



# STAFF REPORT

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**File No.:** Bylaw Enforcement Notification  
Bylaw No.87, 2011

**To:** Lasqueti Island Local Trust Committee

Meeting of March 15, 2012

**From:** Miles Drew  
Bylaw Enforcement Coordinator

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**Re:** Adoption of Bylaw Enforcement Notification Bylaw

## THE PROPOSAL:

This report will recommend to the Lasqueti Island Local Trust Committee that it:

1. give three reading to the attached Bylaw Enforcement Notification Bylaw and;
2. refer the bylaw to the Executive Committee for approval.

## STAFF COMMENTS:

The Lasqueti Island Local Trust Committee previously requested that it be appointed by the Province as a local government for the purpose of adopting a Bylaw Enforcement Notification Bylaw. The Province has issued an Order In Council authorizing this step. Therefore, the Local Trust Committee can now adopt a bylaw and implement the system.

### An Important Point

**This bylaw does not create any new offences. It only lists those offences already present in the Land Use Bylaw.**

### Purpose of Bylaw

The attached bylaw has several purposes. Primarily it establishes schedules listing penalties for various offences of the Land Use Bylaw. It also establishes discounts for completion of compliance agreements negotiated with a screening officer and early payment discounts. These schedules have been designed to penalize persons who violate the bylaws and also to encourage them to make good on the situation by

reducing the penalty for correcting the violation. Additionally, it creates methods for payment, dispute, and service of the bylaw violation notices.

### **Methodology for setting fine and fine discount amounts.**

The recommended fine amounts and associated discounts for early payment or compliance were established by considering several factors which recognized the severity of the offence and the ease of compliance. The factors considered in setting fine amounts were:

1. environmental damage generally given the highest fines of \$500 to \$200;
2. cost of doing business or revenue associated activities generally given fine amounts of \$300 to \$150;
3. avoidance of permit application costs generally given fines of \$300 to \$150;
4. nuisance or easily resolved violations were generally given fines of \$250 to \$75.

Discounts for early payments were set at 25% and compliance agreements discounted at either 75% or 50% depending on the costs and ease of complying. Lower discounts are not recommended as in most cases the violator will have had the opportunity to comply after receiving a warning from the bylaw enforcement officer.

### **Establishment of Registry and Screening Officer**

The bylaw establishes the location in North Vancouver of the Registry where disputed bylaw violation notices are adjudicated. The Islands Trust has an agreement with North Shore Municipalities to provide adjudication services.

The bylaw also establishes the position of Screening Officer and its duties, and authorizes bylaw enforcement officers to issue bylaw violation notices. The bylaw provides the ability for the Local Trust Committee to appoint persons holding certain positions to the duty of Screening Officer. This means that it is not necessary to name a specific person to carry out the duty. Therefore, staff changes will not require new appointments. Although the bylaw provides for several positions to be appointed as screening officers, staff believes that only one person should operate as a screening officer at this time. The most appropriate position to carry out screening officer duties is the bylaw enforcement administrative assistant.

Attached is a copy of a pamphlet which is intended to explain the Bylaw Enforcement Notification Bylaw. This pamphlet will be issued with each notice and will be available to the general public at Islands Trust offices and on the web site.

## Next Steps

The last steps to be taken before bylaw violation notices can finally be issued are:

- get Executive Committee approval and final adoption by the Local Trust Committee by Spring 2012
- appointment of Screening Officer and adoption of associated policies
- Conduct necessary staff training. Other than occasionally filling out a receipt for payment of a fine or referring persons to the screening officer there will be no impact on regional office resources. A staff familiarization session will be held in each region.
- print required bylaw violation notices and the Q & A brochure for recipients of bylaw violation notices and other interested persons.

This bylaw does not require Ministerial approval from the Province. Staff training will be done by the City of North Vancouver.

Attached is a proposed sample of the bylaw violation notice.

## RECOMMENDATION:

- 1) That the Lasqueti Island Local Trust Committee gives the First Reading to Draft Bylaw cited as Lasqueti Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 87, 2011.
- 2) That the Lasqueti Island Local Trust Committee gives the Second Reading to Proposed Bylaw cited as Lasqueti Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 87, 2011.
- 3) That the Lasqueti Island Local Trust Committee gives the Third Reading to Proposed Bylaw cited as Lasqueti Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 87, 2011.
- 4) That the Lasqueti Island Local Trust Committee refers the Proposed Bylaw No. 87, 2011 to Executive Committee.

Prepared and Submitted by:

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Date