



REGULAR COUNCIL MEETING AGENDA – ADDENDUM

Addendum to the Agenda for the Regular Council Meeting scheduled for Tuesday, August 16, 2016 at 7:00 p.m. in Council Chambers at Village Hall, 2697 Sunnyside Road, Anmore, BC

9. Legislative Reports

page A1

(a) Bylaw Dispute Adjudication System

Report dated August 10, 2016 from the Building Inspector and Bylaw Enforcement Officer is attached.



VILLAGE OF ANMORE

REPORT TO COUNCIL

Date: August 10, 2016

Submitted by: Martin Greig

Subject: Bylaw Dispute Adjudication System

Purpose / Introduction

The purpose of this report is to obtain Council authorization to initiate the process for establishing a Bylaw Dispute Adjudication System for Anmore.

Resolutions

1. THAT Council endorse the development of a Bylaw Dispute Adjudication System for the Village of Anmore;
- AND THAT a letter be sent to the Ministry of the Attorney General to notify the Province of Council's intent to establish a Bylaw Dispute Adjudication System.
- OR
2. THAT Council not endorse the Bylaw Dispute Adjudication System for the Village of Anmore.
- OR
3. THAT Council request further information of staff regarding the Bylaw Dispute Adjudication System.
-

Background

Currently, Anmore uses a ticket in the form of a Municipal Ticket Information (MTI) to enforce most offences under Anmore's bylaws. The MTI is effective in many cases, but provides less than adequate enforcement capabilities for certain offences, particularly parking offences. Furthermore, it is costly to prosecute offences under the Municipal Ticket Information System since hearings are held in Provincial Court.

In 2003, the Province enacted the *Local Government Bylaw Notice Enforcement Act*, which allows municipalities to establish a second ticketing system to enforce their bylaws, using a Bylaw Notice subject to provincial approval. Most municipalities in Metro Vancouver have been authorized by the Province to enforce bylaws by Bylaw Notice (**Attachment A – Schedule 1, pages 13-15 of 17**).

Report/Recommendation to Council

Bylaw Dispute Adjudication System

August 10, 2016

Discussion

Key Process Differences

The most important difference between the Municipal Ticket Information System and the Bylaw Dispute Adjudication system is the procedure for dealing with a disputed ticket or Bylaw Notice. Under the Municipal Ticket Information System, a disputed ticket leads to a trial in Provincial Court, which may require the attendance of a lawyer, ticketing officer, and the person disputing the ticket. Under the Bylaw Dispute Adjudication System, a disputed Bylaw Notice is referred to a screening officer who is a senior Anmore employee with experience in bylaw enforcement. The screening officer reviews the file and has the opportunity to attempt a resolution using the following options:

- Discuss the case directly with the disputant, which may result in payment of the fine once the disputant is made fully aware of the particulars of the case;
- Offer a Compliance Agreement to provide the disputant with an opportunity to rectify the issue, possibly in exchange for a reduction or waiver of the fine;
- Cancel the Bylaw Notice under a policy set by Council; or
- Refer the Bylaw Notice to a hearing with an adjudicator.

Adjudicators are appointed by the Deputy Attorney General of British Columbia and their fees are set by the Province. The hearing can take place anywhere, such as Council Chambers, rather than requiring time in Provincial Court. The adjudicator hears evidence and determines whether the Bylaw Notice should be confirmed or cancelled.

Bylaw Dispute Adjudication System Advantages

The Bylaw Dispute Adjudication System is designed to operate concurrently with the Municipal Ticket Information System to reduce costs and streamline the process of enforcing minor bylaw offences.

- All tickets under the Municipal Ticket Information System are required to be personally issued. Bylaw Notices under the Bylaw Dispute Adjudication System may be issued to the registered owner of a vehicle with the Bylaw Notice left on the offending vehicle. If the registered owner fails to respond to the Bylaw Notice, a letter is sent to the owner's mailing address and this process is deemed to be proof of service. This service process allows for a more effective and efficient enforcement system for the Village of Anmore (Village)'s bylaw regulations.
- A bylaw notice requires the offending party to pay a fine for violating a bylaw, similar to a ticket issued under the Municipal Ticket Information System; however, a Bylaw Notice may include a discounted penalty for prompt payment and is less expensive to prosecute in the event of a dispute since the dispute process utilizes an adjudicator, rather than Provincial Court.

