

**REGIONAL DISTRICT OF NORTH OKANAGAN  
BYLAW NO. 2909, 2021**

**CONSOLIDATED FOR CONVENIENCE**

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*This document is an office consolidation of the above-noted Bylaw and includes the amendments listed below. This Bylaw has been consolidated for convenience and is intended for information and reference purposes only. This document is not the official version of the Bylaw. Be advised that plans, pictures, other graphics or text in the official version may be missing or altered in this consolidated version. Where accuracy is critical, please contact the Corporate Services Department at the Regional District of North Okanagan.*

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**TEXT AMENDMENTS**

<b>Bylaw No.</b>	<b>Adopted</b>	<b>Amendment</b>
2977	October 18, 2023	<ul style="list-style-type: none"><li>- Replace "Appendices 1 through 15" with "Appendices 1 through 16" in section 5.a, 5.b, 15.d and 16.</li><li>- Add "Shuswap North Okanagan Rail Trail Regulation and Fees Bylaw No. 2977, 2023" to Schedule "A"</li><li>- Add "Bylaw Enforcement Officer, Manager, Parks and Recreation, and General Manager, Community Services" to Schedule "A"</li><li>- Add Schedule "C" as Schedule "A"</li></ul>

**REGIONAL DISTRICT OF NORTH OKANAGAN**

**BYLAW No. 2909**

A bylaw respecting the enforcement of bylaw notices in conjunction with the Southern Interior Bylaw Notice Dispute Adjudication Registry

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**WHEREAS** pursuant to the *Local Government Bylaw Notice Enforcement Act*, and regulations thereto, a local government may, by bylaw,

- a. Designate bylaw contraventions that may be dealt with by Bylaw Notice;
- b. Establish the amount of penalty for a contravention referred to in paragraph a;
- c. Establish the period for paying or disputing a Bylaw Notice; and
- d. Establish and participate in a Bylaw Notice dispute adjudication system to resolve disputes in relation to Bylaw Notices;

**AND WHEREAS** it is the intention of the Board of the Regional District of North Okanagan to participate in the Southern Interior Bylaw Notice Dispute Adjudication Registry with respect to bylaw notices;

**NOW THEREFORE** the Board of the Regional District of North Okanagan in an open meeting assembled, hereby **ENACTS AS FOLLOWS:**

**CITATION**

1. This Bylaw may be cited as ***“Bylaw Notice Enforcement Bylaw No. 2909, 2021”***.

**DEFINITIONS**

2. In this Bylaw, unless the context requires otherwise:
  - a) **“Act”** means the *Local Government Bylaw Notice Enforcement Act*;
  - b) **“Regional District”** means the Regional District of North Okanagan;
  - c) **“Registry”** means the Southern Interior Bylaw Notice Dispute Adjudication Registry established by Agreement attached as Schedule “B”.

**TERMS**

3. The terms in this bylaw have the same meaning as the terms defined in the *Act*.

**BYLAW CONTRAVENTIONS**

4. The bylaws and bylaw contraventions designated in Schedule “A” attached hereto and forming part of this bylaw, may be dealt with by bylaw notice.

**OFFENCE AND PENALTY**

5. The penalty for a contravention referred to in section 4 is as follows:
  - a) Subject to sub-section 5.b, is the penalty amount set out in Column A1 of ~~Appendices 1 through 15~~ **Appendices 1 through 16** of Schedule “A”;

- b) If received by the Regional District within 14 days of the person receiving or being presumed to have received the notice, is the Early Payment Penalty set out in Column A2 ~~Appendices 1 through 15~~ **Appendices 1 through 16** of Schedule "A".

### **PERIOD FOR PAYING A DISPUTED TICKET**

6. A person who receives a bylaw notice must, within 14 days of the date on which the person received or is presumed to have received the bylaw notice:
- a) Pay the penalty; or
  - b) Request dispute adjudication by filling in the appropriate portion of the bylaw notice indicating either a payment or a dispute and delivering it, either in person during regular office hours, or by mail, to the Regional District.
7. A person may pay the indicated penalty after 14 days of receiving the notice but no person may dispute the notice after 14 days of receiving the bylaw notice.
8. Where a person was not served personally with a bylaw notice and advises the Regional District, in accordance with the requirements of Section 25 of the *Act*, that they did not receive a copy of the original notice, the time limits for responding to a bylaw notice under sections 5 and 7 of this Bylaw do not begin to run until a copy of the bylaw notice is redelivered to them in accordance with the *Act*.

### **BYLAW NOTICE DISPUTE ADJUDICATION REGISTRY**

9. The Registry established as a bylaw notice dispute adjudication system in accordance with the *Act* to resolve disputes in relation to bylaw notices.
10. The civic address of the Registry is 1435 Water Street, Kelowna, BC, V1Y 1J4.
11. The Southern Interior Bylaw Notice Dispute Adjudication Registry Agreement, upon execution, shall be incorporated by reference into the bylaw as Schedule "B".
12. Every person who is unsuccessful in a dispute adjudication in relation to a bylaw notice or a compliance agreement under the dispute adjudication system established under this section must pay the Regional District an additional fee of \$25 for the purpose of the Regional District recovering the costs of the adjudication system.

### **SCREENING OFFICERS**

13. The position of Screening Officer is established.
14. The Board of Directors shall appoint the Bylaw Enforcement Officer or their designate as Screening Officer.

**POWERS, DUTIES AND FUNCTIONS OF SCREENING OFFICERS**

15. The powers, duties, and functions of Screening Officers are as set out in the *Act*, and include the following powers:
- a) Where requested by the person against whom a contravention is alleged, communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the bylaw notice dispute adjudication system and the fee or fees payable in relation to the bylaw notice enforcement process;
  - b) To communicate with any or all of the following for the purposes of performing their functions under this Bylaw or the *Act*:
    - i. the person against whom a contravention is alleged or their representative;
    - ii. the officer issuing the notice;
    - iii. the complainant or their representative;
    - iv. the Regional District's staff and records regarding the disputant's history of bylaw compliance.
  - c) To prepare and enter into compliance agreements under the *Act* with persons who dispute bylaw notices, including to establish terms and conditions for compliance that the Screening Officer considers necessary or advisable, including time periods for payment of penalties and compliance with the Bylaw;
  - d) To provide for payment of a reduced penalty if a compliance agreement is entered into, as provided in Column A3 of ~~Appendices 1 through 15~~ **Appendices 1 through 16** of Schedule "A"; and
  - e) To cancel bylaw notices in accordance with the *Act* or Regional District policies and guidelines.
16. The bylaw contraventions in relation to which a Screening Officer may enter into a compliance agreement are indicated in Column A3 of ~~Appendices 1 through 15~~ **Appendices 1 through 16** of Schedule "A".
17. The maximum duration of a compliance agreement is one year.

