

# **“BYLAW NOTICE ENFORCEMENT BYLAW 2012 NO. 7159”**

*Consolidated Version*

2015-JUL-20

Includes Amendments: 7159.01, 7159.02

CITY OF NANAIMO

BYLAW NO. 7159

A BYLAW RESPECTING THE ENFORCEMENT OF BYLAW NOTICES

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The Council of the City of Nanaimo in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Title

This Bylaw may be cited as the “BYLAW NOTICE ENFORCEMENT BYLAW 2012 NO. 7159”.

2. Definitions

“Act” means the *Local Government Bylaw Notice Enforcement Act*

“City” means the City of Nanaimo

“Registry” means the City of Nanaimo Bylaw Notice Adjudication Registry established by this bylaw

3. Terms

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

4. Bylaw Contraventions

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

5. Offence and Penalty

The penalty for a contravention referred to in Section 4 is as follows:

- (1) Subject to Subsection 5(2) and 5(3), is the Penalty amount set out in Column A1 of Schedule “A”.
- (2) If received by the City within 14 days of the person receiving or being presumed to have received the notice, is the Early Payment Penalty set out in Schedule “A”.
- (3) If more than 28 days after the person received or is presumed to have received the bylaw notice, is subject to a late payment surcharge in addition to the penalty under Subsection 5(1), and is the Late Payment Penalty set out in Schedule “A”.

6. Period for Paying a Disputed Notice

(1) 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, by mail, or on-line at [www.nanaimo.ca](http://www.nanaimo.ca) to the City of Nanaimo.

(2) A person may pay the indicated penalty after 14 days of receiving the notice, subject to the applicable surcharge for late payment in accordance with Section 5(3), but no person may dispute the notice after 14 days of receiving the bylaw notice.

(3) Where a person was not served personally with a bylaw notice and advises the City, 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 Section 5 and Section 7 of this Bylaw do not begin to run until a copy of the bylaw notice delivered to them in accordance with the *Act*.

7. Bylaw Notice Dispute Adjudication Registry

(1) The Registry, located at 411 Dunsmuir Street, Nanaimo, BC V9R 6B9, is established as a bylaw adjudication system in accordance with the *Act* to resolve disputes in relation to bylaw notices and shall include the following local governments:

City of Nanaimo  
City of Duncan  
City of Parksville  
District of Tofino  
(*Bylaw No. 7159.01*)

(2) Every person who is unsuccessful in a dispute adjudication in relation to a bylaw notice under the dispute adjudication system established under this section must pay the City an additional fee of \$25 for the purpose of the City recovering the costs of the adjudication system.

8. Screening Officers

The position of screening officer is established. Officers and Employees of the City of Nanaimo may be appointed as screening officers and Council may appoint screening officers by name of office or otherwise.

9. Powers, Duties and Functions of Screening Officers

The powers, duties and functions of screening officers are set out in the *Act*, and include the following:

- (1) 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;
- (2) To communicate with any or all of the following for the purposes of performing their functions under this Bylaw or the *Act*:
  - (a) the person against whom a contravention is alleged or their representative;
  - (b) the officer issuing the notice;
  - (c) the complainant or their representative;
  - (d) the City's staff and records regarding the disputant's history of bylaw compliance.
- (3) To cancel bylaw notices in accordance with the *Act* or City policies and guidelines.

10 Form of Bylaw Notice

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

11. Severability

If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted with the severed section, subsection, paragraph, subparagraph, clause or phrase.

## SCHEDULE "A"

### DESIGNATED BYLAW CONTRAVENTIONS AND PENALTIES

#### Building Bylaw 2003 No. 5693

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
6.1	Construct without a permit	100.00	75.00	125.00
6.2	Occupy building without a permit	100.00	75.00	125.00
6.3	False information on permit application	100.00	75.00	125.00
6.4	Tamper with posted notice	100.00	75.00	125.00
6.5	Work in variance of plans	100.00	75.00	125.00
6.6	Obstruct building official	200.00	150.00	250.00
6.7	Occupy building after change of class without permit	100.00	75.00	125.00
6.8	Repair building damaged 75 percent assessed value	100.00	75.00	125.00