Report/Recommendation to Council

Bylaw Dispute Adjudication System

August 10, 2016

- Improved process for hearing disputes:
 - Hearings take place out of court, reducing costs and saving time;
 - The burden of proof is based on the balance of probabilities rather than beyond a reasonable doubt. The test for the balance of probabilities is simply whether the offence occurred;
 - Officers can submit notes as evidence, rather than be required to attend a hearing for each disputed Bylaw Notice allowing officers to spend more time on higher priority duties;
 - The Village would gain control over the scheduling of hearings; and
 - If found at fault after disputing a bylaw notice, the offending party may be charged an additional fee, which would help to recover the costs of adjudication and acts as an incentive to pay the initial fine.

Next Steps

In order to establish a Bylaw Dispute Adjudication System, the Village is required to follow a process put in place by the Province. Adopting the resolutions contained in this report is the first step of that process. Staff has been advised by the Court Services Branch of the Ministry of the Attorney General that once the Province receives a letter from a municipality of its intent to establish a Bylaw Dispute Adjudication System, the turnaround time for approval is approximately six to eight weeks. Once approved by the Province, Council could consider a Bylaw Notice Enforcement Bylaw to authorize the use of Bylaw Notices when enforcing certain minor bylaw offences.

Financial Implications

The Village would be responsible for the costs of setting up and administering the Bylaw Dispute Adjudication System. Set up costs will be included with the various bylaw updates that are planned in the coming year. Annual costs are estimated to be \$200 per hour for the adjudicator, when required. These costs are anticipated to be covered by the associated increased collection of fines.

Communications / Civic Engagement

If the Bylaw Dispute Adjudication System is endorsed by Council, the Village will issue the letter, as required, to the Ministry of the Attorney General.

Corporate Strategic Plan Objectives

The Bylaw Dispute Adjudication System will help the Village to achieve Council's Corporate Objective of keeping pace with best practices in community safety, and municipal operations.

Attachments

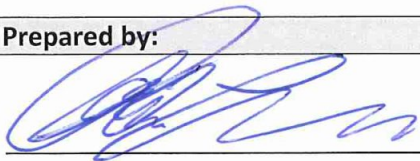
1. BC Bylaw Notice Enforcement Regulation

Report/Recommendation to Council

Bylaw Dispute Adjudication System

August 10, 2016

Prepared by:



Martin Greig

Building Inspector & Bylaw Enforcement Officer

Reviewed for Form and Content / Approved for Submission to Council:

Chief Administrative Officer's Comment/Concurrence



Chief Administrative Officer

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B.C. Reg. 175/2004
O.C. 392/2004

Deposited April 22, 2004
effective May 3, 2004

Local Government Bylaw Notice Enforcement Act
BYLAW NOTICE ENFORCEMENT REGULATION

Note: Check the Cumulative Regulation Bulletin 2015 and 2016
for any non-consolidated amendments to this regulation that may be in effect.

[includes amendments up to B.C. Reg. 253/2015, December 22, 2015]

Link to Point in Time

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Part 1 — Interpretation and Application of Act

Definitions

1 (1) In this regulation:

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

"certificate" means a certificate in the form prescribed in section 14 of this regulation filed with the Provincial Court under section 26 [*amounts owing enforced as Provincial Court judgment*] of the Act;

"disputant" means a person who

(a) requests an adjudication under section 8 (1) (b) [*options on receipt of bylaw notice*] of the Act, or

(b) requires an adjudication under section 13 (1) [*requiring dispute adjudication*] of the Act;

"full day sitting", in relation to an adjudicator, means at least two 3 hour periods of hearing one or more disputes and one hour period of administration in relation to those hearings in one 24 hour period;

