



VILLAGE OF BELCARRA Bylaw Dispute Adjudication System Backgrounder



Effective May 2018, the Village of Belcarra became the most recent municipality in BC to implement a new Bylaw Enforcement System. The new system will allow the Village to deal with bylaw disputes, such as parking tickets, at the local level rather than through the Provincial Court system.

When: Effective June/July 2018

What: Individuals who have received a Notice of Bylaw Violation / Ticket in the Village of Belcarra will have the opportunity to dispute the ticket and an independent Adjudicator will hear all disputes. The Adjudicators are appointed by the Provincial Attorney General's Office and funded by the Village.

Why: The system is set out in the new Provincial Government Local Government Bylaw Notice Enforcement Act. It is intended to resolve disputes in a simple, cost-effective manner. The new Bylaw Dispute Adjudication System will improve efficiency in the areas of paying and collecting fines; as well as deliver a streamlined process to the public. The system will also see efficiencies by:

- Reducing the costly, time-consuming process associated with disputing tickets through the Provincial court system;
- Reducing the high cost of locating and serving defendants;
- Reducing the need for witnesses to attend minor disputes;
- Reducing the costs associated with using a Provincial Court judge to hear a ticket dispute in court;
- Reducing the need to employ lawyers or enforcement officers to take minor cases to court;

How the new system works: The new system is intended to streamline the court procedures associated with hearing bylaw ticket disputes and assigning the appropriate penalty. Independent Adjudicators will determine whether a bylaw infraction did or did not occur. If a contravention has occurred, the full penalty will be applied as well as an adjudication fee of \$25 to offset the cost of the process.

Those wishing to dispute their ticket must do so by contacting the Village Office by phone, fax or email within 14 days of issuance of the Bylaw Notice/Ticket. At that point, the adjudication is a three step process:

1. The individual disputing their ticket (Disputant) will have the opportunity to speak with a Screening Officer. The Screening Officer will review the ticket and determine if it is a valid ticket, and if not, may cancel the ticket. If the Officer determines that the ticket is valid and does not cancel the ticket, it will be forwarded to an Adjudication Hearing, or paid, which ever the Disputant chooses.
2. The Disputant may advise the Village they would like an Adjudicator to hear their case. A date and time for Adjudication will be provided and the Hearing will be conducted at the Belcarra Village Hall. Options for the Disputant include providing their representation in writing, by phone or in person. If the ticket is upheld, the full penalty amount and the Adjudication fee of \$25 are payable.
3. If going forward to Adjudication, the Disputant will advise the Screening Officer which method of service they prefer - mail, fax, phone, or email. The Adjudication office will notify the Disputant of the procedure to present their case. The Screening Officer, on behalf of the Village, will present their case, in writing, to the Adjudicator.

Benefits:

- The Village will have more control over bylaw fine collection;
- Provincial Court time is minimized;
- Disputes will be resolved locally with a minimum of process, benefiting both the community and the person disputing the infraction;
- Those who have tickets do not have to leave work or home in order to have a hearing.

Summary: By implementing a system comprised of a dedicated Screening Officer and Adjudicator, the Village of Belcarra, as well as the Province of British Columbia, will ensure that all minor bylaw matters are resolved through a streamlined process. This not only saves taxpayer dollars, but also allows provincial and municipal time and resources to be used more efficiently and effectively. As well, those challenging tickets will receive enhanced, quicker service through a streamlined and efficient system.