#### Business Licence Bylaw 1998 No. 5351

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
3.1	No Business Licence	100.00	75.00	125.00
3.3	Operate in contravention of business licence	100.00	75.00	125.00
7.1	Fail to notify change in business	50.00	37.50	62.50
7.4	Fail to change business address	50.00	37.50	62.50
8.3	Fail to supply subtrade list	50.00	37.50	62.50
10.4	Disobey suspension order	200.00	150.00	250.00

#### Crossing Control Bylaw 1996 No. 5174

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
3(1)	Construct/maintain crossing without permit	100.00	75.00	125.00
4(1)	Crossing not conform to permit	100.00	75.00	125.00
5(2)(j)	Fail to remove illegal crossing	100.00	75.00	125.00

#### Faeces Removal Bylaw 1980 No. 2190

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
3	Fail to remove faeces from boulevard	50.00	37.50	62.50
4	Fail to remove faeces from park	50.00	37.50	62.50

### Fire Protection and Life Safety Regulation Bylaw 2011 No. 7108

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
13(1)	Drive over fire hose	200.00	150.00	250.00
13(2)	Failure to assist	250.00	187.50	312.50
13(3)	Failure to obey evacuation order	250.00	187.50	312.50
13(5)	Failure to secure a premise after fire	200.00	150.00	250.00
13(8)	Failure to comply with direction	250.00	187.50	312.50
13(9)	Interfere with fire equipment	250.00	187.50	312.50
14(1)(a)	Building in state of disrepair	200.00	150.00	250.00
14(1)(b)	Endanger life or property	200.00	150.00	250.00
14(1)(c)	Allow flammable conditions	200.00	150.00	250.00
14(1)(d)	Allow a fire hazard to exist	200.00	150.00	250.00
14(2)(e)	Failure to repair	200.00	150.00	250.00
14(2)(f)	Failure to remove or destroy	200.00	150.00	250.00
14(2)(g)	Failure to alter the use or occupancy	200.00	150.00	250.00
14(2)(h)	Failure to remove materials	200.00	150.00	250.00
14(2)(i)	Failure to remove or take precautions	200.00	150.00	250.00
14(6)	Failure to secure premises where fire hazard	250.00	187.50	312.50
16(1)	Failure to practice fire drill	200.00	150.00	250.00
16(2)	Failure to practice fire drill	200.00	150.00	250.00
17(1)	Failure to submit fire safety plan	200.00	150.00	250.00
17(2)	Failure to resubmit fire safety plan	200.00	150.00	250.00
17(3)	Failure to notify fire safety plan location	200.00	150.00	250.00
18(1)	Failure to submit pre-incident plan	200.00	150.00	250.00
18(2)	Failure to resubmit pre-incident plan	200.00	150.00	250.00
19(1)	Failure to install smoke alarm(s)	200.00	150.00	250.00
19(1)	Failure to install sprinkler	200.00	150.00	250.00
19(1)	Failure to install fire alarm	200.00	150.00	250.00
20(1)	Failure to store combustible materials in proper container	200.00	150.00	250.00
20(2)	Container without lid	200.00	150.00	250.00
20(3)	Store within 10 feet of building or fuel tank	200.00	150.00	250.00
21(1)	Failure to supply proper container	200.00	150.00	250.00
21(2)	Failure to close lids on container	200.00	150.00	250.00
21(3)	Improper storage contrary to Fire Code	200.00	150.00	250.00
22(1)	Failure to obtain permit	250.00	187.50	312.50
23(1)	Failure to keep doors closed	200.00	150.00	250.00
23(2)	Alter exit door(s) without approval	200.00	150.00	250.00
24(1)	Install access gate without approval	200.00	150.00	250.00
24(2)	Secure without approval	200.00	150.00	250.00
24(3)	Failure to post exit signs	200.00	150.00	250.00
24(4)	Failure to post exit plan	200.00	150.00	250.00
24(5)	Failure to illuminate exit sign	200.00	150.00	250.00
24(6)	Interfere with egress or access	200.00	150.00	250.00
25(1)	Failure to obey an order	300.00	225.00	375.00
26(3)	Alter or deface notice posted	200.00	150.00	250.00