"half day sitting", in relation to an adjudicator, means at least one 3 hour period of hearing one or more disputes and 1/2 hour of administration in relation to those hearings in one 24 hour period;

"hearing by telephone" means an adjudication in respect of which one party elects to be heard in a manner provided under section 18 (2) (c) [*adjudication procedures*] of the Act, if the adjudicator can hold the hearing in that manner from the adjudicator's normal place of business, and the other party elects to be heard in the same manner or in writing;

"hearing in person" means an adjudication in respect of which one party elects to be heard in a manner provided under section 18 (2) (a) of the Act or, if the adjudicator must attend a specific location other than the adjudicator's usual place of business for the purpose of hearing in that manner, in a manner provided under section 18 (2) (c) of the Act, regardless of how the other party elects to be heard;

"hearing in writing" means an adjudication in respect of which both parties elect to be heard in the manner provided under section 18 (2) (b) of the Act;

"roster" means a roster established under section 11 [*rosters of adjudicators*];

"roster organization" means any body designated by the Attorney General to select adjudicators.

(2) For the purposes of the definition of **"local government"** in section 1 of the Act, the following bodies are prescribed:

- (a) Denman Island Local Trust Committee;
- (a.1) Gabriola Island Local Trust Committee;
- (b) Galiano Island Local Trust Committee;
- (c) Gambier Island Local Trust Committee;
- (c.1) Hornby Island Local Trust Committee;
- (c.2) Lasqueti Island Local Trust Committee;
- (c.3) Mayne Island Local Trust Committee;
- (d) North Pender Island Local Trust Committee;
- (e) Salt Spring Island Local Trust Committee;
- (f) Saturna Island Local Trust Committee;
- (g) South Pender Island Local Trust Committee;
- (h) Thetis Island Local Trust Committee.

[am. B.C. Regs. 7/2010, s. (a); 72/2011, s. 1.]

Where the Act applies

- 2 The Act applies to each local government set out in Column 2 of Schedule 1 on the date set out opposite the local government in Column 1.

Part 2 — Bylaw Notices

Bylaw matters excluded from enforcement by bylaw notice

- 3 For the purposes of section 28 (2) (a) [*power to make regulations*] of the Act, contraventions of bylaws that are in relation to the following matters may not be designated by a local government bylaw under section 4 (1) [*bylaw notice*] of the Act:
- (a) firearms;
 - (b) motor vehicle speed limits.

Other means of delivery

- 4** For the purposes of section 28 (2) (f) of the Act, a local government may deliver a bylaw notice,
- (a) if the named person is a corporation or a business, by delivering the bylaw notice to a director, manager or other executive officer of the corporation or business, or of a branch of it,
 - (b) if the named person is an extraprovincial company as defined in the *Business Corporations Act*, by delivering the bylaw notice to the attorney for the extraprovincial company, and
 - (c) if the bylaw notice is in respect of a particular parcel of real property or an improvement on a particular parcel of real property, by delivering the bylaw notice to a person who appears to be at least 16 years old at that parcel,
- and if a bylaw notice is delivered in accordance with paragraph (a), (b) or (c), the bylaw notice is presumed to have been received by the named person, if delivered personally, on the date of delivery and, otherwise, on the 7th day after mailing.

Application to set aside bylaw notice debt

- 5** (1) A person named in a bylaw notice who owes a debt to a local government
- (a) under section 13 (2) [*requiring dispute adjudication*] of the Act, because the person failed to require dispute adjudication within the period provided in section 13 (1) of the Act,
 - (b) under section 18 (4) [*adjudication procedures*] of the Act, because the person failed to appear at the time scheduled for the hearing, or
 - (c) under section 25 (2) [*if original bylaw notice not received*] of the Act, because the person failed to take an action under section 8 (1) [*options on receipt of bylaw notice*] of the Act within the period established by bylaw for the purposes of section 8 (1) of the Act
- may apply to the local government that issued the bylaw notice to have the debt cancelled and either

