

**PEACE RIVER REGIONAL DISTRICT  
Bylaw No. 2042, 2012**

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**A bylaw of the Peace River Regional District  
respecting the enforcement of Bylaw Notices**

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WHEREAS the Peace River Regional District may designate bylaw contraventions that may be enforced pursuant to the Local Government Bylaw Notice Enforcement Act;

NOW THEREFORE the Regional Board of the Peace River Regional District, in open meeting assembled, enacts as follows:

**1. CITATION**

- 1.1 This bylaw may be cited for all purposes as "Peace River Regional District Bylaw Notice Enforcement Bylaw No. 2042, 2012."

**2. SEVERABILITY**

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

**3. DEFINITIONS**

- 3.1 In this bylaw:

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

"**Bylaw Notice**" has the same meaning as in the Act;

"**Notice of Penalty**" means a notice issued pursuant to section 24 of the Act;

"**Regional District**" means the Peace River Regional District

"**Registry**" means the Peace River Regional District Bylaw Notice Dispute Adjudication Registry established pursuant to Part 8 of this Bylaw.

**4. TERMS**

- 4.1 The terms in this bylaw have the same meaning as the terms defined in the Act.

**5. DESIGNATED BYLAW CONTRAVENTIONS**

- 5.1 The contravention of a section of a Regional District bylaw listed in Column S in Schedule "A" of this Bylaw may be dealt with by Bylaw Notice.

**6. OFFENCE AND PENALTY**

- 6.1 The penalty for a contravention of a bylaw listed under section 5 of this bylaw is as follows:

6.1.1 Subject to subsections 6.1.2 and 6.1.3 of this Bylaw, the corresponding amount set out in column A1 of Schedule "A";

### **Early Payment Discount**

6.1.2 If payment of the penalty is received by the Registry within 21 days of the person receiving or being presumed to have received the bylaw notice, is the corresponding amount set out in column A2 of Schedule "A", and

### **Late Payment Surcharge**

6.1.3 If payment of the penalty is received by the Registry more than 32 days after the person has received or is presumed to have received the bylaw notice, is the corresponding amount set out in column A3 of Schedule "A".

## **7. PERIOD OF PAYING A DISPUTED NOTICE**

- 7.1 A person who receives a Bylaw Notice must, within 21 days of the date on which the person received or is presumed to have received the Bylaw Notice:
- 7.1.1 Pay the penalty to the Registry in any manner prescribed on the reverse side of the Bylaw Notice, or
  - 7.1.2 Request dispute adjudication of the Bylaw Notice by completing the form on the reverse side of the Bylaw Notice and delivering it to the Registry Office, Box 810, 1981 Alaska Avenue, Dawson Creek, BC V1G 4H8.
- 7.2 The Registry must not accept dispute adjudication requests received after the time specified in section 7.1 of this Bylaw.
- 7.3 If a person receives a Notice of Penalty, but was not personally served with a Bylaw Notice for the related bylaw contravention, that person may request cancellation and reissuance of the Bylaw Notice under section 25 of the Act and may deliver the request in writing to the Registry.

## **8. BYLAW NOTICE DISPUTE ADJUDICATION REGISTRY AND FEES**

- 8.1 The Registry is established as a Bylaw Notice dispute adjudication system in accordance with the Act to resolve disputes in relation to Bylaw Notices.
- 8.2 The civic address of the Registry is 1981 Alaska Avenue, Dawson Creek, BC V1G 4H8
- 8.3 In addition to any penalty imposed, every person who is unsuccessful in dispute adjudication in relation to a Bylaw Notice, or a compliance agreement under the dispute adjudication system agreement established must pay the Regional District a fee of \$25 for adjudication system cost recovery.

## **9. SCREENING OFFICERS**

- 9.1 The position of Screening Officer is established.
- 9.2 Anyone within one of the following classes of persons may be appointed as a Screening Officer:
- 9.2.1 Managers of the Regional District and
  - 9.2.2 Persons designated as Bylaw Enforcement Officers under Part 11 of this Bylaw.