**BYLAW ENFORCEMENT OFFICERS**

18. Persons acting as any of the following are designated as Bylaw Enforcement Officers for the purposes of this Bylaw and the *Act*:
- a) Special Constables, Officers, Members or Constables of:
    - i. The provincial police force as defined in Section 1 of the *Police Act*, or
    - ii. A municipal police force;
  - b) Bylaw Enforcement Officers appointed pursuant to the *Police Act* or the *Community Charter*;
  - c) Local Assistants to the Fire Commissioner under Section 6 of the *Fire Services Act*;

- d) Persons listed in the second column under Designated Bylaw Enforcement Officer on Schedule “A” or other persons acting in another capacity on behalf of the Regional District for the purpose of enforcement of one or more of its bylaws.

**FORM OF BYLAW NOTICE**

19. The Regional District may from time to time provide for the form or forms of the bylaw notice, provided the bylaw notice complies with Section 4 of the *Act*.

**SEVERABILITY**

20. If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the Bylaw and such invalidity shall not affect the validity of the remaining portions of this Bylaw.

**Read a First, Second and THIRD Time**                                 this     22nd     day of     September, 2021

**ADOPTED**   this     22nd     day of     September, 2021

“signatures on file”

Chair  
Kevin Acton

“signatures on file”

Deputy Corporate Officer  
Ashley Bevan

**REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW NO. 2909, 2021 — SCHEDULE “A”**

<b>Designated Bylaw</b>	<b>Designated Bylaw Enforcement Officer</b>
Zoning Bylaw No. 1888, 2003	Bylaw Enforcement Officer
Silver Star Zoning Bylaw No. 1926, 2004	Bylaw Enforcement Officer
Unightly Premises Bylaw No. 2046, 2005	Bylaw Enforcement Officer
Dog Control Bylaw No. 2881, 2021	Animal Control Officer Bylaw Enforcement Officer
Open Burning – Fire Regulation Bylaw No. 2514, 2011	Fire Prevention Officer Fire Chief Bylaw Enforcement Officer Manager, Protective Services
Greater Vernon Water Use and Regulation Bylaw No. 2545, 2014	Bylaw Enforcement Officer
Greater Vernon Water Metering Bylaw No. 2731, 2019	Bylaw Enforcement Officer
Noise Regulation Bylaw No. 2581, 2013	Bylaw Enforcement Officer RCMP
Soil Deposit and Removal Bylaw No. 2647, 2014	Bylaw Enforcement Officer General Manager, Planning and Building
Cross Connection Control Regulation Bylaw No. 2651, 2014	Cross Connection Control Officer Bylaw Enforcement Officer
Building Bylaw No. 2670, 2015	Building Inspector Bylaw Enforcement Officer
Municipal Solid Waste Management Bylaw No. 2832, 2019	Bylaw Enforcement Officer General Manager, Community Services Manager, Environmental Services DDF Operations Manager
Greater Vernon Sub-Regional Parks Regulation Bylaw No. 2834, 2020	Bylaw Enforcement Officer Manager, Parks
Electoral Area Parks Regulation Bylaw No. 2835, 2020	Bylaw Enforcement Officer Manager, Parks
White Valley Parks Regulation Bylaw No. 2866, 2020	Bylaw Enforcement Officer Manager, Parks
Small Utilities Rates and Regulation Bylaw No. 2867, 2021	Bylaw Enforcement Officer
<b><i>Shuswap North Okanagan Rail Trail Regulation and Fees Bylaw No. 2977, 2023</i></b>	<b><i>Bylaw Enforcement Officer Manager, Parks and Recreation General Manager, Community Services</i></b>

**REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW NO. 2909, 2021 — SCHEDULE “A” — APPENDIX 1***Designated Bylaw – Zoning Bylaw No. 1888, 2003*

<b>Word or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Land use contravention (other than that listed below)	109.2.a	\$100.00	\$80.00	Yes
Unenclosed storage of vehicles and parts in disrepair	306.3	\$100.00	\$80.00	Yes
Home occupation not fully enclosed	403.2	\$100.00	\$80.00	Yes
Home occupation exceeds floor area	403.3	\$100.00	\$80.00	Yes
Accessory building too large for home occupation	403.4	\$100.00	\$80.00	Yes
Sale of Commodity not produced on premises	403.8	\$100.00	\$80.00	Yes
Home occupation not meeting requirements	403.9	\$100.00	\$80.00	Yes
Exceed animal concentrations	701.1.f, 702.1.f, 703.1.g, 801.1.h, 802.1.i, 802.1.j, 803.1.i, 803.1.j, 804.1.i, 804.1.j	\$100.00	\$80.00	Yes

<b>Word or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Unenclosed parking and storage	701.10.c, 702.10.c, 703.10.h, 704.10.a, 705.11.b, 706.10.a, 801.10.f, 802.10.j, 803.10.k, 804.10.k, 1001.11.e, 1003.4.f, 1004.7.c	\$100.00	\$80.00	Yes
Limited resource use	802.10.h	\$200.00	\$160.00	Yes
Resource use	803.10.j, 804.10.j	\$200.00	\$160.00	Yes
No sign permit	1401.3	\$100.00	\$80.00	Yes
Prohibited sign	1401.4.b	\$100.00	\$80.00	Yes



**REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW NO. 2909, 2021 — SCHEDULE “A” — APPENDIX 2***Designated Bylaw – Silver Star Zoning Bylaw No. 1926, 2004*

<b>Words or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Obstruction	112.2	\$500.00	\$400.00	Yes
Fences	309	\$100.00	\$80.00	Yes
Suites	310	\$100.00	\$80.00	Yes
Storage of unlicensed, unenclosed vehicles	311	\$100.00	\$80.00	Yes
Grading, cutting, crushing or fabricating of industrial products or resource materials	312	\$100.00	\$80.00	Yes
Storage yards	401.11, 401.12, 501.16, 502.20, 503.28, 504.17	\$100.00	\$80.00	Yes
Home occupation	503.1.g	\$100.00	\$80.00	Yes
Prohibited signs	903.1	\$100.00	\$80.00	Yes

**REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW  
NO. 2909, 2021 — SCHEDULE “A” — APPENDIX 3***Designated Bylaw – Unsightly Premises Bylaw No. 2046, 2005*

<b>Words or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Unauthorized dumping	4.a or b.	\$100.00	\$80.00	Yes
Unsightly Premises	5.a or b.	\$100.00	\$80.00	Yes
Failure to comply with a clean up notice	6	\$200.00	\$160.00	Yes

**REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW NO. 2909, 2021 — SCHEDULE “A” — APPENDIX 4***Designated Bylaw – Dog Control Bylaw No. 2881, 2021*

