the applicable penalty. Conversely, after 21 days the full penalty will be due and after 35 days, a surcharge for late payment will be added to the applicable penalty amount. If the Bylaw Notice is paid, there are no further procedures related to the Notice. Schedule “A” to Bylaw No. 1447-2016 provides a comprehensive list of the bylaws covered by the system and their corresponding penalties, discounts and surcharges.

Option 2: Dispute the Bylaw Notice

- Those electing to dispute their Bylaw Notice may do so by filing the Notice of Dispute & Request for Adjudication section on the back of the Bylaw Notice within 21 days of receiving it, or being presumed to have received it (e.g. if the Bylaw Notice was delivered by regular mail, presumed to have received it on the 7th day after mailing).
- Under the new system, a variety of SLRD employee positions have been designated as “Screening Officers”, separate and apart from designations as bylaw enforcement officers.
- All disputed Notices will be screened and disputants will be contacted to discuss the allegations in the Bylaw Notice. This will help people understand the SLRD’s regulations, their compliance obligations and their options for dealing with Bylaw Notices.
- The Screening Officer may:
 - (a) cancel a Bylaw Notice, if there’s a valid reason under the Board-approved Screening Officer Policy (see Appendix 6)
 - (b) enter into a Compliance Agreement with a person with appropriate terms and conditions and a reduced penalty as set out in Bylaw No. 1447-2016. This is an option that does not have to be used even if specified in the bylaw. As noted in the Act, a person who enters into a Compliance Agreement is deemed to have accepted liability for the bylaw contravention.
 - (c) confirm the validity of a Bylaw Notice.
- If the Screening Officer does not cancel a Bylaw Notice, the disputant can then choose whether to pay the penalty in effect as at that date or have the matter resolved by an adjudicator.
- If proceeding to adjudication, the disputant pays a \$25 adjudication administration fee (amount set by the *Local Government Bylaw Notice Enforcement Act* to help offset the costs

of the process) and files a Notice to Confirm Request for Adjudication. A date will be scheduled and the adjudication will take place at the SLRD office.

- It should be noted that the disputant is not required to personally appear at the adjudication. Representation may be made in writing, over the phone or in person.
- If the adjudicator determines that the contravention as alleged did occur, the \$25 administration fee is forfeited and the penalty amount, along with any applicable surcharges in effect as at that date, are due and owing. Conversely, if the adjudicator finds that the allegation in the Bylaw Notice did not occur, the \$25 fee is refunded and the Bylaw Notice is cancelled.

Among the other materials that will be publicly available to help explain the system and process include a flowchart (attached as Appendix 3 to this report) and a Backgrounder and Frequently Asked Questions (attached as Appendix 4).

Legal Review

SLRD staff have had legal counsel review the proposed ticketing bylaw and the Compliance Agreement. The Bylaw Notice Dispute Adjudication Registry Agreement and the Compliance Agreement do not have to be part of the ticketing bylaw – it was recommended that they not be in order to allow greater flexibility in editing those documents as necessary without having to amend the Bylaw Notice Enforcement Bylaw.

Ability to join the system

All member municipalities were invited to join the SLRD's BNAS system in 2015. Thus far, no member municipalities have made a formal request to join the SLRD's BNAS system (staff of the Village of Pemberton have expressed verbal interest), however, there will always be an opportunity for them to do so by entering into a registry agreement which details the terms of participation in the BNAS system. Any such requests will be presented to the Board, and the necessary registry agreements entered into, as they are requested.

It should be noted that the SLRD sought and received approval from the Province to be allowed to join the provincial Bylaw Dispute Adjudication System (BDAS). Each member municipality that wishes to join the system in the future will also need to seek similar provincial approval.

Bylaws with Ticketable Offenses

The BNAS will apply to all SLRD bylaws which have "ticketable" offenses. These bylaws are all included as part of Appendix A to the proposed bylaw attached to this report. Land use contracts, while having some ticketable offenses, were not included as they tend to date back to the 1970's, and are set to be replaced by zoning within the next 4 years.

Bylaw matters that are excluded from enforcement by bylaw notice are firearms and motor vehicle speed limits. As such, the Area A and D "No Shooting" bylaws have not been included in the Bylaw Enforcement bylaw.

OPTIONS:

Following the adoption of the Bylaw Notice Enforcement Bylaw, next steps would include:

- hiring the part time bylaw enforcement officer (as previously approved by the Board)
- engaging with an Adjudication Contractor as part of the Bylaw Notice Dispute Adjudication system
 - At this time, there are only two Ministry approved firms responsible for conducting adjudication in BC. Local governments must contract with one or both of those firms for adjudication services.
- printing tickets
- updating the Bylaw Notice Enforcement Bylaw on a regular basis as new bylaws are adopted that would need to be added to it for ticketing purposes
- finalizing the draft of the Bylaw Notice Dispute Adjudication Registry Agreement that may be used in the event that other local governments want to join the SLRD's Bylaw Notice Dispute Adjudication Registry
- finalizing the administrative Registry Operations Policy to support the Bylaw Notice Dispute Adjudication Registry Agreement, if and when necessary. As SLRD staff work with the system, they will be better able to anticipate all that should be included in this policy.

There are no additional steps required after the adoption of the amendment to the Bylaw Enforcement Officer Bylaw.

OPTION 1 – Adopt the Screening Officer Policy and give the bylaws three readings and adopt them. (PREFERRED OPTION)

Give each of Bylaw No. 1447-2016 and Amendment Bylaw No. 1448-2016 three readings and adopt them.

OPTION 2 – Adopt the Screening Officer Policy, give the bylaws three readings and adopt with changes.

Propose changes to Bylaw No. 1447-2016 and/or Amendment Bylaw No. 1448-2016, and give them both three readings and adopt them as amended.

OPTION 3 – Request staff to make further changes and bring back revised bylaws.

Propose changes to Bylaw No. 1447-2016 and/or Amendment Bylaw No. 1448-2016 and request that staff bring back either or both bylaws to a subsequent meeting for consideration.

OPTION 4 – Do not give the bylaws readings.

Do not give Bylaw No. 1447-2016 any readings nor give Amendment Bylaw No. 1448-2016 any readings.

ATTACHMENTS:

Appendix 1: Squamish-Lillooet Regional District Bylaw Notice Enforcement Bylaw No. 1447-2016 including Schedule A – Appendix 1 – List of infractions and penalties

Appendix 2: Squamish-Lillooet Regional District Bylaw Enforcement Officer Bylaw No. 1086, 2008, Amendment Bylaw No. 1448-2016

Appendix 3: SLRD Bylaw Notice Enforcement and Dispute Adjudication Process Flowchart

Appendix 4: SLRD Bylaw Notice Enforcement and Dispute Adjudication Backgrounder & FAQ

Appendix 5: April 23, 2015 Staff report to the Committee of the Whole

Appendix 6: Screening Officer Policy 1-2016

Appendix 7: Draft Compliance Agreement

Prepared by: I. Holl, Planner

Reviewed by: K. Needham, Director of Planning and Development

Approved by: L. Flynn, Chief Administrative Officer



**SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW NOTICE ENFORCEMENT BYLAW NO. 1447-2016**

A bylaw respecting the enforcement of bylaw notices

WHEREAS the Regional Board of the Squamish-Lillooet Regional District may, by bylaw, enforce its bylaws through the provisions of the *Local Government Bylaw Notice Enforcement Act* and *Regulation*;

NOW THEREFORE the Regional Board of the Squamish-Lillooet Regional District in open meeting assembled enacts as follows:

Citation

1. This bylaw may be cited for all purposes as "Squamish-Lillooet Regional District Bylaw Notice Enforcement Bylaw No. 1447-2016".

Definitions

2. In this bylaw:

"Act" means the *Local Government Bylaw Notice Enforcement Act*;

"Building Official" means building inspectors, plan checkers and plumbing inspectors designated by the Squamish-Lillooet Regional District in accordance with Squamish-Lillooet Regional District Building Bylaw No. 863, 2003, as amended;

"Fire Chief" means the highest ranking person, or their authorized designate, in charge of a fire department in an electoral area governed by SLRD Fire Protection Services Regulation Bylaw No. 1110, 2008, as amended;

"LAFC" means a person who is appointed under the *Fire Services Act* as a Local Assistant to the Fire Commissioner;

"Paid" means the amount required has in fact been received by the Squamish-Lillooet Regional District in the manner specified;

“Registry” means the Squamish-Lillooet Regional District Bylaw Notice Dispute Adjudication Registry established pursuant to this bylaw.

“Regulation” means the *Bylaw Notice Enforcement Regulation*.

“SLRD” means the Squamish-Lillooet Regional District.

3. Subject to section 2, the terms in this bylaw have the same meaning as the terms defined in the *Act* and the *Regulation*.

Application and Form

4. In accordance with the *Act*, the *Regulation* and the *Local Government Act*, the bylaw contraventions designated in Schedule “A” attached hereto and forming part of this bylaw may be dealt with by bylaw notice under this bylaw, notwithstanding any penalties, remedies or other means of enforcement set out within the bylaws cited in Schedule “A”.
5. Whether a bylaw contravention has occurred or not shall be determined based on the wording of the bylaws referred to in Schedule “A”, rather than the summary description of the contravention in Schedule “A” of this bylaw.
6. A bylaw notice or other notice under this bylaw shall be in the form prescribed by the Corporate Officer of the SLRD, provided that such bylaw notice conforms with section 4 of the *Act* and any other applicable enactments.

Penalties for Bylaw Contraventions

7. The penalty for a bylaw contravention designated in Schedule “A” of this bylaw is as follows:
 - (a) subject to subsections 7(b) and 7(c), the penalty amount set out in Column A1 of Schedule “A” corresponding to the bylaw contravention;
 - (b) if paid within 21 days of the bylaw notice being received or being presumed received under the *Act*, the amount payable in subsection 7(a) shall be reduced by the amount of the early payment discount in Column A2 of Schedule “A”;

- (c) if paid after 35 days of the bylaw notice being received or being presumed received under the *Act*, the amount of the late payment surcharge in Column A3 of Schedule “A” shall be due and payable in addition to the penalty under subsection 7(a); and
- (d) if paid in accordance with a compliance agreement, where available as specified in Column A4 of Schedule “A”, the penalty under subsection 7(a) may be reduced by the amount of the early payment discount in Column A5 of Schedule “A”.

Period for Paying or Disputing a Bylaw Notice

- 8. A person who receives a bylaw notice must, within 21 days, either pay the penalty indicated or request dispute adjudication.
- 9. A person who wishes to dispute a bylaw notice must do so in writing, either in person during regular office hours, or by mail, to the SLRD as indicated on the bylaw notice.
- 10. A bylaw notice dispute under section 9 must be received by the SLRD, in the manner specified, within 21 days of the disputant receiving the bylaw notice, or being presumed to have received it in accordance with the *Act*.
- 11. Where a person was not served personally with a bylaw notice and advises the SLRD, in accordance with the requirements of section 25 of the *Act*, that they did not receive a copy of the original notice, the time limits for responding to a bylaw notice under this bylaw do not begin to run until a copy of the bylaw notice is redelivered to them in accordance with the *Act*.

Bylaw Notice Dispute Adjudication Registry

- 12. The Registry is established as a bylaw notice dispute adjudication system in accordance with the *Act* and *Regulation* to provide for the hearing and determination of disputes in respect of whether:
 - (a) the contravention alleged in a bylaw notice occurred as alleged; or
 - (b) the terms and conditions of a compliance agreement were observed or performed.

13. The postal and civic address of the Registry is: SLRD Bylaw Notice Dispute Adjudication Registry, PO Box 219, 1350 Aster Street, Pemberton, BC, V0N 2L0.
14. The Chief Administrative Officer is authorized to approve such Registry operations policies and procedures as may be required for the administration of Registry operations.
15. Every person who is unsuccessful in a dispute adjudication in relation to a bylaw notice or a compliance agreement must pay the SLRD an additional fee of \$25 for the purpose of recovering the costs of the adjudication system.

Screening Officers

16. The position of screening officer is established.
17. The following are designated classes of persons that may be appointed by the SLRD as screening officers:
 - (a) Chief Administrative Officer;
 - (b) Director of Legislative and Corporate Services (Corporate Officer);
 - (c) Director of Planning and Development Services;
 - (d) Director of Utilities and Environmental Services;
 - (e) Emergency Program Manager;
 - (f) Recreation Services Manager;
 - (g) Building Inspector;
 - (h) Senior Building Clerk;
 - (i) Planner;
 - (j) Planning and GIS Technician;
 - (k) Bylaw Enforcement Officer appointed by the Board in accordance with Bylaw Enforcement Officer Bylaw No. 1086, 2008, as amended from time to time;

and the Board may appoint screening officers from these classes of persons by name of office or otherwise.

18. The powers, duties and functions of screening officers are as set out in the *Act* and *Regulation* and include the following powers, duties and functions:

- (a) the ability to review all records related to the alleged bylaw contravention, including the subject bylaw and any other bylaws and policies of the SLRD pertaining to the matter;
- (b) where requested by the person against whom a contravention is alleged or their representative, to communicate:
 - (i) information respecting the nature of the contravention;
 - (ii) the provision of the bylaw contravened;
 - (iii) the facts on which the contravention allegation is based;
 - (iv) the penalty for a contravention;
 - (v) the opportunity to obtain a discount of the penalty amount (if applicable);
 - (vi) the potential for a surcharge to the penalty amount;
 - (vii) the opportunity to proceed to a bylaw notice dispute adjudication hearing;
 - (viii) the opportunity to enter into a compliance agreement (if applicable); and
 - (iv) the fees payable in relation to the hearing process;
- (c) to communicate with any, or all, of the following for the purposes of performing their powers, duties and functions under this bylaw or the *Act*:
 - (i) the person against whom a bylaw contravention is alleged, or their representative;
 - (ii) the person who issued the bylaw notice;

- (iii) a complainant or their representative regarding a bylaw contravention allegation;
 - (iv) SLRD staff and legal or other advisors regarding interpretation of the bylaw alleged to have been contravened and any other relevant enactments, and the disputant's history of bylaw compliance, or the lack thereof; and
 - (v) any other persons relevant to the performance of their powers, duties and functions.
- (d) where permitted under Column A4 of Schedule "A" to this bylaw, to prepare and enter into compliance agreements under the *Act* with persons who dispute bylaw notices. Compliance agreements may include establishment of terms and conditions for compliance that the screening officer considers necessary or advisable, such as, but not limited to compliance with one or more bylaws, time periods for payment of penalties and any monetary discount listed in Column A5 of Schedule "A", all in accordance with the *Act* and SLRD policies adopted by the Board;
 - (e) to cancel bylaw notices in accordance with the *Act* and SLRD policies adopted by the Board; and
 - (f) to review and determine applications to set aside bylaw notice debts in accordance with section 5 of the *Regulation* and SLRD policies adopted by the Board.
19. All bylaw contraventions in relation to which a screening officer may enter into a compliance agreement are listed in Column A4 of Schedule "A".
20. The maximum duration of a compliance agreement is one year.
21. A screening officer may not screen a bylaw notice which he or she has issued.
22. The Chief Administrative Officer is authorized to approve such screening officer procedures as may be required for the administration of the screening function.

Bylaw Enforcement Officers

23. Persons acting as any of the following are designated as bylaw enforcement officers for the purposes of this bylaw and the *Act*:

- (a) members of the Royal Canadian Mounted Police (RCMP);
 - (b) bylaw enforcement officers appointed by the Board in accordance with Bylaw Enforcement Officer Bylaw No. 1086, 2008, as amended from time to time;
 - (c) a Fire Chief and an LAFC;
 - (d) a Building Inspector, Senior Building Clerk, Planner, and Planning/GIS Technician;
 - (e) an SLRD Emergency Program Manager, Senior Engineering Technologist and Parks and Trails Coordinator; and
 - (f) electrical inspectors, mechanical inspectors, medical health officers, conservation officers, and other persons acting in an official capacity on behalf of the SLRD for the purposes of enforcement of one or more of the SLRD's bylaws.
24. Persons acting in any of the capacities listed under section 23 are authorized to enter, at all reasonable times, onto any property for the purposes established by sections 419 and 284 of the *Local Government Act*, and any other authority to enter property granted in the *Local Government Act*, the *Community Charter*, or another enactment, in accordance with section 16 of the *Community Charter*, or other conditions of entry, if any, set out in the *Local Government Act*, the *Community Charter*, or another enactment.

Severability

25. If any word, phrase, clause, sentence, subsection or section in this bylaw is, for any reason, held to be invalid by a court of competent jurisdiction, the word, phrase, clause, sentence, subsection or section shall be severed from the bylaw and the remainder of the bylaw shall be deemed to have been adopted without the severed word, phrase, clause, sentence, subsection or section.

Effective Date

26. This bylaw shall come into force and take effect upon adoption.

READ A FIRST TIME	this	16 th day of	March, 2016.
READ A SECOND TIME	this	16 th day of	March, 2016.
READ A THIRD TIME	this	16 th day of	March, 2016.
ADOPTED	this	16 th day of	March, 2016.

Jack Crompton
Chair

Kristen Clark
Corporate Officer

BYLAW NOTICE ENFORCEMENT BYLAW NO. 1447-2016
Schedule “A”, Appendix Index

- Appendix 1 - Squamish-Lillooet Regional District Zoning Bylaw No. 20, 1970
- Appendix 2 - Squamish-Lillooet Regional District Motorboat Noise Control Bylaw No. 396, 1988
- Appendix 3 - Squamish-Lillooet Regional District Zoning Bylaw No. 540, 1994
- Appendix 4 - Upper Bridge River Valley Official Community Plan Bylaw No. 608, 1996
- Appendix 5 - Squamish-Lillooet Regional District Zoning Bylaw No. 670, 1999
- Appendix 6 - Furry Creek Zoning Bylaw No. 672, 1998
- Appendix 7 - Sign Bylaw No. 681, 1998
- Appendix 8 - Electoral Area C Official Community Plan Bylaw No. 689, 1999
- Appendix 9 - Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002
- Appendix 10 - Squamish-Lillooet Regional District Building Bylaw No. 863, 2003
- Appendix 11 - Squamish-Lillooet Regional District Fire Limit Establishment Bylaw No. 879-2003
- Appendix 12 - Squamish-Lillooet Regional District Electoral Area D Unsightly Premise Bylaw No. 955-2005
- Appendix 13 - Electoral Area B Official Community Plan Adoption Bylaw No. 1073, 2008
- Appendix 14 - SLRD Fire Protection Services Regulation Bylaw No. 1110, 2008
- Appendix 15 - Britannia Beach Water Rates and Regulations Bylaw No. 1120-2009
- Appendix 16 - Squamish-Lillooet Regional District Civic Addressing Regulatory Bylaw No. 1124, 2010
- Appendix 17 - Electoral Area D Official Community Plan Bylaw No. 1135-2013
- Appendix 18 - SLRD, Electoral Area D Noise Regulation Bylaw No. 1234, 2011
- Appendix 19 - Squamish-Lillooet Regional District Special Events Bylaw No. 1247-2012
- Appendix 20 - D’Arcy Well Regulation Bylaw No. 1279-2013

- Appendix 21 - Gold Bridge Water Rates and Regulations Bylaw No. 1280-2013
- Appendix 22 - Pemberton North Water Rates and Regulations Bylaw No. 1285-2013
- Appendix 23 - Lillooet Landfill Fees and Charges Regulation Bylaw No. 1297-2013
- Appendix 24 - Squamish-Lillooet Regional District Electoral Area B Zoning Bylaw No. 1300- 2013
- Appendix 25 - Squamish-Lillooet Regional District Development Approval Information, Fees and Notification Procedures Bylaw No. 1301-2014
- Appendix 26 - Devine Facilities Fees and Charges Regulation Bylaw No. 1302-2013
- Appendix 27 - Squamish-Lillooet Regional District Sewer Source Control Bylaw No. 1337-2014
- Appendix 28 - Howe Sound East Land Clearing Debris Pollution Management Bylaw No. 1352-2014
- Appendix 29 - Squamish-Lillooet Regional District Soil Deposit and Removal Bylaw No. 1423-2015
- Appendix 30 - Squamish-Lillooet Regional District Pemberton and District Recreation Service Fees and Charges Bylaw No. 1424-2015
- Appendix 31 - Pemberton and District Recreation Service Parks and Open Spaces Regulatory Bylaw No.1425-2015
- Appendix 32 - Britannia Beach Sewer System Charges and Regulations Bylaw No. 1426-2015
- Appendix 33 - Furry Creek Sewer System Charges and Regulations Bylaw No. 1427-2015
- Appendix 34 - Bralorne Sewer System Charges and Regulations Bylaw No. 1428-2015
- Appendix 35 - Furry Creek Water Rates and Regulations Bylaw No. 1431-2015
- Appendix 36 - Squamish-Lillooet Regional District Electoral Area C Noise Regulation Bylaw No. 1438-2015
- Appendix 37 - D'Arcy Water Rates and Regulations Bylaw No. 1451-2016
- Appendix 38 - Bralorne Water Rates and Regulations Bylaw No. 1452-2016
- Appendix 39 - Devine Water Rates and Regulations Bylaw No. 1453-2016

Note: In this Schedule "A", all bylaws listed include all amendments thereto.