- 9.3 The Manager of Development Services is appointed as a Screening Officer.
- 9.4 The Regional Board may, by resolution, appoint as a Screening Officer any person who is eligible under section 9.2 of this Bylaw.

## **10. POWERS, DUTIES AND FUNCTIONS OF SCREENING OFFICERS**

- 10.1 The powers, duties and functions of Screening Officers are as set out in the Act and its regulations, and include the following powers:
- 10.1.1 Where requested by the person against whom a contravention is alleged, to communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for the contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the Bylaw Notice dispute adjudication system and the fee or fees payable in relation to the Bylaw Notice enforcement process.
- 10.1.2 To communicate with any or all of the following for the purposes of performing their functions under this bylaw or the Act:
- a) The person against whom a contravention is alleged or their representative;
  - b) The officer issuing the Notice;
  - c) The complainant or their representative;
  - d) The Regional District staff
- 10.1.3 If permitted under section 10.3, to prepare and enter into compliance agreements under the Act with persons who dispute Bylaw Notices, including establishing terms and conditions for compliance the Screening Officer considers necessary or advisable, including timing of payment of penalties and achieving compliance with the bylaw;
- 10.1.4 To agree to the payment of a reduced penalty in the amount permitted under section 10.5 if a compliance agreement is entered into,
- 10.1.5 If adjudication of a bylaw notice is requested by its recipient, to either refer bylaw notices to the adjudicator or to cancel the bylaw notice in accordance with Regional District enforcement guidelines; and
- 10.1.6 To cancel Bylaw Notices when required under the Act and its regulations.
- 10.2 A Screening Officer may enter into a compliance agreement as provided by the Act using the form attached as Schedule "B" to this Bylaw.
- 10.3 A Screening Officer may only enter into a compliance agreement for those bylaw contraventions specified in column A4 of Schedule "A" to this Bylaw.
- 10.4 The maximum duration of a compliance agreement is one year.
- 10.5 Despite section 6.1, if a compliance agreement is entered into in relation to a bylaw contravention, the penalty for that bylaw contravention is one half the corresponding amount in column A1 of Schedule "A".

**11. BYLAW ENFORCEMENT OFFICERS**

11.1 The following persons are designated as Bylaw Enforcement Officers for the purposes of this Bylaw and the Act:

11.1.1 Special constables, officers, members and constables of:

- a) The provincial police force as defined in section 1 of the Police Act, and
- b) A municipal police force

11.1.2 Members of the Royal Canadian Mounted Police; and

11.1.3 Persons appointed as a Bylaw Enforcement Officers, Building Inspectors, Weed Inspectors or other persons acting in another capacity on behalf of the Regional District for the purpose of enforcement of one or more of the Regional District's bylaws.

11.2 No person shall obstruct or interfere with a Bylaw Enforcement Officer in the exercise or performance of his or her powers, duties or functions under this Bylaw and the Act.

**12. FORM OF BYLAW NOTICE**

12.1 The Regional District may from time to time provide for the form or forms of the Bylaw Notice.

**13. EFFECTIVE DATE**

13.1 This bylaw shall take effect and force on the first day of February, 2013.

**14. SCHEDULES**

14.1 The following Schedules form part of this Bylaw:

Schedule "A" – Designated Bylaw Contraventions and Penalties

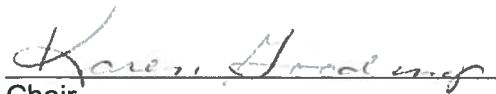
Schedule "B" – Compliance Agreement

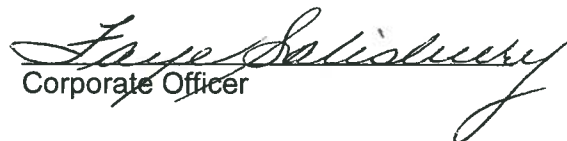
READ a FIRST TIME this 22<sup>nd</sup> day of November, 2012.

READ a SECOND TIME this 22<sup>nd</sup> day of November, 2012.