<b>Words or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
More than (3) Dogs	6	\$100.00	\$80.00	Yes
Keeping an Unlicensed Dog	8	\$300.00	\$240.00	Yes
Dog not wearing Dog Tag	13	\$100.00	\$80.00	Yes
Failure to control Dog	16	\$100.00	\$80.00	No
Excessive Barking	17	\$200.00	\$160.00	Yes
Contravene tethering regulations	18,19	\$200.00	\$160.00	Yes
Dog At Large	20	\$100.00	\$80.00	Yes
Dog molesting passersby or approaching in a menacing fashion or apparent attitude of attack	21.a	\$100.00	\$100.00	Yes
Dog bites, inflicts injury, assaults or otherwise attacks a person	21.b	\$500.00	\$400.00	No
Dog chases vehicles or cyclists	21.c	\$100.00	\$80.00	No
Dog chases, harasses, bites, inflicts injury, assaults or otherwise attacks any other animal	21.d	\$200.00	\$160.00	No
Dog damages property, other than that of the Owner	21.e	\$100.00	\$80.00	Yes
Dog in prohibited area	22, 23	\$100.00	\$80.00	No
Off-Leash contrary to requirements	24	\$100.00	\$80.00	Yes
More than four (4) Dogs in a Dog Park	25	\$100.00	\$80.00	No

<b>Words or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Off-Leash in Dog Park contrary to requirements	26.a 26.b 26.c 26.d 26.e 26.f	\$100.00	\$80.00	Yes
Dog excrement permitted to accumulate, noticeable odour	27	\$100.00	\$80.00	Yes
No means of facilitating removal of Dog excrement	28.a, 28.b	\$100.00	\$80.00	Yes
Failure to remove and dispose of Dog excrement	28.c	\$100.00	\$80.00	No
Failure to post Dangerous Dog signage	29	\$500.00	\$500.00	No
Unsecured Aggressive Dog	30	\$300.00	\$240.00	No
Aggressive Dog not muzzled and not on a Leash	31.a, 31.b	\$300.00	\$240.00	No
Aggressive Dog in prohibited area	32	\$300.00	\$240.00	No
Failure to control disease	33	\$300.00	\$240.00	No
Cruelty or poor conditions	34.a, 34.b 34.c, 34.d 34.e, 34.f, 35	\$300.00	\$240.00	No
Dog in Enclosure or Vehicle contrary to requirements	36, 37, 38	\$100.00	\$80.00	No
Abandonment of Dog	39	\$500.00	\$400.00	No
Non-compliant breeding facility	40	\$500.00	\$400.00	Yes
To release or attempt to release or rescue an Impounded Dog	47.a	\$500.00	\$400.00	No

NOTE: Nuisance Dogs are charged double the applicable Penalty

**REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW NO. 2909, 2021 — SCHEDULE “A” — APPENDIX 5***Designated Bylaw – Open Burning – Fire Regulation Bylaw No. 2514, 2011*

<b>Words or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Burning when prohibited	4	\$100.00	\$80.00	No
Burning when the venting is not “good”	5(c) and 16	\$100.00	\$80.00	No
Burning materials from another property	5(d)	\$100.00	\$80.00	No
Burning prohibited materials	5(e)	\$100.00	\$80.00	No
Failure to control/supervise	5(i), 6(e), 6(f) and 6(g)	\$100.00	\$80.00	No
Adding material to fire after 5:00 PM	5(h)	\$100.00	\$80.00	No
Class ‘B’ Burning without a permit	9(a)	\$100.00	\$80.00	No
Special Open Burning without a permit	10(a)	\$100.00	\$80.00	No
Burning without sufficient set back	8(d), 9(c), 10(c) and 6(d)	\$100.00	\$80.00	No
Burning at non-permitted time of day	6(b)	\$100.00	\$80.00	No
Burning that disturbs	7(c)	\$100.00	\$80.00	No
Failure to extinguish	18 and 19	\$200.00	\$160.00	No
Obstruct an inspector	20	\$200.00	\$160.00	No

**REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW NO. 2909, 2021 — SCHEDULE “A” — APPENDIX 6**

*Designated Bylaw – Greater Vernon Water Use and Regulation Bylaw No. 2545, 2014  
– Greater Vernon Water Metering Bylaw No. 2731, 2019*

<b>Words or Expressions Designating Offence</b>	<b>Section Bylaw 2545</b>	<b>Section Bylaw 2731</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Wasting Water	H.3.a, H.3.b and L		\$100.00	\$80.00	Yes
Repeat offence			\$400.00	\$320.00	No
Unauthorized use of water	H.3.c, H.3.d, H.3.e, H.3.f and H.3.g	F.3	\$100.00	\$80.00	No
Repeat offence			\$300.00	\$240.00	No
Tampering with a water meter	H.3.h	F.1, F.2	\$100.00	\$80.00	No
Repeat offence			\$500.00	\$400.00	No
Tampering with the Water System or causing Contaminants to enter the water supply	H.3.i and H.3.j		\$100.00	\$80.00	No
Repeat offence			\$500.00	\$400.00	No
Failure to install required device	I.2.a, I.2.b.i, I.2.b.ii, I.2.b.iii, I.3.a.i, I.3.a.ii, I.3.b, I.3.h	D, E, F.6	\$100.00	\$80.00	Yes
Repeat offence			\$400.00	\$320.00	No
Exceeding approved flow rate	H.3.l		\$100.00	\$80.00	No
Repeat offence			\$200.00	\$160.00	No
Interference with GVW water system, Water Meter or fire hydrant	H.3.m	F.4	\$100.00	\$80.00	No
Repeat offence			\$200.00	\$160.00	No

<b>Words or Expressions Designating Offence</b>	<b>Section Bylaw 2545</b>	<b>Section Bylaw 2731</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Hydrant Tampering	M.1.a, M.1.b, M.1.c	F.4	\$400.00	\$320.00	No
Repeat offence			\$500.00	\$400.00	No
Obstruct an authorized agent or fail to assist	N.2., N.3, N.4	G	\$200.00	\$160.00	No
Repeat offence			\$400.00	\$320.00	No

**REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW  
NO. 2909, 2021 — SCHEDULE “A” — APPENDIX 7***Designated Bylaw – Noise Regulation Bylaw No. 2581, 2013*

<b>Words or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Making or causing noise in a quiet zone which exceeds limits	4.1.1	\$200.00	\$160.00	Yes
Making or causing noise in an intermediate zone which exceeds limits	4.1.2	\$200.00	\$160.00	Yes
Making or causing noise in an activity zone which exceeds limits	4.1.3	\$200.00	\$160.00	Yes
Making or causing noise which disturbs the quiet, peace and enjoyment of a neighbourhood	5.1.1	\$200.00	\$160.00	Yes
Making or causing a prohibited type of noise which disturbs the quiet, peace and enjoyment of a neighbourhood	5.2.1	\$200.00	\$160.00	Yes



**REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW  
NO. 2909, 2021 — SCHEDULE “A” — APPENDIX 8***Designated Bylaw – Soil Removal and Deposit Bylaw No. 2647, 2014*