- (d) an adjudication scheduled in respect of the rescission of the compliance agreement, or
 - (e) the period established for the purposes of section 8 (1) restarted in relation to the bylaw notice.
- (2) An application under subsection (1) of this section may be made
 - (a) in the case of a debt described in subsection (1) (a) of this section, only within 30 days after the period specified in section 13 (1) of the Act for requiring adjudication,
 - (b) in the case of a debt described in subsection (1) (b) of this section, only within 30 days after the scheduled date of the adjudication, and
 - (c) in the case of a debt described in subsection (1) (c) of this section, only within the 28 day period under section 24 (3) of the Act that applies in relation to the bylaw notice in which the person is named.
- (3) On an application under subsection (1), if a screening officer or other official designated for this purpose by the local government is satisfied that the failure described in subsection (1) (a), (b) or (c) that resulted in the debt was not the person's fault, the screening officer or other official must cancel the debt, and
 - (a) if the application is under subsection (1) (a) or (b), refer the dispute to an adjudicator, and
 - (b) if the application is under subsection (1) (c), order that the period under section (1) is restarted in relation to the bylaw notice on the date of the order.
- (4) An application under subsection (1) (a) may not be considered by the screening officer who entered into the compliance agreement.
- (5) If a debt is cancelled under subsection (3) in relation to which a certificate has been filed, the local government must withdraw the certificate from the court.

Part 3 — Adjudication of Disputes

Adjudicator qualifications

- 6** To be eligible for appointment as an adjudicator, a person must have all of the following qualifications:

- (a) has not been convicted of an offence under a federal or provincial enactment for at least 10 years before applying for the appointment;
- (b) is not named in a bylaw notice, or a ticket issued under Division 3 of Part 8 of the *Community Charter* or Part XXII [Police Magistrates] of the *Vancouver Charter*, in relation to which a penalty is outstanding and overdue;
- (c) has not been an employee or an elected official of a local government for at least 6 months before the appointment;
- (d) is not an employee or an elected official of a local government;
- (e) has at least one year's experience as an adjudicator of disputes;
- (f) has post-secondary training in adjudication;
- (g) has successfully completed any specialized training required by the roster organization;
- (h) is recommended for appointment by the roster organization.

Appointing adjudicators

- 7** (1) An adjudicator may be appointed for an initial term of 1 to 2 years.
- (2) An adjudicator may be reappointed for a second or subsequent term of 3 to 5 years.
- (3) The deputy attorney general must rescind an appointment under subsection (1) or (2) if satisfied that
- (a) the person has ceased to be qualified for the appointment, or
 - (b) on reliable evidence of the person's misconduct, neglect of duty or incapacity, the person is not suitable for the appointment.
- (4) If the deputy attorney general is satisfied that the grounds for the rescission of an appointment under subsection (3) were false or inaccurate or have been remedied or otherwise ameliorated, the deputy attorney general may reappoint the person.
- (5) If an adjudicator resigns or his or her appointment expires other than by a rescission under subsection (3) and the adjudicator has started to hear a dispute, the adjudicator may continue to act as an adjudicator

until the adjudicator has decided the dispute and provided his or her decision to the local government under section 14 [*adjudicator decision*] and section 10 [*adjudicator's remuneration and expenses*] applies.

Adjudicator oath of office

- 8 Before performing the duties of an adjudicator, a person appointed under section 15 (1) [*dispute adjudicators*] of the Act must swear or affirm the oath set out in Schedule 2.

Roster organization

- 9 (1) The roster organization is responsible for all of the following:
- (a) training adjudicators;
 - (b) maintaining one or more rosters of adjudicators;
 - (c) selecting adjudicators for adjudications;
 - (d) remunerating adjudicators.
- (2) On the request of a local government or the minister, the roster organization must prepare and provide reports in accordance with the request.