READ a THIRD TIME this 22<sup>nd</sup> day of November, 2012.

ADOPTED this 22<sup>nd</sup> day of November, 2012.

  
Chair

  
Corporate Officer

I hereby certify this to be a true and correct copy of  
"Peace River Regional District Bylaw Notice  
Enforcement Bylaw No. 2042, 2012."

  
Corporate Officer

Peace River Regional District  
Bylaw No. 2042, 2012

**Schedule "A" – Designated Bylaw Contraventions and Penalties**

S Bylaw Section	Description	A1 Penalty Amount	A2 Early Payment (within 21 days)	A3 Late Payment (after 32 days)	A4 Compliance Agreement Available
<b>PRRD Building Bylaw No. 1189, 1999</b>					
2.4.1	Building contrary to code	\$100.00	\$75.00	\$125.00	No
2.5 (a)	Building without valid permit	\$200.00	\$150.00	\$250.00	No
2.5(c)	Alter or remove posted notice	\$100.00	\$75.00	\$125.00	No
2.5(d)	Work at variance to approved plans	\$100.00	\$75.00	\$125.00	No
2.5(g)	Submit false or misleading information	\$100.00	\$75.00	\$125.00	No
2.5(i)	Occupy or use building contrary to permit	\$100.00	\$75.00	\$125.00	No
2.5(j)	Violate provision of this bylaw	\$100.00	\$75.00	\$125.00	Yes
7.4.3	Disobey Stop Work Notice	\$200.00	\$150.00	\$250.00	No
<b>PRRD Noise Bylaw No. 1084, 1997</b>					
3.1	Sound Amplification Equipment that disturbs	\$100.00	\$75.00	\$125.00	No
3.2	Operate motorboat that disturbs	\$100.00	\$75.00	\$125.00	No
<b>PRRD Unightly Premises Bylaw No. 1892, 2010</b>					
3.1	Unightly Premises	\$200.00	\$150.00	\$250.00	Yes
<b>PRRD Solid Waste Bylaw No. 2005, 2012</b>					
7	Disposal of prohibited waste contrary to bylaw	\$200.00	\$150.00	\$250.00	No
11	Deposit of household waste outside of designated receptacles at a PRRD transfer station	\$200.00	\$150.00	\$250.00	No
12	Deposit of household waste not in accordance with posted signage at a PRRD transfer station or landfill site	\$200.00	\$150.00	\$250.00	No
17	Deposit of solid waste outside of designated areas at a PRRD landfill site	\$200.00	\$150.00	\$250.00	No

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**Schedule "A" – Designated Bylaw Contraventions and Penalties**

S Bylaw Section	Description	A1 Penalty Amount	A2 Early Payment (within 21 days)	A3 Late Payment (after 32 days)	A4 Compliance Agreement Available
<b>PRRD Solid Waste Bylaw No. 2005, 2012</b>					
21	Unauthorized removal or relocation of refuse	\$100.00	\$75.00	\$125.00	No
22	Deposit of household waste not in accordance with posted signage at a PRRD landfill site	\$200.00	\$150.00	\$250.00	No
<b>PRRD Special Events Bylaw No. 979, 1995</b>					
7	Fail to obtain a permit	\$100.00	\$75.00	\$125.00	No
<b>PRRD Manufactured Home Parks Bylaw No. 816, 1992</b>					
1.05(a)	Prohibited Manufactured Home Use	\$100.00	\$75.00	\$125.00	Yes
1.05(b)	Prohibited Manufactured Home Park Use	\$100.00	\$75.00	\$125.00	Yes
<b>PRRD Dawson Creek Rural Land Use Zoning Bylaw No. 479, 1986</b>					
4.2	Use of property contrary to permitted uses	\$200.00	\$150.00	\$250.00	Yes
<b>PRRD Chetwynd Rural Area Land Use Zoning Bylaw No. 506, 1986</b>					
4.2	Prohibited Use of property	\$200.00	\$150.00	\$250.00	Yes
<b>PRRD Land Use Zoning Bylaw No. 1000, 1996</b>					
5	Prohibited Use of property	\$200.00	\$150.00	\$250.00	Yes
<b>PRRD Land Use Zoning Bylaw No. 1343, 2001</b>					
6	Prohibited use of property	\$200.00	\$150.00	\$250.00	Yes
<b>PRRD Bylaw Notice Enforcement Bylaw No. 2042, 2012</b>					
11	Obstruct building official	\$200.00	\$150.00	\$250.00	No
<b>PRRD Regional Parks Bylaw No. 860, 1994</b>					
1	Camping outside of campsite	\$100.00	\$75.00	\$125.00	No
6	Deposit of specified waste outside of designated receptacle	\$100.00	\$75.00	\$125.00	No

