

DATE: August 09, 2018

FILE: 4020-01

TO: Chair and Directors
Electoral Areas Services Committee

Supported by Russell Dyson
Chief Administrative Officer

FROM: Russell Dyson
Chief Administrative Officer

R. Dyson

RE: Bylaw Enforcement Semi-Annual Report

Purpose

To keep the Electoral Areas Services Committee (EASC) informed of the Comox Valley Regional District (CVRD) Bylaw Enforcement files and activities.

Recommendation from the Chief Administrative Officer:

For information purposes only.

Executive Summary

This report references January 1, 2018 to June 30, 2018. Some highlights of this reporting period include:

- The illegal dumping program started in April 2017 continues to identify illegal dump sites and has resulted in 20 files opened, three warning letters mailed to persons identified in illegal dumping, one Municipal Ticket Information (MTI) served and reduced to a warning and one MTI served with a charge, currently before the courts and scheduled for prosecution. Five persons responsible for illegal dumping were also identified;
- Complaints regarding odours generated by legal and illegal cannabis production have noticeably increased and Bylaw has requested an amendment to the nuisance bylaw to assist with addressing and mitigating odour complaints;
- A substantial clean-up was completed on an unsightly premises file on Hornby Island in Area A. The property owners had to regain occupancy over the property to address an extreme hoarding situation that had been caused by the tenant;
- Bylaw Compliance staff continue to work on a number of unsightly premise files in Area C and Area B. These particular files have had both financial limitations for the owner to remove and dispose of items and unwilling/resistant owners. Bylaw staff will continue to work with property owners as long as steps towards compliance are being made.

The Bylaw Enforcement Policy requires that detailed reports are maintained on all bylaw enforcement activities, in addition to regular reporting of enforcement activity.

Section 90 of the Community Charter states, in part, that all or part of a meeting may be closed to discuss law enforcement if disclosure could harm an investigation or enforcement. This report is a public document.

Prepared by:

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Concurrence:

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Concurrence:

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Background/Current Situation

This semi-annual report is for the period of January 1, 2018 to June 30, 2018.

- Within this reporting period there have been 113 files opened. An increase of 38 files from the same period in 2017;
- Within this reporting period there have been 105 files closed.

Further to the above file statistics, within this reporting period Bylaw staff have fielded

- 483 phone calls related to specific enforcement files
- 255 phone calls of general enforcement inquiries

Bylaw staff continue to notice an increase in email complaints, inquiries and communication with the majority of new files generated by complaints submitted electronically. The use of the Bylaw Enforcement email for general inquiries, continues to increase.

Some notable successes for CVRD Animal Control for this reporting period include:

- 1077 dog licenses sold during the reporting period.
- A number of barking dog complaints successfully investigated and concluded by way of compliance or a Municipal Ticket Information being served to the owner.
- CVRD Animal Control officers investigated 14 barking dog complaints, 10 aggressive incidents and 88 dogs at large.
- Three MTIs issued, 24 bylaw notices issued and nine Orders to Comply issued.

Options

This report is presented for information purposes only.

Financial Factors

There were no financial costs associated to Bylaw files within this reporting period.

Legal Factors

Bylaw Compliance staff continue to prepare and process all disputed MTIs issued by the CVRD Bylaw and Building staff as well as those issued by RCMP and Animal Control officers. Bylaw Compliance staff has established a system to review fine disputes, which has greatly assisted in having fines paid and mediation with property owners without having to attend court. Staff is also exploring the use of the Provinces Civil Resolution Tribunal to collect unpaid MTIs and will be submitting our first few cases by the end of summer.

Regional Growth Strategy Implications

Compliance continues to be achieved on unsightly premises files while working with property owners and tenants that may be living in hazardous or unhealthy living conditions. A sound methodology in negotiating compliance achieves the aim of supporting a quality of life through the protection and enhancement of community health, safety and well-being.

Intergovernmental Factors

Bylaw Compliance staff continue to foster relationship and work closely with outside agencies such as Department of National Defence, RCMP, Corps of Commissionaires, Agricultural Land Commission, BC Hydro, Vancouver Island Health Authority, Ministry of Forests Lands and Natural Resources, Islands Trust, Ministry of Transportation and Infrastructure, M'Akola Housing Corporation, the local branch of the British Columbia Society for the Prevention of Cruelty to Animals. Often compliance is achieved on our enforcement files with the help of these agencies. Bylaw compliance staff has also continued to liaise with the Hoarding Education and Action Team.

Interdepartmental Involvement

Bylaw Compliance continues to work closely with the other branches of the CVRD with a variety of enforcement issues, including illegal dumping, enforcement in CVRD parks and issuing MTIs. This ensures continuity on the enforcement files and education of the public on bylaw matters. This year Bylaw Compliance staff have been working closely with Planning staff on a number of zoning related files.

Citizen/Public Relations

The CVRD continues to process and respond to all bylaw complaints and inquiries in a timely manner, in addition to utilizing the CVRD website to keep the public informed of changes to legislation such as the legalization of non-medical cannabis as well as seasonal bylaw requirements such as dog licensing and firework permits. Social media presence for firework permit sales and dog licenses continued with good success and was monitored frequently to address any issues and/or questions that were raised.

Attachments: Schedule A – “2018 Semi-Annual File Statistics”

Schedule A
2018 Semi-Annual File Statistics

Zoning Use

Electoral Area A	3
Electoral Area B	5
Electoral Area C	6
Total	14

Zoning Other

Electoral Area A	9
Electoral Area B	5
Electoral Area C	7
Total	21

Unightly

Electoral Area A	7
Electoral Area B	3
Electoral Area C	7
Total	17

Noise

Electoral Area A	9
Electoral Area B	7
Electoral Area C	8
Total	24

Illegal Dumping

Electoral Area A	2
Electoral Area B	6
Electoral Area C	11
Total	19

Other

Electoral Area	2
Electoral Area	5
Electoral Area	4
Total	11

Parks /Weed Control

Electoral Area A	2
Electoral Area B	3
Electoral Area C	2
Total	7

Total files **113**