Adjudicator's remuneration and expenses

- 10 (1) An adjudicator must be paid for each half day sitting and each full day sitting in accordance with the per diem rates established in the applicable Treasury Board directive for the category of group 1 administrative tribunals.
- (2) If an adjudicator hears disputes in a 24 hour period that together constitute less than a half day sitting, the adjudicator must be paid for each hearing as follows:
- (a) \$19.44 for each hearing in person;
 - (b) \$12.50 for each hearing in writing;
 - (c) \$16.66 for each hearing by telephone.
- (3) If an adjudicator hears disputes in a 24 hour period that together constitute more than a half day sitting, but less than a full day sitting, the adjudicator must be paid for a half day sitting plus the applicable amount as follows for each hearing after the half day sitting:
- (a) \$19.44 for each hearing in person;

- (b) \$12.50 for each hearing in writing;
 - (c) \$16.66 for each hearing by telephone.
- (4) If an adjudicator has been scheduled for a half day sitting or a full day sitting and the sitting is cancelled with less than 48 hours notice, the adjudicator must be paid \$175.
- (5) In addition to the amounts under subsections (1), (2), (3) and (4), if an adjudicator must travel more than 32 kilometres from his or her usual place of employment for a hearing in person, an adjudicator must be paid
 - (a) travel costs, and
 - (b) expensesin accordance with the travel allowances and policies established for Provincial government employees classified as Group 2.

Rosters of adjudicators

- 11** (1) The roster organization must establish one or more rosters of adjudicators which may be established for the purpose of hearing disputes
- (a) for all local governments that have established a bylaw notice dispute system,
 - (b) for all local governments in a particular geographical region of the Province that have established a bylaw notice dispute system, or
 - (c) for one or more particular local governments that have established a bylaw notice dispute system.
- (2) A roster must contain the names of at least 3 persons appointed by the deputy attorney general under section 15 (1) [*dispute adjudicators*] of the Act and, initially, the names must be listed alphabetically.
- (3) After a roster has been established in accordance with subsection (2), any adjudicators added to the roster must be added at the end of the roster in order of appointment.
- (4) The roster organization must specify for each roster whether an adjudicator from the roster is assigned for
- (a) the number of hearings necessary to constitute a half day sitting,
 - (b) the number of hearings necessary to constitute a full day sitting,

- (c) the adjudications requested for a specified number of days, or
 - (d) the adjudications scheduled for a particular calendar month.
- (5) Despite subsection (4), the roster organization may assign adjudicators from a roster for fewer hearings than is required for the rotational period specified for the roster under subsection (4) if this is necessary
 - (a) in order to schedule an adjudication within the period specified under section 12 (1) (e) in relation to the adjudication, or
 - (b) because section 12 (4), (5), or (7) applies in relation to an adjudication.
- (6) An adjudicator may be listed on more than one roster.

Selecting adjudicators

- 12** (1) If a local government is requested or required to refer a matter for adjudication, the local government must request the assignment of an adjudicator by notifying the roster organization of the following matters:
- (a) the full names of the parties to the dispute;
 - (b) the subject matter of the dispute;
 - (c) the estimated duration of the adjudication;
 - (d) how the parties have elected to be heard;
 - (e) a specified period during which the local government requires that the dispute be adjudicated.
- (2) Subject to section 11 (5) of this regulation, on receipt of a sufficient number of notices under subsection (1) from a local government, or from one or more local governments that have entered into an agreement referred to in section 2 (4) [*application of Act*] of the Act, to constitute the rotational period specified under section 11 (4) of this regulation in relation to the roster, the roster organization must offer the assignment to the adjudicator whose name first appears on the roster to adjudicate the disputes.
- (3) Once an adjudicator has accepted an assignment under subsection (2), the name of the adjudicator must be moved to the end of the roster.
- (4) An adjudicator may not accept the assignment of an adjudication if the adjudicator has or may reasonably be apprehended to have a bias or interest in relation to the outcome of the dispute.