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**Schedule "A" – Designated Bylaw Contraventions and Penalties**

S Bylaw Section	Description	A1 Penalty Amount	A2 Early Payment (within 21 days)	A3 Late Payment (after 32 days)	A4 Compliance Agreement Available
<b>PRRD Regional Parks Bylaw No. 860, 1994</b>					
10	Camping for more than 14 consecutive nights	\$100.00	\$75.00	\$125.00	No
13	Defecate or urinate in Park other than outhouses/restrooms	\$100.00	\$75.00	\$125.00	No
14	Damage natural park feature	\$100.00	\$75.00	\$125.00	No
15	Damage park structure	\$100.00	\$75.00	\$125.00	No
16	Animal off leash	\$100.00	\$75.00	\$125.00	No
17	Cause a disturbance	\$100.00	\$75.00	\$125.00	No
19	Sale of goods or services	\$100.00	\$75.00	\$125.00	No
20	Discharge firearm	\$100.00	\$75.00	\$125.00	No
21	Discharge fireworks	\$100.00	\$75.00	\$125.00	No
22	Kill, hurt, molest or disturb wild animal or bird	\$100.00	\$75.00	\$125.00	No
25	Operation of unlicensed or all-terrain vehicle	\$100.00	\$75.00	\$125.00	No
26	Obstruction of traffic	\$100.00	\$75.00	\$125.00	No
28	Interfere with Park Manager or any employee or contractor of the PRRD	\$100.00	\$75.00	\$125.00	No
29	Fire not in designated area	\$100.00	\$75.00	\$125.00	No

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**Schedule "B" – Compliance Agreement**

I \_\_\_\_\_ (Name) of \_\_\_\_\_ (Address),  
Acknowledge receipt of Bylaw Notice(s) # \_\_\_\_\_ (the "Bylaw Notice") issued by  
the Peace River Regional District, and wish to enter into a Compliance Agreement whereby I  
agree to fulfill the terms below, in exchange for:

- (a) the screening officer's acceptance of the terms as evidenced by the screening officer's  
signature below; and
- (b) a reduction of the regular penalty by one half.

Specifically, I agree that:

1. I will pay the reduced penalty of \$ \_\_\_\_\_ for the bylaw contravention specified in the Bylaw  
Notice to the Peace River Regional District on or before \_\_\_\_\_

2. On or before \_\_\_\_\_ I will \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. On or before \_\_\_\_\_ I will \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. I have read the agreement and understand that it is binding on me;

5. I understand that the duration of the agreement is one year from the date the Screening  
Officer signs it;

6. I understand that if I breach this Agreement, or fail to observe or perform the above terms and  
conditions, the Screening Officer may rescind this Agreement;

7. I understand that if this Agreement is rescinded, I will have 14 days to dispute the Screening  
Officer's decision to rescind the Agreement and that, if I do not dispute this decision in that time  
or am unsuccessful with my dispute, I will have to pay the full penalty stated in the Bylaw Notice  
being \$ \_\_\_\_\_ plus all other applicable penalties and fees.

8. I am confirming my agreement to the terms of this compliance agreement by signing below.

\_\_\_\_\_  
Signature of Bylaw Notice Recipient

\_\_\_\_\_  
Signature of Screening Officer

\_\_\_\_\_  
Name [printed]:

\_\_\_\_\_  
Date

Date: \_\_\_\_\_