Schedule "A", Appendix 1

Squamish-Lillooet Regional District Zoning Bylaw No. 20, 1970

(Jurisdictions Affected: Electoral Area D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.2.0	Unpermitted use in Residential I Zone	\$300	\$50	\$50	Yes	\$100
2.2.1 to 2.2.11	Development in Residential I Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
2.3.0	Unpermitted use in Residential II Zone	\$300	\$50	\$50	Yes	\$100
2.3.1 to 2.3.12	Development in Residential II Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
2.4.0	Unpermitted use in Residential III Zone	\$300	\$50	\$50	Yes	\$100
2.4.1 to 2.4.6	Development in Residential III Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
2.5.0	Unpermitted use in Commercial I Zone	\$300	\$50	\$50	Yes	\$100
2.5.1 to 2.5.9	Development in Commercial I Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
2.6.0	Unpermitted use in Commercial II Zone	\$300	\$50	\$50	Yes	\$100
2.6.1 to 2.6.11	Development in Commercial II Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
2.7.0	Unpermitted use in Commercial III Zone	\$300	\$50	\$50	Yes	\$100
2.7.1 to 2.7.11	Development in Commercial III Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.7.21	Unpermitted use in Tourist Retreat I Zone	\$300	\$50	\$50	Yes	\$100
2.7.22 to 2.7.31	Development in Tourist Retreat I Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
2.7.41 & 2.7.41A	Unpermitted use in Backcountry Tourism I Zone	\$300	\$50	\$50	Yes	\$100
2.7.42 to 2.7.48	Development in Backcountry Tourism I Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
2.8.0	Unpermitted use in Industrial I Zone	\$300	\$50	\$50	Yes	\$100
2.8.1 to 2.8.9	Development in Industrial I Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
2.9.0	Unpermitted use in Rural I Zone	\$300	\$50	\$50	Yes	\$100
2.9.1 to 2.9.7	Development in Rural I Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
2.10.0	Unpermitted use in Nordic Centre Recreation Zone	\$300	\$50	\$50	Yes	\$100
2.10.1 to 2.10.9	Development in C5 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
3.1.0 to 3.1.1	Parking spaces not compliant with regulations	\$125	\$25	\$25	No	Not Applicable
4.1.0	Development contrary to waterfront setback requirements	\$400	\$100	\$100	Yes	\$200

Schedule “A”, Appendix 2

Squamish-Lillooet Regional District Motorboat Noise Control Bylaw No. 396, 1988

(Jurisdictions Affected: Electoral Areas A, B, C and D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2	Launching motorboat without prescribed exhaust system	\$100	\$25	\$25	No	Not Applicable
3	Operating motorboat without prescribed exhaust system	\$100	\$25	\$25	No	Not Applicable
4	Operating an unpermitted vessel on Spruce Lake or Ivey Lake	\$100	\$25	\$25	No	Not Applicable

Schedule “A”, Appendix 3

Squamish-Lillooet Regional District Zoning Bylaw No. 540, 1994

(Jurisdictions Affected: Electoral Area D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4.2	Use of accessory building or structure as dwelling	\$400	\$100	\$100	No	Not Applicable
4.8	Home occupation use contrary to regulations	\$100	\$25	\$25	No	Not Applicable
4.9	Home industry use contrary to regulations	\$200	\$50	\$50	No	Not Applicable
4.10	Development of bicycle end of trip facilities contrary to regulations	\$150	\$50	\$50	Yes	\$75
4.12	Contravention of prescribed fence height regulations	\$150	\$50	\$50	Yes	\$75
4.13	Development on split zone parcel contrary to regulations	\$250	\$50	\$50	Yes	\$150
4.14	Residential development contrary to minimum separation requirements	\$300	\$50	\$50	Yes	\$150
4.15	Development contrary to watercourse setbacks and RAR	\$400	\$100	\$100	Yes	\$200
6.1.1	Unpermitted use in RU Zone	\$300	\$50	\$50	Yes	\$100
6.1.2 to 6.1.3	Development in RU Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
7.1.1	Unpermitted use in I1 Zone	\$300	\$50	\$50	Yes	\$100
7.1.2 to 7.1.7	Development in I1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
8.1.1	Unpermitted use in R1 Zone	\$300	\$50	\$50	Yes	\$100
8.1.2 to 8.1.12	Development in R1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
9.1.1	Unpermitted use in RR Zone	\$300	\$50	\$50	Yes	\$100
9.1.2 to 9.1.6	Development in RR Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
10.1.3	Unpermitted use in CD1 Zone	\$300	\$50	\$50	Yes	\$100
10.1.4 to 10.1.17	Development in CD1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
11.1	Unpermitted use in IRC1 Zone	\$300	\$50	\$50	Yes	\$100
11.1.2 to 11.1.7	Development in IRC1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
12.1.1	Unpermitted use in R2 Zone	\$300	\$50	\$50	Yes	\$100
12.1.2 to 12.1.12	Development in R2 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
13.1	Unpermitted use in BC1 Zone	\$300	\$50	\$50	Yes	\$100
13.2	Development in BC1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
14.1	Unpermitted use in AGR1 Zone	\$300	\$50	\$50	Yes	\$100
14.2	Development in AGR1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100

Schedule “A”, Appendix 4

Upper Bridge River Valley Official Community Plan Bylaw No. 608, 1996

(Jurisdictions Affected: Electoral Area A)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
0. a to j (pages 10-15)	Development contrary to commercial and multifamily residential form & character DPA requirements	\$400	\$100	\$100	Yes	\$200
1.4 to 1.11	Development contrary to medical marihuana DPA requirements	\$400	\$100	\$100	Yes	\$200
2.7 to 2.12	Development contrary to heritage commercial DPA requirements	\$400	\$100	\$100	Yes	\$200
4.5 to 4.12	Development contrary to riparian area DPA requirements	\$400	\$100	\$100	Yes	\$200
6.9 to 6.16	Development contrary to wildfire protection DPA requirements	\$400	\$100	\$100	Yes	\$200

Schedule “A”, Appendix 5

Electoral Area A Zoning Bylaw No. 670, 1999

(Jurisdictions Affected: Electoral Area A)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.7	Obstructing an official	\$300	\$50	\$50	No	Not Applicable
4.4	Building or structure located contrary to prescribed setbacks	\$250	\$50	\$50	Yes	\$150
4.5.1	Failure to screen outdoor storage	\$150	\$50	\$50	Yes	\$75
4.5.2	Unpermitted use of parcel as salvage, junk or wrecking yard	\$300	\$100	\$100	Yes	\$200
4.5.3	Contravention of prescribed fence requirements	\$150	\$50	\$50	Yes	\$75
4.8	Home business use contrary to regulations	\$100	\$25	\$25	No	Not Applicable
4.9	Home industry use contrary to regulations	\$200	\$50	\$50	No	Not Applicable
4.10	Bed & breakfast use contrary to regulations	\$150	\$50	\$50	No	Not Applicable
4.11	Accessory building density or use contrary to regulations	\$200	\$50	\$50	Yes	\$100
4.12	Occupancy of mobile home or RV during construction contrary to regulations	\$100	\$25	\$25	No	Not Applicable
4.13	Combined uses on a parcel contrary to regulations	\$200	\$50	\$50	Yes	\$100
4.14	Development on split zone parcel contrary to regulations	\$250	\$50	\$50	Yes	\$150

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.3 to 5.7	Parking spaces not compliant with regulations	\$100	\$25	\$25	No	Not Applicable
6.1	Unpermitted use in RR1 Zone	\$300	\$50	\$50	Yes	\$100
6.2	Development in RR1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
7.1	Unpermitted use in RR2 Zone	\$300	\$50	\$50	Yes	\$100
7.2	Development in RR2 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
8.1	Unpermitted use in R1 Zone	\$300	\$50	\$50	Yes	\$100
8.2	Development in R1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
9.1	Unpermitted use in R2 Zone	\$300	\$50	\$50	Yes	\$100
9.2	Development in R2 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
10.1	Unpermitted use in R3 Zone	\$300	\$50	\$50	Yes	\$100
10.2	Development in R3 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
11.1	Unpermitted use in R4 Zone	\$300	\$50	\$50	Yes	\$100
11.2	Development in R4 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
12.1	Unpermitted use in C1 Zone	\$300	\$50	\$50	Yes	\$100
12.2	Development in C1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
13.1	Unpermitted use in C2 Zone	\$300	\$50	\$50	Yes	\$100

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
13.2	Development in C2 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
14.1	Unpermitted use in C3 Zone	\$300	\$50	\$50	Yes	\$100
14.2	Development in C3 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
15.1	Unpermitted use in C4 Zone	\$300	\$50	\$50	Yes	\$100
15.2	Development in C4 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
16.1	Unpermitted use in C5 Zone	\$300	\$50	\$50	Yes	\$100
16.2	Development in C5 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
17.1	Unpermitted use in M1 Zone	\$300	\$50	\$50	Yes	\$100
17.2	Development in M1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
18.1	Unpermitted use in M2 Zone	\$300	\$50	\$50	Yes	\$100
18.2	Development in M2 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
19.1	Unpermitted use in P1 Zone	\$300	\$50	\$50	Yes	\$100
19.2	Development in P1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100

Schedule “A”, Appendix 6

Furry Creek Zoning Bylaw No. 672, 1998

(Jurisdictions Affected: Portion of Electoral Area D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.8	Accessory building use, height or density contrary to regulations	\$200	\$50	\$50	Yes	\$100
3.9	Satellite dish contrary to regulations	\$100	\$25	\$25	No	Not Applicable
3.10	Failure to landscape	\$200	\$50	\$50	Yes	\$100
3.11	Fence height contrary to regulations	\$150	\$50	\$50	Yes	\$75
3.12	Failure to screen garbage container or outdoor storage	\$150	\$50	\$50	Yes	\$75
3.13	Home occupation use contrary to regulations	\$100	\$25	\$25	No	Not Applicable
C-1, C	Density or site coverage contrary to regulations	\$300	\$50	\$50	Yes	\$100
C-1, E	Building height contrary to regulations	\$300	\$50	\$50	Yes	\$100
C-1, F	Parking contrary to regulations in Part 5	\$200	\$50	\$50	Yes	\$100
C-1, G	Dwelling unit on ground floor contrary to regulations	\$400	\$100	\$100	Yes	\$200
C-2, C	Density or site coverage contrary to regulations	\$300	\$50	\$50	Yes	\$100
C-2, E	Building height contrary to regulations	\$300	\$50	\$50	Yes	\$100

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
C-2, F	Parking contrary to regulations in Part 5	\$200	\$50	\$50	Yes	\$100
C-2, G	Primary entrance orientation or restaurant use contrary to regulations	\$300	\$50	\$50	Yes	\$100
R-1, C	Density or site coverage contrary to regulations	\$300	\$50	\$50	Yes	\$100
R-1, D	Setbacks contrary to regulations	\$300	\$50	\$50	Yes	\$100
R-1, E	Building height contrary to regulations	\$300	\$50	\$50	Yes	\$100
R-1, F	Parking contrary to regulations in Part 5	\$200	\$50	\$50	Yes	\$100
R-1, G	Attachment of townhouses contrary to regulations	\$400	\$50	\$50	Yes	\$200
R-2, C	Density or site coverage contrary to regulations	\$300	\$50	\$50	Yes	\$100
R-2, D	Setbacks contrary to regulations	\$300	\$50	\$50	Yes	\$100
R-2, E	Building height contrary to regulations	\$300	\$50	\$50	Yes	\$100
R-2, F	Parking contrary to regulations in Part 5	\$200	\$50	\$50	Yes	\$100
R-2, G	Attachment of townhouses contrary to regulations	\$400	\$50	\$50	Yes	\$200
6.1-6.10	Signage contrary to regulations	\$300	\$50	\$50	Yes	\$100

Schedule “A”, Appendix 7

Sign Bylaw No. 681, 1998

(Jurisdictions Affected: Electoral Areas A, B, C and D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.1	Prohibited sign within 400 meters of a controlled access highway	\$100	\$25	\$25	No	Not Applicable
4.1	Contractor's sign contrary to prescribed regulations	\$100	\$25	\$25	No	Not Applicable
4.3	Real estate sign contrary to prescribed regulation	\$100	\$25	\$25	No	Not Applicable
5.3	Sign contrary to BC Building Regulations	\$125	\$25	\$25	No	Not Applicable
5.4	Interference with light, power or phone lines or means of egress	\$150	\$30	\$30	Yes	\$75

Schedule “A”, Appendix 8

Electoral Area C Official Community Plan Adoption Bylaw No. 689, 1999

(Jurisdictions Affected: Electoral Area C)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.14.1 to 3.14.6	Development contrary to medical marihuana DPA requirements	\$400	\$100	\$100	Yes	\$200
7.11	Development contrary to Mt. Currie commercial DPA	\$400	\$100	\$100	Yes	\$200
16.5 to 16.12	Development contrary to riparian area DPA requirements	\$400	\$100	\$100	Yes	\$200

Schedule “A”, Appendix 9

Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 1998

(Jurisdictions Affected: Electoral Area C)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4.3	Unauthorized structure on surface of water	\$400	\$100	\$100	Yes	\$200
4.4	Auxiliary building contrary to regulations	\$200	\$50	\$50	Yes	\$100
4.5	Water servicing for duplex or multiple dwellings contrary to regulations	\$450	\$50	\$50	Yes	\$200
4.6	Construction of cottage contrary to regulations	\$400	\$100	\$100	Yes	\$200
4.7	Home based business use contrary to regulations	\$100	\$25	\$25	No	Not Applicable
4.8	Home industry use contrary to regulations	\$200	\$50	\$50	No	Not Applicable
4.9	Bed and breakfast use contrary to regulations	\$150	\$50	\$50	No	Not Applicable
4.10	Occupancy of mobile home or recreational vehicle during construction contrary to regulations	\$100	\$25	\$25	No	Not Applicable
4.11	Repair or replacement of damaged dwelling contrary to regulations	\$450	\$50	\$50	Yes	\$200
4.12	Building or structure height contrary to regulations	\$300	\$50	\$50	Yes	\$100

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4.13	Building or structure within waterbody setback	\$450	\$50	\$50	Yes	\$200
4.14	Siting or screening of sewage treatment plant contrary to regulations	\$200	\$50	\$50	Yes	\$100
4.16	Outdoor storage contrary to regulations	\$150	\$50	\$50	Yes	\$75
4.17	Building or structure impeding highway intersection visibility contrary to regulations	\$450	\$50	\$50	Yes	\$250
4.18 to 4.20	Signage contrary to regulations	\$150	\$50	\$50	Yes	\$75
4.21	Off-street parking contrary to regulations	\$200	\$50	\$50	Yes	\$100
4.22 to 4.24	Development on split zone parcel contrary to regulations	\$250	\$50	\$50	Yes	\$150
5.1 to 5.6	Unpermitted use in RR1 Zone	\$300	\$50	\$50	Yes	\$100
5.7 to 5.13	Development in RR1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
6.1 to 6.4	Unpermitted use in AGR Zone	\$300	\$50	\$50	Yes	\$100
6.5 to 6.10	Development in AGR Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
7.1	Unpermitted use in R1 Zone	\$300	\$50	\$50	Yes	\$100
7.2 to 7.7	Development in R1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
8.1	Unpermitted use in MHP Zone	\$300	\$50	\$50	Yes	\$100

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
8.2	Development in MHP Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
9.1 to 9.3	Unpermitted use in C1 Zone	\$300	\$50	\$50	Yes	\$100
9.4 to 9.11	Development in C1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
10.1 to 10.7	Unpermitted use in TC Zone	\$300	\$50	\$50	Yes	\$100
10.8 to 10.12	Development in TC Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
11.1 to 11.3	Unpermitted use in I1 Zone	\$300	\$50	\$50	Yes	\$100
11.4 to 11.11	Development in I1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
12.1 to 12.3	Unpermitted use in I2 Zone	\$300	\$50	\$50	Yes	\$100
12.4 to 12.10	Development in I2 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
13.1	Unpermitted use in I3 Zone	\$300	\$50	\$50	Yes	\$100
13.2 to 13.5	Development in I3 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
14.1 & 14.9	Unpermitted use in I3 Zone	\$300	\$50	\$50	Yes	\$100
14.2 to 14.8	Development in I3 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
15.1	Unpermitted use in CWP Zone	\$300	\$50	\$50	Yes	\$100
16.1	Unpermitted use in CRD _{GRE} Zone	\$300	\$50	\$50	Yes	\$100
16.2 to 16.8	Development in CRD _{GRE} Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100

Schedule “A”, Appendix 10

Squamish-Lillooet Regional District Building Bylaw No. 863, 2003

(Jurisdictions Affected: Electoral Areas A, B, C and D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
6.1	Construction, alteration, relocation or demolition of structure without a permit	\$300	\$30	\$30	No	Not Applicable
6.2	Occupancy without final inspection or contrary to terms	\$350	\$50	\$50	Yes	\$100
6.3	False or misleading information regarding permit	\$400	\$100	\$100	No	Not Applicable
6.4	Unauthorized tampering with notice, permit or certificate	\$150	\$25	\$25	No	Not Applicable
6.5	Unauthorized variance from accepted plans after permit issued	\$300	\$50	\$50	No	Not Applicable
6.6	Obstructing entry of authorized official	\$200	\$50	\$50	No	Not Applicable
8.1.4	Installing chimney, fireplace or appliance without a permit	\$350	\$50	\$50	No	Not Applicable
8.1.5	Installing or altering plumbing system without a permit	\$300	\$30	\$30	No	Not Applicable
8.1.6	Installing a fire sprinkler system without a permit	\$200	\$20	\$20	No	Not Applicable

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
8.1.7	Constructing a retaining structure greater than 1.5 m in height without a permit	\$400	\$50	\$50	No	Not Applicable
8.1.8	Changing the use and occupancy of a building without a permit	\$200	\$25	\$25	No	Not Applicable
16.3.1	Failure of owner to post and maintain permit on property	\$100	\$20	\$20	Yes	\$50
16.3.2	Failure of owner to keep a copy of plans on property during construction	\$100	\$20	\$20	Yes	\$50
16.3.3	Failure of owner to post civic address in visible location during construction	\$100	\$20	\$20	Yes	\$50
17.3	Failure to obtain inspection approval of work prior to concealing it	\$400	\$50	\$50	Yes	\$100
20.2.1	Swimming pool not enclosed by prescribed fencing / barrier	\$400	\$100	\$100	Yes	\$250
20.2.4	Erecting or altering required fencing without a permit	\$100	\$20	\$20	No	Not Applicable
20.2.6	Filling a pool with water prior to completion of work under fencing permit	\$150	\$25	\$25	No	Not Applicable
21.4	Failure to cease work after Stop Work notice	\$400	\$50	\$50	No	Not Applicable
21.6	Failure to cease occupancy after Do Not Occupy notice	\$450	\$50	\$50	No	Not Applicable

Schedule “A”, Appendix 11

Squamish-Lillooet Regional District Fire Limit Establishment Bylaw No. 879-2003

(Jurisdictions Affected: Portions of Electoral Areas C and D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3 (2)	Failure to equip prescribed residential buildings with fire sprinkler system	\$400	\$50	\$50	Yes	\$300

Schedule “A”, Appendix 12

Squamish-Lillooet Regional District Electoral Area D Unsightly Premise Bylaw No. 955-2005

(Jurisdictions Affected: Electoral Area D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2	Accumulation of unsightly filth and rubbish on real property	\$300	\$100	\$100	Yes	\$200

Schedule “A”, Appendix 13

Electoral Area B Official Community Plan Adoption Bylaw No. 1073, 2008

(Jurisdictions Affected: Electoral Area B)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.13 to 3.21	Development contrary to medical marihuana DPA requirements	\$400	\$100	\$100	Yes	\$200
5.6 to 5.14	Development contrary to riparian area DPA requirements	\$400	\$100	\$100	Yes	\$200
6.10 to 6.18	Development contrary to wildfire protection DPA requirements	\$400	\$100	\$100	Yes	\$200