- (5) Despite subsection (2), if the first-named adjudicator on a roster does not accept the assignment, the roster organization may offer the assignment to the second-named adjudicator on the roster.
- (6) When the roster organization advises a local government that it has assigned an adjudicator to hear a dispute, the local government must provide the disputant with at least 14 days written notice of the time, date and location of the hearing unless the disputant agrees to less than 14 days notice.
- (7) If an adjudicator who has accepted the assignment of an adjudication is unable to hear the dispute, finish hearing the dispute within a reasonable period or provide a written decision as required under section 14 [*adjudicator decision*], the roster organization must assign a different adjudicator to hear the dispute and, whether or not the first-assigned adjudicator commenced hearing the dispute, the second-assigned adjudicator must restart the hearing.

Issues under section 16 of the Act

- 13** If, in the opinion of an adjudicator, a matter described in section 16 [*limitation on jurisdiction of adjudicator*] of the Act is raised by the disputant in the course of a hearing, the adjudicator must
- (a) complete the hearing and make a determination in the dispute as if the matter under section 16 of the Act had been determined against the disputant by a court or tribunal of competent jurisdiction,
 - (b) in the decision provided under section 14 of this regulation, identify the matter raised and specify the assumption made under paragraph (a) for the purposes of determining the dispute, and
 - (c) advise the parties to the dispute of
 - (i) the procedures the adjudicator is required to follow under paragraph (a), and
 - (ii) what will be recorded in the adjudicator's decision because of paragraph (b).

Adjudicator decision

- 14** An adjudicator who hears a dispute in respect of a bylaw notice or the rescission of a compliance agreement must provide his or her written decision to the local government that issued the bylaw notice,

- (a) for a hearing in person or a hearing by telephone, within one business day after deciding the dispute, and
- (b) for a hearing in writing, within 5 business days after the date the adjudicator receives the written materials for the dispute.

Hearing record

15 If a party to an adjudication makes an application under the *Judicial Review Procedure Act* within the period specified in section 22 (2) [*final determination by adjudicator*] of the Act in respect of a decision of the adjudicator, the local government that was a party to the dispute must compile a hearing record consisting of the all the following:

- (a) a copy of the bylaw notice;
- (b) a copy of the notice of hearing under section 12 (6) of this regulation;
- (c) if the adjudicator decided the dispute, the adjudicator's written decision;
- (d) if the disputant has voluntarily paid the penalty under the bylaw notice following an adjournment and before the dispute was decided, a written notice of the voluntary payment.

Part 4 — Collection of Bylaw Notice Penalties

Certificate requirements for filing with the court

16 The form of certificate set out in Schedule 3 is prescribed for the purposes of section 26 (1) of the Act.

Suspending a certificate filed with the court

17 (1) On the application of a person named in a certificate within 30 days after the date the certificate is filed, a justice may order that the certificate is suspended if the justice is satisfied that

- (a) the bylaw notice described in the certificate was not delivered in accordance with section 7 (1) (a) [*delivery of bylaw notice — in person*] of the Act,
- (b) the amount owing under the certificate is payable because of a default described in section 9 (1) or (2) [*if a person does not take action under section 8*] of the Act, and

- (c) through no fault of the person, the person
 - (i) did not receive the bylaw notice,
 - (ii) did not receive a notice under section 24 (1) *[notice required if no response to bylaw notice]* of the Act in relation to the bylaw notice, and
 - (iii) did not know of the bylaw notice or the outstanding penalty at any time within the period
 - (A) specified by bylaw for the purposes of section 8 (1) *[options on receipt of bylaw notice]* of the Act, or
 - (B) set out in section 24 (3) *[notice required if no response to bylaw notice]* of the Act.
- (2) Proceedings described in section 26 (4) *[amounts owing enforced as Provincial Court judgment]* of the Act may not be taken on a certificate while it is suspended.
- (3) If a justice suspends a certificate under subsection (1), the local government that issued the bylaw notice must deliver a copy of the bylaw notice to the person in a manner authorized under section 7 *[delivery of bylaw notice]* of the Act, except the manner authorized under section 7 (1) (c) of the Act.
- (4) Section 8 *[options on receipt of bylaw notice]* of the Act applies to a person in respect of whom a certificate is suspended by order under subsection (1) as if the person received the bylaw notice on the date of the order.
- (5) If, on the date the period specified by bylaw for the purposes of section 8 of the Act ends, the person
 - (a) has complied with section 8 of the Act, the certificate is deemed to have been withdrawn and the debt that arose under section 9 *[if a person does not take an action under section 8]* of the Act in relation to the person is cancelled, and
 - (b) has not complied with section 8 of the Act, the suspension under subsection (1) ends.