<b>Words or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Removes or deposits soil without a Permit	4.b.i.a	\$300.00	\$240.00	Yes
Other soil deposit or removal violation	4.b.i.b	\$300.00	\$240.00	Yes
Failure to comply with a term or condition of a Permit	4.b.i.c	\$300.00	\$240.00	Yes
Failure to comply with an order or notice given under Bylaw No. 2647	4.b.i.d	\$300.00	\$240.00	No
Refusal or hinders an inspection under Bylaw No. 2647	4.b.i.e	\$300.00	\$240.00	No

**REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW  
NO. 2909, 2021 — SCHEDULE “A” — APPENDIX 9***Designated Bylaw – Cross Connection Control Regulation Bylaw No. 2651, 2014*

<b>Words or Expression Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Failure to correct or eliminate a Cross Connection	G.2, G.4 and G.5	\$100.00	\$80.00	Yes
Repeat offence		\$400.00	\$320.00	No
Failure to install or test Approved Backflow Preventer	G.4, G.5, H.1, H.2, I.1.b., I.1.c., J.1, K.1, L.1	\$100.00	\$80.00	Yes
Repeat offence		\$400.00	\$320.00	No

**REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW  
NO. 2909, 2021 — SCHEDULE “A” — APPENDIX 10***Designated Bylaw – Building Bylaw No. 2670, 2015*

<b>Words or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Construction without a permit	301.1	\$100.00	\$80.00	Yes
Installation of a manufactured home or park model recreation unit without a permit	301.2	\$100.00	\$80.00	Yes
Changing the class of occupancy without a permit	301.3	\$100.00	\$80.00	No
Moving a building without a permit	301.4	\$100.00	\$80.00	Yes
Demolishing a building without a permit	301.5	\$100.00	\$80.00	Yes
Erecting a sign without a permit	301.6	\$100.00	\$80.00	Yes
Occupancy without a permit	301.9	\$200.00	\$160.00	Yes
Tampering with a notice	301.11	\$200.00	\$160.00	No
Obstructing a Building Official	301.12	\$200.00	\$160.00	No
Disregard of Stop Work Order	303.2	\$300.00	\$240.00	No

**REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW NO. 2909, 2021 — SCHEDULE “A” — APPENDIX 11**

*Designated Bylaw – Municipal Solid Waste Management Bylaw No. 2832, 2019*

<b>Words or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Deliver Prohibited Waste to a SWMF unless the acceptance of such waste is specifically authorized in writing by both the Regional District and the British Columbia Government	H(a)	\$300.00	\$240.00	No
Deliver Controlled Waste to a SWMF unless the Manager determines that special handling and disposal techniques are not required, or where special handling and disposal techniques are required, the Manager has determined that the Controlled Waste can be disposed of safely at a SWMF and has given permission and directions for such disposal	H(b)	\$300.00	\$240.00	Yes
Dispose of Hydrocarbon Impacted Cover Material at a SWMF without prior written consent of the Manager.	H(d)	\$100.00	\$80.00	No
Deposit or dispose of MSW at a SWMF in a manner or in a location contrary to the signage or written or verbal direction of RDNO employees or employees of the Facility Operations Contractor. or Designated RDNO Employee	H(f)	\$100.00	\$80.00	Yes
Enter a SWMF or deposit or dispose of any material at a SWMF at any time other than the designated hours of operation, except by prior arrangement with the Manager	H(g)	\$500.00	\$400.00	No
Discharge any firearm at a SWMF, except as permitted under an applicable enactment and prearranged with the Manager	H(h)	\$100.00	\$80.00	No
Remove, alter, or deface any sign placed or erected at a SWMF	H(i)	\$100.00	\$80.00	No

<b>Words or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Ignite a fire, cause a fire to be ignited, or deposit at a SWMF materials that are on fire, are smouldering or were on fire within the previous seven days	H(j)	\$500.00	\$400.00	No
Cause the release of an ozone depleting substance at a SWMF	H(k)	\$100.00	\$80.00	No
Remain at a SWMF for longer than is required to deposit or dispose MSW or conduct other business related to SWMF operations	H(l)	\$100.00	\$80.00	No
Without authorization, drive any motor vehicle on a SWMF except on designated roads	H(m)	\$100.00	\$80.00	No
Act in a manner contrary to any posted SWMF regulations	H(n)	\$100.00	\$80.00	Yes
Act at a SWMF in a manner that is discourteous, disruptive, threatening or willfully negligent	H(o)	\$500.00	\$400.00	No
Act in a manner contrary to SWMF and Regional District rules, signage and policies for the measurement and inspection of all loads entering and exiting a SWMF	H(p)	\$500.00	\$400.00	No
Deposit or dispose of any material at a SWMF except in accordance with the Municipal Solid Waste Management Bylaw and any regulations posted at a SWMF	H(q)	\$100.00	\$80.00	Yes
Salvage, scavenge or remove anything from a SWMF without the express written permission of the Manager	H(r)	\$100.00	\$80.00	Yes
Deposit or dispose of any MSW at a SWMF that does not originate from within the Service Area (out of Region), unless prior written approval is received from the Manager	H(s)	\$100.00	\$80.00	Yes

<b>Words or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Allow children shorter than 42 inches or under the age of 10 years and/or pets to be outside a vehicle at a SWMF unless under direct and controlled supervision of an adult	H(t)	\$100.00	\$80.00	Yes
Operate a vehicle within a SWMF with a load that is not Adequately Secured except those containing stumps that are chained to a flat bed or are confined inside a truck box; soil, sand, gravel and rocks that are within the confines of a truck box with the tailgate up; bulky heavy items that are greater than 1.5 m <sup>3</sup> (53 cubic feet/330 gallons) in size and confined or secured to the vehicle; and logs that are more than 2.5 m in length and chained to a flat bed or confined to a truck box	H(u)	\$500.00	\$400.00	Yes
Light or smoke any cigarette, vaporizer, cigar, pipe, or any other substance within the boundaries of a SWMF or in areas adjacent to SWMFs where the presence of methane has been detected	H(v)	\$500.00	\$400.00	No
Exceed 15 km/hr or the posted speed limit, whichever is lower, at a SMMF	H(w)	\$100.00	\$80.00	Yes
Enter into a SWMF or exit a SWMF if they are a Visitor without following the SWMF Sign In procedure at the facility scale or gate house indicating the purpose of their visit to the SWMF	H(x)	\$100.00	\$80.00	Yes
Failure to comply with and abide by all rules and directions of the Manager or their designate, acting reasonably, whether such rules and directions are verbal or written, including but not limited to, complying with policies regarding the measurement and inspection of loads entering or exiting a SWMF	I.2	\$100.00	\$80.00	No