Schedule “A”, Appendix 14

SLRD Fire Protection Services Regulation Bylaw No. 1110, 2008

(Jurisdictions Affected: Portions of Electoral Area D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
11	Failing to keep vacant building secure and free from debris and flammable substances	\$300	\$50	\$50	Yes	\$150
12	Failing to keep fire damaged building guarded or securely closed to prevent entry	\$200	\$50	\$50	No	Not Applicable
13	Obstruction of fire hydrant	\$300	\$25	\$25	No	Not Applicable
14	Failure to address fire hazard identified by fire chief	\$400	\$100	\$100	Yes	\$300
15	Failure of IPP to provide hazard assessment to fire chief	\$100	\$25	\$25	No	Not Applicable
16	Raising fire alarm without reasonable cause	\$250	\$50	\$50	No	Not Applicable
18	Refusing access to fire chief for inspection or investigation	\$400	\$100	\$100	No	Not Applicable
19	Hindering fire department at an incident	\$450	\$50	\$50	No	Not Applicable
20	Unauthorized entry at fire scene or other restricted area	\$300	\$50	\$50	No	Not Applicable
22	Unauthorized open burning	\$300	\$50	\$50	No	Not Applicable
23	Campfire contrary to regulations	\$150	\$50	\$50	No	Not Applicable

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
24	Unauthorized fire during hazardous conditions	\$450	\$50	\$50	No	Not Applicable
26	Failure to report discharge of Dangerous Goods	\$450	\$50	\$50	No	Not Applicable
27	Failure to obey order of fire chief	\$450	\$50	\$50	No	Not Applicable
32	Removing or defacing posted Order	\$200	\$50	\$50	No	Not Applicable

Schedule “A”, Appendix 15

Britannia Beach Water Rates and Regulations Bylaw No. 1120-2009

(Jurisdictions Affected: Portion of Electoral Area D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3 (6)	Unauthorized connection to waterworks system	\$400	\$100	\$100	Yes	\$200
6 (6) (a)	Unauthorized use of waterworks for building purposes	\$300	\$50	\$50	No	Not Applicable
7 (1)	Tampering with hydrant or other waterworks fixtures or connections	\$400	\$50	\$50	No	Not Applicable
7 (2)	Sale or disposition of water from SLRD water system	\$300	\$50	\$50	No	Not Applicable
7 (3)	Unapproved connection between SLRD water system & another system or source	\$400	\$100	\$100	Yes	\$200
7 (4)	Unapproved use of water for irrigation purposes	\$300	\$50	\$50	No	Not Applicable
7 (5)	Obstruction of access to hydrant, valve, stop-cock or other fixture	\$400	\$100	\$100	No	Not Applicable
7 (6)	No person shall prevent access to inspect water service at any reasonable time	\$100	\$25	\$25	No	Not Applicable

Schedule “A”, Appendix 16

Squamish-Lillooet Regional District Civic Addressing Regulatory Bylaw No. 1124-2010

(Jurisdictions Affected: Electoral Areas A, B, C and D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5	Failing to display civic address in manner prescribed	\$100	\$25	\$25	No	Not Applicable
6	Altering, changing or displaying an improper civic address	\$100	\$25	\$25	No	Not Applicable

Schedule “A”, Appendix 17

Electoral Area D Official Community Plan Bylaw No. 1135-2013

(Jurisdictions Affected: Electoral Area D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
Schedule A 7.1	Development contrary to riparian area DPA requirements	\$400	\$100	\$100	Yes	\$200
Schedule A 7.2	Development contrary to wildfire protection DPA requirements	\$400	\$100	\$100	Yes	\$200
Schedule A 7.3	Development contrary to Callaghan Valley DPA requirements	\$400	\$100	\$100	Yes	\$200
Schedule A 7.4	Development contrary to Garibaldi Sensitive Ecosystem DPA requirements	\$400	\$100	\$100	Yes	\$200
Schedule A 7.5	Development contrary to the Conservation DPA requirements	\$400	\$100	\$100	Yes	\$200
Schedule A 7.6	Development contrary to Sea to Sky Gondola Commercial DPA requirements	\$400	\$100	\$100	Yes	\$200
Schedule A 7.7	Development contrary to the Protection of Farming DPA requirements	\$400	\$100	\$100	Yes	\$200
Schedule A 7.8	Development contrary to medical marihuana DPA requirements	\$400	\$100	\$100	Yes	\$200

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
Schedule C 8.1	Development contrary to Britannia Beach Intensive Residential, Multifamily Residential and Commercial DPA requirements	\$400	\$100	\$100	Yes	\$200
Schedule C 8.2	Development contrary to Porteau Cove Intensive Residential, Multifamily Residential and Commercial DPA requirements	\$400	\$100	\$100	Yes	\$200
Schedule C 8.3	Development contrary to Porteau Cove Environmental Protection DPA requirements	\$400	\$100	\$100	Yes	\$200
Schedule C 8.4	Development contrary to Porteau Cove Natural Hazards DPA requirements	\$400	\$100	\$100	Yes	\$200

Schedule “A”, Appendix 18

SLRD, Electoral Area D Noise Regulation Bylaw No. 1234, 2011

(Jurisdictions Affected: Electoral Area D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3	Disturbance of the peace generally	\$200	\$50	\$50	No	Not Applicable
4.1	Disturbance of peace by amplified sound during hours prescribed	\$300	\$50	\$50	No	Not Applicable
4.2	Disturbance of peace by animal noises during hours prescribed	\$300	\$50	\$50	Yes	\$100
4.3	Disturbance of peace by machinery or equipment noise or vibration during hours prescribed	\$300	\$50	\$50	No	Not Applicable
4.4	Disturbance of peace by construction noise or vibration during hours prescribed	\$300	\$50	\$50	No	Not Applicable

Schedule “A”, Appendix 19

Squamish-Lillooet Regional District Special Events Bylaw No. 1247-2012

(Jurisdictions Affected: Electoral Areas A, B, C and D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
11.1(i)	Organizing or holding a Special Event without a Permit	\$400	\$50	\$50	No	Not Applicable
11.1(ii)	Obstructing entry of authorized bylaw enforcement personnel	\$400	\$50	\$50	No	Not Applicable
11.1(iii)	Allowing a Special Event contrary to the terms of a valid Permit	\$400	\$50	\$50	No	Not Applicable

Schedule “A”, Appendix 20

D’Arcy Well Regulation Bylaw No. 1279-2013

(Jurisdictions Affected: Portion of Electoral Area C)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3 (a) and 4 (b)	Failure to disconnect well after connecting to water system	\$100	\$25	\$25	No	Not Applicable
3 (b)(i)	Failure to close well within 90 days after connecting to water system	\$100	\$25	\$25	No	Not Applicable
3 (b)(ii)	Failure to submit well closure report	\$100	\$25	\$25	No	Not Applicable
4 (a)	Failure to submit application for continued well use for non-domestic purposes	\$100	\$25	\$25	No	Not Applicable
4 (c)(i)	Failure to operate and maintain well in good order, if permitted to use for non-domestic purposes	\$150	\$25	\$25	Yes	\$75
4 (c)(ii)	Failure to close well when required to do so by SLRD	\$200	\$25	\$25	No	Not Applicable
4 (c)(iii)	Unauthorized re-connection of well while connected to water system	\$400	\$50	\$50	No	Not Applicable
4 (c)(iv)	Unauthorized use of well for domestic purposes	\$300	\$50	\$50	No	Not Applicable
5 (a)	Introduction of water or other substance from a well into water system	\$450	\$50	\$50	Yes	\$150

Schedule “A”, Appendix 21

Gold Bridge Water Rates and Regulations Bylaw No. 1280-2013

(Jurisdictions Affected: Portion of Electoral Area A)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.6	Unauthorized connection to waterworks system	\$400	\$100	\$100	Yes	\$200
6.6 (a)	Unauthorized use of waterworks for building purposes	\$300	\$50	\$50	No	Not Applicable
6.7 (a)	Unauthorized use of hydrant, standpipe or valve	\$300	\$50	\$50	No	Not Applicable
7.1	Tampering with hydrant or other waterworks fixtures or connections	\$400	\$50	\$50	No	Not Applicable
7.2	Sale or disposition of water from SLRD water system	\$300	\$50	\$50	No	Not Applicable
7.3	Unapproved connection between SLRD water system & another system or source	\$400	\$100	\$100	Yes	\$200
7.4	Unapproved use of water for irrigation purposes	\$300	\$50	\$50	No	Not Applicable
7.5	Obstruction of access to hydrant, valve, stop-cock or other fixture	\$400	\$100	\$100	No	Not Applicable
7.6	No person shall prevent access to inspect water system at any reasonable time	\$100	\$25	\$25	No	Not Applicable

Schedule “A”, Appendix 22

Pemberton North Water Rates and Regulations Bylaw No. 1285-2013

(Jurisdictions Affected: Portion of Electoral Area C)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.6	Unauthorized connection to waterworks system	\$400	\$100	\$100	Yes	\$200
6.5 (a)	Unauthorized use of waterworks for building purposes	\$300	\$50	\$50	No	Not Applicable
6.6 (a)	Unauthorized use of hydrant, standpipe or valve	\$300	\$50	\$50	No	Not Applicable
7.1	Tampering with hydrant or other waterworks fixtures or connections	\$400	\$50	\$50	No	Not Applicable
7.2	Sale or disposition of water from SLRD water system	\$300	\$50	\$50	No	Not Applicable
7.3	Unapproved connection between SLRD water system & another system or source	\$400	\$100	\$100	Yes	\$200
7.4	Unapproved use of water for irrigation purposes	\$300	\$50	\$50	No	Not Applicable
7.5	Obstruction of access to hydrant, valve, stop-cock or other fixture	\$400	\$100	\$100	No	Not Applicable
7.6	No person shall prevent access to inspect water system at any reasonable time	\$100	\$25	\$25	No	Not Applicable

Schedule “A”, Appendix 23

Lillooet Landfill Fees and Charges Regulation Bylaw No. 1297-2013

(Jurisdictions Affected: District of Lillooet and Electoral Areas A and B)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.2	Disposing of prohibited waste at Landfill	\$450	\$50	\$50	No	Not Applicable
3.8	Unauthorized salvage of material from Landfill	\$100	\$25	\$25	No	Not Applicable
3.9	Loitering at Landfill	\$100	\$25	\$25	No	Not Applicable
3.10	Leaving vehicle unattended at Landfill	\$100	\$25	\$25	No	Not Applicable
3.11	Failing to proceed to weigh scale and depart without delay after unloading	\$100	\$25	\$25	No	Not Applicable
3.13	Allowing children or pets outside vehicle at Landfill	\$150	\$30	\$30	No	Not Applicable
3.14	Disposing of refuse from outside service area	\$300	\$50	\$50	No	Not Applicable
3.15	Disposing of solid waste other than at Landfill	\$400	\$100	\$100	Yes	\$100
3.16	Unauthorized access outside prescribed hours	\$450	\$50	\$50	No	Not Applicable
4.1-4.9	Failing to pay the prescribed rates at Landfill	\$200	\$50	\$50	No	Not Applicable

Schedule “A”, Appendix 24

Squamish-Lillooet Regional District Electoral Area B Zoning Bylaw No. 1300-2013

(Jurisdictions Affected: Electoral Area B)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.7	Obstructing an authorized person	\$200	\$50	\$50	No	Not Applicable
4.4	Development contrary to setback requirements	\$250	\$50	\$50	Yes	\$150
4.5	Failure to comply with landscaping and screening requirements	\$200	\$50	\$50	Yes	\$100
4.8	Home occupation use contrary to regulations	\$100	\$25	\$25	No	Not Applicable
4.9	Home industry use contrary to regulations	\$200	\$50	\$50	No	Not Applicable
4.10	Bed and breakfast use contrary to regulations	\$150	\$50	\$50	No	Not Applicable
4.11	Accessory building contrary to regulations	\$200	\$50	\$50	Yes	\$100
4.12	Occupation of mobile home or RV during construction contrary to regulations	\$100	\$25	\$25	No	Not Applicable
4.13	Combined commercial and residential use contrary to regulations	\$200	\$50	\$50	Yes	\$100
4.14	Development on split zone parcel contrary to	\$250	\$50	\$50	Yes	\$150

	regulations					
Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.1 to 5.7	Off-street parking contrary to regulations	\$200	\$50	\$50	Yes	\$100
6.1	Unpermitted use in RR1 Zone	\$300	\$50	\$50	Yes	\$100
6.2	Development in RR1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
7.1	Unpermitted use in RR2 Zone	\$300	\$50	\$50	Yes	\$100
7.2	Development in RR2 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
8.1	Unpermitted use in RR3 Zone	\$300	\$50	\$50	Yes	\$100
8.2	Development in RR3 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
9.1	Unpermitted use in RR4 Zone	\$300	\$50	\$50	Yes	\$100
9.2	Development in RR4 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
10.1	Unpermitted use in RR5 Zone	\$300	\$50	\$50	Yes	\$100
10.2	Development in RR5 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
11.1	Unpermitted use in R1 Zone	\$300	\$50	\$50	Yes	\$100
11.2	Development in R1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
12.1	Unpermitted use in C1 Zone	\$300	\$50	\$50	Yes	\$100
12.2	Development in C1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
13.1	Unpermitted use in C2 Zone	\$300	\$50	\$50	Yes	\$100

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
13.2	Development in C2 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100
14.1	Unpermitted use in P1 Zone	\$300	\$50	\$50	Yes	\$100
14.2	Development in P1 Zone contrary to regulations	\$300	\$50	\$50	Yes	\$100

Schedule “A”, Appendix 25

Development Approval Information, Fees and Notification Procedures Bylaw No. 1301-2014

(Jurisdictions Affected: Electoral Areas A, B, C and D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4.1	Construction prior to application for permit	\$300	\$50	\$50	No	Not Applicable
4.2	Submitting false or misleading information regarding an application	\$400	\$50	\$50	No	Not Applicable
4.3	Development substantially at variance with approved permit	\$200	\$50	\$50	No	Not Applicable
9.1-9.2	Failure to post notification sign in accordance with prescribed requirements	\$100	\$25	\$25	No	Not Applicable

Schedule “A”, Appendix 26

Devine Facilities Fees and Charges Regulation Bylaw No. 1302-2013

(Jurisdictions Affected: Portion of Electoral Area C)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.2	Disposing of prohibited waste at Facilities	\$450	\$50	\$50	No	Not Applicable
3.5	Unauthorized salvage of material from Facilities	\$100	\$25	\$25	No	Not Applicable
3.6	Loitering at Facilities	\$100	\$25	\$25	No	Not Applicable
3.7	Leaving vehicle unattended at Facilities	\$100	\$25	\$25	No	Not Applicable
3.8	Failing to proceed directly to attendant, pay and depart without delay after unloading	\$100	\$25	\$25	No	Not Applicable
3.10	Allowing children or pets outside vehicle at Facilities	\$150	\$30	\$30	No	Not Applicable
3.11	Disposing of refuse from outside Area C or Village of Pemberton	\$300	\$50	\$50	No	Not Applicable
3.12	Disposing of solid waste other than at approved Facilities	\$400	\$100	\$100	Yes	\$100
3.13	Unauthorized access outside prescribed hours	\$450	\$50	\$50	No	Not Applicable
4.1-4.11	Failing to pay the prescribed rates at the Facilities	\$200	\$50	\$50	No	Not Applicable

Schedule “A”, Appendix 27

Squamish-Lillooet Regional District Sewer Source Control Bylaw No. 1337-2014

(Jurisdictions Affected: Electoral Areas A, B, C and D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.1 and 9.1	Discharge of unauthorized waste into sanitary sewer system	\$450	\$50	\$50	No	Not Applicable
3.2	Discharge of unauthorized waste into sani-dump	\$400	\$100	\$100	No	Not Applicable
4.6	Transfer or assignment of permit without SLRD consent	\$300	\$50	\$50	No	Not Applicable
4.8 and 9.2	Obstruction of authorized inspection personnel	\$300	\$50	\$50	No	Not Applicable
7.1	Failure to prevent oil and grease from entering sewer system	\$400	\$100	\$100	Yes	\$200
7.2	Failure to ensure equipment is connected to an oil and grease interceptor	\$400	\$100	\$100	No	Not Applicable
7.3	Failure to install properly an oil and grease interceptor	\$400	\$100	\$100	No	Not Applicable
7.4	Failure to properly maintain an oil and grease interceptor	\$300	\$50	\$100	Yes	\$100
7.5	Failure to produce maintenance records for an oil	\$200	\$50	\$50	No	Not Applicable

	and grease interceptor					
Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
7.6	Failure to maintain records for prescribed period	\$200	\$50	\$50	No	Not Applicable
8.1 to 8.2	Failure to report spill in prescribed manner	\$450	\$50	\$50	No	Not Applicable
8.3	Failure to mitigate spill	\$450	\$50	\$50	Yes	\$150

Schedule “A”, Appendix 28

Howe Sound East Land Clearing Debris Pollution Management Bylaw No. 1352-2014

(Jurisdictions Affected: Portion of Electoral Area D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3 (a)(i)	Failing to use an Air Curtain Burner for Open Burning of prescribed materials	\$450	\$50	\$50	No	Not Applicable
3 (a)(ii)	Failing to register Air Curtain Burner with SLRD	\$100	\$25	\$25	No	Not Applicable
3 (a)(iii)	Failing to properly supervise Air Curtain Burner operation	\$300	\$50	\$50	No	Not Applicable
3 (a)(iv)	Burning material other than Land Clearing Debris in an Air Curtain Burner	\$400	\$50	\$50	No	Not Applicable
3 (c)	Failing to pay service fee for fire department response on account of prescribed open burning	\$450	\$50	\$50	No	Not Applicable
4 (a)	Failing to permit authorized personnel access onto property	\$200	\$50	\$50	No	Not Applicable
4 (b)(i)	Failing to comply with order to cease Open Burning immediately	\$450	\$50	\$50	No	Not Applicable
4 (b)(ii)	Adding material to fire contrary to order	\$450	\$50	\$50	No	Not Applicable
4 (b)(iii)	Burning contrary to suspension order	\$450	\$50	\$50	No	Not Applicable

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4 (b)(iv)	Failing to comply with other actions or requirements of authorized personnel	\$450	\$50	\$50	No	Not Applicable
4 (c)	Contamination of atmosphere due to smoke from prescribed activities	\$450	\$50	\$50	No	Not Applicable

Schedule “A”, Appendix 29

Squamish-Lillooet Regional District Soil Deposit and Removal Bylaw No. 1423-2015

(Jurisdictions Affected: Electoral Areas A, B, C, and D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.2	Deposit of Other Materials without permit or exemption	\$450	\$50	\$50	Yes	\$100
6.1 (a)	Deposit or removal of soil without a permit	\$450	\$50	\$50	Yes	\$100
6.1 (b)	Deposit or removal of soil contrary to bylaw or terms of permit	\$300	\$50	\$50	Yes	\$100
12.1	Deposit or removal activities outside of prescribed operating hours	\$200	\$50	\$50	No	Not Applicable
12.2 (a)	Obstruction of watercourse	\$450	\$50	\$50	Yes	\$100
12.2 (b)	Damage to amenities or improvements	\$450	\$50	\$50	Yes	\$100
12.2 (c)	Contravention of enactment	\$300	\$50	\$50	No	Not Applicable
12.2 (d)	Threat to health and safety	\$450	\$50	\$50	Yes	\$100
12.2 (e)	Use inconsistent with zoning	\$250	\$50	\$50	Yes	\$100
12.2 (f)	Compromise of hydrological function of lands	\$400	\$100	\$100	Yes	\$100
12.2 (g)	Instability or erosion of land	\$400	\$100	\$100	Yes	\$100
12.2 (h)	Result in excessive costs to service lands	\$450	\$50	\$50	Yes	\$100
12.2 (i)	Nuisance	\$200	\$50	\$50	No	Not Applicable
12.2 (j)	Coverage of topsoil	\$200	\$50	\$50	Yes	\$100
12.2 (k)	Permit growth of invasive species	\$450	\$50	\$50	Yes	\$100

Schedule “A”, Appendix 30

Squamish-Lillooet Regional District Pemberton and District Recreation Service Fees and Charges Bylaw No. 1424-2015

(Jurisdictions Affected: Village of Pemberton and Electoral Area C)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3 Schedule A	Failing to obtain permits and approvals required for park or facility rental	\$300	\$50	\$50	No	Not Applicable
3 Schedule A	Breach of facility or park rental terms of use	\$300	\$50	\$50	No	Not Applicable

Schedule “A”, Appendix 31

Pemberton and District Recreation Service Parks and Open Spaces Regulatory Bylaw No. 1425-2015