Cancelling a certificate filed with the court

- 18** (1) On the application of a person named in a certificate within 30 days after the date the certificate is filed, a justice may order that the certificate is cancelled and a new adjudication be scheduled if the justice is satisfied that

- (a) the person either requested dispute adjudication under section 8 (1) (b) *[options on receipt of bylaw notice]* of the Act or required dispute adjudication under section 13 (1) *[requiring dispute adjudication]* of the Act,
- (b) through no fault of the person, the person failed to be heard on the adjudication and the adjudicator made an order under section 18 (4) *[adjudication procedures]* of the Act in relation to the person, and
- (c) the certificate was filed by the local government to recover the amount ordered due and payable by the person under section 18 (4) of the Act.

- (2) If a justice makes an order described in subsection (1), the debt ordered under section 18 (4) of the Act in relation to the person is cancelled and the local government that issued the bylaw notice must refer for adjudication the dispute in relation to which the person requested or required dispute adjudication.

Schedule 1

[am. B.C. Regs. 368/2005; 10/2006; 326/2006; 350/2006; 16/2007; 77/2007; 141/2008; 256/2008; 24/2009; 81/2009; 82/2009; 110/2009; 174/2009; 230/2009; 306/2009; 6/2010; 7/2010, s. (b); 8/2010; 109/2010; 110/2010; 272/2010; 316/2010; 317/2010; 366/2010; 72/2011; 76/2011; 136/2011; 159/2011; 134/2012; 282/2012; 341/2012; 28/2013; 202/2013; 230/2013; 97/2014; 142/2014; 256/2014; 137/2015; 153/2015; 252/2015; 253/2015.]

(section 2)

Column 1 Date Act Applies	Column 2 Local Government
February 1, 2006	Bowen Island Municipality
April 1, 2009	Cariboo Regional District
April 1, 2007	City of Abbotsford
October 1, 2008	City of Burnaby
September 1, 2005	City of Chilliwack
September 1, 2005	City of Coquitlam
May 1, 2009	City of Cranbrook
July 31, 2015	City of Dawson Creek
February 1, 2006	City of Duncan
January 1, 2010	City of Kelowna
September 26, 2012	City of Nanaimo
May 3, 2004	City of North Vancouver

August 1, 2009	City of Parksville
January 1, 2010	City of Penticton
July 14, 2014	City of Port Alberni
October 1, 2008	City of Port Coquitlam
September 1, 2005	City of Richmond
September 1, 2005	City of Surrey
February 1, 2011	City of Vancouver
May 1, 2010	City of Vernon
September 30, 2013	City of Williams Lake
December 22, 2015	Corporation of the City of Enderby
October 1, 2010	Corporation of the City of Nelson
April 1, 2009	Corporation of the City of New Westminster
December 22, 2015	Corporation of the City of Victoria
May 26, 2014	Corporation of the Township of Esquimalt
February 1, 2010	Denman Island Local Trust Committee
June 21, 2012	District of Barriere
September 30, 2013	District of Coldstream
September 1, 2005	District of Hope
September 1, 2005	District of Kent
February 1, 2010	District of Lake Country
May 1, 2011	District of Maple Ridge
May 3, 2004	District of North Vancouver
January 1, 2010	District of Peachland
January 1, 2007	District of Pitt Meadows
September 26, 2012	District of Sechelt
January 1, 2007	District of Squamish
January 1, 2010	District of Summerland
October 1, 2009	District of Tofino
December 22, 2014	District of Wells
January 1, 2010	District of West Kelowna
May 3, 2004	District of West Vancouver
February 1, 2006	Fraser Valley Regional District
May 1, 2011	Gabriola Island Local Trust Committee
February 1, 2010	Galiano Island Local Trust Committee
February 1, 2010	Gambier Island Local Trust Committee
March 1, 2009	Greater Vancouver Regional District
May 1, 2011	Hornby Island Local Trust Committee
May 1, 2011	Lasqueti Island Local Trust Committee