<b>Words or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Dispose of Controlled Waste without the manifested as required by the Regional District or by the British Columbia Government or failure to provide twenty-four (24) hours advance notice to the Regional District prior to depositing or disposing Controlled Waste at a SWMF.	1.5	\$100.00	\$80.00	No

**REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW NO. 2909, 2021 — SCHEDULE “A” — APPENDIX 12***Designated Bylaw – Greater Vernon Sub-Regional Parks Regulation Bylaw No. 2834*

<b>Word or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
In Park After Hours	4(1)	\$200.00	\$160.00	No
Use Park in Contravention of Regulation Sign	4(2)	\$200.00	\$160.00	No
Offer for Sale without Permit	4(3)(d)	\$100.00	\$80.00	No
Construct or Build in Park	4(4)	\$100.00	\$80.00	No
Possession of Liquor	4(5)	\$200.00	\$160.00	No
Possess Paraphernalia or Controlled Substance	4(6)	\$200.00	\$160.00	No
Obstruction of Person engaged in Performing Duties	4(7)	\$500.00	\$400.00	No
Unsafe or Improper Conduct – Pier or Wharf	5(2)	\$300.00	\$240.00	No
Firearm in Park, Trail or Natural Space	5(3)	\$500.00	\$400.00	No
Watercraft Interference	5(4)	\$300.00	\$240.00	No
Horse in Park, Trail, Natural Space	5(5)	\$100.00	\$80.00	No
Interfere or Obstruct Park User	5(6)	\$100.00	\$80.00	No
No Special Use Permit	5(7)	\$200.00	\$160.00	No
Feed Animal	5(8)	\$100.00	\$80.00	No
Dive or Jump Illegally	5(9)	\$100.00	\$80.00	No
Bicycle on Pier/Wharf	5(10)	\$100.00	\$80.00	No
Public Nuisance	6(1)	\$100.00	\$80.00	No
Take up Abode	6(1)(d)	\$100.00	\$80.00	No
Fire in Park	6(2)	\$500.00	\$400.00	No
Use Obscene Language	6(3)	\$100.00	\$80.00	No
Unauthorized Amplified Sound	6(4)	\$100.00	\$80.00	No
Set up Campsite	6(5)	\$100.00	\$80.00	No
Urinate or Defecate	6(6)	\$100.00	\$80.00	No
Dog in Park	7(1)	\$100.00	\$80.00	No



<b>Word or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
More than Four (4) Dogs in Dog-Permitted Park	7(2)	\$100.00	\$80.00	No
Parking in Metered Area Without Valid Permit	8(1)	\$100.00	\$80.00	No
Obstruct Traffic in or on Park, Trail or Natural Space	8(4)	\$200.00	\$160.00	No
Remove Bylaw Notice from Vehicle	8(7)	\$100.00	\$80.00	No
Operate Motorized Vehicle in Park	8(8)	\$200.00	\$160.00	No
Damage tree, shrub, property or facility	9(1)(a)	\$500.00	\$400.00	No
Plant tree or shrub without Authorization	9(1)(b)	\$200.00	\$160.00	No
Dispose of Waste	9(1)(g)	\$200.00	\$160.00	No
Deposit or Improperly Place Waste	9(1)(h)	\$100.00	\$80.00	No
Act in Contravention of Posted Notice	9(1)(i)	\$300.00	\$240.00	No
Erect overnight shelter other than at permitted time or location	10(2)	\$100.00	\$80.00	No

**REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW NO. 2909, 2021 — SCHEDULE “A” — APPENDIX 13***Designated Bylaw – Electoral Area Parks Regulation Bylaw No. 2835, 2020*

<b>Word or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
In Park After Hours	4(1)	\$200.00	\$160.00	No
Use Park in Contravention of Regulation Sign	4(2)	\$200.00	\$160.00	No
Offer for Sale without Permit	4(3)(d)	\$100.00	\$80.00	No
Construct or Build in Park	4(4)	\$100.00	\$80.00	No
Possession of Liquor	4(5)	\$200.00	\$160.00	No
Possess Paraphernalia or Controlled Substance	4(6)	\$200.00	\$160.00	No
Obstruction of Person engaged in Performing Duties	4(7)	\$500.00	\$400.00	No
Unsafe or Improper Conduct – Pier or Wharf	5(2)	\$300.00	\$240.00	No
Firearm in Park, Trail or Natural Space	5(3)	\$500.00	\$400.00	No
Watercraft Interference	5(4)	\$300.00	\$240.00	No
Horse in Park, Trail, Natural Space	5(5)	\$100.00	\$80.00	No
Interfere or Obstruct Park User	5(6)	\$100.00	\$80.00	No
No Special Use Permit	5(7)	\$200.00	\$160.00	No
Feed Animal	5(8)	\$100.00	\$80.00	No
Dive or Jump Illegally	5(9)	\$100.00	\$80.00	No
Bicycle on Pier/Wharf	5(10)	\$100.00	\$80.00	No
Public Nuisance	6(1)	\$100.00	\$80.00	No
Take up Abode	6(1)(d)	\$100.00	\$80.00	No
Fire in Park	6(2)	\$500.00	\$400.00	No
Use Obscene Language	6(3)	\$100.00	\$80.00	No
Unauthorized Amplified Sound	6(4)	\$100.00	\$80.00	No
Set up Campsite	6(5)	\$100.00	\$80.00	No
Urinate or Defecate	6(6)	\$100.00	\$80.00	No
Dog in Park	7(1)	\$100.00	\$80.00	No

<b>Word or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
More than Four (4) Dogs in Dog-Permitted Park	7(2)	\$100.00	\$80.00	No
Parking in Metered Area Without Valid Permit	8(1)	\$100.00	\$80.00	No
Obstruct Traffic in or on Park, Trail or Natural Space	8(4)	\$200.00	\$160.00	No
Remove Bylaw Notice from Vehicle	8(7)	\$100.00	\$80.00	No
Operate Motorized Vehicle in Park	8(8)	\$200.00	\$160.00	No
Damage tree, shrub, property or facility	9(1)(a)	\$500.00	\$400.00	No
Plant tree or shrub without Authorization	9(1)(b)	\$200.00	\$160.00	No
Dispose of Waste	9(1)(g)	\$200.00	\$160.00	No
Deposit or Improperly Place Waste	9(1)(h)	\$100.00	\$80.00	No
Act in Contravention of Posted Notice	9(1)(i)	\$300.00	\$240.00	No
Erect overnight shelter other than at permitted time or location	10(2)	\$100.00	\$80.00	No

**REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW NO. 2909, 2021 — SCHEDULE “A” — APPENDIX 14***Designated Bylaw – White Valley Parks Regulation Bylaw No. 2866, 2020*