(Jurisdictions Affected: Village of Pemberton and Electoral Area C)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5 (a)	Disorderly, dangerous or offensive conduct	\$300	\$50	\$50	No	Not Applicable
5 (b)	Unauthorized commercial activity	\$300	\$50	\$50	No	Not Applicable
5 (c)	Unauthorized provision of alcohol	\$300	\$50	\$50	No	Not Applicable
5 (d)	Obstruction, interference or nuisance	\$300	\$50	\$50	No	Not Applicable
5 (e)	Hindrance, deterrence or interruption of others in duties	\$300	\$50	\$50	No	Not Applicable
6 (a)	Destruction of vegetation	\$300	\$50	\$50	No	Not Applicable
6 (b)	Trampling of riparian area	\$300	\$50	\$50	No	Not Applicable
6 (c)	Travel on prohibited areas	\$300	\$50	\$50	No	Not Applicable
7 (a)	Polluting of water or land	\$300	\$50	\$50	No	Not Applicable
7 (b)	Dumping of garbage, waste or other materials	\$300	\$50	\$50	No	Not Applicable
7 (c)	Disposing of external waste in Park or Open Space	\$200	\$50	\$50	No	Not Applicable
8 (a)	Prohibited horse or livestock	\$300	\$50	\$50	No	Not Applicable
8 (b)	Unauthorized conduct toward any animal, bird or fish	\$200	\$50	\$50	No	Not Applicable
8 (c)	Unauthorized dog off leash	\$100	\$25	\$25	No	Not Applicable

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
8 (d)	Dog causing disturbance or injury	\$300	\$50	\$50	No	Not Applicable
8 (e)	Failure to remove dog excrement	\$100	\$25	\$25	No	Not Applicable
8 (f)	Leaving a dog unattended	\$200	\$50	\$50	No	Not Applicable
9 (a)	Unauthorized operation of motor vehicle	\$300	\$50	\$50	No	Not Applicable
9 (b)	Unauthorized stopping or parking of motor vehicle	\$100	\$25	\$25	No	Not Applicable
9 (c)	Parking motor vehicle in emergency access lane	\$300	\$50	\$50	No	Not Applicable
9 (d)	Parking motor vehicle overnight	\$100	\$25	\$25	No	Not Applicable
10 (a)	Disposal of cigar or other burning material	\$450	\$50	\$50	No	Not Applicable
10 (b)	Unauthorized use or control of fire	\$450	\$50	\$50	No	Not Applicable
11 (a)	Prohibited overnight camping	\$150	\$25	\$25	No	Not Applicable
11 (b)	Prohibited golfing	\$100	\$25	\$25	No	Not Applicable
11 (c)	Prohibited archery	\$450	\$50	\$50	No	Not Applicable
11 (d)	Prohibited flying of glider aircraft	\$100	\$25	\$25	No	Not Applicable
11 (e)	Prohibited launching of power rocket	\$200	\$50	\$50	No	Not Applicable
11 (f)	Unauthorized possession or discharge of fireworks, firecrackers, or explosives	\$300	\$50	\$50	No	Not Applicable
12	Unauthorized landing of hang glider or paraglider	\$300	\$50	\$50	No	Not Applicable

Schedule “A”, Appendix 32

Britannia Beach Sewer System Charges and Regulations Bylaw No. 1426-2015

(Jurisdictions Affected: Portion of Electoral Area D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2 (1)	Unauthorized private septic or sanitary sewer system	\$300	\$50	\$50	Yes	\$150
5 (5)	Unauthorized work on or under a street	\$300	\$50	\$50	Yes	\$150
6 (1)	Installation of a service without a permit	\$300	\$50	\$50	No	Not Applicable
7 (1)	Tampering or meddling with system	\$450	\$50	\$50	No	Not Applicable
7 (2)	Unapproved connection or crossconnection with another waste system	\$400	\$100	\$100	Yes	\$250
7 (3)	Obstructing access to system	\$200	\$50	\$50	No	Not Applicable
7 (4)	Obstructing authorized personnel from inspecting	\$300	\$50	\$50	No	Not Applicable
7 (5)	Discharge contrary to Bylaw 1337-2014	\$450	\$50	\$50	No	Not Applicable
7 (6)	Unauthorized use of system or service	\$300	\$50	\$50	No	Not Applicable
7 (7)	Failure to pay rates and fees or protect facilities of the service	\$400	\$100	\$100	No	Not Applicable

Schedule “A”, Appendix 33

Furry Creek Sewer System Charges and Regulations Bylaw No. 1427-2015

(Jurisdictions Affected: Portion of Electoral Area D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2 (1)	Unauthorized private septic or sanitary sewer system	\$300	\$50	\$50	Yes	\$150
5 (5)	Unauthorized work on or under a street	\$300	\$50	\$50	Yes	\$150
6 (1)	Installation of a service without a permit	\$300	\$50	\$50	No	Not Applicable
7 (1)	Tampering or meddling with system	\$450	\$50	\$50	No	Not Applicable
7 (2)	Unapproved connection or crossconnection with another waste system	\$400	\$100	\$100	Yes	\$250
7 (3)	Obstructing access to system	\$200	\$50	\$50	No	Not Applicable
7 (4)	Obstructing authorized personnel from inspecting	\$300	\$50	\$50	No	Not Applicable
7 (5)	Discharge contrary to Bylaw 1337-2014	\$450	\$50	\$50	No	Not Applicable
7 (6)	Unauthorized use of system or service	\$300	\$50	\$50	No	Not Applicable
7 (7)	Failure to pay rates and fees or protect facilities of the service	\$400	\$100	\$100	No	Not Applicable

Schedule “A”, Appendix 34

Bralorne Sewer System Charges and Regulations Bylaw No. 1428-2015

(Jurisdictions Affected: Portion of Electoral Area A)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2 (1)	Unauthorized private septic or sanitary sewer system	\$300	\$50	\$50	Yes	\$150
5 (5)	Unauthorized work on or under a street	\$300	\$50	\$50	Yes	\$150
6 (1)	Installation of a service without a permit	\$300	\$50	\$50	No	Not Applicable
7 (1)	Tampering or meddling with system	\$450	\$50	\$50	No	Not Applicable
7 (2)	Unapproved connection or crossconnection with another waste system	\$400	\$100	\$100	Yes	\$250
7 (3)	Obstructing access to system	\$200	\$50	\$50	No	Not Applicable
7 (4)	Obstructing authorized personnel from inspecting	\$300	\$50	\$50	No	Not Applicable
7 (5)	Discharge contrary to Bylaw 1337-2014	\$450	\$50	\$50	No	Not Applicable
7 (6)	Unauthorized use of system or service	\$300	\$50	\$50	No	Not Applicable
7 (7)	Failure to pay rates and fees or protect facilities of the service	\$400	\$100	\$100	No	Not Applicable

Schedule “A”, Appendix 35

Furry Creek Water Rates and Regulations Bylaw No. 1431-2015

(Jurisdictions Affected: Portion of Electoral Area D)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4.6	Unauthorized connection to waterworks system	\$400	\$100	\$100	Yes	\$200
6.6 (a)	Unauthorized use of waterworks for building purposes	\$300	\$50	\$50	No	Not Applicable
6.7 (a)	Unauthorized use of hydrant, standpipe or valve	\$300	\$50	\$50	No	Not Applicable
7.1	Tampering with hydrant or other waterworks fixtures or connections	\$400	\$50	\$50	No	Not Applicable
7.2	Sale or disposition of water from SLRD water system	\$300	\$50	\$50	No	Not Applicable
7.3	Unapproved connection between SLRD water system & another system or source	\$400	\$100	\$100	Yes	\$200
7.4	Unapproved use of water for irrigation purposes	\$300	\$50	\$50	No	Not Applicable
7.5	Obstruction of access to hydrant, valve, stop-cock or other fixture	\$400	\$100	\$100	No	Not Applicable
7.6	No person shall prevent access to inspect water system at any reasonable time	\$100	\$25	\$25	No	Not Applicable

Schedule “A”, Appendix 36

Squamish-Lillooet Regional District Electoral Area C Noise Regulation Bylaw No. 1438-2015

(Jurisdictions Affected: Electoral Area C)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4.1	Disturbance of peace generally by noise from a person	\$200	\$50	\$50	No	Not Applicable
4.2	Disturbance of peace generally by noise from a property	\$200	\$50	\$50	No	Not Applicable
4.3	Disturbance of farmer by noise from a person	\$200	\$50	\$50	No	Not Applicable
4.4	Disturbance of farmer by noise from a property	\$200	\$50	\$50	No	Not Applicable
5.1 (a)	Disturbance of peace by amplified sound during hours prescribed	\$300	\$50	\$50	No	Not Applicable
5.1 (b)	Disturbance of peace by animal noises during hours prescribed	\$300	\$50	\$50	Yes	\$100
5.1 (c)	Disturbance of peace by machinery or equipment noise or vibration during hours prescribed	\$300	\$50	\$50	No	Not Applicable
5.1 (d)	Disturbance of peace by construction or vibration during hours prescribed	\$300	\$50	\$50	No	Not Applicable
5.2 (a) to (b)	Vehicle noises contrary to regulations	\$200	\$50	\$50	No	Not Applicable
5.2 (c)	Unreasonably loud or excessive noise	\$200	\$50	\$50	No	Not Applicable

Schedule “A”, Appendix 37

D’Arcy Water Rates and Regulations Bylaw No. 1451-2016

(Jurisdictions Affected: Portion of Electoral Area C)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4 (6)	Unauthorized connection to waterworks system	\$400	\$100	\$100	Yes	\$200
6 (6) (a)	Unauthorized use of waterworks for building purposes	\$300	\$50	\$50	No	Not Applicable
6 (7) (a)	Unauthorized use of hydrant, standpipe or valve	\$300	\$50	\$50	No	Not Applicable
7 (1)	Tampering with hydrant or other waterworks fixtures or connections	\$400	\$50	\$50	No	Not Applicable
7 (2)	Sale or disposition of water from SLRD water system	\$300	\$50	\$50	No	Not Applicable
7 (3)	Unapproved connection between SLRD water system & another system or source	\$400	\$100	\$100	Yes	\$200
7 (4)	Unapproved use of water for irrigation purposes	\$300	\$50	\$50	No	Not Applicable
7 (5)	Obstruction of access to hydrant, valve, stop-cock or other fixture	\$400	\$100	\$100	No	Not Applicable
7 (6)	No person shall prevent access to inspect water service at any reasonable time	\$100	\$25	\$25	No	Not Applicable

Schedule “A”, Appendix 38

Bralorne Water Rates and Regulations Bylaw No. 1452-2016

(Jurisdictions Affected: Portion of Electoral Area A)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4 (6)	Unauthorized connection to waterworks system	\$400	\$100	\$100	Yes	\$200
6 (6) (a)	Unauthorized use of waterworks for building purposes	\$300	\$50	\$50	No	Not Applicable
6 (7) (a)	Unauthorized use of hydrant, standpipe or valve	\$300	\$50	\$50	No	Not Applicable
7 (1)	Tampering with hydrant or other waterworks fixtures or connections	\$400	\$50	\$50	No	Not Applicable
7 (2)	Sale or disposition of water from SLRD water system	\$300	\$50	\$50	No	Not Applicable
7 (3)	Unapproved connection between SLRD water system & another system or source	\$400	\$100	\$100	Yes	\$200
7 (4)	Unapproved use of water for irrigation purposes	\$300	\$50	\$50	No	Not Applicable
7 (5)	Obstruction of access to hydrant, valve, stop-cock or other fixture	\$400	\$100	\$100	No	Not Applicable
7 (6)	No person shall prevent access to inspect water service at any reasonable time	\$100	\$25	\$25	No	Not Applicable

Schedule “A”, Appendix 39

Devine Water Rates and Regulations Bylaw No. 1453-2016

(Jurisdictions Affected: Portion of Electoral Area C)

Section	Contravention	A1 Penalty	A2 Early Payment Discount	A3 Late Payment Surcharge	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4 (6)	Unauthorized connection to waterworks system	\$400	\$100	\$100	Yes	\$200
6 (6) (a)	Unauthorized use of waterworks for building purposes	\$300	\$50	\$50	No	Not Applicable
6 (7) (a)	Unauthorized use of hydrant, standpipe or valve	\$300	\$50	\$50	No	Not Applicable
7 (1)	Tampering with hydrant or other waterworks fixtures or connections	\$400	\$50	\$50	No	Not Applicable
7 (2)	Sale or disposition of water from SLRD water system	\$300	\$50	\$50	No	Not Applicable
7 (3)	Unapproved connection between SLRD water system & another system or source	\$400	\$100	\$100	Yes	\$200
7 (4)	Unapproved use of water for irrigation purposes	\$300	\$50	\$50	No	Not Applicable
7 (5)	Obstruction of access to hydrant, valve, stop-cock or other fixture	\$400	\$100	\$100	No	Not Applicable
7 (6)	No person shall prevent access to inspect water service at any reasonable time	\$100	\$25	\$25	No	Not Applicable



**SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW ENFORCEMENT OFFICER BYLAW NO. 1086, 2008, AMENDMENT BYLAW
NO. 1448-2016**

**An amendment to the bylaw to establish the position of and appoint Bylaw
Enforcement Officers for the Regional District**

NOW THEREFORE the Regional Board of the Squamish-Lillooet Regional District in open meeting assembled enacts as follows:

Citation

1. This bylaw may be cited for all purposes as “Squamish-Lillooet Regional District Bylaw Enforcement Officer Bylaw No. 1086, 2008, Amendment Bylaw No. 1448-2016”.

Amendments

2. Squamish-Lillooet Regional District Bylaw Enforcement Officer Bylaw No. 1086, 2008 is hereby amended as follows:
 - a. In the Definitions section (section 2) of Bylaw Enforcement Officer Bylaw No. 1086, 2008, for the term “Bylaw Enforcement Officer”, add the following to the end of the existing sentence after “...pursuant to this Bylaw”:

“, or another bylaw of the Regional District, and in accordance with the *Local Government Act*, the *Community Charter*, and the *Police Act*.”
 - b. Delete section 7.
 - c. In Schedule B attached to Bylaw Enforcement Officer Bylaw No. 1086, 2008, replace the existing text under the heading “Bylaw Enforcement Officer Duties and Powers” with the following revised text:
 - Educate, warn or otherwise seek voluntary compliance with the Regional District’s bylaws.
 - Enforce the bylaws of the Regional District through all appropriate means including, but not limited to, in accordance with Squamish-Lillooet

Regional District Bylaw Notice Enforcement Bylaw No. 1447-2016, and the *Local Government Bylaw Notice Enforcement Act* and *Bylaw Notice Enforcement Regulation* and subject to relevant enactments, Board policies, and administrative directions.

- Enter, at all reasonable times, onto any property for the purposes established by sections 419 and 284 of the *Local Government Act*, and any other authority to enter property granted in the *Local Government Act*, the *Community Charter*, or another enactment, in accordance with section 16 of the *Community Charter*, or other conditions of entry, if any, set out in the *Local Government Act*, the *Community Charter*, or another enactment.
- Where instructed by the Chief Administrative Officer or the Board, prosecute offences in court on behalf of the Regional District.

Severability

3. If any word, phrase, clause, sentence, subsection or section in this bylaw is, for any reason, held to be invalid by a court of competent jurisdiction, the word, phrase, clause, sentence, subsection or section shall be severed from the bylaw and the remainder of the bylaw shall be deemed to have been adopted without the severed word, phrase, clause, sentence, subsection or section.

Effective Date

4. This bylaw shall come into force and take effect upon adoption.

READ A FIRST TIME	this	16 th day of	March, 2016.
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READ A SECOND TIME	this	16 th day of	March, 2016.
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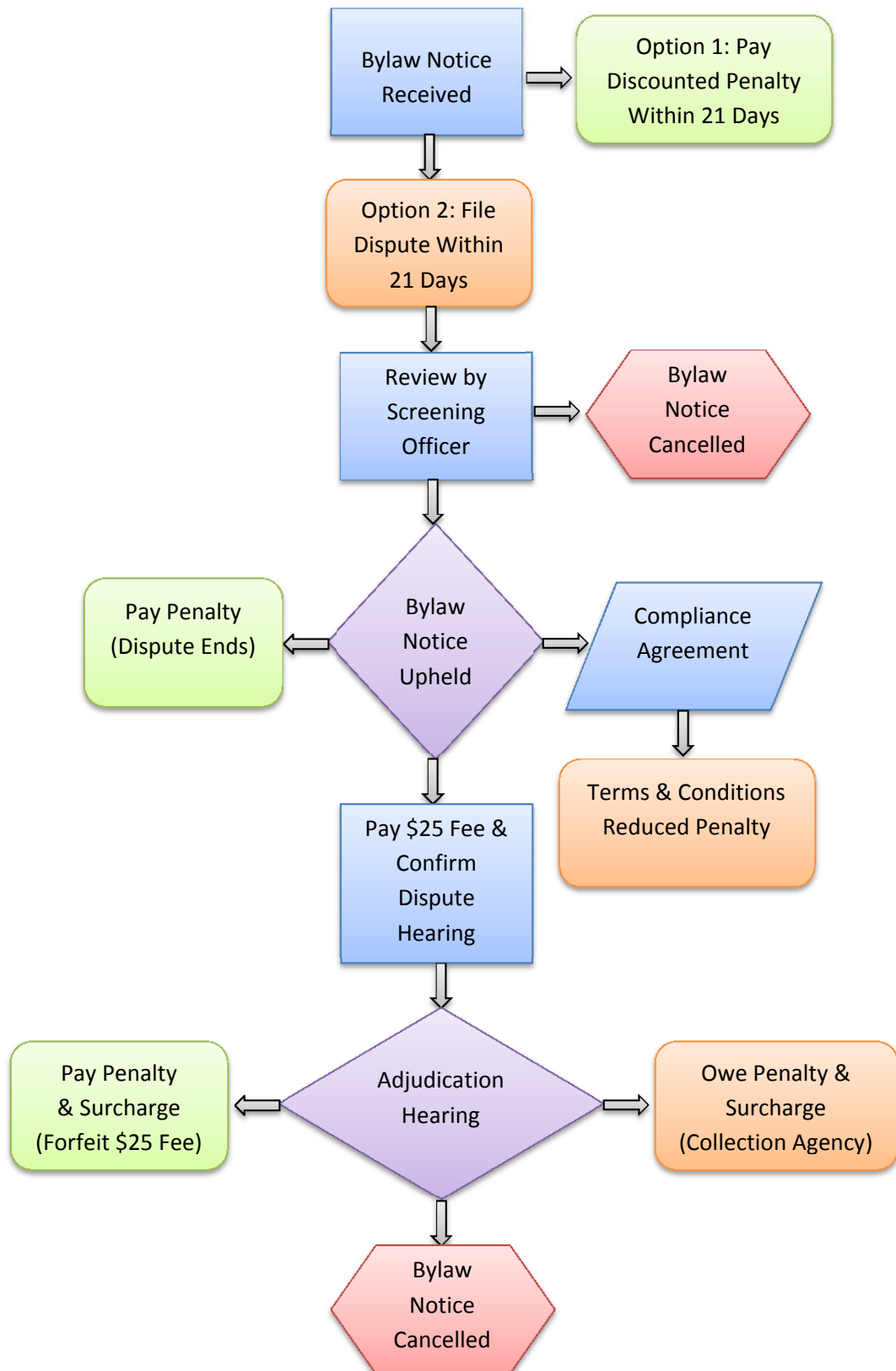
READ A THIRD TIME	this	16 th day of	March, 2016.
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ADOPTED	this	16 th day of	March, 2016.
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Jack Crompton
Chair

Kristen Clark
Corporate Officer

BYLAW NOTICE ENFORCEMENT AND DISPUTE ADJUDICATION PROCESS





Backgrounder: SLRD Bylaw Notice Enforcement and Dispute Adjudication System

In 2003, the Provincial Government introduced the *Local Government Bylaw Notice Enforcement Act* and worked with the City of West Vancouver, the City of North Vancouver and the District of North Vancouver on a pilot project to provide an efficient, cost effective administrative process for dealing with local government bylaw infractions outside of the Provincial Court system. The pilot project was a success and over the years, several more local governments across the Province have established their own bylaw notice enforcement and dispute adjudication systems under the *Act* and *Regulation*.

In 2015, the SLRD Board directed staff to proceed with the establishment of such a system to provide a cost effective tool for the enforcement of appropriate SLRD bylaws. The introduction of the SLRD Bylaw Notice Enforcement and Dispute Adjudication System is the culmination of the Board's initiative.

What are the advantages of the Bylaw Notice system?

