



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall
1229 Esquimalt Road
Esquimalt, B.C. V9A 3P1

Staff Report

File #:15-455

REQUEST FOR DECISION

DATE: October 27, 2015

Report No. CSS-15-018

TO: Laurie Hurst, Chief Administrative Officer

FROM: Blair McDonald, Director, Community Safety Services

SUBJECT:

Bylaw Notice Enforcement Bylaw Amendment - Tree Protection Bylaw, Parks and Recreation Regulation Bylaw and Boulevard Maintenance Bylaw Schedules

RECOMMENDATION:

That Council gives first, second and third readings to the Bylaw Notice Enforcement Bylaw, 2014, No. 2839, Amendment Bylaw [No. 2], 2015, No. 2859

RELEVANT POLICY:

Bylaw Notice Enforcement Bylaw, 2014, No. 2839, as amended
Tree Protection Bylaw, 2015, No. 2837
Parks and Recreation Regulation Bylaw, 2007, No. 2665
Boulevard Maintenance Bylaw, 2015, No. 2860

STRATEGIC RELEVANCE:

This report does not relate directly to Council's Strategic Goals or Priorities.

BACKGROUND:

On June 1st, 2015, Council adopted the Tree Protection Bylaw, 2015, No. 2837. In order to enforce the provisions of the Bylaw by way of Bylaw Offence Notice, an additional schedule needs to be added to the Bylaw Notice Enforcement Bylaw, 2014, No. 2839. Additionally, when the Bylaw Notice Enforcement Bylaw was created, a schedule for the existing Parks and Recreation Regulation Bylaw, 2007, No. 2665 was not included. In order to enforce the provisions of this Bylaw by way of Bylaw Offence Notice, a schedule needs to be added to the Bylaw Notice Enforcement Bylaw. Lastly, the Boulevard Maintenance Bylaw is scheduled for approval by Council on November 2nd, 2015 and

requires a schedule be added to the Bylaw Notice Enforcement Bylaw.

The draft amendment Bylaw and Schedules are attached.

ISSUES:

1. Rationale for Selected Option

With the adoption of the Bylaw Notice Enforcement Bylaw, 2014, No. 2839, the primary method for issuing tickets in the Township is via Bylaw Offence Notice. In order to enforce the Tree Protection Bylaw, the Parks and Recreation Regulation Bylaw and the Boulevard Maintenance Bylaw via Bylaw Offence Notice, additional schedules need to be added to the Bylaw Notice Enforcement Bylaw.

2. Organizational Implications

The amendment to the Bylaw Notice Enforcement Bylaw will change the method in which the Tree Protection Bylaw and Parks and Recreation Regulation Bylaw are enforced and allow the Boulevard Maintenance Bylaw to be enforced via Bylaw Offence Notice. Bylaw Offence Notices will be the only method used to enforce these Bylaws via a ticket. Should it be required, proceeding by long form information through Provincial Court for those offences that are significant in nature is an available option. This is consistent with the method used to enforce most other bylaws within the Township.

3. Financial Implications

There are no financial implications associated to the addition of the new Schedules to the Bylaw Notice Enforcement Bylaw.

4. Sustainability & Environmental Implications

There are no Sustainability or Environmental Implications.

5. Communication & Engagement

Once approved, the amended Bylaw and new Schedules will be posted on the Township's website for the public's information.

ALTERNATIVES:

1. That Council give first, second and third readings to the Bylaw Notice Enforcement Bylaw, 2014, No. 2839, Amendment Bylaw [No. 2], 2015, No. 2859.
2. That Council directs any amendments it considers appropriate to Bylaw Notice Enforcement Bylaw, 2014, No. 2839, Amendment Bylaw [No. 2], 2015, No. 2859 and gives the amended Bylaw first, second and third readings.
3. That Council refers draft Bylaw Notice Enforcement Bylaw, 2014, No. 2839, Amendment Bylaw

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[No. 2], 2015, No. 2859 back to staff to further revision.