<b>Word or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
In Park After Hours	4(1)	\$200.00	\$160.00	No
Use Park in Contravention of Regulation Sign	4(2)	\$200.00	\$160.00	No
Offer for Sale without Permit	4(3)(d)	\$100.00	\$80.00	No
Construct or Build in Park	4(4)	\$100.00	\$80.00	No
Possession of Liquor	4(5)	\$200.00	\$160.00	No
Possess Paraphernalia or Controlled Substance	4(6)	\$200.00	\$160.00	No
Obstruction of Person engaged in Performing Duties	4(7)	\$500.00	\$400.00	No
Unsafe or Improper Conduct – Pier or Wharf	5(2)	\$300.00	\$240.00	No
Firearm in Park, Trail or Natural Space	5(3)	\$500.00	\$400.00	No
Watercraft Interference	5(4)	\$300.00	\$240.00	No
Horse in Park, Trail, Natural Space	5(5)	\$100.00	\$80.00	No
Interfere or Obstruct Park User	5(6)	\$100.00	\$80.00	No
No Special Use Permit	5(7)	\$200.00	\$160.00	No
Feed Animal	5(8)	\$100.00	\$80.00	No
Dive or Jump Illegally	5(9)	\$100.00	\$80.00	No
Bicycle on Pier/Wharf	5(10)	\$100.00	\$80.00	No
Public Nuisance	6(1)	\$100.00	\$80.00	No
Take up Abode	6(1)(d)	\$100.00	\$80.00	No
Fire in Park	6(2)	\$500.00	\$400.00	No
Use Obscene Language	6(3)	\$100.00	\$80.00	No
Unauthorized Amplified Sound	6(4)	\$100.00	\$80.00	No
Set up Campsite	6(5)	\$100.00	\$80.00	No
Urinate or Defecate	6(6)	\$100.00	\$80.00	No
Dog in Park	7(1)	\$100.00	\$80.00	No

<b>Word or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
More than Four (4) Dogs in Dog-Permitted Park	7(2)	\$100.00	\$80.00	No
Parking in Metered Area Without Valid Permit	8(1)	\$100.00	\$80.00	No
Obstruct Traffic in or on Park, Trail or Natural Space	8(4)	\$200.00	\$160.00	No
Remove Bylaw Notice from Vehicle	8(7)	\$100.00	\$80.00	No
Operate Motorized Vehicle in Park	8(8)	\$200.00	\$160.00	No
Damage tree, shrub, property or facility	9(1)(a)	\$500.00	\$400.00	No
Plant tree or shrub without Authorization	9(1)(b)	\$200.00	\$160.00	No
Dispose of Waste	9(1)(g)	\$200.00	\$160.00	No
Deposit or Improperly Place Waste	9(1)(h)	\$100.00	\$80.00	No
Act in Contravention of Posted Notice	9(1)(i)	\$300.00	\$240.00	No
Erect overnight shelter other than at permitted time or location	10(2)	\$100.00	\$80.00	No

**REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW NO. 2909, 2021 — SCHEDULE “A” — APPENDIX 15**

*Designated Bylaw – Small Utilities Rates and Regulations Bylaw No. 2867, 2021*

<b>Words or Expressions Designating Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Compliance Agreement Available</b>
Wasting water	L.1.a, N	\$100.00	\$80.00	Yes
Repeat Offence		\$400.00	\$320.00	No
Unauthorized use of water	L.1.b, L.1.c, L.1.d	\$100.00	\$80.00	No
Repeat offence		\$300.00	\$240.00	No
Tampering with a water meter	L.1.e	\$100.00	\$80.00	No
Repeat offence		\$500.00	\$400.00	No
Tampering with the Utility or causing contaminants to enter the water supply	L.1.f, L.1.g	\$100.00	\$80.00	No
Repeat offence		\$500.00	\$400.00	No
Failure to install required device	M.2.a and M.2.b	\$100.00	\$80.00	Yes
Repeat offence		\$400.00	\$320.00	No
Interference with RDNO Utility, water meter or hydrant	L.1.h	\$100.00	\$80.00	No
Repeat offence		\$200.00	\$160.00	No
Hydrant tampering	O.9.a, O.9.b, O.9.c	\$400.00	\$320.00	No
Repeat offence		\$500.00	\$400.00	No
Obstruct an authorized agent or fail to assist	P.2, P.3, P.4	\$200.00	\$160.00	No
Repeat offence		\$400.00	\$320.00	No

**Schedule “C” attached to and forming part of Bylaw No. 2977, 2023****REGIONAL DISTRICT OF NORTH OKANAGAN BYLAW NOTICE ENFORCEMENT BYLAW NO. 2909, 2021 — SCHEDULE “A” — APPENDIX 16**

*Designated Bylaw – Shuswap North Okanagan Rail Trail Regulation and Fees Bylaw No. 2977, 2023*

<b>Words or Expressions Designating Offence</b>	<b>Section</b>	<b>Fine</b>
Deposit or Improperly Place Waste	6.1(a)	\$100.00
Remove or deface signs or structures	6.1(b)	\$100.00
Remove or deposit materials or alter grading	6.1(c)	\$100.00
Equestrian activities on Rail Trail	6.1(d)	\$100.00
Dog off-leash	6.1(e)	\$100.00
Ignite a fire on Rail Trail lands	6.1(f)	\$500.00
Impede passage of trail users	6.1(g)	\$100.00
Use of Motor Vehicle on trail without a Permit	6.2(a)	\$200.00
Encroachment on Rail Trail lands without a Permit	6.2(b)	\$100.00
Hold an event without a Permit	6.2(c)	\$200.00
Commercial activity without a Permit	6.2(d)	\$100.00
Unauthorized signs or advertisements	6.2(e)	\$100.00

**SOUTHERN INTERIOR BYLAW NOTICE DISPUTE ADJUDICATION  
REGISTRY AGREEMENT BYLAW**

This Agreement, dated 28 day of June, 2021

**BETWEEN:**

**CITY OF KELOWNA**, 1435 Water Street, Kelowna, British Columbia V1Y 1J4  
("Kelowna")

**AND:**

**CITY OF PENTICTON**, 171 Main Street, Penticton, British Columbia V2A 5A9  
("Penticton")

**AND:**

**CITY OF VERNON**, 3400 30<sup>th</sup> Street, Vernon, British Columbia V1T 5E6  
("Vernon")

**AND:**

**DISTRICT OF WEST KELOWNA**, 2760 Cameron Road, West Kelowna, British Columbia V1Z 2T6  
("West Kelowna")

**AND:**

**DISTRICT OF LAKE COUNTRY**, 10150 Bottom Wood Lake Road, Lake Country, British Columbia  
V4V 2M1  
("Lake Country")

**AND:**

**DISTRICT OF SUMMERLAND**, 13211 Henry Avenue, Summerland, British Columbia V0H 1Z0  
("Summerland")

**AND:**

**DISTRICT OF PEACHLAND**, 5806 Beach Avenue, Peachland, British Columbia V0H 1X7  
("Peachland")

**AND:**

**REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN**, 101 Martin Street, Penticton, British Columbia  
V2A 5J9  
("RDOS")