- Provides the statutory authority for local governments to issue tickets with penalties up to \$500, including potential surcharges for each infraction. Each day an offence continues to occur is considered a new infraction for which a new ticket may be issued
- Resolves ticketing disputes locally and in a timely manner
- Simplifies and expedites the dispute process by removing straight-forward bylaw contraventions from the Provincial Court system
- Reduces costs for all parties typically associated with going to court (e.g.: court backlogs, lawyers and time spent by enforcement officers waiting to testify)
- Includes dedicated staff members (Screening Officers) to act as a resource to help residents understand the SLRD's regulations, their compliance obligations and their options for dealing with Bylaw Notices
- Provides additional flexibility through Compliance Agreements where appropriate
- Allows for dispute resolution through an independent Provincially appointed adjudicator



How does the SLRD Bylaw Notice Enforcement and Dispute Adjudication System work?

Option 1: Pay the Bylaw Notice

- The new system offers incentives for people to pay their penalties on time. If the Bylaw Notice is paid within 21 days, an early payment discount will be subtracted from the applicable penalty. Conversely, after 21 days the full penalty will be due and after 35 days, a surcharge for late payment will be added to the applicable penalty amount. If the Bylaw Notice is paid, there are no further procedures related to the Notice. Schedule “A” to Squamish-Lillooet Regional District Bylaw Notice Enforcement Bylaw No. 1447-2016 (“Bylaw No. 1447-2016”) provides a comprehensive list of the bylaws covered by the system and their corresponding penalties, discounts and surcharges.

Option 2: Dispute the Bylaw Notice

- Those electing to dispute their Bylaw Notice may do so by filing the Notice of Dispute & Request for Adjudication section on the back of the Bylaw Notice within 21 days of receiving it, or being presumed to have received it (e.g.: if the Bylaw Notice was delivered to you by regular mail, you are presumed to have received it on the 7th day after mailing).
- Under the new system, a variety of SLRD employee positions have been designated as “Screening Officers”, separate and apart from designations as bylaw enforcement officers. All disputed Notices will be screened and disputants will be contacted to discuss the allegations in the Bylaw Notice. This will help people understand the SLRD’s regulations, their compliance obligations and their options for dealing with Bylaw Notices. The Screening Officer may:
 - (a) cancel a Bylaw Notice, if there’s a valid reason under the Board-approved Screening Officer Policy No. 1-2016;
 - (b) enter into a Compliance Agreement with a person with appropriate terms and conditions and a reduced penalty as set out in Bylaw No. 1447-2016; or
 - (c) confirm the validity of a Bylaw Notice.
- If the Screening Officer does not cancel a Bylaw Notice, the disputant can then choose whether to pay the penalty in effect as at that date or have the matter resolved by an adjudicator.



- If proceeding to adjudication, the disputant pays a \$25 adjudication administration fee (to help offset the costs of the process) and files a Notice to Confirm Request for Adjudication. A date will be scheduled and the adjudication will take place at the SLRD office.
- It should be noted that the disputant is not required to personally appear at the adjudication. Representation may be made in writing, over the phone or in person.
- If the adjudicator determines that the contravention as alleged did occur, the \$25 administration fee is forfeited and the penalty amount, along with any applicable surcharges in effect as at that date, are due and owing. Conversely, if the adjudicator finds that the allegation in the Bylaw Notice did not occur, the \$25 fee is refunded and the Bylaw Notice is cancelled.
- For a visual representation of the process, see the [Bylaw Notice Enforcement and Dispute Adjudication Process Flowchart](#) <link>

Summary:

By implementing a system of bylaw infraction dispute review (screening) and independent adjudicators, the SLRD is looking to ensure that the regulatory provisions of its bylaws are understood and complied with, and that bylaw contraventions are dealt with in a fair, equitable and cost efficient manner for all concerned.

Index of Documents and Forms:

<List and link key documents and forms contained in the Index of Bylaw Notice Enforcement Documents>



BYLAW NOTICE FAQs

What is a Bylaw Notice?

A Bylaw Notice is essentially a ticket, similar to a parking ticket, for a contravention of a local government bylaw. It can be served by delivery to a person directly, by regular mail or, in the case of a parking infraction, on the vehicle itself.

Are Bylaw Notices issued for all types of contraventions?

No, they may only be issued in respect of the bylaws cited in Schedule "A" of Bylaw No. 1447-2016. Generally, the goal of bylaw enforcement is to achieve compliance with the regulations of the Regional District. Bylaw Notices are just one of several different enforcement tools that the SLRD may use, ranging from warnings to court injunctions.

If I receive a Bylaw Notice and pay it, do I still have to comply with the bylaw?

Yes, payment of a Bylaw Notice does not grant a person a permit to continue violating a bylaw. Multiple Bylaw Notices could be issued as each day that a bylaw is being contravened is, legally, a separate contravention subject to a separate penalty.

If I disagree with a Bylaw Notice, how do I dispute it?

The back of the Bylaw Notice form contains a section entitled Notice of Dispute & Request for Adjudication. You must fill out this section and submit it to the SLRD in person or by mail within 21 days from the date you received it or are presumed to have received it (e.g. if mailed to you, you are presumed to have received it on the 7th day after the date of mailing). Subject to the provisions of the *Act*, if you do not meet the deadline, you cannot dispute the Bylaw Notice.

What does a Screening Officer do?

A Screening Officer reviews the Bylaw Notice with you, answers any questions you may have, and explains your options. The Screening Officer may cancel the Bylaw Notice, enter into a Compliance Agreement with you, or affirm the ticket. If affirmed, you may pay the penalty at this stage, or confirm your request for adjudication and pay the \$25 adjudication administration fee, which is returned or forfeited depending on whether you are successful or not at the adjudication.



What is a Compliance Agreement?

A Compliance Agreement is a contract between the SLRD and a person in contravention of an SLRD bylaw regarding how bylaw compliance is to be achieved. Terms and conditions are set out in the Agreement and the person is entitled to a reduced penalty amount. Column A4 of Schedule "A" to Bylaw No. 1447-2016 lists all the bylaw contraventions for which a Compliance Agreement is available and Column A5 lists the applicable discount. If a person breaches a Compliance Agreement, it may be rescinded and the original penalty amount and any surcharges will be due and owing.

What happens if a Bylaw Notice proceeds to adjudication?

If a Bylaw Notice (or the question of whether a Compliance Agreement was breached) proceeds to adjudication, an independent adjudicator will determine the matter based on the alleged bylaw contravention (or Compliance Agreement breach) and the evidence of the parties. Evidence can be presented orally, in writing or electronically and the adjudicator may accept any evidence he or she considers to be credible, trustworthy and relevant. The standard of proof is on a balance of probabilities.

It is important to keep in mind that the adjudicator will only determine whether:

- (a) the contravention alleged in a Bylaw Notice occurred as alleged; or
- (b) the terms and conditions of a compliance Agreement were observed or performed.

The adjudicator cannot consider challenges to the bylaw itself, constitutional issues or claims to rights under the Charter of Rights and Freedoms, or to aboriginal or treaty rights. Such challenges must go to the Supreme Court of BC.

A person may choose to submit their dispute in person (or through an authorized agent), over the phone, or in writing. Adjudications must be open to the public, unless they are based solely on written materials, in which case the written materials must be made available to the public by the local government in any reasonable manner.

What happens if I don't pay the penalty?

If you don't pay the penalty promptly when you receive the ticket, you will lose the discount after 21 days and will owe a surcharge after 35 days. Disputing a Bylaw Notice does not "stop the clock". If you lose an adjudication, the penalty and any surcharges are due and owing. If you still don't pay, the debt will be sent to a collection agency and may be registered as a judgement in Provincial Court.



REQUEST FOR DECISION

Bylaw Enforcement – Shared Services

Meeting date: April 23, 2015

To: SLRD Committee of the Whole

RECOMMENDATION:

1. THAT the SLRD adopt the Bylaw Notice Dispute Adjudication System.
2. THAT in pursuit of the adoption of the Bylaw Notice Dispute Adjudication System, the SLRD Board:
 - a. Allocate \$15,000 from the Planning and land Use Cost Centre #1200 operational surplus reserve for the hiring of a project manager to direct the establishment of a ticketing system and the creation of a ticketing bylaw and associated procedures and materials.
 - b. Explore with its member municipalities to see if they are willing to join the Bylaw Notice Dispute Adjudication System.
3. THAT a 0.25 FTE bylaw enforcement officer be hired once the ticketing system is in place.

KEY ISSUES/CONCEPTS:

At the February 25, 2015 SLRD Board meeting it was resolved:

THAT staff bring a report to the Board regarding a shared services Bylaw Enforcement Officer and bring back the Request for Direction - SLRD Noise & Bylaw Enforcement Issues considered by the Board at the July 9, 2014 Committee of the Whole and the July 28, 2014 Board meeting at that time.

RELEVANT POLICIES:

Bylaw Enforcement Policy
Bylaw Enforcement FAQ

BACKGROUND:

A report on bylaw enforcement and noise issues dated December 9 /16, 2013 ,attached as Appendix 1, was previously brought to the July 9, 2014 COW and the July 28, 2014 Board meeting. That report discussed bylaw enforcement issues and options for adopting a ticketing bylaw and system along with hiring dedicated bylaw enforcement staff to effectively wield such a tool. With respect to this report, the Board resolved at the July 28, 2014 Board meeting:

THAT the SLRD not proceed with a ticketing system for noise and bylaw enforcement issues.

ANALYSIS:

Current Status of Bylaw Enforcement in the SLRD

Currently, bylaw enforcement is handled by the Planning and GIS Technician, who is also responsible for all mapping services, civic addressing and planning enquiries, among other things. An average number of complaints received in a given month does not accurately reflect the time consumed by bylaw enforcement issues. There are generally more zoning and development permit related enforcement issues in Electoral Areas C & D than there are in A & B. However, there are many building enforcement issues in Areas A & B, and there are development permit issues in the north, particularly around the Riparian Area Regulations (RAR). During the spring and summer there are more complaints around noise and events and associated land use issues.

While the SLRD might receive few complaints or bylaw enforcement inquiries in a given month, those few can consume extensive amounts of staff time, especially if site visits are involved. While some complaints may be investigated without a site visit, there are situations with numerous complainants and a fair amount of time involved in responding within the parameters of the bylaw enforcement policy. Therefore, the administrative, records management, and investigative aspects of bylaw enforcement require large quantities of time, and are far beyond existing staff capacity. Once written complaints are received and investigated, there are limitations on the tools available to achieve voluntary compliance or resolve the issue. If no compliance is achieved then the SLRD may decide to pursue court action.

A review of the 27 Regional Districts in British Columbia identified that the SLRD is one of only two Regional Districts in the Province without dedicated bylaw enforcement personnel. The other is Powell River Regional District, which has very few bylaws.

While the SLRD probably does not need a *full-time* bylaw enforcement officer, what the SLRD does need, is a *dedicated* bylaw enforcement officer. Such a position would likely be satisfied by only a 0.25 FTE, and no more than a maximum of a 0.5 FTE would be required. In addition to the dedicated bylaw enforcement officer, adopting a ticketing bylaw system as outlined in the previous attached report would provide necessary tools for that staff person to carry out effective bylaw enforcement in the SLRD.

Approaches to Bylaw Enforcement

There are several approaches that could be adopted to address bylaw enforcement issues, including a shared service approach, and a dedicated SLRD bylaw enforcement officer. Existing member municipalities have bylaw enforcement personnel that could be utilized through a shared services agreement. Several examples of this type of approach are discussed below. Following that, a comparison of shared services and dedicated SLRD personnel is presented.

Contracted Bylaw Enforcement Services

The SLRD could opt to contract bylaw enforcement services with a private contractor.

PROS:

- Benefits of a contractual arrangement could be that the SLRD pays only for the actual services performed, and would not have to pay regular wages and benefits or provide office space, as it would to a “regular” employee.
- The contracted staff would have their own vehicles and would not place demands on the SLRD fleet.
- The SLRD does not have to pay for computer, phone, or other equipment.

CONS:

- Challenges with this could be that there are few individuals or companies that offer such services.
- Timeliness of response and availability of a contractor.
- The contractor would have to learn the SLRD’s bylaws.
- There are still tasks to be done by SLRD staff in house in terms of reviewing complaints, records management, and administration of the contract.

Hiring a Bylaw Enforcement Officer

The SLRD could opt to hire a part time bylaw enforcement officer.

PROS:

- This would provide the SLRD with the assistance it requires in order to cover off bylaw enforcement duties.
- Any gap time between bylaw enforcement work could be used to assist the SLRD with other matters.
- Control over workflow and priorities.

CONS:

- The SLRD would be responsible for paying wages and benefits, and possibly may need to provide work space.
- There would be a cost for provision of a computer (~\$1,000 - one time) and cell phone (~\$500 – annual). There would be 8% in lieu of statutory holidays, medical, dental, extended

health and life insurance benefits along with 4% for vacation entitlement, and 1.15% for Worker Compensation fees.

- There may be reimbursements for travel if using a personal vehicle and meal costs and per diems.
- The additional staff member could place some additional demands on the SLRD fleet vehicles.

Sharing a Bylaw Enforcement Officer with a member municipality

The SLRD could opt to share a bylaw enforcement officer with a member municipality.

PROS:

- The SLRD could utilize a trained bylaw enforcement officer who may be familiar with the area.
- The SLRD could share the costs of wages and benefits.
- The SLRD may not need to provide office space (depends on where the employee is based).
- It may be that the shared staff would not place additional demands on the SLRD fleet, if they were to use the other municipality's fleet vehicles.

CONS:

- There could be some competition for use of the shared employee's time, should the partner municipality be busy with their own bylaw enforcement work.
- The shared employee would need to learn both the SLRD's bylaws as well as the partner municipality's bylaws.
- Bylaw enforcement services for Electoral Area A would likely have to be covered by a shared employee with District of Lillooet and would have higher costs for travel time.
- If the SLRD were to share staff with the member municipalities, it could be administratively very challenging and complicated.

Examples of Shared Services Agreements

Below are examples of shared services agreements. Unfortunately, an internet search did not provide any British Columbia examples.

Township of Carling (ON)

The Township of Carling has had regular agreements with the Town of Parry Sound for the provision of bylaw enforcement services over the past decade. Parry Sound provides the bylaw enforcement officer, and Carling pays for the services rendered (according to a January 1, 2015 agreement – see attached Appendix 2). Both towns are about a 15 – 20 minute drive apart. The area that the Township of Carling covers is approx. 250 km². On a monthly basis that means:

- \$564.30 for administrative fees
- \$37.96/hour of staff time spent
- \$0.46/km of vehicles used related to Carling business

Carling is a small township in Ontario that is predominantly cottage country and rural areas with a full time population of ~1,500 that increases to ~4,000 in the summer. The provision of shared services has been working well for Carling and the level of service provided has been meeting their needs. In 2014, Carling budgeted approx. \$20,000 for bylaw enforcement services, and in 2015 they are considering lowering that to approx. \$16,000. One of the main bylaw enforcement issues is barking dogs and other animal control issues though they have zoning, unsightly premises, and water access parking issues as well. Parry Sound also has a shared services agreement with another nearby local government (Archipelago) that is composed of a mixture of islands and inland rural areas on either side of Carling.

Municipality of Bluewater (ON)

The municipality of Bluewater had an agreement for sharing bylaw enforcement services with another municipality, South Huron. The agreement was only in place for a short time (less than two months) before the bylaw enforcement officer left, and both municipalities were left with no bylaw enforcement services. Now South Huron has contracted out for its bylaw enforcement services, and Bluewater currently tasks its Building Inspectors with other bylaw enforcement services as well.

If the Regional District is sharing the services of a bylaw enforcement officer that is an employee of another local government, then there is a risk of being left with no enforcement officer if that employee were to leave the other local government. An agreement could be struck whereby the SLRD would not need to pay in this case. In the case of Bluewater, the administration fee would also be paid regardless of how much or how little they use the services of the shared bylaw enforcement officer in any given month. The SLRD may be able to negotiate a fee for service, rather than a monthly flat rate.

While the concept of a shared service agreement is appealing in principle, it does not appear to be the most appropriate resolution for the SLRD's situation. Table 1 on the following page provides a comparison between that Carling-Parry Sound agreement, and two possible examples where the SLRD hires its own dedicated bylaw enforcement officer.

It should be noted that irrespective of whether any staff time was spent servicing bylaw issues in Carling, Carling would be paying Parry Sound \$564.30 per month. Over the course of a year, the municipality would be paying \$6,771.60 in administrative fees. It may be possible to negotiate an agreement where the monthly administrative fee would not be paid if no services were used that month. Such an agreement could be structured so that administrative fees are only paid when an employee is used, minus a base number of hours if that was deemed a necessary requirement. If a local government were to hire their own personnel though, this fee would be saved entirely.

Table 1

	Carling – Parry Sound Shared Services	SLRD Bylaw Enforcement Officer – 0.25 FTE	SLRD Bylaw Enforcement Officer – 0.5 FTE
Administrative Fees	\$564.30 / month	N/A	N/A
Staff Time	\$37.96 / hour	\$30 / hour	\$30 / hour
Vehicle Usage	\$0.46 / km	If using SLRD vehicles then N/A If using own vehicle then ~\$0.52 / km if <5,000 km	If using SLRD vehicles then N/A If using own vehicle then ~\$0.52 / km if <5,000 km
Annual Cost	Admin Fees = \$6,771.60 Staff Time (0.25 FTE) = \$19,739.20 Vehicle Usage = ? TOTAL (staff time component only) = \$26,510.80 Admin Fees = \$6,771.60 Staff Time (0.5 FTE) = \$39,478.40 Vehicle Usage = ? TOTAL (staff time component only) = \$46,250	Staff Time @ \$30 / hour Vehicle Usage = ? TOTAL (staff time component only) = \$15,600 Plus 13.15% for Health, Vacation, and WCB = ~\$17,651.40 Plus ~\$500 for cell phone = \$18,151.40	Staff Time @ \$30 / hour Vehicle Usage = ? TOTAL (staff time component only) = \$31,200 Plus 13.15% for Health, Vacation, and WCB = ~\$35,302.80 Plus ~\$500 for cell phone = \$35,802.80

Based on the costs associated with the 2015 Carling-Parry Sound agreement, and possible costs for dedicated SLRD bylaw enforcement personnel, it appears to make more sense to hire a staff person at the SLRD than attempt to share services with member municipalities. It would also be prudent to reconsider the adoption of a ticketing bylaw and system to support a dedicated SLRD bylaw enforcement officer. The ticketing system is discussed in the December, 2013 Board report, attached as Appendix 1.

For example, it is unlikely a single shared services agreement with one member municipality would be sufficient since it would not be cost effective for a bylaw enforcement officer loaned by District of Squamish to the SLRD to be used for enforcing bylaws in Electoral Areas A or B or even C. Therefore, multiple shared services agreements would be required to establish effective bylaw enforcement coverage of the region. This would result in a large administrative fee, assuming a cost similar to Carling (\$6,771.60/year) as an example, three shared services agreements with

Squamish, Pemberton, and Lillooet would yield a total administrative cost of \$20,314.80 - the actual bylaw enforcement services used would be on top of that.

That potential administrative cost, whether from a single shared services agreement with one municipality over three years, or from three agreements with three municipalities over one year, could be more expensive than hiring a dedicated SLRD bylaw enforcement officer at a 0.25 FTE. It should also be noted that sharing bylaw services requires the shared employee(s) to know multiple sets of bylaws, and much of the bylaw function is receiving and responding to information at the office. These bylaws can be quite different, and may require additional SLRD staff support in interpretation and reviewing complaints. The shared services model also presents the potential for juggling the competing priorities of the employer and the contracted party. The question arises regarding how the prioritization of complaints from multiple jurisdictions will work in order to address issues in a timely fashion.

Tasks & costs associated with adopting a ticketing system

As discussed in the report attached as Appendix 1 there would be a variety of tasks and costs associated with adopting a ticketing system, creating the necessary bylaws, ticket books, processes and procedures. A more detailed task list is outlined below though general issues include:

- Agreements with adjudicators, and staff time for administration and screening roles
- Preparation of supporting policies, a communications plan, and training
- Additional clerical support for a bylaw enforcement officer

Preparation Tasks

- Provide a staff report to the Board recommending implementation of Bylaw Dispute Adjudication System
- Forward a copy of the Board resolution indicating the intent to establish a Bylaw Dispute Adjudication System to Court Services Branch, Ministry of Attorney General

Implementation Tasks (Policies & Procedures)

- Determine key system features such as the time to pay or dispute, matters to be enforced by Bylaw Notice (ticket), use of screening officers, fine and fee amounts etc.
- Prepare bylaw to adopt Bylaw Dispute Adjudication System
- Prepare Screening Officer (likely SLRD planning staff) Policy (see Appendix 3 for an example)
- Prepare Registry Operations Policy (see Appendix 3 for an example)
- Prepare a communications plan
- Train enforcement officers, screening officers (likely SLRD planning staff), registry and finance staff
- Prepare implementation and operational budgets
- Consult with Court Services Branch re: process for scheduling adjudicators

Implementation Tasks (Forms & Systems)

- Assess enforcement and collections software, make modifications as required
- Prepare Bylaw Notice forms
- Prepare notification letters
- Prepare Screening Officer forms

It was noted in the previous report that in some successful local government examples a full time project manager was hired to handle the establishment of the ticketing system, creation of bylaws, and associated procedures and materials. Based on the research of bylaws and systems that have been established, and the existence of sample materials, SLRD staff estimate that a \$10,000 contract for three months could be sufficient to manage the project.