26(4)	Failure to evacuate	250.00	187.50	312.50
27(1)(a)	Failure to notify before servicing	200.00	150.00	250.00
27(1)(b)	Failure to tag life and fire safety equipment	200.00	150.00	250.00
28(1)	Failure to supply contact person information	200.00	150.00	250.00
28(2)	Failure to notify of changes to information	200.00	150.00	250.00
28(3)	Failure to ensure contact person is able	200.00	150.00	250.00
28(4)	Failure to notify of false alarm	200.00	150.00	250.00
28(6)	Failure to notify prior to servicing	200.00	150.00	250.00
28(7)	Failure to remedy false alarms	250.00	187.50	312.50
29(2)	Open burning fire without permit	200.00	150.00	250.00
29(3)	Burning contrary to general fire ban	200.00	150.00	250.00
29(4)	Cooking fires in City park	200.00	150.00	250.00
29(5)	Open burning fire in City park	200.00	150.00	250.00
30(3)	Open burning outside permitted times	200.00	150.00	250.00
30(4)	Emission of offensive smoke or ash	200.00	150.00	250.00
30(5)(a)	Fire too large	200.00	150.00	250.00
30(5)(b)	Fire too close to combustibles	200.00	150.00	250.00
30(5)(c)	Fire fuel not hand fed	200.00	150.00	250.00
30(6)	Burning prohibited materials	200.00	150.00	250.00
30(7)	Fire unattended	200.00	150.00	250.00
31(1)	Failure to mark ID on hydrant	200.00	150.00	250.00
31(3)	Failure to notify before servicing or repairing hydrant	200.00	150.00	250.00
31(4)	Failure to cover hydrants	200.00	150.00	250.00
31(5)	Failure to notify when hydrant non-operational	200.00	150.00	250.00
31(6)	Interfere with access to hydrant	200.00	150.00	250.00
32(1)	Failure to submit report	200.00	150.00	250.00
32(3)	Hydrant not correct colours	200.00	150.00	250.00
32(4)	Failure to keep hydrant unobstructed	200.00	150.00	250.00
33 (1)	Failure to follow service requirements	250.00	187.50	312.50
34(1)	Failure to conduct semi-annual inspection	250.00	187.50	312.50
35(1)	Failure to conduct annual inspection	250.00	187.50	312.50
36(1)	Failure to conduct three year service	250.00	187.50	312.50
37(1)	Failure to post civic address	200.00	150.00	250.00
37(2)	Failure to post unit number	200.00	150.00	250.00
37(3)	Failure to post site plan	200.00	150.00	250.00

### Fireworks Regulation Bylaw 2007 No. 7049

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
4	Sell fireworks	200.00	150.00	250.00
5	Possess without permit	200.00	150.00	250.00
6	Discharge fireworks without permit	200.00	150.00	250.00
8(b)	Not in accordance with permit	100.00	75.00	125.00

8(c)	Not supervised	100.00	75.00	125.00
8(d)	Failure to present permit	100.00	75.00	125.00

### Licencing and Control of Animals Bylaw 1995 No. 4923

(Bylaw No. 7159.02)

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
3(3)	Slaughter of household animals for meat or consumption	500.00	375.00	625.00
4(1)	Dog at large	100.00	75.00	125.00
4(2)	Restricted/vicious dog not muzzled	500.00	375.00	625.00
4(3)	Fail to enclose restricted/vicious dog	500.00	375.00	625.00
4(5)	Dog in cemetery	100.00	75.00	125.00
4(6)	Fail to advise poundkeeper of change of address within one week	100.00	75.00	125.00
5(1)	Fail to licence a dog	50.00	37.50	62.50
5(5)	Fail to display dog licence	50.00	37.50	62.50
6(1)	Dog without adequate ventilation	500.00	375.00	625.00
6(2)	Dog able to leave property	100.00	75.00	125.00
6(3)	Dog tethered incorrectly	100.00	75.00	125.00
6(4)	Dog movement restricted	100.00	75.00	125.00
6(5)	Dog tethered over allowable time	100.00	75.00	125.00
6(6)	Dog tethered obstructing public	100.00	75.00	125.00
6(7)	Dog tethered within 3 metres	100.00	75.00	125.00
6(8)	Dog transported incorrectly	200.00	150.00	250.00
8(a)	Livestock running at large	50.00	37.50	62.50
8(a)(5)	Livestock in cemetery	100.00	75.00	125.00
8(b)	Poultry/rabbits running at large	50.00	37.50	62.50
8(b)(5)	Release or abandon a rabbit on land within the municipality	100.00	75.00	125.00
8(c)	Exceed maximum number of chickens or ducks	100.00	75.00	125.00
8(c)(1)	Exceed 3 beehives under 1 acre	100.00	75.00	125.00
8(c)(2)	Exceed 3 beehives per acre	100.00	75.00	125.00
9(a)	Keep livestock, poultry or rabbits	100.00	75.00	125.00
11	Feed a deer or feral rabbit within the municipality	100.00	75.00	125.00
12	Keep cat suffering from infectious disease	100.00	75.00	125.00

