

DISTRICT OF SECHELT

BYLAW NO. 491, 2010

A bylaw to authorize use of the Municipal Ticket Information (MTI) System

WHEREAS Section 260(1) of the *Community Charter* authorizes the Council of the District of Sechelt to enact bylaws for the purposes of enforcing the bylaws of the municipality;

AND WHEREAS Section 264(1)(a) of the *Community Charter* authorizes the Council of the District of Sechelt to designate a bylaw for the purposes of Part 8 Division 3 of the *Community Charter*;

AND WHEREAS the Council of the District of Sechelt deems it expedient to authorize the use of Municipal Ticket Informations for the enforcement of certain bylaws, designate certain bylaw offenses and set certain fine amounts;

NOW THEREFORE the Council of the District of Sechelt, in open meeting assembled, enacts as follows:

1. TITLE

- (a) This Bylaw may be cited for all purposes as “Municipal Ticket Information Bylaw No. 491, 2010”.

2. ENFORCEMENT

- (a) The bylaws of the District of Sechelt, and all amendments thereto, listed in Column 1 of Schedule A to this Bylaw may be enforced by means of a ticket in the form prescribed for the purpose of section 264 of the *Community Charter*.
- (b) The persons who act in the job positions or titles listed in Column 2 of Schedule A to this bylaw are designated as bylaw enforcement officers pursuant to Section 264(1)(b) of the *Community Charter* for the purpose of enforcing the bylaws listed in Column 1 of Schedule A opposite the respective job positions.

3. OFFENCE AND PENALTY

- (a) Pursuant to section 265 of the *Community Charter*, the fine amount set forth in Column 3 of the Appendices to this Bylaw is the fine amount that corresponds to the section number and words or expressions set out in Columns 1 and 2 of the Appendices opposite the fine amount.

4. DISPUTED TICKETS

- (a) The Council of the District of Sechelt hereby delegates to all bylaw enforcement officers the authority to refer all disputed tickets (Municipal Ticket Informations) to the Provincial Court for a hearing.

5. SEVERABILITY

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of the bylaw shall be deemed valid.

6. REPEAL

“M.T.I. Bylaw No. 199, 1994” and all subsequent amendments are hereby repealed.

READ A FIRST TIME THIS 2nd DAY OF June, 2010

READ A SECOND TIME THIS 2nd DAY OF June, 2010

READ A THIRD TIME THIS 2nd DAY OF June, 2010

ADOPTED THIS 16th DAY OF June, 2010



Mayor



Corporate Officer

I hereby certify that this is a true copy of “District of Sechelt Municipal Ticket Information Bylaw No.491, 2010”.

Corporate Officer

SCHEDULE A

ENFORCEMENT

- | | |
|--|---|
| (1) Street and Traffic Bylaw No. 11, 1987 (Appendix 1) | - Bylaw Enforcement Officer - Superintendent of Public Works - Member of the Royal Canadian Mounted Police |
| (2) Zoning Bylaw No. 25, 1987 (Appendix 2) | - Bylaw Enforcement Officer - Director of Planning - Member of the Royal Canadian Mounted Police |
| (3) Garbage Control, Collection & Disposal Bylaw, No. 47, 1988 (Appendix 3) | - Bylaw Enforcement Officer - Member of the Royal Canadian Mounted Police |
| (4) Mobile Home Park Bylaw No. 37, 1989 (Appendix 4) | - Building Inspector - Bylaw Enforcement Officer |
| (5) Public Sewer Bylaw No. 112, 1990 (Appendix 5) | - Superintendent of Public Works - Building Inspector |
| (6) Business License Bylaw No. 180, 1992 (Appendix 6) | - Bylaw Enforcement Officer - Bylaw Enforcement Officer - Business License Inspector - Member of the Royal Canadian Mounted Police |
| (7) Plumbing Bylaw No. 176, 1993 (Appendix 7) | - Building Inspector - Bylaw Enforcement Officer |
| (8) Noise Bylaw No. 220, 1994 (Appendix 8) | - Bylaw Enforcement Officer - Member of Royal Canadian Mounted Police |
| (9) Dog Licensing & Control Bylaw No. 221, 1994 (Appendix 9) | - Bylaw Enforcement Officer - Member of Royal Canadian Mounted Police |
| (10) Load Covering Bylaw No. 232, 1994 (Appendix 10) | - Bylaw Enforcement Officer - Member of Royal Canadian Mounted Police |

