



Governance & Services Committee

TO: Governance and Services Committee

FROM: Corie Griffiths
Director of Corporate Services

DATE: October 14, 2021

SUBJECT: Bylaw Compliance Policy

Purpose: To seek approval from the Regional Board for a Bylaw Compliance Policy that will guide RDCO staff in the decision-making and application of procedural fairness for all bylaw compliance and enforcement matters.

Executive Summary:

In March 2016 the BC Ombudsperson released a *Bylaw Enforcement Best Practices Guide for Local Governments*. The intent was to promote “fair, reasonable and transparent practices in bylaw enforcement” to “enhance citizen confidence in local governments and save public dollars by resolving disputes early and efficiently.”

On July 9, 2020, the Governance & Services Committee received a staff report on the need for policy governing bylaw enforcement issues and procedures.

The proposed Bylaw Compliance Policy aligns with the principles and best practices and facilitates administrative fairness and balances the demands of the community and individuals when processing bylaw calls for service.

RECOMMENDATION:

THAT the Governance and Services Committee receives for information the Report from the Director of Corporate Services dated October 14, 2021, with respect to the Regional Board Bylaw Compliance Policy;

AND THAT the Governance and Services Committee recommends that the Regional Board approve the Bylaw Compliance Policy (BP12-2021) as attached to the report.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Corie Griffiths".

Corie Griffiths
Director of Corporate Services & Acting CAO

Prepared by: David Gazley, Manager of Protective Services

Attachment(s):

- Bylaw Compliance Policy (BP12-2021)

Implications of Recommendation:

Strategic Plan: The adoption of this policy supports the strategic plan of the Regional Board by providing proactive and responsive governance through keeping policies current and relevant.

Organizational: Establishing a Bylaw Compliance Policy will ensure that staff who enforce the RDCO's Bylaws have a consistent and transparent approach for obtaining compliance.

Policy: Bylaw Notice Disputes Policy

Legal/Statutory Authority: Local Government Act, Community Charter, Local Government Bylaw Notice Enforcement Act, Offence Act; and RDCO Bylaws as amended

Background:

Communities within the Regional District of Okanagan have diverse needs and at times complicated bylaw issues. This requires a better understanding of the issue; leading to prioritization of the file and tactical approach to review each case and find solutions.

The Regional District is responsible for developing a fair and reasonable bylaw framework for their communities. They create bylaws that reflect community values and standards to make their communities healthy and safe.

The Regional District has a responsibility of ensuring that enforcement actions taken foster voluntary compliance whenever possible to regional bylaws as directed by the Board. This policy will guide those enforcement activities and provide consistent and transparent processes for bylaw matters and investigations. Appointed Bylaw Enforcement Officers are a tremendous community asset. They provide public education, ensure compliance and, where necessary, enforce local ordinances.

The Bylaw Compliance Policy will ensure better community understanding of bylaw enforcement, equip and guide Bylaw Enforcement Officers with tools needed for enforcement and provide the Board information to mitigate expectations in terms of prioritization of bylaw matters and concerns.

Alternative Recommendation:

THAT the Governance and Services Committee receives the Report from the Director of Corporate Services dated October 4, 2021 for information;

AND THAT the Governance and Services Committee requests that staff revise the Bylaw Compliance Policy (BP12-2021) to reflect the Committee's requested edits for further consideration by the Committee.