### Motorboat Exhaust Bylaw 1982 No. 2475

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
3(1)(a)	Launch boat without adequate exhaust	100.00	75.00	125.00
3(1)(b)	Launch boat without a muffler	100.00	75.00	125.00
3(2)	Operate boat without adequate exhaust	100.00	75.00	125.00
3(3)	Disturb peace while operating a boat	100.00	75.00	125.00



### Municipal Solid Waste Collection Bylaw 2011 No. 7128

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
10(1)	Disposal of prohibited material through the municipal solid waste collection system	100.00	75.00	125.00
11(1)(a)	Fail to properly dispose of solid waste	100.00	75.00	125.00
11(1)(b)	Fail to use garbage container	100.00	75.00	125.00
11(1)(c)	Fail to use food waste container	100.00	75.00	125.00
11(1)(e)	Container weighs more than 22 kilograms (50 pounds)	100.00	75.00	125.00
11(1)(i)	Fail to remove a container	100.00	75.00	125.00
11(1)(k)	Fail to secure plastic bags	100.00	75.00	125.00
11(1)(r)	Fail to clean up solid waste	100.00	75.00	125.00
12(1)	Improper use of recycling container	100.00	75.00	125.00
12(2)	Improper use of food waste container	100.00	75.00	125.00
12(3)	Damage food waste container	100.00	75.00	125.00
13(1)	Scavenge from a container	100.00	75.00	125.00
16	Interfere with municipal solid waste collection system	100.00	75.00	125.00

### Noise Control Bylaw 1994 No. 4750

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
3	Noise causing disturbance	100.00	75.00	125.00
4(2)	Objectionable noise	100.00	75.00	125.00

### Parks Recreation and Culture Regulation Bylaw 2006 No. 7073

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
3.1(a)	Obstruct free use and enjoyment of park	150.00	112.50	187.50
3.1(b)	Disturb game, sport or activity	150.00	112.50	187.50
3.1(c)	Interfere with City employee	150.00	112.50	187.50
3.1(d)	Activity in area not designated for that purpose	150.00	112.50	187.50
3.2(a)	Fail to obey person in charge of activity	150.00	112.50	187.50
3.2(b)	Use hazardous device in pool/beach	150.00	112.50	187.50
3.3(a)	Permit animal to run at large	150.00	112.50	187.50
3.3(b)	Permit animal to feed on vegetation	150.00	112.50	187.50
3.3(c)	Permit animal on public beach	150.00	112.50	187.50
3.3(d)	Permit animal on pool deck	150.00	112.50	187.50
3.4(a)	Enter/remain in park during restricted hours	150.00	112.50	187.50
3.4(b)	Occupy for lodging	150.00	112.50	187.50
3.4(c)	Cross where sign prohibits	150.00	112.50	187.50