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| (11) Unsightly Premises Bylaw No. 345, 1998 (Appendix 11) | - Bylaw Enforcement Officer - Superintendent of Public Works |
| (12) Building Bylaw No. 409, 2003 (Appendix 12) | - Building Inspector - Bylaw Enforcement Officer |
| (13) Parks Tree Protection Bylaw No. 436, 2005 (Appendix 13) | - Director of Engineering or designate - Superintendent of Public Works - Parks Foreman - Bylaw Enforcement Officer |
| (14) Fireworks Bylaw No. 445, 2005 (Appendix 14) | - Bylaw Enforcement Officer - Business License Inspector - Member of the Royal Canadian Mounted Police |
| (15) Backyard Burning Prohibition Bylaw No. 446, 2005 (Appendix 15) | - Bylaw Enforcement Officer - Superintendent of Public Works - Member of Royal Canadian Mounted Police |
| (16) Sign Bylaw No. 456, 2006 (Appendix 16) | - Director of Planning or designate - Building Inspector - Bylaw Enforcement Officer |
| (17) Pesticide Bylaw No. 441, 2007 (Appendix 17) | - Bylaw Enforcement Officer |

APPENDIX 1**STREET AND TRAFFIC BYLAW NO. 11, 1987**

| | <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|-----|--|----------------|-------------|
| 1. | Obstruct driveway or crosswalk | 7(4) | \$50.00 |
| 2. | Stop or park contrary to posted traffic signs | 7(5) | \$50.00 |
| 3. | Stop within bus stop | 7(6) | \$50.00 |
| 4. | Park so as to obstruct traffic | 7(7) | \$50.00 |
| 5. | Park a vehicle leaving less than 10 feet of travelled portion of a street | 8(1) | \$50.00 |
| 6. | Overtime parking | 8(2) | \$30.00 |
| 7. | Park in excess of 72 hours | 8(3) | \$30.00 |
| 8. | Propel a vehicle upon or across a sidewalk, curb or boulevard | 20 | \$50.00 |
| 9. | Remove any notice from a vehicle | 26 | \$50.00 |
| 10. | Build, construct, place or maintain on a street or lane a structure so as to obstruct vision or public use of the street or lane | 27 | \$50.00 |
| 11. | Permit waste material on street | 28 | \$100.00 |
| 12. | Selling or displaying an article or thing on the street | 33(4) | \$100.00 |
| 13. | Use street for storage | 42 | \$100.00 |
| 14. | Injure trees or flowers | 49 | \$100.00 |
| 15. | Fail to remove snow and ice from sidewalk fronting commercial premises | 50 | \$50.00 |

APPENDIX 2**ZONING BYLAW NO. 25, 1987**

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|--|----------------|-------------|
| 1. Unauthorized temporary structure | 306(1) | \$100.00 |
| 2. Temporary structure - no permit | 306(2)(a) | \$100.00 |
| Temporary structure not removed | 306(2)(c) | \$100.00 |
| Site of temporary structure not restored | 306(2)(c) | \$100.00 |
| 3. Home Occupation - no Business License | 307 | \$100.00 |
| 4. Home Occupation - oversized signs | 307(2) | \$ 50.00 |
| 5. Home Occupation not enclosed | 307(3) | \$100.00 |
| 6. Home Occupation - Non resident | 307(4) | \$100.00 |
| 7. Home Occupation - more than 1 vehicle | 307(7) | \$100.00 |
| 8. Home Occupation - vehicle exceeds allowed G.V.W. | 307(7) | \$100.00 |
| 9. Home Occupation - excessive traffic | 307(8) | \$100.00 |
| 10. Live-aboards and floating homes | 308(2) | \$100.00 |
| 11. Overheight fence | 313 | \$ 50.00 |
| 12. Derelict vehicle | 318 | \$ 75.00 |
| 13. Unauthorized dwelling unit in R-1 | 502(a) | \$100.00 |
| 14. Unauthorized dwelling unit in R-2 | 510(a) | \$100.00 |
| 15. Unauthorized dwelling unit in R-3 | 518(a) | \$100.00 |
| 16. Insufficient parking | 1102(1) | \$ 50.00 |
| 17. Insufficient loading spaces | 1103(1) | \$ 50.00 |
| 18. Obstruct authorized entry | 1202(f) | \$150.00 |

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|---|-----------------------------|-------------|
| 19. any and all other contraventions of District of Sechelt Zoning Bylaw No. 25, 1987 not otherwise listed herein | Bylaw 490, 2010-App. 2 (19) | \$100.00 |