There is no need to purchase new software though part of the project manager's role could be to address how Excel and other existing software tools would be used to address the ticketing and records management aspects. This is a key element as records management is an ongoing challenge at the SLRD, especially related to property and land use issues, and can be considered as part of the budgeted review of the SLRD's IT systems.

Costs associated with administration of a ticketing system

The annual administration costs presented in Appendix 1 would be far higher than what the SLRD could expect, as the figures provided were based on 30,000 tickets being issued annually. Even with an improved ability to enforce with the ticketing system it is unlikely that the SLRD would approach even 5,000 tickets annually, probably between 50-100 tickets annually, based on past bylaw enforcement complaint trends, and factoring in a potential increase with the availability of intermediate penalties. Therefore, based on a significantly reduced number of tickets, an estimate for admin costs associated with a ticketing system could be \$5,000 / year or less.

As noted in Appendix 1, with a ticketing system and bylaw in place, the RCMP can be authorized to issue tickets and enforce bylaws. This would be especially useful for enforcement issues arising from noise bylaws and special events bylaws where issues would occur, and complaints would likely be made outside of regular SLRD office hours. Currently, the SLRD Emergency Program Manager has been responding to complaints arising in Electoral Area D associated with noise and special events. Such staffing expenses could be saved by using the RCMP once a ticketing system is established.

Implications for Zoning Bylaw and Development Permit Area infractions

Over the last several years there have been an increasing number of bylaw complaints submitted to the SLRD, as well as issues discovered through other means, regarding zoning bylaw and development permit violations. Commercial public assembly uses are one topical example with respect to zoning and land use issues. Land clearing, tree cutting, and vegetation removal within various Development Permit Areas has also been another reoccurring issue. Some cases are specific to enforcing the Riparian Area Regulations (RAR) and development within 30 m of a waterbody, and others are where other Development Permits are required and triggered by land alteration and development irrespective of any building or not. These zoning and development permit issues can involve significant amounts of staff time, sometimes following up with different agencies as well. Site visits can be a necessary item, and in conjunction with ongoing office work it presents a major obstacle to timely and effective enforcement.

Implications for the proposed Soil Deposit and Removal Bylaw

The proposed soil deposit and removal bylaw is a good example of regulation that necessitates a fair amount of pre and post permit work by the SLRD. Such a regulation, while important to address current and future issues in the SLRD, could be rendered ineffective and cumbersome without a dedicated bylaw enforcement officer and a ticketing system in place. Existing staff within the planning department have significant challenges dealing with current bylaw enforcement tasks in addition to full time planning and GIS work.

The hiring of a dedicated bylaw enforcement officer is a necessary though insufficient condition for effective and efficient bylaw enforcement services. Just as solely adopting the Bylaw Notice Dispute Adjudication model and creating a ticketing bylaw is another necessary though insufficient condition. Both items must be taken together – the hiring of the dedicated personnel and the creation of vital tools for that person to wield in order for positive and successful outcomes to be achieved.

SUMMARY OF COSTS:

Table 2 summarizes the potential costs associated with adoption, setup, and administration of a ticketing system. It also provides a summary of the possible enforcement officer costs from Table 1.

Table 2

	SLRD Bylaw Dispute Adjudication System	0.25 FTE SLRD Bylaw Enforcement Officer	0.5 FTE SLRD Bylaw Enforcement Officer
Project Manager <ul style="list-style-type: none">Creation of bylaw, policies, procedures, forms, and systems	\$10,000 (one-time fee – three month contract)	N/A	N/A
Administration of ticketing system <ul style="list-style-type: none">Screening, records management, dispute scheduling, adjudicator, and hearings	\$5,000 (annual)		
TOTAL COST FOR INITIAL SETUP	\$15,000		
TOTAL ANNUAL ADMINISTRATION COST (ticketing system only)	\$5,000		
New SLRD staff position		~\$18,151.40 (annual)	~\$35,802.80 (annual)
TOTAL ANNUAL COST (ticketing & enforcement officer)	~\$23,151.40		~\$40,802.80

As Table 2 outlines, there would be an initial cost of approx. \$10,000 to create the ticketing system and all necessary components. The estimated \$5,000 annual cost for administration of the ticketing system is based on 25% of the North Shore Pilot Project outlined in Appendix 1. Regarding the initial setup cost of \$15,000, there is currently \$126,187 in the Planning and Land Use Cost Centre #1200 operational surplus reserve. With a dedicated bylaw enforcement officer (0.25 FTE), there would be a total annual cost of approximately \$23,000. With a 0.5 FTE that total annual cost with a ticketing system would increase to approximately \$41,000.

With a shared Bylaw Dispute Adjudication System there may be some potential cost savings for the adjudication and hearing elements – location and scheduling. It is unlikely there would be any initial start-up cost savings, only the potential for some annual operational savings.

However, these cannot be quantified at this time, and the other costs are still borne by each individual participant with respect to screening, records management, policies and procedures. If a shared system was adopted it is likely that the Regional District would end up taking a lead role as it covers the most territory. If so, then a greater share of the costs would be borne by the SLRD in administering the overall system and registry similar to the Central Okanagan example from the previous report. There are administrative costs that each participant will have to pay as part of its own bylaw enforcement services.

REGIONAL IMPACTS ANALYSIS:

A positive result of hiring a dedicated bylaw enforcement officer would be the provision of effective and efficient bylaw enforcement services throughout the Regional District. It would reduce the excess task loading on existing planning department staff that already have full planning & GIS workloads. The adoption of the Bylaw Notice Dispute Adjudication system and the creation of a ticketing bylaw would provide the necessary and valuable tools to aid such a position in establishing modern, timely, effective, and efficient bylaw enforcement services throughout the Regional District.

There may be some opportunities for potential cost savings and collaboration through the sharing of the Bylaw Dispute Adjudication System, as well as sharing bylaw enforcement officers with different member municipalities. It is not clear if there would be substantial cost savings with sharing bylaw enforcement personnel that would offset the administrative complications and issues arising from competing priorities and understanding multiple different sets of bylaws. However, sharing a bylaw officer may provide sufficient employment to retain a person, benefitting the SLRD and a member municipality(s). Sharing the adoption of the ticketing system could provide some costs savings with respect to adjudicators and hearing venues though each participant will still have their own administrative requirements that must be dealt with in house.

Research conducted with other jurisdictions indicates that the establishment and operation of a ticketing system tends to increase compliance, and provide more effective tools to resolve non-compliance in a more timely fashion. The ability to issue tickets also provides a means to avoid the only option of lengthy court processes that would be required under the present system. Without a dedicated bylaw enforcement officer, and the tools in place for that officer to levy a fine or produce tangible immediate consequences, it is and would be difficult to attain compliance quickly.

At this time, it is still recommended to pursue the Bylaw Notice system only instead of, or in addition to the Municipal Ticket Information (MTI) system. While the MTI system is older, recent research has indicated that it could still have an effective place in the bylaw enforcement tool kit. The Bylaw Notice system is a quasi-judicial process, and an MTI ticket is a court document so the MTI system can be considered a heavier tool. On the spectrum between voluntary compliance and legal action, an MTI system could be viewed as a heavier intermediate option prior to full court action. Given the SLRD's current lack of bylaw enforcement personnel and tools, the proposed options are an initial step to establishing an effective bylaw enforcement function.

OPTIONS:

Options 1 & 2 propose the adoption of a Bylaw Notice Dispute Adjudication System. While the SLRD would be adopting the system regardless, those two options include the exploration with member municipalities to see if any are willing to join the system. Each of those two options includes an item for a bylaw enforcement officer as well. Options 3 & 4 are either/or choices between a ticketing system and a bylaw enforcement officer. Option 5 is for the status quo.

Option 1 (PREFERRED OPTION)

Adopt the Bylaw Notice Dispute Adjudication System and:

- a. Allocate \$15,000 from the Planning operational reserve for the hiring of a project manager to direct the establishment of a ticketing system and the creation of a ticketing bylaw and associated procedures and materials.
- b. Explore with member municipalities to see if they are willing to join the Bylaw Notice Dispute Adjudication System.
- c. Hire a 0.25 FTE bylaw enforcement officer once the ticketing system is in place.

Option 1 is the preferred option as it allows the SLRD to address its own critical needs first with respect to the lack of a dedicated bylaw enforcement officer and ticketing system and it is the simplest. The potential cost savings with a shared Bylaw Notice Dispute Adjudication System may be limited to the adjudication costs. The adoption of a system for the SLRD only now does not prevent a future expansion if member municipalities are in a position to join later.

Option 1 states that the SLRD will pursue the adoption of the system and invite member municipalities to join if they are willing. Apparently, the Province looks more favourably upon requests to establish Bylaw Notice systems if municipalities are also involved though regional districts are able to adopt it for themselves.

SLRD staff view the hiring of a part time SLRD bylaw enforcement officer as the more effective option as opposed to a shared services approach. The shared services approach would require three or four separate agreements that would increase the administrative costs and complexities for the Regional District. As well, it could be that this bylaw enforcement officer could also be employed on a part-time basis by a member municipality. It should be noted that in the event that a 0.25 FTE position could not be filled, it may be necessary to change it to a 0.5 FTE position.

Option 2

Adopt the Bylaw Notice Dispute Adjudication System and:

- a. Allocate \$15,000 from the Planning operational reserve for the hiring of a project manager to direct the establishment of a ticketing system and the creation of a ticketing bylaw and associated procedures and materials.
- b. Explore with member municipalities to see if they are willing to join the Bylaw Notice Dispute Adjudication System.
- c. Explore the establishment of shared services agreements for bylaw enforcement officers with willing member municipalities, if agreeable to the member municipality(s).

Option 3

Hire a dedicated bylaw enforcement officer (0.25 FTE) for the SLRD, and do not adopt the Bylaw Notice Dispute Adjudication system, and do not create a ticketing bylaw.

Option 4

Adopt the Bylaw Notice Dispute Adjudication System, and hire a project manager (as above) to direct the establishment of a ticketing system and the creation of a ticketing bylaw and associated procedures and materials.

Option 5

Do not make any changes to the status quo.

ATTACHMENTS:

Appendix 1: Bylaw Enforcement & Noise Issues Report – December 2013

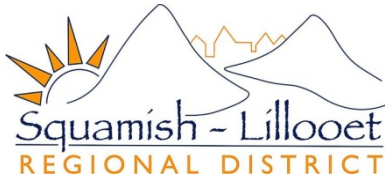
Appendix 2: Report to Council & Shared Services Agreement 2015 – Carling & Parry Sound (ON)

Appendix 3: Sample Screening Policy & Registry Operations Policy (North Vancouver)

Prepared by: I. Holl, Planner

Reviewed by: K. Needham, Director of Planning and Development

Approved by: L. Flynn, Chief Administrative Officer



REQUEST FOR DIRECTION

SLRD Noise and Bylaw Enforcement Issues

Meeting dates: December 9 /16, 2013

To: Electoral Area Directors Committee / SLRD Board

It is requested that the Board provide direction to staff regarding:

- a. the Bylaw Notice Dispute Adjudication model and ticketing system;
- b. shared bylaw enforcement services with member municipalities and general staffing needed to deal with bylaw enforcement in the SLRD.

KEY ISSUES/CONCEPTS:

At the August 26, 2013 Board meeting it was resolved that staff develop options to mitigate noise activity in order to minimize negative effects to residents in the Squamish-Lillooet Regional District. The resolution stemmed from a series of noise complaints that were being received from residents in Area C. There have also been recurring noise issues in Area D over the last few years. In addition to noise complaints, the issue of bylaw enforcement options and tools has also been raised with respect to a ticketing system. This report looks at options for adopting some type of ticketing system in the SLRD. Such a system could then provide tickets to the RCMP for enforcement purposes. This report outlines the general process of implementing the *Local Government Bylaw Notice Enforcement Act*, which allows for local administration and adjudication of bylaw violation disputes. The process also includes additional information, example costs, and advantages and disadvantages of such systems (see Local Government Toolkit: Bylaw Dispute Adjudication System, September 2005).

RELEVANT POLICIES:

Area D Noise Bylaw No. 1234-2011
Special Events Permit Bylaw No. 1247-2012, as amended

BACKGROUND:

Over the last year, there have been several incidents and issues that have arisen with respect to noise and special events in various parts of the SLRD. These issues tend to be dominant during the summer though they can occur at other times of the year. Issues have occasionally arisen in almost every Electoral Area in the SLRD though recently the Ivey Lake/Reid Road area, Gates Lake, and the Upper Squamish Valley have been the most active.

Some of the regulatory challenges have involved the complex interplay between zoning (or the lack of) and noise bylaws (or the lack of), and the special event bylaw which have presented ongoing challenges for administration and enforcement or all of these bylaws.

Different options for enforcement have also been raised including:

- the adoption of a ticketing system
- considering potential for dedicated festival/event lands where special events could be suitably held without major and ongoing disturbances.

See Appendix 1 for a summary of the current noise situation, and Appendix 2 for a note regarding bylaw enforcement and expectations of the public regarding noise. SLRD staff do not recommend considering the older Municipal Ticket Information (MTI) system as it has no advantages over the newer model adopted by the Province. The MTI system has a much higher burden of proof based on the criminal scale of “beyond a reasonable doubt”. The ticket has to be delivered personally, and the bylaw enforcement process progresses through the court system.

Dedicated festival/event lands are not considered a viable option at this time. There are potential land costs, liability, and ongoing management issues that are likely beyond the scope of the SLRD to administer. Different activities may have different requirements so more than one property may be needed to address a diverse suite of potential events. For example, while the Callaghan Valley may appear to be an acceptable location, it is quite remote with limited access that puts a high level of stress on all local first responders. It is outside any SLRD, RCMP, or Ambulance service areas, it is hard to contain events and control access. Waste management, interface fires, and human-wildlife interactions are other significant issues for medium to large events in the Callaghan Valley.

A POTENTIAL APPROACH

In this section one possible approach is presented that is based on a model developed by the Province to streamline the bylaw enforcement process and provide a more effective alternative to Local Governments.

Bylaw Dispute Adjudication System (BDAS) & Bylaw Enforcement Notice (BEN)

Prior to the adoption of the *Local Government Bylaw Enforcement Act* by the Province in 2003, local governments would employ three main strategies to deal with bylaw infractions:

1. Seek voluntary compliance.
2. Issue a traffic “offence notice” for parking infractions seeking voluntary payment of a prescribed fine.
3. Initiate formal court proceedings by issuing an MTI or swearing an ‘Information’ (a legal term for the form detailing the alleged incident) and issuing a ‘Summons’.

The SLRD currently employs the first strategy, and if legal action is pursued then the Provincial Court becomes the venue for resolving bylaw violation matters. Under the *Local Government Bylaw Notice Enforcement Act* local governments can establish an adjudication system that

replaces the Provincial Court as the venue for resolving disputes of minor local government bylaw violations.

The new adjudication model was created to simplify and streamline the process for dealing with minor bylaw infractions whereby disputes are taken to an independent adjudicator instead of dealing with them in the traditional courtroom. Specifically, the system is designed around a simpler ticket process for initiating enforcement and a locally managed venue for a non-judicial adjudicator to hear ticket disputes. As well as reducing costs, this alternative to the court system will also shorten the time required to resolve disputes.

The legal authority derives from the Local Government Bylaw Notice Enforcement Act, and while the Bylaw Notice (ticket) has prescribed information that it must contain, the requirements for delivery are substantially reduced. Ticket fines are established in a bylaw and are limited to \$500 per ticket. An adjudicator cannot modify the ticket fine amount though the bylaw can specify early payment discounts and late payment charges. There is no mandatory court attendance as the bylaw notice is either paid or disputed through administrative adjudication.

The bylaw notice matters are determined by an independent adjudicator who is appointed by the Deputy Attorney General in accordance with provincial regulations. The qualifications as prescribed in the regulation include:

- Experience as an adjudicator of disputes.
- Post-secondary training in adjudication.
- Successful completion of specialized bylaw dispute adjudication training.

Hearings are open to the public, and a failure to appear at a requested hearing means the ticket is immediately due. If a person fails to respond to a Bylaw Notice within prescribed time limits then they are deemed to have pled guilty, and the fine is due immediately.

Advantages of the model

The model:

- Eliminates the requirement for personal service (i.e. delivery of tickets in person to the alleged offender) so tickets can be mailed
- Establishes a dedicated forum for resolving local bylaw enforcement disputes
- Uses a dispute resolution based approach to obtaining independently adjudicated decisions
- Avoids the unnecessary attendance of witnesses
- Avoids the need to hire legal counsel
- Promotes the timely resolution of bylaw enforcement disputes

The Enforcement Process

The general outline of the process within the new model is summarized below:

- Complaint received, investigated, and Bylaw Notice (ticket) issued
- If the Bylaw Notice is paid then the file is closed
- If no response is received to the Bylaw Notice:

- Then notification of debt and a surcharge for late payment is issued – the ticket may be reissued if the recipient indicates that the original ticket was never received.
- If no response is received to the second notification, then the dispute option and discounted penalty option are no longer available, and a collections agency can go for the money after the specified time period
- If the Bylaw Notice is disputed:
 - Screening officer (staff of local government) investigates:
 - May offer compliance agreement, which could include reduced penalties, terms, and duration.
 - With guidance from the local government, compliance agreements can be offered that would include acknowledgement of the contravention of the bylaw and typically set out remedies or conditions on future behaviour. It may also reduce or waive the fine if the conditions are met within a designated period of time.
 - If compliance agreement is not met then additional penalties are levied (such penalties would need to be outlined in the ticketing bylaw)
 - May cancel ticket according to criteria set by the Board
 - May confirm that ticket recipient no longer disputes
 - Ticket is then paid
 - May confirm that ticket recipient still disputes
 - Hearing is set and held where adjudicator will rule on the ticket

In the case of the SLRD, the system can be set up similar to other jurisdictions so that the RCMP can also issue tickets. The SLRD would still be administering the ticketing system, conducting screening, and participating in the dispute process. It should also be noted that the establishment of a ticketing system does not necessarily eliminate the need to send warning letters initially as an effort to seek voluntary compliance. For the noise bylaw in particular, however, the bylaw enforcement notice system would allow the RCMP to arrive on scene and issue a ticket for violations, which then may or may not be disputed.

The Bylaw Notice or ticket can be mailed, which is one of the primary advantages of the system as opposed to the older MTI system. A local government can establish a screening officer to review disputed Notices in order to reduce the number forwarded to adjudication. This role is typically assigned to a local government staff member. In the case of shared enforcement programs, each participating government may still have their own screening officers while sharing the costs of adjudication. The screening officer would have the authority to cancel a Bylaw Notice under certain conditions, which could be criteria set out by the local government.

A potential disadvantage to the system is the relatively small amount of the fine. In certain cases, such as a special event, a person (organizer) may be willing to pay the fine as the cost of doing business. Care should be given to constructing the fee schedule and consideration of how multiple tickets could be given for different violations related to noise and special events bylaws.

Adopting the model

The basic process for a local government wanting to implement a bylaw dispute adjudication system is to adopt an authorizing bylaw that:

- Designates the bylaw contraventions that may be dealt with by Bylaw Notice (a ticket)
- Establishes the amount of the penalty for contravention of the specified local government bylaws
- Establishes the period for paying or disputing a Bylaw Notice
- Establishes the role of the screening officer and their duties and authorities, including the ability to enter into compliance agreements
- Designates bylaw enforcement and screening officers

Successful implementation of a bylaw adjudication system requires some forethought and collaboration. Initial preparations for considering adoption of this model include:

- Determining if the BEN system makes sense for the types of regulatory matters dealt with by the local government
- Determining if the dispute adjudication system will apply to more than one local government. If so, then determining which local government will be responsible for the day to day administration of the shared process and where the adjudication hearings will be held.
- Negotiating an agreement between participating local governments, and enacting necessary bylaws to enter into the agreement, if necessary.

Collaboration and Joint Agreements

It should be noted that the *Local Government Bylaw Notice Enforcement Act* allows two or more local governments to enter into arrangements for the joint provision of a bylaw dispute adjudication system. Collaboration may extend beyond a single local government to establishing inter-local government agreements to develop a larger system that applies to and within multiple local governments e.g. a regional district and member municipalities.

