

BYLAW DISPUTE ADJUDICATION SYSTEM



VILLAGE OF
VALEMOUNT

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The Village of Valemount adopted the Bylaw Dispute Adjudication System in 2013. The vast majority of bylaws enacted by the Village are enforced through this system.

What is the Bylaw Dispute Adjudication System?

The Bylaw Dispute Adjudication System allows local governments to manage most bylaw violations, such as parking tickets, at the local level rather than through the Provincial Court system. Residents who receive a Bylaw Offence Notice will have the opportunity to dispute violations out of court via an independent adjudicator who will hear all disputes.

Why is the adjudication system used?

- Simplifies dispute process
- Removes minor bylaw violations from the Provincial court system
- Reduces need to employ lawyers or enforcement officers to take a case to court
- More convenient for disputants, attendance at an adjudication hearing is not mandatory
- More cost effective and efficient system

Local Government Bylaw Notice Enforcement Act

The *Local Government Bylaw Notice Enforcement Act* provides the authority for municipalities and regional districts to establish a bylaw dispute adjudication system.

To view the full details of the *Local Government Bylaw Notice Enforcement Act* please visit:

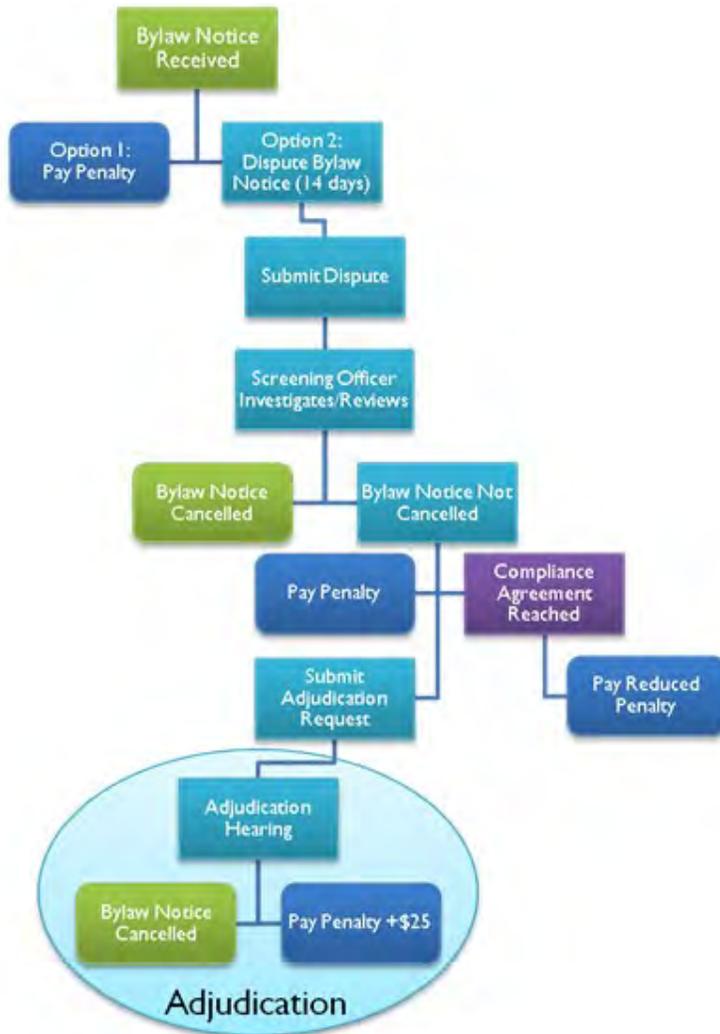
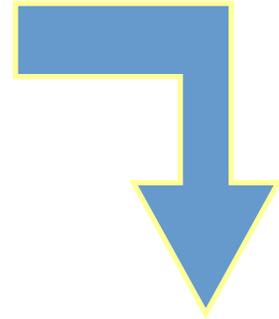
www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/03060_01

A sample of a 'NOTICE OF BYLAW VIOLATION' form from the Village of Valemount. The form includes fields for the violator's name (first, middle, last), vehicle information (make, model, year, color, province, birthdate, gender), and location details (street, time of violation, section). It also has checkboxes for 'OWNER (Per S. 83(2) of Motor Vehicle Act)' and 'OTHER'. The form is titled 'NOTICE OF BYLAW VIOLATION' and 'VILLAGE OF VALEMOUNT'.

How Does Bylaw Adjudication Work?

Step 1. You receive a Bylaw Notice

You have the option to either pay the Bylaw Notice or dispute it within 14 days. If a dispute is not filed with the Bylaw Enforcement Department within the 14 calendar days, you will not be able to dispute it later. Disputes must be submitted on a Bylaw Notice Dispute Form. Dispute forms are attached to the Bylaw Notice. If you require an additional dispute form, please contact the Village Office.



Step Two: The Bylaw Notice Dispute Process

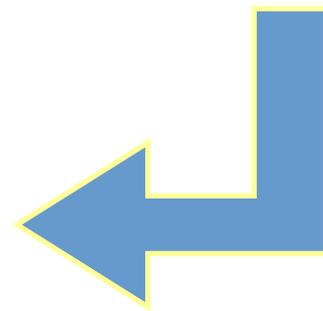
The Village's Screening Officer will receive and review the Bylaw Notice Dispute Form. They will investigate and speak with the recipient of the Notice and the issuing Bylaw Officer. The Screening Officer is then authorized by bylaw to either:

- cancel the Bylaw Notice;
- enter into a Compliance Agreement and reduce the penalty upon compliance with the bylaw; or
- uphold the Bylaw Notice.

If the Screening Officer upholds the Bylaw Notice, you will be given the option to request an Adjudication Hearing.

Step Three: The Adjudication Hearing

If the Screening Officer upholds the Bylaw Notice, you will be contacted with the date, time and location for an Adjudication Hearing. At the Adjudication Hearing, evidence shall be presented and the Adjudicator shall decide whether the offence did or did not occur. If an offence did occur, the violation notice must be paid in full, plus an additional \$25 administrative fee. If an offence is deemed not to have occurred the violation notice is cancelled and no penalties are assessed.



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