APPENDIX 3**GARBAGE CONTROL, COLLECTION AND
DISPOSAL BYLAW NO. 47, 1988**

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|---|----------------|-------------|
| 1. No sufficient garbage bin (non-residential) | (2)(i) | \$100.00 |
| 2. Failure to arrange collection at least once per week (non-residential) | (2)(i) | \$100.00 |
| 3. Failure to keep garbage enclosed | (4) | \$100.00 |
| 4. Failure to keep garbage cans in sanitary condition | (10) | \$100.00 |
| 5. Failure to deposit garbage | (12) | \$100.00 |

APPENDIX 4**MOBILE HOME PARK BYLAW NO. 37, 1989**

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|--|----------------|-------------|
| 1. Obstruct an Official | 1.07(2) | \$150.00 |
| 2. Development without permit | 2.02(1) | \$100.00 |
| 3. Improper Flood Plain setback | 3.02 | \$100.00 |
| 4. Improper Flood Plain elevation | 3.03(a) | \$100.00 |
| 5. Moving without permit | 4.02 | \$100.00 |
| 6. Mobile Home not on pad | 4.04(1) | \$100.00 |
| 7. More than 1 Mobile Home per space | 4.04(2) | \$100.00 |
| 8. Fail to meet C.S.A. Approval | 4.08 | \$100.00 |
| 9. Fail to "Double Block" Mobile Home | 4.10 | \$100.00 |
| 10. Improper setback - Mobile Homes | 5.09(1)(a) | \$100.00 |
| 11. Improper setback - accessory buildings | 5.09(1)(b) | \$100.00 |
| 12. Improper setback - vehicle areas | 5.09(2)(a) | \$100.00 |
| 13. Improper setback - space lines | 5.09(2)(b) | \$100.00 |
| 14. Inflammable debris | 14.02 | \$100.00 |
| 15. No Building Permit | 14.05 | \$100.00 |

APPENDIX 5**PUBLIC SEWER BYLAW NO. 112, 1990**

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|---|----------------|-------------|
| 1. Discharge flammable substance | 9(1)(a) | \$100.00 |
| 2. Discharge viscous substance | 9(1)(b) | \$100.00 |
| 3. Discharge malodorous substance | 9(1)(c) | \$100.00 |
| 4. Discharge radioactive material | 9(1)(d) | \$200.00 |
| 5. Discharge from septic tank | 9(1)(e) | \$100.00 |
| 6. Discharge restricted waste to sanitary sewer | 10(1) | \$100.00 |
| 7. Discharge restricted waste to storm sewer | 10(2) | \$100.00 |
| 8. Discharge garbage | 10(3)(a) | \$100.00 |
| 9. Discharge hot vapour | 10(3)(b) | \$100.00 |
| 10. Discharge grease | 10(3)(c) | \$100.00 |
| 11. Discharge suspended solids | 10(3)(d) | \$100.00 |
| 12. Discharge with pH not between 5.5 and 9.5 | 10(3)(e) | \$200.00 |
| 13. Discharge toxic substance | 10(3)(f) | \$200.00 |
| 14. Discharge materials with unusual biochemical oxidation demand | 10(3)(g)(iv) | \$200.00 |
| 15. Discharge waste dangerous to structures | 10(3)(h) | \$200.00 |
| 16. Discharge waste dangerous to treatment process | 10(3)(h) | \$200.00 |
| 17. Discharge affecting treatment | 10(3)(i) | \$200.00 |
| 18. Unsanitary deposit | 13(1) | \$100.00 |

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|--|----------------|-------------|
| 19. Damage sewer system equipment | 13(3) | \$100.00 |
| 20. Discharge drainage water to sanitary sewer | 13(4) | \$100.00 |
| 21. Sewer connection without permission | 13(5) | \$100.00 |
| 22. Connect sanitary sewage to storm sewer | 13(6) | \$200.00 |

APPENDIX 6**BUSINESS LICENSE BYLAW NO. 180, 1992**

| Offence | Section | Fine |
|--|-----------|---|
| 1. Non payment of license fee | (3)(1)(a) | \$100.00 |
| 2. Carrying on business without valid license | (3)(1)(b) | \$100.00 |
| 3. Failure to post business license | (5) | \$ 50.00 |
| 4. Failure to provide local contact information (Short Term Rental) | Sch B(1) | \$100.00 |
| 5. Unauthorized signage (Short Term Rental) | Sch B(4) | \$100.00 |
| 6. Transportation vehicles over capacity (Short Term Rental) | Sch B(5) | \$100.00 |
| 7. Failure to keep record of tenants (Short Term Rental) | Sch B(6) | \$ 50.00 |
| 8. Tenants with pets (Short Term Rental) | Sch B((7) | \$100.00 |
| 9. Operating a Short Term Rental without valid license | 2(7) | first offence: \$300.00 subsequent offence(s): \$1000.00 |