An example of this is the Southern Interior Bylaw Notice Dispute Adjudication (SIBNDA) Group. The group is comprised of the City of Kelowna, Penticton, District of Lake Country, West Kelowna, Summerland, Regional District of Okanagan Similkameen, the Town of Oliver, and more recently the Regional District of Central Okanagan (RDCO).

An RDCO staff report from Nov 2012 regarding the Bylaw Notice Dispute Adjudication System recommended that RDCO join the SIBNDA group. That report summarizes the issues and costs:

- There was a cost to the RDCO to join the group based on population of each participating local government.
- The shared costs in the SIBNDA group cover salaries, office supplies, mileage, and a small contingency to the City of Kelowna for their leadership and administration of the SIBNDA registry.

- The RDCO estimated that up to 120 hours per year (equivalent to \$4,000) would be required to carry out the administrative tasks at the regional district. Those costs were for clerical staff resources to support the Bylaw Enforcement section.
- The report does not include costs for bylaw enforcement staff time.

Establishing the system

Based on several examples in the province, establishing such a system could take six months to a year or more depending on a number of factors. The original pilot project included the City of North Vancouver, District of North Vancouver, and District of West Vancouver. While each municipality maintained independent ticketing processes they shared the administrative processes for adjudication of disputes. There are many essential questions to consider for such an endeavour including:

- What bylaws and specific provisions will be dealt with by Bylaw Notice?
- What penalties will apply for different categories of contraventions?
- Will early payment discounts and/or late payment surcharges apply?
- Will there be a cost recovery fee from the violator for failed disputes?
- What information is to appear on the face of the Bylaw Notice?
- What types of contraventions, if any, may be resolved through a compliance agreement (as described in the Enforcement Process section above)?
- Will there be penalty relief, and under what conditions? For how long?
- When will the period to pay or dispute the Bylaw Notice end?
- Who may issue a Bylaw Notice, and how?
- Will screening officers be used?
- Who can be a screening officer?
- Under what circumstances can screening officers be authorized to cancel a Bylaw Notice?
- Where will adjudication of disputes be held (Kamloops or North Vancouver may be possible locations)? It should be noted that participants must be able to attend by phone so the SLRD office could serve as the call in centre for communicating with an adjudicator in Kamloops for example. Where should formal correspondence regarding the adjudication of disputes be sent?
- How will the new system be explained to the public and internal staff?

Costs

There is sufficient data to indicate that the actual cost of a local government bylaw dispute adjudication system will vary depending on a variety of factors, including:

- the volume of bylaw infraction activity, screening and registry operations policies
- the cost-recovery fees imposed on confirmed Bylaw Notices (tickets)
- opportunities to achieve efficiencies through inter-local partnerships
- information technology costs may also vary widely depending on whether a manual or electronic system is used, and may affect the start-up and ongoing operations differently.

In the case of the North Shore communities, the Districts of West and North Vancouver and the City of North Vancouver entered into an Inter-Municipal Agreement to create a single

administrative structure for handling cases referred for adjudication by the screening officers in the separate municipalities. This agreement set out the cost-sharing arrangement for each of the municipalities, based on the use of services of adjudicators. In addition to the one time capital (computer software) start-up costs of setting up a bylaw dispute adjudication system, it is estimated that annual administration costs for the North Shore municipalities will be under \$20,000. These costs will be shared equally. It should be noted however, that costs may vary for other local governments.

Adjudication only related costs for the pilot project included:

- Adjudicator costs - \$350 per day
- Administrative costs - \$262.50 per day
- Training costs - \$1,750.00 per day
- Start-up costs - \$1,500.00 per day

The estimated ongoing annual costs for the Bylaw Enforcement Notice system for the North Shore Pilot Project were (based on 30,000 tickets issues annually – costs to the SLRD would be lower, given that far fewer tickets would be issued):

- Pre-Hearing Ticket Screening - \$13,770
- Pre-Hearing Dispute Scheduling - \$680
- Adjudicator - \$1,498
- Administrative Costs - \$1,165
- Administrative Costs (Hearing only) - \$400
- Security Officer - \$256
- Council Chamber Cost - \$1,600
- **Total Annual Estimated Administration Costs - \$19,369**

It should also be noted that several local governments that were contacted indicated that because the new BEN system is easier to use, they are actually issuing more tickets as a result. As noted previously regarding the RDCO costs for establishing the systems and joining an existing registry group, there are clear savings in annual costs resulting from a collaborative approach and joint agreement.

Some issues raised

Several local governments have noted some bugs in the BDAN system. For example, there is a conflict between the adjudication office and the Land Title office in situations where there are multiple owners of a property on title. A ticket can only be issued to one name and it was determined that some tickets were not accepted at a small claims court for collection purposes if the name on the ticket does not match the ownership on the Land Title. There may also be a perception in some areas that the system may create somewhat of a kangaroo court because the adjudicators cannot actually hear any evidence and the adjudicators can be relatively new and inexperienced. Generally the local governments have been positive overall with the adjudication model and ticketing system. There are 65 local governments using or developing the BDAN system.

ANALYSIS:

As noted in this report the adjudication and ticketing systems researched may provide some additional tools for the SLRD. From a staff perspective, given the lack of dedicated bylaw enforcement personnel, the presence of a ticketing system would not necessarily or automatically speed up or increase the effectiveness of the SLRD's current bylaw enforcement process.

Staffing and necessary clerical support

Based on conversations with other local governments that have adopted the Bylaw Notice Dispute Adjudication system, it was made clear that bylaw enforcement with or without a ticketing system requires a concerted effort. It cannot be done effectively off the side of a staff desk. A ticketing system is a tool that could be of use to the SLRD, however, because there is no dedicated person to wield it, its overall effectiveness would suffer.

This is a key element that must be reiterated in order to develop and maintain a successful bylaw enforcement function including a ticketing system. The SLRD is one of a very few local governments (and especially regional districts) that does not have any dedicated bylaw enforcement staff (even part time could be sufficient). This impairs the ability of the SLRD to enforce its own regulations. There are significant opportunities to create a joint system with member municipalities and share resources with respect to the Bylaw Dispute Adjudication System. A serious commitment to bylaw enforcement and the adoption of a ticketing system at the SLRD would require the necessary resources to carry out that function.

If a ticketing system were to be chosen, it is recommended to adopt the Bylaw Dispute Adjudication system model collaboratively with member municipalities, and establish a shared services agreement similar to the SIBNDA group noted previously.

Depending on the scope and scale of the project, the development of the necessary bylaws, policies, and information technology systems for a ticketing system can take at least six months or more. In some local governments that have successfully completed this endeavour, a full time Project manager/special projects professional was hired to establish and create bylaws, systems etc. Once a bylaw notice system is in place, best practices for a typical local government will:

- Have a dedicated staff person to administer and issue tickets.
- Have bylaw enforcement officers (government, private, or shared government contracted) to take complaints and respond to/investigate infractions.
 - Some local governments have hired private bylaw enforcement companies rather than add new staff.

Information Technology

A part of the establishment of a ticketing system is the development of appropriate software for ticketing and records management. Different local governments have chosen different paths to achieve the same ends. There are proprietary software products, such as Tempest, that are available for ticketing and records management that also offer integration with Building and Planning Department functions, and other organizational aspects.

Some local governments have successfully used Excel to manage the ticketing and records management for their BEN system as opposed to purchasing new and more expensive software that also would require additional training. Both the Peace River Regional District and the Cariboo Regional District have implemented the BEN system, and had success using Excel rather than purchasing a new software product.

It may be possible to achieve some cost savings by not seeking new software as part of a ticketing system though sufficient effort will need to be made to ensure whatever software and tools used are utilized effectively in order to create and maintain appropriate procedures and records.

IMPLICATIONS

Financial Impacts:

The adoption of a ticketing system and associated bylaws, ticket books, processes, procedures, and forms would incur financial costs along with the need for dedicated bylaw enforcement staff in order to develop an effective bylaw enforcement function. Costs could also include:

- Agreements with adjudicators, and staff time for administration and screening roles
- Preparation of supporting policies, a communications plan, and training for appropriate staff. The sample costs noted from the RDCO do not include local government staff time or IT expenses.
- Additional clerical support for bylaw enforcement officers

Some cost savings could be made through use of existing purchased software products for ticketing and records management. Moreover, a joint program developed between multiple local governments could share costs.

Organization Impacts:

Dedicated Bylaw Enforcement staff are needed for an effective and efficient bylaw enforcement function at the SLRD. The Bylaw Dispute Adjudication System provides an opportunity to create a collaborative and shared system between multiple local governments. This would provide an opportunity for the SLRD to access actual bylaw enforcement staff through agreements with member municipalities. Staff time would be required to develop the program and all its aspects.

FOLLOW UP ACTION:

As per Board decision.

CONCLUSION:

If a ticketing system is to be adopted, the newer Bylaw Notice Dispute Adjudication model and associated ticketing system is recommended. Furthermore, if it is decided to pursue a ticketing system then a larger planning and development process would be required. Despite the advantages of the BEN system and the overall Bylaw Dispute Adjudication System model, the lack of dedicated bylaw enforcement staff at the SLRD continues to pose a major challenge to

successful implementation of any such system and its potential ongoing effectiveness. A collaborative approach and system established between the SLRD and member municipalities would be the most effective option.

ATTACHMENTS:

Appendix 1: Current Situation in the SLRD

Appendix 2: Bylaw Enforcement & Expectations of the Public

Prepared by: I. Holl, Planner

Reviewed by: K. Needham, Director of Planning and Development

Approved by: L. Flynn, Chief Administrative Officer

APPENDIX 1: Current Noise Situation in the SLRD

Current Situation

The SLRD has attempted to balance the need for quiet enjoyment of property with the economic need to engage in land uses and allow for the hosting of special events that may create noise from time to time.

Policy Context

The SLRD Regional Growth Strategy (RGS), Integrated Sustainability Plan (ISP), and various Official Community Plans all contain policies regarding economic development and business opportunities, as well as community health and wellbeing.

- Goal 4 of the RGS includes objectives for diversifying the regional economy, including support for opportunities in Arts and Culture, and supporting small businesses and encouraging local spending.
- Goal 7 of the RGS includes objectives for promoting high quality (level, range, and appropriateness) health, social, cultural, educational, recreational, and commercial services to meet the needs of people of various ages, abilities, and income levels.
- The ISP includes strategies intended to guide development in a way that maintains livability, protects and improves natural areas, and supports a diversified economy.

Electoral Area C

Recent noise issues identified in Electoral Area C have been predominantly related to properties that are currently zoned for campground and/or tourist accommodation type uses. Notable events have occurred in the Birken and Gates Lake area where noise has been generated by people staying at those guest accommodation properties. This presents a challenge as there is no noise bylaw in Area C though the properties where these incidents have occurred are zoned for non-residential activities that may create noise from time to time.

Electoral Area D

Recent noise issues in Electoral Area D have been occurring in several unzoned areas including the Upper Squamish Valley, Britannia Beach, and Furry Creek. In the Upper Squamish Valley there have been several recurring events during the summer – a mix of music festivals, motivational and summer camps. In Furry Creek, there have been complaints regarding animal noise, and in Britannia Beach, there were some incidents of helicopters flying over parts of the community for logging purposes.

In contrast to Electoral Area C, Area D has a noise bylaw, however, the most active areas where noise issues have been occurring are unzoned. Certain events in the Upper Squamish have been issued special events permits in accordance with the Special Events Bylaw. It is the Electoral Area D Noise Bylaw No. 1234 that exempts events with a valid special event permit from the provisions of the noise bylaw. This has been a source of contention with residents from that community.

APPENDIX 2 – Bylaw Enforcement & Expectations of the Public Regarding Noise

Expectations

There have been recent changes, and future changes may be made, to the Special Events Bylaw to more effectively address the current issues. Special events such as festivals, weddings, etc. are typical events that have occurred in the SLRD, and these events are likely to be requested in the future given the beauty of different parts of the region, and its proximity to the Lower Mainland. It would be difficult to justify disallowing all of these events (festivals, weddings, etc.) as a matter of policy.

If events are prohibited in one area of the SLRD they would naturally migrate to other areas of the SLRD and could pose a larger negative impact on the remaining open areas. Part of the challenge is striking a balance between commercial opportunities, private events, and rural community lifestyles, while also not causing one part of the region to bear more negative impacts than other parts of the region.

While properties should be properly zoned for their primary ongoing uses, the Special Events Bylaw was established to regulate the health, safety, and sanitation aspects of events. For those events that could occur on land not zoned for those uses, Temporary Use Permits (TUPs) are also required in addition to the Special Events Permit. The Special Events Bylaw along with Temporary Use Permits provides an opportunity for properties not zoned for event type uses to host occasional and in some cases seasonal events.

Bylaw Enforcement

The SLRD bylaw enforcement process seeks voluntary compliance in the first instance. Noise Bylaws are enforceable by the RCMP. The requirement for a clear chain of evidence cannot be overstated –a record of logged complaints submitted to the RCMP and the SLRD, plus at least two to three warning letters from the SLRD to the alleged offender(s) would be an example of what would be necessary before attempting court action.

Pursuing legal action through the Provincial Court system, especially for noise bylaws, is extremely costly with respect to the large amount of staff time involved, as well as legal fees. If legal action is challenged, then these costs can increase substantially, and the time involved does not yield a rapid response or resolution to the issues.

All jurisdictions interviewed seek voluntary compliance first including sending warning letters/notices, and then following up with additional letters if warranted before issuing tickets, if that ability is available. Though it is not impossible to enforce noise bylaws, there is no shortcut for immediate punishment that would necessarily satisfy a complainant. Oftentimes, noise bylaws can have the unintended effect of creating more complaints to local government, as they create high expectations among constituents for enforcement and compliance; expectations that cannot be easily met by a small organization with little in the way of bylaw enforcement resources.



The Corporation of the Town of Parry Sound

Council Report and Recommendation

Open or Closed Agenda:

Open

Section 239 (2), Municipal Act, Subsection:

n/a

Council Meeting Date:

February 3, 2015

Subject:

Agreement bylaw for shared Bylaw Enforcement Services with the Township of the Carling.

TOMRMS File Number:

PO1

Spokesperson(s) Name and Title:

Tammy Purdy, MLEO

Department:

Emergency and Protective Services

Report Recommendation

By-Law:

Being a By-law to authorize the execution of an agreement between The Corporation of Carling Township and the Corporation of the Town of Parry Sound for bylaw enforcement services from January 1, 2015 to December 31, 2015.

Resolution:

Direction (For Direct Staff Follow-Up):

Direction (For Open Council Resolution):

Direction (For Open Council By-law):

Purpose:

To renew the contract between the Township of Carling and the Town of Parry Sound for shared by-law enforcement services. Said contract expires December 31, 2015.

Identify Relationship to Strategic Priorities:

Core Service

Key Performance Objectives (KPOs)

New Service, Project or Program

Does This Item Relate to Council's Strategic Priorities? Yes,

Background/Report:

The Agreement to provide by-law enforcement services to the Township of the Carling expired on December 31, 2014. The Town of Parry Sound By-law Enforcement Department has provided services to the Township of the Carling for approximately 10

years. At this time the current staffing resources are sufficient to accommodate the needs of the Town and Carling.

Staff negotiated a one year contract with the Township of Carling with the following terms:

1. \$564.50 administrative fee;
2. \$37.96/hour of staff time spent;
3. \$0.46km for vehicles use related to business.
4. The hourly fee shall be increased each anniversary by an amount equal to salary merit increases over the previous contract year.
5. The administration fee shall be increased annually by an amount equal to the Consumer Price Index for Ontario.
6. The mileage rate shall be the rate that applies according to Parry Sound Policy. If this increases through the term of the contract, the new Parry Sound Policy rate shall apply to this contract from the date of its approval.

The Township of Carling's Council has agreed to the above mentioned terms and has executed the agreement provided. The By-law Enforcement Department is recommending that the attached agreement be executed to provide by-law enforcement service to the Township of Carling.

Advantages and/or Disadvantages of Recommendation:

A positive cooperative partnership between municipalities.

Alternatives:

Do not sign the contract and dissolve the partnership

Change the conditions of the agreement

Cost/Financial Impact:

Revenue of approximately \$9,000/year

Included in Current Budget:

yes

Attachments:

Attachment # 1 Draft Bylaw

Attachment # 2 Schedule "A" - Agreement

(Accessible format available upon request)

CAO's Comments**Recommends Council Approval:**

Yes

Recommends Council consider staff recommendation with the following comments:

The Corporation of the Town of Parry Sound

By-law 2015 -

Being a By-law to authorize the execution of an agreement between The Corporation of Carling Township and the Corporation of the Town of Parry Sound for bylaw enforcement services from January 1, 2015 to December 31, 2015.

Whereas Section 8, 9 and 11 of The Municipal Act, S.O. 2001, c.25, as amended, authorizes the Corporation of the Town of Parry Sound to enter into agreements; and

Whereas the Corporation of the Town of Parry Sound wishes to authorize the execution of an Agreement with the Corporation of the Township of Carling for the sharing of bylaw enforcement services;

Now Therefore The Council Of The Corporation Of The Town Of Parry Sound Enacts As Follows:

1. That the Mayor and Clerk are hereby authorized to sign an agreement with the Township of Carling, attached as Schedule "A", for the sharing of By-law Enforcement services.
2. That this By-law shall come into force and take effect upon the final passing thereof.

Read a First time this 3 day of February, 2015

The Corporation of the Town of Parry Sound

By-law 2015 -

Mayor

Clerk

Read a Second and Third time, Passed, Signed and Sealed

this day of , 2015

Mayor

Clerk

THIS AGREEMENT made this 1st Day of January, 2015.

BETWEEN: THE CORPORATION OF THE TOWN OF PARRY
SOUND
(Hereinafter referred to as "Parry Sound")

OF THE FIRST PART

AND THE CORPORATION OF THE TOWNSHIP OF
CARLING
(Hereinafter referred to as "Carling")

OF THE SECOND PART

PURPOSE

The purpose of this agreement is to outline the terms and conditions of a shared service arrangement between Carling and Parry Sound, for the provision of By-law Enforcement Services.

TERM OF AGREEMENT

This agreement shall commence on January 1, 2015 and terminate on December 31, 2015.

TERMS AND CONDITIONS

1. Parry Sound agrees to provide By-law Enforcement Services to Carling.
2. Carling agrees to provide the appropriate authority to Parry Sound staff to carry out duties identified under this contract.
3. On a monthly basis, Parry Sound shall invoice Carling and Carling agrees to pay for services rendered, as follows:
 - i) \$564.30 administrative fee;
 - ii) \$37.96/hour of staff time spent;
 - iii) \$0.46km for vehicles use related to Carling business.
4.
 - i) The hourly fee shall be increased each anniversary by an amount equal to salary merit increases over the previous contract year.
 - ii) The administration fee shall be increased annually by an amount equal to the Consumer Price Index for Ontario.
 - iii) The mileage rate shall be the rate that applies according to Parry Sound Policy. If this increases through the term of the contract, the new Parry Sound Policy rate shall apply to this contract from the date of its approval.
5. Both parties shall provide errors and omissions and legal expenses insurance to cover By-law Enforcement Staff.
6. Carling agrees to be responsible for miscellaneous expenditures required for enforcement and all legal expenses required to prosecute their matters.
7. This shared service agreement shall be reviewed annually to assess satisfaction with the service. Upon notification at this review period, 6 month notice of termination of agreement may be given by either party and subject to the conclusion of the said 6 month period, the agreement shall be terminated.
8. Notwithstanding section 7, termination of this agreement may be allowed upon agreement of both parties.
9. If required pursuant to By-law Enforcement Services provided, Carling agrees to provide clerical support and office space as necessary.

THE CORPORATION OF THE TOWNSHIP OF CARLING

BY-LAW 2015-03

COPY

Being a By-law to authorize the Mayor and the Deputy Clerk to execute an Agreement with Town of Parry Sound, for the provision of By-law Enforcement Services

WHEREAS the *Municipal Act, 2001*, S.O. 2001, as amended, provides that a municipal power shall be exercised by By-Law unless the municipality is specifically authorized to do otherwise;


AND WHEREAS it is deemed to be expedient to enter into an Agreement with Town of Parry Sound, for the provision of By-law Enforcement Services;


NOW THEREFORE BE IT ENACTED as a By-Law of the Corporation of the Township of Carling, as follows:

1. That the Mayor and Deputy Clerk be and are hereby authorized to execute and affix the Corporate Seal to the agreement attached hereto as Schedule 'A', between the Town of Parry Sound, and the Township of Carling for the provision of By-law Enforcement Services;
2. That this By-law shall come into force and take effect on Jan. 1, 2015.