3.4(d)	Remain when directed to leave	150.00	112.50	187.50
3.5	Ride or permit riding of a cycle without an approved helmet	150.00	112.50	187.50
3.6	Cycling/skating/skateboarding in prohibited area	150.00	112.50	187.50
3.7	Damage park plants	150.00	112.50	187.50
3.8	Cut down tree	500.00	375.00	
3.9	Plant any tree, sapling, shrub, flower	150.00	112.50	187.50
3.10	Damage park property	150.00	112.50	187.50
3.11	Build any structure	150.00	112.50	187.50
3.12	Pollute fountain, lake pool, pond, or stream	150.00	112.50	187.50
3.13	Lettering	150.00	112.50	187.50
3.14	Distribute/affix signs/poster/device	150.00	112.50	187.50
3.15	Discharge/ignite fireworks or other explosive material	150.00	112.50	187.50
3.16	Cause fire to be ignited	150.00	112.50	187.50
3.17	Discard any lighted match, cigar, cigarette, or other substance	150.00	112.50	187.50
3.18	Consume or possess liquor in park	150.00	112.50	187.50
3.19	Show or performance without licence	150.00	112.50	187.50
3.20	Sell service or commodity	150.00	112.50	187.50
3.21	Activity contrary to sign or traffic control device	150.00	112.50	187.50
3.22	Use building/structure for contrary to purpose	150.00	112.50	187.50
3.23	Leave personal belongings	150.00	112.50	187.50
3.24	Drive/park vehicle where prohibited	150.00	112.50	187.50
3.25	Drive/park off road/all terrain vehicle	150.00	112.50	187.50
3.26	Operate any motorboat	150.00	112.50	187.50
3.27	Smoke anywhere on all City managed recreation properties including trails, plazas, parks, beaches, and recreational facilities except in designated smoking areas	150.00	112.50	187.50
3.28	Smoke contrary to signs	150.00	112.50	187.50

**Pesticide Use Bylaw 2010 No. 7102**

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
3	Apply pesticide contrary to bylaw	250.00	187.50	312.50

**Property Maintenance Bylaw 1990 No. 3704**

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
4(a)	Cause or permit rubbish to collect	100.00	75.00	125.00
4(b)	Deposit rubbish in open space	100.00	75.00	125.00

4(c)	Permit rubbish to accumulate around container	100.00	75.00	125.00
4(d)	Fail to contain demolition waste	100.00	75.00	125.00
5(a)	Place graffiti	100.00	75.00	125.00
5(b)	Allow unsightly property	100.00	75.00	125.00
6	Fail to clear unsightly growth	100.00	75.00	125.00
7	Fail to clear noxious weeds	100.00	75.00	125.00

### Public Nuisance Bylaw 2003 No. 5648

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
3.1	Disturb peace, quiet and enjoyment of the community	150.00	112.50	187.50
3.2	Impede or obstruct a person	150.00	112.50	187.50
3.3	Impede or obstruct free movement of persons or vehicles	150.00	112.50	187.50
3.4	Participate in fight or similar physical confrontation	150.00	112.50	187.50
3.5	Deposit or throw bottles, broken glass or other rubbish	150.00	112.50	187.50
3.6	Place graffiti on walls, fences or other surfaces	150.00	112.50	187.50
3.7	Urinate or defecate on highway or in public place	150.00	112.50	187.50

### Secondhand Dealers and Pawnbrokers Bylaw 1997 No. 5230

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
4.1	Fail to maintain register	200.00	150.00	250.00
4.2	Fail to make register entry	200.00	150.00	250.00
4.3	Register not legible or complete	200.00	150.00	250.00
4.4	Fail to maintain register of unmarked goods	200.00	150.00	250.00
4.5	Fail to make register entry of unmarked goods	200.00	150.00	250.00
4.6	Register of unmarked goods not legible or complete	200.00	150.00	250.00
4.7	Fail to keep register of unmarked goods (auction)	200.00	150.00	250.00
4.7	Fail to make register of unmarked goods (auction)	200.00	150.00	250.00
4.7	Register of unmarked goods not legible or complete	200.00	150.00	250.00
4.8	Articles not tagged	200.00	150.00	250.00
4.9	Failure to produce register	200.00	150.00	250.00
4.10	Failure to retain register	200.00	150.00	250.00
4.11	Failure to submit register	200.00	150.00	250.00

5.1(a)	Receive other than place of business	200.00	150.00	250.00
5.1(b)	Store other than place of business	200.00	150.00	250.00
5.1(c)	Receive article during prohibited time	200.00	150.00	250.00
5.1(d)	Receive article from person under 18 years	200.00	150.00	250.00
5.1(e)	Receive article with defaced/erased serial number	200.00	150.00	250.00
5.1(f)	Receive article without identification	200.00	150.00	250.00
5.1(g)	Fail to obtain documentation	200.00	150.00	250.00
5.1(h)	Fail to hold 30 days	200.00	150.00	250.00
5.1(i)	Fail to hold for longer duration or obtain written consent	200.00	150.00	250.00
5.1(j)	Fail to make registry entry	200.00	150.00	250.00
5.1(k)	Deface or alter register	200.00	150.00	250.00
5.1 (l)	Refuse entry	200.00	150.00	250.00
6.3(a)	Carry on business for auctioneer purposes	200.00	150.00	250.00
6.3(b)	Purchase without licence	200.00	150.00	250.00
6.3(c)	Conduct business from auctioneer premises	200.00	150.00	250.00