**AND:**

**TOWN OF OLIVER**, 35016 97<sup>th</sup> Street, Oliver, British Columbia V0H 1T0  
("Oliver")



**AND:**

**REGIONAL DISTRICT OF CENTRAL OKANAGAN**, 1450 KLO Road, Kelowna, British Columbia V1W 3Z4  
("RDCO")

**AND:**

**DISTRICT OF COLDSTREAM**, 9901 Kalamalka Road, Coldstream, British Columbia V1B 1L6  
("Coldstream")

**AND:**

**CITY OF ENDERBY**, 619 Cliff Avenue, Enderby, British Columbia V0E 1V0  
("Enderby")

**AND:**

**REGIONAL DISTRICT OF NORTH OKANAGAN**, 9848 Aberdeen Rd, Coldstream, British Columbia V1B  
2K9  
("RDNO")

**WHEREAS:**

- A. The *Local Government Bylaw Enforcement Act* permits local governments to create a bylaw designating certain bylaw contraventions that can be enforced by way of bylaw notice as an alternative to traditional bylaw enforcement mechanisms;
- B. The Act also permits two or more local governments to enter into an agreement, adopted by a bylaw of each local government that is party to it, to provide for the joint administration of a local government bylaw notice dispute adjudication system:
- C. Kelowna, Penticton, Vernon, West Kelowna, Lake Country, Summerland, Peachland, RDOS, Oliver, RDCO, Coldstream, Enderby and RDNO wish to:
  - a. share the costs and administration of such a system; and
  - b. enter such an agreement to establish such a system, to be called the Southern Interior Bylaw Notice Dispute Adjudication Registry, and to provide for the joint administration of the Registry.

**NOW THEREFORE** in consideration of the mutual promises contained herein, the Parties agree as follows:

## **PART I - INTRODUCTORY PROVISIONS**

### **Definitions**

1. In this Agreement, the following definitions apply:
  - a. "Act" means the Local Government Bylaw Notice Enforcement Act;
  - b. "Adjudication" the process where the disputant and the local government are provided

opportunity to present evidence to the adjudicator who will decide whether he or she is satisfied that the contravention occurred as alleged;

- c. **“Adjudication Fee”** means the sum of \$25.00 payable to each Party for each adjudication scheduled to be conducted by the Registry;
- c. **“Agreement”** means this Agreement;
- d. **“Authorizing Bylaws”** means the bylaws adopted by the Councils/Boards of each the parties authorizing this Agreement;
- f. **“ByLaw Enforcement Officer”** means a person in a class prescribed under section 273 (c) of the *Community Charter* who is designated by a local government as a bylaw enforcement officer;
- g. **“Committee”** means the Southern Interior Bylaw Notice Dispute Adjudication Registry’s Administrative Committee;
- h. **“Contribution Adjustment Amount”** means, for each Party, the amount calculated in accordance with Section 22 herein in any year of the Term;
- i. **“Contributing Parties”** means all of Penticton, Vernon, West Kelowna, Lake Country, Summerland, Peachland, RDOS, Oliver, RDCO, Coldstream, Enderby and RDNO except Kelowna;
- j. **“Parties”** means all of Kelowna, Penticton, Vernon, West Kelowna, Lake Country, Summerland, Peachland, RDOS, Oliver, RDCO, Coldstream, Enderby and RDNO;
- k. **“Party”** means any one of Kelowna, Penticton, Vernon, West Kelowna, Lake Country, Summerland, Peachland, RDOS, Oliver, RDCO, Coldstream, Enderby and RDNO;
- l. **“Registry”** means the Sothern Interior Bylaw Notice Dispute Adjudication Registry established by this Agreement;
- m. **“Revenues”** means any revenue actually received or estimated to be received, as the case may be, by the Registry, excluding Initial Contributions, Contribution Amounts, or Contribution Adjustment Amounts;
- n. **“Terms”** means the term of this Agreement as set out herein;

#### Establishment of the Registry

- 2. Subject to the Act and to the adoption of the Authorizing Bylaws, the Parties agree that the Registry is hereby established.

#### PART II - ADMINISTRATION

- 3. The Parties agree to establish the Committee to implement and administer the Registry.
- 4. The Parties agree that authority of the Committee will include but not be limited to:
  - a. preparing operational budgets; and

- b. setting policy as authorized under this Agreement and the Act.

### **Representation**

5. Each of the Parties will appoint one representative to serve on the Committee. The Parties agree that representatives will be paid employees of their respective local governments and will not be remunerated by the Registry.

## **PART III - ADJUDICATION**

### **Screening Officers**

6. The Parties agree that screening of notices prior to proceeding to adjudication will be established as a function of each Party. Screening officers will be appointed by the individual Party administrative committee.

### **Bylaw Notice Dispute Adjudication Registry**

7. The Parties agree that a dispute adjudication system will be established as a function of the Registry, and that disputes will be heard by a bylaw notice dispute adjudicator in the circumstances prescribed in the Act and Authorizing Bylaws.
8. The Parties agree that the Committee will select a roster of adjudicators who may hear and determine disputes from the provincial roster of adjudicators to be established by the Attorney General of the Province of British Columbia.
9. Adjudicators will be assigned to individual disputes in the manner prescribed by any applicable regulation and policy established by the Committee.

## **PART IV - OPERATIONS**

### **Location**

10. The location of the Registry will be the municipal offices of the City of Kelowna, 1435 Water Street, Kelowna, British Columbia V1Y 1J4.

### **Administrative Services**

11. Kelowna will provide and supervise all administrative services required by the Registry, subject to the following:
  - i. the collection of any fees, fines or penalties levied against an unsuccessful party in the dispute adjudication process will be the responsibility of the relevant municipality if not collected by the Registry immediately following the adjudication; and
  - ii. any penalty arising directly out of the bylaw notice itself may be paid to the relevant Party or to the Registry,and any amounts collected by or paid to the Registry pursuant to 11.i and 11.ii will be credited to the relevant Party's Contribution Adjustment Amount.

**Financial Reporting**

12. Kelowna will ensure that its Director of Financial Services or the designate will conduct and oversee the financial reporting and record keeping of the Registry based on normal procedure, subject to the requirements outlined herein.

**PART V - FINANCIAL PLANNING****Start-up Costs**

13. Each Party will be responsible for its own start-up costs.

**Budget Year**

14. The budget year of the Registry is December 1<sup>st</sup> to November 30<sup>th</sup> of each year.

**Operating Budget**

15. The Parties agree that, no later than September 30<sup>th</sup> of each year, the Committee will prepare a draft operating budget for the following budget year, setting out in detail the operational funds required by the Registry for the carrying out of its mandate and responsibilities, including
  - a. the estimated operational expenditures for
    - i. office and administration including financial reporting and administrative services;
    - ii. Registry administration travel costs;
    - iii. bylaw dispute adjudicators; and
    - iv. other functions of the Registry;
  - b. the anticipated revenues (if any) of the Registry;
  - e. the difference between estimated revenues and operational expenditures for the Registry; and
  - f. the Contribution Amount required from each of the Parties.