May 1, 2011	Mayne Island Local Trust Committee
February 1, 2010	North Pender Island Local Trust Committee
May 16, 2011	Northern Rockies Regional Municipality
August 1, 2011	Peace River Regional District
September 30, 2013	Regional District of Central Kootenay
February 4, 2013	Regional District of Central Okanagan
January 1, 2010	Regional District of Okanagan-Similkameen
February 1, 2010	Salt Spring Island Local Trust Committee
February 1, 2010	Saturna Island Local Trust Committee
May 1, 2011	South Pender Island Local Trust Committee
July 31, 2015	Squamish-Lillooet Regional District
November 30, 2010	Sun Peaks Mountain Resort Municipality
November 30, 2010	Sunshine Coast Regional District
September 15, 2011	The Corporation of Delta
November 25, 2013	The Corporation of the Village of Fruitvale
February 1, 2006	The Municipality of the Village of Lions Bay
May 1, 2011	Thetis Island Local Trust Committee
September 30, 2013	Thompson-Nicola Regional District
November 30, 2010	Town of Creston
May 1, 2010	Town of Gibsons
November 26, 2012	Town of Golden
February 1, 2010	Town of Oliver
July 1, 2008	Township of Langley
February 12, 2007	Village of Harrison Hot Springs
June 21, 2012	Village of Valemount

Schedule 2

Adjudicator Oath

(section 8)

I,[*name of adjudicator*]..... do swear/affirm that I will faithfully, honestly and impartially fulfill the duties and exercise the powers entrusted to me as an adjudicator under the *Local Government Bylaw Notice Enforcement Act* and that I have not received and will not receive any payment or reward, or any promise of payment or reward, for the exercise of any partiality or other improper execution of my office.

Sworn/Affirmed by me, at[*place*], on[*date*].

.....
[Signature of person swearing or affirming oath]

.....
A commissioner for taking affidavits for
British Columbia

Schedule 3
Form of Certificate
(section 16)

**CERTIFICATE OF AMOUNTS OWING**

In the Provincial Court of British Columbia (Small Claims Court)

Registry File Number

Registry Location

BETWEEN:

BYLAW NOTICE CREDITOR

AND

BYLAW NOTICE DEBTOR

CERTIFICATE**(Section 26 (3) of the *Local Government Bylaw Notice Enforcement Act*)**

I, _____, having been designated to file certificates under section 26 (3)

Print Name

of the *Local Government Bylaw Notice Enforcement Act*, hereby certify that:

1. _____ (the "Debtor"), having an address at

Personal or Corporate Name

Address

Telephone #

Municipality

(City, Town, etc)

Province

Postal Code

has incurred a debt arising from a bylaw notice adjudication determination or default that is due and payable in accordance with the *Local Government Bylaw Notice Enforcement Act*. As a result of the determination or default, the Debtor is required to pay the amounts listed below.

2. The Debtor has failed to pay all or part of the penalty so that, as of the date of this Certificate, the amounts contained within column 3 became due and payable on the dates indicated in column 2, for the reasons provided in the section of the *Local Government Bylaw Notice Enforcement Act* referred to in column 1

	1 Authority for Adjudication Determination or Default (section)	2 Date of Adjudication Determination or Default (dd/mm/yy)	3 Amount (\$)
Penalty			
Late Payment Surcharge			
Adjudication Cost Recovery Fee			
TOTAL			

3. The attached copy of Bylaw Notice # _____ forms part of this certificate; the certificate is not complete unless a copy of the bylaw notice is attached.

Signed at _____, British Columbia, on _____
Location YY MM DD

Signature

Title

Address

[Provisions relevant to the enactment of this regulation: *Local Government Bylaw Notice Enforcement Act*, S.B.C. 2003, c. 60, sections 28 and 29]