### Sewer Regulation and Charge Bylaw 1982 No. 2496

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
6(1)	Tamper with public sewer system	100.00	75.00	125.00
6(2)	Discharge prohibited substance in sewer system	200.00	150.00	250.00
6(3)	Damage public sewer system	150.00	112.50	187.50
8(1)	Discharge storm water to sewer system	100.00	75.00	125.00
8(2)	Discharge industrial cooling water	100.00	75.00	125.00
8(3)	Discharge from cooling and condensing systems	100.00	75.00	125.00
8(6)	Discharge of vapour or gaseous substance	100.00	75.00	125.00
8(7)	Discharge of fats, oils, grease	100.00	75.00	125.00
8(9)	Discharge noxious or malodorous substance	100.00	75.00	125.00
8(11)	Discharge gasoline or explosive liquids	200.00	150.00	250.00
8(13)	Discharge garbage	100.00	75.00	125.00
8(14)	Discharge solid which obstructs sewage system	100.00	75.00	125.00
8(18)	Discharge deposits from septic tank	100.00	75.00	125.00
8(19)	Discharge at receiving station	100.00	75.00	125.00
11(i)	Discharge without permit	100.00	75.00	125.00
11(v)	Discharge contrary to permit	100.00	75.00	125.00
12	Illegal connection to sewer system	100.00	75.00	125.00

### Sign Bylaw 1987 No. 2850

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
7(1)	Erect sign without permit	100.00	75.00	125.00
8(a)	Fail to remove abandoned sign	50.00	37.50	62.50
9(a)	Erect sign contrary to provisions	50.00	37.50	62.50

### Soil Removal and Depositing Regulation Bylaw 1976 No. 1747

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
3(1)	Remove or add fill without permit	50.00	37.50	62.50
5(1)(a)	Remove or add fill causing hazard	200.00	150.00	250.00
5(1)(b)	Remove or add fill making development impractical	200.00	150.00	250.00
5(1)(c)	Remove or add fill obstructing or fouling water	200.00	150.00	250.00
7	Soil removed not replaced by fill	150.00	112.50	187.50

### Street Entertainers Regulation Bylaw 2011 No. 7109

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
4.1	Perform without a Street Entertainer Permit	75.00	56.25	93.75
4.2	Perform without endorsement on permit	50.00	37.50	62.50
4.3	Perform as individual from Street Entertainer Group	50.00	37.50	62.50
4.4	Perform without displaying badge	50.00	37.50	62.50
4.5	Perform when permit is suspended	75.00	56.25	93.75
4.6	Perform in unauthorized location	50.00	37.50	62.50
4.7	Noise audible beyond 75 meters from a restricted location	50.00	37.50	62.50
4.8	Perform during prohibited time	50.00	37.50	62.50
4.9	Perform exceeding two hours	50.00	37.50	62.50
4.10	Perform in same location when prohibited	50.00	37.50	62.50
4.11	Perform in more than one location on same day	50.00	37.50	62.50
4.12	Amplify an acoustical instrument	50.00	37.50	62.50
4.13	Perform with more than one amplifier	50.00	37.50	62.50
4.14	Use amplifier that is not battery operated or is more than 15 watts	50.00	37.50	62.50
4.15	Amplify more than one speaker	50.00	37.50	62.50
4.16	Amplify voice during a performance	50.00	37.50	62.50
4.17	Amplification audible 75 meters from a restricted location	50.00	37.50	62.50

4.18	Fail to comply with bylaw	50.00	37.50	62.50
4.19	Fail to remove litter or garbage	50.00	37.50	62.50
4.20	Obstruct pedestrian or bicycle traffic	50.00	37.50	62.50
4.21	Solicit for money	50.00	37.50	62.50
4.22	Sell recordings other than at performance	50.00	37.50	62.50
4.23	Perform when directed to vacate	50.00	37.50	62.50
4.24	Perform during event when prohibited	50.00	37.50	62.50
4.25	Perform using profanity	50.00	37.50	62.50
4.26	Perform while using or under the influence	50.00	37.50	62.50
4.27	Perform in a dangerous manner	50.00	37.50	62.50
4.28	Perform with dangerous props	50.00	37.50	62.50

