

BYLAW VIOLATION

Dispute Adjudication System



HOW IT WORKS

The Regional District of Central Okanagan has implemented a new process to dispute most minor bylaw violations. The new system is intended to streamline the process associated with minor bylaw offence disputes and assigning the appropriate penalty.

Those wishing to dispute Bylaw Notices must do so by completing the dispute/request for adjudication section of the back of the notice and submitting it to the Regional District of Central Okanagan in person or by mail within 14 days of issuance.

Disputes will follow a three step process:

1. The individual disputing their Bylaw Notice (disputant) will speak with a Screening Officer. This officer will review the Bylaw Notice and revoke if appropriate.
2. If the Screening Officer upholds the Bylaw Notice, the disputant can choose to pay it, or have it forwarded to an adjudicator. If the disputant chooses the adjudication process, they will be notified of what to do to present their case, and informed that they can do so in writing, by phone, or in person.
3. A date, time and location for adjudication will be provided to the disputant and the hearing will be conducted at Kelowna City Hall.

Independent adjudicators will determine whether a bylaw infraction did or did not occur. If the adjudicator upholds the infraction, the full penalty will be applied as well as an adjudication fee of \$25.00. If the adjudicator determines that no bylaw violation has occurred, no fine or adjudication fee will be applied

A MORE EFFICIENT SYSTEM

The new Bylaw Dispute Adjudication system allows the Regional District of Central Okanagan to deal with most bylaw disputes at the local level rather than through the Provincial Court System.

WHEN:

Effective March 28, 2013

WHAT:

Residents who receive a Bylaw Offence Notice have the opportunity to dispute their violations out of court through an independent adjudicator appointed by the Province.

WHY:

The system is intended to resolve disputes in a simple, cost-effective manner. The system will improve efficiency in the areas of applying and collecting fines as well as delivering a streamlined process by reducing:

- the incidence of the costly, time consuming process of disputing minor offences through the Provincial Court System.
- the costs associated with using a Judicial Justice of the Peace to hear a minor bylaw dispute in court.
- the time bylaw officers spend in court, allowing them to concentrate on serving the public in other capacities.

SUMMARY:

This process saves taxpayer dollars and allows provincial and municipal time and resources to be used more efficiently and effectively. Additionally, those challenging bylaw notices issued for minor infractions will receive enhanced service through this new system.

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