

FOR IMMEDIATE RELEASE: March 9, 2009

New Bylaw Adjudication System Proposed for City of Parksville

PARKSVILLE, BC: The City of Parksville will introduce a new bylaw enforcement system which will allow the municipality to deal with minor bylaw disputes such as parking tickets at the local level, as an alternative to working through the current Municipal Ticket Information (MTI) system. The Bylaw Adjudication System was created by the province to make the enforcement of bylaw matters more efficient and less expensive.

At its meeting on March 2, the Council of the City of Parksville unanimously recommended:

THAT the report from the Director of Community Planning dated February 2, 2009 for consideration of the Bylaw Adjudication System as an additional and alternate tool for ticketing be received;

AND THAT Council direct Administration staff to prepare draft bylaws and policies for the implementation of the bylaw adjudication system provided for in the Local Government Bylaw Notice Enforcement Act for Council's consideration;

AND FURTHER THAT staff also be directed to work with the Court Services Branch, Ministry of Attorney General to have the Lieutenant Governor in Council of the Province of British Columbia to enact a Regulation under Section 29 of the Local Government Bylaw Notice Enforcement Act applying the Act to the City of Parksville.

How the system works

The simple process involves forwarding disputes to a screening officer. The screening officer will listen to the disputant and record their information while also providing the disputant with all applicable bylaw information to assist in the understanding of why a notice was written.

The screening officer would then request a report from the issuing officer and compare both ends of the event to the bylaw and policy to determine if the notice is valid or requires cancellation. If the notice is found to be valid, the person who received the notice has the option to pay the amount or request that it be forwarded to the adjudication process.

The adjudicator is a person who is appointed by the province to review the matter. The disputant can attend in person, submit a written defence or possibly be heard by telephone based on what is more convenient. The adjudicator can only make a decision based on a balance of probabilities as to whether or not the contravention occurred. If the bylaw notice is confirmed by the adjudicator, the fine amount on the face of the bylaw notice is payable. In addition, a fee of \$25 will be added to recover a portion of the cost of the dispute.

Benefits

The Bylaw Adjudication System will provide citizens and the municipality with a more efficient method of resolving disputes over bylaw tickets which then means better bylaw enforcement. Compared with going to provincial court, it will be less expensive for both the respondent and the local government, since no legal counsel is required and the venue for hearing the dispute can be local as opposed to travelling to the Nanaimo Courthouse.

The new system is set out in the Local Government Bylaw Notice Enforcement Act adopted by the province in 2003 (Bill 65), creating a framework for a non-judicial system for local governments to deal with bylaw ticket disputes. The act was developed to create a simple, fair and cost effective system for dealing with minor bylaw contraventions.

The new system will improve efficiencies in the areas of paying and collection of fines as well as delivery of a streamlined process to the public. The City will see cost savings by not needing to employ a solicitor to defend tickets with smaller amounts to a maximum of \$500.

Tickets no longer need to be served in person to the owner of a vehicle or property in order to be valid. A ticket on a windshield, mailed with a letter or taped to the door of a building is considered a legal document under this system. This will save staff time and move bylaw contraventions closer to resolution faster which will result in saving for the public.

For more information:

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