READ and FINALLY PASSED in OPEN COUNCIL this 19th day of January, 2015.

THE CORPORATION OF THE TOWNSHIP OF CARLING


Mike Konoval, Mayor


Maryann Weaver, Deputy Clerk

APPENDIX A – DISTRICT OF NORTH VANCOUVER – SCREENING POLICY



The Corporation of the District of North Vancouver

CORPORATE POLICY MANUAL

Section:	Legislative & Regulatory Affairs	9
Sub-Section:	Bylaw Enforcement – General	4000
Title:	SCREENING OFFICER BYLAW NOTICE	2

POLICY

The District of North Vancouver authorizes the Screening Officer to cancel Bylaw Notices in the described circumstances.

The Screening Officer is authorized to cancel a Bylaw Notice where he or she is satisfied that one or more of the following reasons exist and a compliance agreement is not appropriate or available:

- (a) Identity cannot be proven. For example:
 - (i) The Bylaw Notice was issued to the wrong person; or
 - (ii) The vehicle involved in the contravention had been stolen.
- (b) An exception specified in the Bylaw or a related enactment is made out;
- (c) There is a poor likelihood of success at adjudication for the District. For example:
 - (i) The evidence is inadequate to show a contravention;
 - (ii) The Officer relied on incorrect information in issuing the Notice;
 - (iii) The Notice was not completed properly; or
 - (iv) The Bylaw provision is unenforceable or poorly worded.
- (d) The contravention was necessary for the preservation of health and safety. For example:
 - (i) The contravention was the result of a medical emergency.
- (e) It is not in the public interest to proceed to adjudication for one of the following reasons:
 - (i) The person who received the Notice was permitted or entitled to take the action, but the issuing officer was not aware of this entitlement or permit; or
 - (ii) The Bylaw has changed since the Notice was issued, and now authorizes the contravention.
- (f) The person exercised due diligence in their efforts to comply with the Bylaw. For example:
 - (i) As a result of mechanical problems the person could not comply with the Bylaw.

REASON FOR POLICY

Whereas

- the District of North Vancouver has passed a Bylaw designating certain Bylaw contraventions that may be dealt with by Bylaw Notice; and
- the District of North Vancouver has established a position of Screening Officer who must review all disputed Bylaw Notices before dispute adjudication in respect of the Bylaw Notice may be scheduled; and
- the Screening Officer has the power to cancel a Bylaw Notice on a ground of cancellation authorized by the District pursuant to s. 10(2)(a)(iii) of the *Local Government Bylaw Notice Enforcement Act*.

the District of North Vancouver finds it expedient to provide for grounds of cancellation of a Bylaw Notice in certain circumstances.

AUTHORITY TO ACT

Delegated to Staff.

Approval Date:	April 5, 2004	Approved by:	Regular Council
1. Amendment Date:		Approved by:	
2. Amendment Date:		Approved by:	
3. Amendment Date:		Approved by:	

APPENDIX A – CITY OF NORTH VANCOUVER – SCREENING POLICY

SCREENING OFFICER BYLAW NOTICE POLICY

WHEREAS the City of North Vancouver has passed a Bylaw designating certain Bylaw contraventions that may be dealt with by Bylaw Notice; and

WHEREAS the City of North Vancouver has established a position of Screening Officer who must review all disputed Bylaw Notices before dispute adjudication in respect of the Bylaw Notice may be scheduled; and

WHEREAS the Screening Officer has the power to cancel a Bylaw Notice on a ground of cancellation authorized by the City pursuant to s. 10(2)(a)(iii) of the *Local Government Bylaw Notice Enforcement Act*; and

WHEREAS the City of North Vancouver finds it expedient to provide for grounds of cancellation of a Bylaw Notice in certain circumstances,

NOW THEREFORE the City of North Vancouver resolves to authorize the Screening Officer to cancel Bylaw Notices in the described circumstances.

1. The Screening Officer is authorized to cancel and may cancel a Bylaw Notice where he or she is satisfied that one or more of the following reasons exist and the person is not willing to enter a compliance agreement or a compliance agreement is not available for the offence:
 - (a) Identity cannot be proven. For example:
 - (i) The Bylaw Notice was issued to the wrong person; or
 - (ii) The vehicle involved in the contravention had been stolen.
 - (b) An exception specified in the Bylaw or a related enactment is made out;
 - (c) There is a poor likelihood of success at adjudication for the City. For example:
 - (i) The evidence is inadequate to show a contravention;
 - (ii) The Officer relied on incorrect information in issuing the Notice;
 - (iii) The Notice was not completed properly;
 - (d) The contravention was necessary for the preservation of health and safety. For example:
 - (i) The contravention was the result of a medical emergency.

2

- (e) The Notice may be cancelled if it is not in the public interest to proceed to adjudication for one of the following reasons:
 - (i) The person who received the Notice was permitted or entitled to take the action, but the issuing officer was not aware of this entitlement or permit;
 - (ii) The person receiving the Notice does not live in the vicinity, or the vehicle is not registered in the vicinity, and the screening officer is satisfied the person is a tourist or visitor to the City and the person is not a repeat offender.
 - (iii) The person receiving the Notice was undergoing a personal tragedy at the time of the contravention such that it is not in the public interest to proceed;
 - (iv) The Bylaw has changed since the Notice was issued, and now authorizes the contravention.
 - (v) The offence occurred as a result of a mechanical problem and the person could not reasonably comply with the bylaw.

Encouragement to Purchase Skateboard Helmets - File: 3030-01

PURSUANT to the report of the City Clerk dated July 15, 2004, entitled “Encouragement to Purchase Skateboard Helmets”:

THAT City of North Vancouver Screening Officers be authorized to cancel tickets issued under section 408.8 of the “Street and Traffic Bylaw, 1991, No. 6234, which is:

”No person shall propel, coast ride or in any other way use roller skates or a skateboard on any street, including the roadway, lane and sidewalk, public open space, plaza, other City properties or skateboard park unless that person is properly wearing a helmet on his or her head, except if that person is a person for whom the wearing of a helmet would interfere with an essential religious practice”;

ON THE PROVISIO THAT a proof of purchase of a helmet is provided within 14 days of the issuance of the ticket.

CARRIED UNANIMOUSLY

APPENDIX B – NORTH SHORE BYLAW DISPUTE REGISTRY – OPERATIONS POLICY

North Shore Bylaw Dispute Adjudication Registry

Operations Policy

Purpose

The North Shore Bylaw Dispute Adjudication Registry (hereafter called the *Adjudication Registry*) provides a transparent and impartial process whereby disputants may challenge a Bylaw Notice issued by CNV, the District of North Vancouver, or the Municipality of West Vancouver. The Adjudication Registry is managed by the CNV in accordance with City Bylaw No. 7600.

Parties Involved

The process of disputing a notice involves five parties:

1. The Bylaw Officer (the CNV employee authorized to issue the notice)
2. The Disputant (the party disputing the notice).
3. The Screening Officer (the CNV employee designated under Bylaw No. 7600 to act as the Screening Officer).
4. The Dispute Coordinator (the CNV employee who coordinates the activities of the Adjudication Registry).
5. The Adjudicator (the independent adjudicator with authority to determine if the notice is dismissed or upheld).

Dispute Process

When a notice is disputed, the Disputant enters into a two step adjudication process:

Adjudication Step 1: Screening Officer

The disputant contacts the Screening Officer; this communication may be by phone, in person, or in writing. The Screening Officer acts as follows:

1. Reviews the notice with the Disputant (see Appendix C: *Screening Checklist*) and undertakes the appropriate investigation including communication with the Bylaw Officer issuing the notice to determine the validity of the notice. Data is entered into the AutoPROCESS system. The Screening Officer has the authority to either uphold or dismiss the notice in accordance with the cancellation policy set by Mayor and Council (See Appendix D: *Screening Officer Bylaw Notice Policy*).
2. If the notice is dismissed, the Screening Officer cancels the notice and no further action is required by the Disputant.
3. If the Screening Officer upholds the notice, three options are available:
 - i. The Disputant may pay the discounted fine.
 - ii. The Disputant may go forward with adjudication.
 - iii. Where permitted, the Disputant may enter into a compliance agreement in accordance with CNV Bylaw No. 7600.

For all options, the Disputant is advised of applicable fines, fees, and surcharges.

4. If the Disputant chooses to go forward with adjudication, the Screening Officer prepares a file for the Dispute Coordinator that includes two copies of each of the following documents:
 - i. A report prepared by the Screening Officer based upon communication with the Disputant and quote the bylaw section.
 - ii. A report prepared by the Bylaw Officer issuing the notice including rationale for issuing the notice.

Adjudication Step 2: Dispute Adjudication

The Dispute Coordinator receives the file from a CNV Screening Officer or other Municipal Screening Officer participating in the Adjudication Registry. Adjudication cannot proceed until the notice has been screened by a Screening Officer; the Dispute Coordinator only receives files from a Screening Officer, not from the Disputant. The Dispute Coordinator:

1. Confirms that the file is complete and requests additional information if necessary.
2. Liaises with the Adjudicator to set dates for the Adjudication Registry and then enters these dates into the calendar of the autoPROCESS ticket system.
3. Informs the Disputant of the available dates and agrees on the date and time.
4. Prepares a Notice of Adjudication to be sent to the Disputant and to the municipality concerned which confirms the date and time of the Adjudication Hearing along with the Disputant's preferred method of participation: in person, by phone, or through submission of documentation prior to the date of adjudication.
5. Coordinates with CNV departments, as necessary, to prepare for the Adjudication Registry. This includes preparing an agenda for the scheduled date of the Adjudication Registry. The agenda includes time, notice number, name of Disputant, method of participation by Disputant, and municipal authority issuing the notice.

The following CNV departments must be notified of the forthcoming adjudication dates:

- i. Finance-Cashier and Accounting (notices issued by other municipalities may be paid at the CNV only on the day of the Adjudication Registry).
- ii. Building Services (to set up the room for the Adjudication Registry).
- iii. Information Technology (to set up computers for the Adjudication Registry).
- iv. Security.
- v. Bylaw Supervisor.
- vi. The municipal authority issuing the notice, if other than the CNV.
- vii. Bylaw Manager.
- viii. Adjudication room (booking).
- ix. City Hall Receptionist
- x. City Clerk
- xi. Director Corporate Services

APPENDIX B – NORTH SHORE BYLAW DISPUTE REGISTRY – OPERATIONS POLICY

6. Maintains an updated file and has this file available, as requested, for the Adjudicator. This file, which must be obtained from the municipality involved, includes the following documents:
 - i. The report prepared by the Screening Officer.
 - ii The report prepared by the Bylaw Officer.
 - iii Any additional information detailing the rationale for not dismissing the notice.
 - iv A copy of the Notice of Adjudication.
 - v A copy of the Bylaw Notice.
 - vi A printed quote of the bylaw section under which the notice was issued.
7. Following the Adjudication Hearing, returns the file to the CNV or other Municipal Authority with outcome of the Hearing noted.
8. If a CNV notice is dismissed at the Adjudication Registry, no further action is required.
9. If a CNV notice is upheld at the Adjudication Registry, the CNV prepares a letter to the Disputant which states the bylaw notice number, confirms the adjudication decision, states the total fine and fees outstanding along with the date on which a surcharge will be applied along with the amount of the surcharge, provides alternative methods of payment, and states that the notice will be referred to a collection agent if left unpaid.



Policies & Procedures Manual

Policy No.1-2016 (BP-Bylaw Notice Dispute Adjudication Screening Officers)

SLRD Screening Officer Policy

Purpose

The intent of this policy is to govern the discretionary decision-making of Screening Officers under the *Local Government Bylaw Notice Enforcement Act* (the “Act”), the *Bylaw Notice Enforcement Regulation* (the “Regulation”), and Squamish-Lillooet Regional District Bylaw Notice Enforcement Bylaw No. 1447-2016 (“Bylaw No.1447-2016”) with respect to:

- (a) cancelling a disputed bylaw notice;
- (b) confirming a disputed bylaw notice;
- (c) entering into a compliance agreement with a bylaw notice disputant; and
- (d) setting aside a bylaw notice debt.

Background

Under the *Act* and Bylaw No. 1447-2016, Screening Officers are required to review each disputed bylaw notice before it can be referred to an adjudicator. Upon completing the review, the Screening Officer has four options as noted above in (a) through (d).

Policy

1. After reviewing a disputed bylaw notice, the Screening Officer may cancel the bylaw notice if, in the opinion of the Screening Officer:
 - (a) the bylaw notice does not comply with the requirements of section 4 of the *Act*:
 - (i) sufficient particulars to enable recipient to identify bylaw and contravention alleged;

Policy Name: SLRD Screening Officer Policy	Page 1 of 7
Approving Authority: Board	Policy No: 1-2016
Date of Approval: March 16, 2016	Dates of Amendment:
Policies Superseded:	Related Enactments: Bylaw No. 1447-2016; <i>Local Government Bylaw Notice Enforcement Act and Regulation</i>

- (ii) amount of penalty, discount, surcharge and consequences of failing to respond;
 - (iii) methods of paying the penalty;
 - (iv) how to dispute the allegation in the bylaw notice; and
 - (v) any additional information required under the regulations (presently none).
- (b) the bylaw notice does not comply with section 5 of the *Act* in that it was issued more than 6 months after the contravention is alleged to have occurred;
 - (c) the contravention did not occur as alleged;
 - (d) a jurisdictional issue arises that cannot be addressed by an adjudicator per section 16 of the *Act* (i.e. matter involves Charter of Rights and Freedoms, constitutional validity question or remedy, determination of aboriginal or treaty rights or claims, or a challenge to the validity of the bylaw alleged to have been contravened) [Note: matter *can* still be adjudicated per s.13 of the *Regulation*];
 - (e) the identity of the person or company cannot be established;
 - (f) there is an exception in the bylaw or a related enactment;
 - (g) the bylaw being enforced does not specifically apply;
 - (h) the bylaw has changed since the bylaw notice was issued and the circumstances would no longer give rise to a contravention;
 - (i) the disputant exercised due diligence (e.g.: compliance thwarted by hidden or missing signage, or by mechanical or technical difficulties beyond the disputant's control);
 - (j) there is a compelling defence of necessity (e.g.: medical emergency);

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- (k) multiple bylaw notices have been issued for the same infraction;
- (l) there is a poor likelihood of success before an adjudicator due to:
 - (i) inadequate evidence;
 - (ii) incorrect information relied upon by the bylaw enforcement officer;
 - (iii) the bylaw provision is ambiguous or otherwise poorly worded;
- (m) it is not in the public interest to proceed to adjudication for one of the following reasons:
 - (i) the disputant was permitted or entitled to take the action but the issuing bylaw officer was unaware of this permit or entitlement;
 - (ii) the disputant was complying with a Provincial or Federal enactment requiring the impugned action to be taken;
 - (iii) the disputant has a compelling case for undue hardship (e.g.: undergoing a personal tragedy at the time of the contravention);
 - (iv) the disputant is a tourist or visitor to the SLRD, provided that they have not previously been issued a bylaw notice;
 - (v) the matter involves public health or safety requiring a penalty or other remedy beyond the jurisdiction of the *Act* or Bylaw No. 1447-2016; or
 - (vi) the matter is of sufficient importance that the SLRD wishes to pursue avenues of bylaw enforcement other than under the *Act* or Bylaw No. 1447-2016.

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2. Subject to section 3, a Screening Officer will confirm a bylaw notice where, in the opinion of the Screening Officer, none of the grounds for cancellation in section 1 are applicable.
3. Where permitted under Bylaw No. 1447-2016, a Screening Officer may enter into a compliance agreement if the Screening Officer determines that:
 - (a) the circumstances favour a compliance agreement as the best means of ensuring future compliant behaviour through terms and conditions that the Screening Officer considers necessary or advisable;
 - (b) the bylaw notice contravener will likely fulfill the terms and conditions under the compliance agreement based on the contravener's willingness:
 - (i) to accept liability for the contravention as alleged in the bylaw notice; and
 - (ii) to comply with the terms and conditions of the compliance agreement;
 - (c) the contravener has not previously committed the same contravention within the last 12 months; and
 - (d) the contravener has not, within the past 36 months, breached or otherwise failed to perform the terms and conditions of a compliance agreement with the SLRD.
4. Where a compliance agreement is permitted under Bylaw No. 1447-2016, it shall specifically contain an agreement to pay the applicable reduced penalty amount stipulated in Column A5 of Schedule "A" as a term and condition of the compliance agreement.
5. Subject to the agreement of the contravener and the Screening Officer, on behalf of the SLRD, a compliance agreement may be amended, provided that:
 - (a) the amendment is in writing;
 - (b) the amendment cannot amend the reduced payment amount;

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- (c) the contravener is not, at the time, in breach of a term of the compliance agreement;
 - (d) the compliance agreement has not been rescinded; and
 - (e) the compliance agreement has not expired.
6. Where a contravener breaches or otherwise fails to perform a term or condition of a compliance agreement, the Screening Officer will either:
- (a) provide the contravener with an opportunity to immediately correct the breach or failure to perform and put the compliance agreement back in good standing; or
 - (b) immediately rescind the compliance agreement and provide the contravener with notice of the rescission, including:
 - (i) the information that the contravener may, within 14 days of receiving notification of the rescission, require the Screening Officer to submit for dispute adjudication the issue of whether the contravener observed or performed the terms and conditions of the compliance agreement; and
 - (ii) the consequences of failing to respond to the rescission notice.
7. In considering between the options set out in subsections 6 (a) and (b) above, the Screening Officer will consider:
- (a) the seriousness of the breach;
 - (b) the seriousness of the consequences of the breach;
 - (c) the contravener's explanation for the breach;
 - (d) whether the contravener exercised due diligence to avoid the breach;

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- (e) whether the breach is capable of being immediately corrected;
 - (f) whether the contravener has previously been in breach of the compliance agreement; and
 - (g) whether the reduced penalty has been paid
8. If an application to set aside a bylaw notice debt is made pursuant to section 5 of the *Regulation* by a person named in a bylaw notice who owes a debt to the SLRD
- (a) in respect of a failure to dispute a compliance agreement rescission within the prescribed time or a failure to appear at a scheduled hearing, or
 - (b) in respect of a failure to dispute a bylaw notice under section 25(2) of the *Act* [*original bylaw notice not received*] within the time permitted,
- the Screening Officer will review the application and, if satisfied on a balance of probabilities that the failure to dispute or appear, as the case may be, was not the person's fault, the screening officer must cancel the debt and
- (c) in respect of subsection 8(a) above, refer the dispute to adjudication, or
 - (d) in respect of subsection 8(b) above, restart the SLRD's 21 day response period under section 10 of Bylaw No. 1447-2016.
9. In reviewing an application under section 5 of the *Regulation*, the Screening Officer will consider all available information and will question the applicant thoroughly with respect to the evidence put forward in support of the application, as well as question any third parties who may have relevant evidence to consider.
10. An application to set aside a debt owing in respect of a failure to dispute a compliance agreement rescission cannot be considered by the Screening Officer who entered into the compliance agreement.

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11. If a debt is cancelled under section 8 of this Policy, in relation to which a Certificate of Amounts Owing has been filed in the Provincial Court, the Screening Officer will withdraw the Certificate from the Court.

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Bylaw Notice Compliance Agreement

I _____ (name), of _____ (address),
acknowledge receipt of Bylaw Notice No. _____ (the "Bylaw Notice"), and conclusively accept
responsibility for the contravention as alleged in the Bylaw Notice.

I wish to enter into this Compliance Agreement whereby I agree to fulfill the conditions below, in exchange for a
reduced penalty. Specifically, I agree to the term and condition that I pay the reduced penalty amount of
\$_____ on or before _____ (date).

I further agree to comply with the following terms and conditions of this Agreement:

1. On or before _____ (date) I will complete the following actions:

-
-
-

and

2. On or before _____ (date) I will also:

-
-
-

I understand that this Agreement is binding upon me for one year from the date of this Agreement. I also
understand that if I breach a term of this Agreement, or fail to observe or perform the above terms and
conditions, a Regional District Screening Officer may terminate this Agreement and my ability to enter into any
future Compliance Agreements will be restricted.

I understand that if this Agreement is terminated, I will have 14 days to dispute the Screening Officer's decision
to terminate this Agreement, and that if I do not dispute this decision in that time, the full penalty stated in the
Bylaw Notice of \$_____ will be immediately due and payable as if the Bylaw Notice was not disputed, and will
be subject to the late payment surcharge of \$_____ for a total immediately due and payable in the amount of
\$_____.

Signature of Bylaw Notice Contravener

Signature of Screening Officer for SLRD

Date

Date