**Budget Submissions**

16. The Committee will prepare the operating budget in a manner satisfactory to, and in such detail as requested by, the Directors of Finance of each of the Parties, and submit the draft operating budget to the Directors of Finance of each of the Parties each year where required.

**Budget Approval and Adjustments**

17. The Parties will consider and approve, or recommend amendments to, the Registry's operating budget.
18. The Parties agree that all recommendations by them for adjustments to the Registry's draft operating budget will
  - a. be reasonable and made in good faith; and
  - b. ensure that a reasonable level of service quality can be maintained by the Registry.

**Use of Funds**

19. The Committee and Kelowna may make only those expenditures during the budget year for the purposes and up to the amounts authorized in the approved operating budget. The Registry (or the Committee or Kelowna on behalf of the Registry) will not incur any other indebtedness or liability, or make any further expenditure, except that:
  - a. Kelowna may make a further reasonable expenditure or contract a further indebtedness of liability that it deems necessary or prudent, subject to a \$1,000 limit; and
  - b. the Committee may
    - i. make a further reasonable expenditure or contract a further indebtedness or liability that it deems necessary or prudent, subject to a \$5,000 limit.
    - ii. re-allocate funds within categories of the operating budget as reasonably required; and
    - iii. make a further expenditure or contract a further indebtedness or liability without limitation if approved in advance by all Parties.

**PART VI - COST ALLOCATION****Funding Contributions and Adjustments**

20. The Parties agree that costs relating to legal counsel, witnesses, screening officers and bylaw enforcement officers as they pertain to the dispute adjudication process, and to the activities of the Registry more generally, will be borne by the relevant Party which issued the bylaw notice in question and will not be borne by the Registry or by Kelowna on behalf of the Registry.
21. Kelowna will, as soon following the end of a budget year as practical, invoice the parties for their respective Actual Expenditures Contribution where the proportion is calculated on the basis of each Party's population for the budget year in relation to the population of each of the other Parties except the calculation for RDOS and RDCO will exclude incorporated areas.
22. Each of the Contributing Parties will, within 30 days of receipt of its respective Contribution invoice, pay to Kelowna its respective Contribution Amount.

### Maintenance of Records

23. The Director of Financial Services of Kelowna will
- a. exercise the duties and powers of the officer responsible for financial administration as provided in the Community Charter, in maintaining the financial records for the Registry on behalf of the Parties;
  - b. ensure that accounting and payroll records of the Registry are properly prepared and maintained, such records to include payroll, accounts payable, cash receipts and disbursements, accounts receivable, general ledger, subsidiary cost ledger, financial statements and reports and supporting documents to the foregoing;
  - c. provide, when possible, any additional financial systems that have been requested by the Committee;
  - d. direct employees and officers of the Registry to the extent necessary to ensure that the systems and procedures established for financial controls are in effect and are in accordance with the Community Charter.

### Examination of Records

24. The Director of Finance of any of the Contributing Parties may, acting reasonably with regard to minimizing the administrative burden on the Kelowna, and no more frequently than once in each year of the Term, conduct audits or examinations to obtain information or determine that adequate financial controls are being maintained for the Registry. Kelowna will cooperate with any reasonable request by any of the Contributing Parties or the Contributing Parties' Director of Finance for access to financial records, user statistics and other information of the Registry.

## PART VII - GENERAL PROVISIONS

### Insurance

25. Kelowna will ensure that the Registry and its activities are covered under Kelowna's general liability policy, and will provide copies of all relevant insurance policies and changes thereto to the Directors of Finance of the Contributing Parties upon request.

### Amendments

26. The Parties will, in good faith, negotiate any proposed amendment to this Agreement upon request of any Party, all amendments to be in writing and executed by the Parties.

### Dispute Resolution

27. The Parties will submit any dispute arising out of the interpretation or application of this Agreement:
- a. first, to the Committee to resolve the dispute;

- b. second, if the Committee is unable to resolve the dispute within 60 days, to the Chief Administrative Officers of the Parties; and
- c. third, if the Chief Administrative Officers are unable to resolve the dispute within 60 days, to the Inspector of Municipalities, or at the election of the Parties, to a commercial arbitrator appointed by agreement or, failing agreement, appointed pursuant to the *Commercial Arbitration Act*, for final determination, and the determination of the Inspector or arbitrator as applicable will be final and binding upon the Parties.

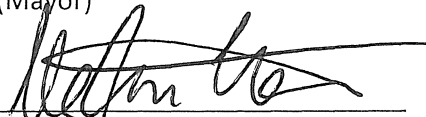
**Term**

28. This Agreement comes into effect on June 28, 2021 and continues in effect until December 31, 2024. Any Party may withdraw from this Agreement upon six months' written notice to the other Parties.

IN WITNESS WHEREOF all Parties have executed this Agreement on the date first above written.

**THE CITY OF KELOWNA**

  
\_\_\_\_\_  
(Mayor) **Colin Basran, MAYOR**

  
\_\_\_\_\_  
(City Clerk) **Stephen Fleming,  
City Clerk**

**THE CITY OF VERNON**

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(City Clerk)

**THE DISTRICT OF SUMMERLAND**

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(City Clerk)

**THE DISTRICT OF WEST KELOWNA**

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(City Clerk)

**THE CITY OF PENTICTON**

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(City Clerk)

**THE DISTRICT OF LAKE COUNTRY**

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(City Clerk)



**THE REGIONAL DISTRICT OF CENTRAL OKANAGAN**

**THE DISTRICT OF PEACHLAND**

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(City Clerk)

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(City Clerk)

**THE REGIONAL DISTRICT OF OKANAGAN  
SIMILKAMEEEN**

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(City Clerk)

**THE DISTRICT OF COLDSTREAM**

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(City Clerk)

**THE TOWN OF OLIVER**

\_\_\_\_\_  
(Mayor)

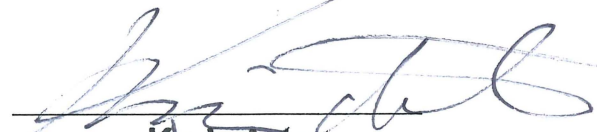
\_\_\_\_\_  
(City Clerk)


**THE CITY OF ENDERBY**

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(City Clerk)

**THE REGIONAL DISTRICT OF NORTH OKANAGAN**

  
\_\_\_\_\_  
(Mayor) **Kevin Acton**  
**Chair**

  
\_\_\_\_\_  
(City Clerk) **David Sewell**  
**Chief Administrative Officer**