APPENDIX 7

PLUMBING BYLAW NO. 176, 1993

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|--|----------------|-------------|
| 1. No Plumbing Permit | 4(1) | \$100.00 |
| 2. Interfere with Inspection | 5(4) | \$150.00 |
| 3. Septic tank connected to public sewer | 19(14) | \$100.00 |
| 4. Old septic tank not filled | 19(20) | \$100.00 |

APPENDIX 8**NOISE BYLAW NO. 220, 1994**

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|-------------------------------|----------------|-------------|
| 1. Causing noise | 3(1) | \$100.00 |
| 2. Owner permitting noise | 3(2) | \$100.00 |
| 3. Sound equipment noise | 4(1)(a) | \$100.00 |
| 4. Animal noise | 4(1)(b) | \$100.00 |
| 5. Machine noise | 4(1)(c) | \$100.00 |
| 6. Construction noise | 4(1)(d) | \$100.00 |
| 7. Holiday construction noise | 4(1)(e) | \$100.00 |
| 8. Noise during quiet hours | 4(1)(f) | \$100.00 |
| 9. Obstruct Officer | 6(3) | \$200.00 |

APPENDIX 9**DOG LICENSING AND CONTROL BYLAW NO. 221, 1994**

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|------------------------------------|----------------|-------------|
| 1. Unlicensed dog | 3(1) | \$ 50.00 |
| 2. Dog tag not affixed | 3(7)(a) | \$ 50.00 |
| 3. More than two dogs | 3(8)(a) | \$ 50.00 |
| 4. Dog running at large | 4(1) | \$ 50.00 |
| 5. Failure to remove dangerous dog | 4(4) | \$200.00 |
| 6. Attempting to release dog | 4(6) | \$200.00 |
| 7. Failure to remove excrement | 4(7) | \$ 25.00 |
| 8. Obstruct Officer | 7(2) | \$200.00 |

APPENDIX 10

LOAD COVERING BYLAW NO. 232, 1994

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|-------------------|----------------|-------------|
| 1. Uncovered load | 2(1) | \$100.00 |
| 2. Spilled load | 2(2) | \$100.00 |

APPENDIX 11

UNSIGHTLY PREMISES BYLAW NO. 345, 1998

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|-----------------------|----------------|-------------|
| 1. Unsightly property | 3(1) | \$75.00 |

APPENDIX 12**BUILDING BYLAW NO. 409, 2003**

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|--|----------------|-------------|
| 1. Failure to obtain Building Permit | 2.1 | \$100.00 |
| 2. Disobey Stop Work Order | 20.4 | \$150.00 |
| 3. No Occupancy Permit | 2.2 | \$100.00 |
| 4. Obstruct Building Inspector | 2.6 | \$150.00 |
| 5. Move building without permit | 2.1 | \$100.00 |
| 6. Pool not properly enclosed | 13.2 | \$ 50.00 |
| 7. Hot tub not properly enclosed | 13.3 | \$ 50.00 |
| 8. Swimming pool or hot tub fence in disrepair | 13.4 | \$ 50.00 |
| 10. Tamper with posted notice/permit/certificate | 2.4 | \$100.00 |

APPENDIX 13

PARKS TREE PROTECTION BYLAW NO. 436, 2005

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|---|----------------|---|
| 1. Cut or prune tree in a designated Park | 3. | first offence: \$1000.00 subsequent offence(s): \$1000.00/tree |

APPENDIX 14

FIREWORKS BYLAW NO. 445, 2005

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|--|----------------|-------------|
| 1. Commercial sale of fireworks | 1. | \$250.00 |
| 2. Unauthorized possession or discharge of fireworks | 2. | \$250.00 |

APPENDIX 15

BACKYARD BURNING PROHIBITION BYLAW NO. 446, 2005

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|------------------------------|----------------|-------------|
| 1. Unauthorized open burning | (1) | \$200.00 |

APPENDIX 16

SIGN BYLAW NO. 456, 2006

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|--|----------------|-------------|
| 1. Placement of sign without a valid permit | 2. a) | \$100.00 |
| 2. Placement of sign contrary to bylaw | 3. | \$100.00 |
| 3. Interfere with authorized person's entry to inspect | 16. | \$100.00 |

APPENDIX 17

PESTICIDE BYLAW NO. 441, 2007

| <u>Offence</u> | <u>Section</u> | <u>Fine</u> |
|--|----------------|-------------|
| 1. Apply pesticide not otherwise exempted and without valid permit | 9(1) | \$300.00 |
| 2. Violate the terms of a permit issued | 9(2) | \$250.00 |