### Traffic and Highways Regulation Bylaw 1993 No. 5000

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
3(1)	Drive on sidewalk or boulevard	75.00	56.25	93.75
3(2)	Skate/skateboard on sidewalk/highway	75.00	56.25	93.75
3(3)	Debris on highway	75.00	56.25	93.75
3(4)	Open excavation or obstruction	100.00	75.00	125.00
3(5)	Drive between procession or parade	75.00	56.25	93.75
3(6)	Obstruct traffic	100.00	75.00	125.00
3(6)(1)	Solicit so as to cause an obstruction	150.00	112.50	187.50
3(7)	Tracked vehicle on highway	100.00	75.00	125.00
3(10)	Merchandise on highway	75.00	56.25	93.75
3(11)	Drag or skid object on highway	100.00	75.00	125.00
3(12)	Earth, mud, or rocks on highway	100.00	75.00	125.00
3(13)(a)	Highway corner lot obstruct visibility	75.00	56.25	93.75
3(13)(b)	Lane corner lot obstruct visibility	75.00	56.25	93.75
3(14)	Remove notice or ticket	75.00	56.25	93.75
3(15)	Garbage on highway	75.00	56.25	93.75
3(16)	Drive within park	75.00	56.25	93.75
3(17)	Construct ditch which damages highway	100.00	75.00	125.00
3(18)	Distribute leaflet on vehicle	75.00	56.25	93.75
3(19)(a)	Truck exceed maximum GVW	100.00	75.00	125.00
3(19)(b)	Truck fail to use direct route	100.00	75.00	125.00
3(20)	Jay walking	50.00	37.50	62.50
3(21)	Trees over highway	75.00	56.25	93.75
3(22)	Water flow on highway	75.00	56.25	93.75
3(23)	Littering	100.00	75.00	125.00
3(24)	Work in streets without permit	100.00	75.00	125.00
3(25)	Work contrary to streets permit	100.00	75.00	125.00
3(28)	Disobey traffic control device	100.00	75.00	125.00
3(29)(1)(a) (ii)	Fail to yield to pedestrian – intersection	100.00	75.00	125.00
3(29)(1)(a) (iii)	Fail to yield to vehicle	100.00	75.00	125.00

3(29)(2)(a)(ii)	Fail to yield to pedestrian – no intersection	100.00	75.00	125.00
3(29)(2)(c)	Pedestrian disobey signal	100.00	75.00	125.00
3(30)	Fail to stop at yellow light	100.00	75.00	125.00
3(31)(1)	Fail to stop at red light	100.00	75.00	125.00
3(31)(2)	Fail to yield right turn at red light	100.00	75.00	125.00
3(31)(3)(a)	Pedestrian fail to obey red light	100.00	75.00	125.00
3(31)(3)(b)	Fail to yield left turn at red light	100.00	75.00	125.00
3(31)(4)(a)	Fail to stop at red light – no intersection	100.00	75.00	125.00
3(32)(1)(a)	Fail to yield/disobey green arrow	100.00	75.00	125.00
3(32)(1)(b)	Pedestrian fail to obey green arrow	100.00	75.00	125.00
3(32)(2)(a)	Fail to stop yellow arrow at intersection	100.00	75.00	125.00
3(32)(2)(b)	Fail to yield yellow arrow	100.00	75.00	125.00
3(32)(2)(c)	Pedestrian fail to obey yellow arrow	100.00	75.00	125.00
3(33)(1)(a)	Fail to stop at red flashing light at intersection	100.00	75.00	125.00
3(33)(2)(a)	Fail to stop at red flashing light – no intersection	100.00	75.00	125.00
3(33)(3)(a)	Fail to yield yellow flashing light – at intersection	100.00	75.00	125.00
3(33)(4)(a)	Fail to yield yellow flashing light – no intersection	100.00	75.00	125.00
3(33)(5)(a)	Fail to yield at green flashing light	100.00	75.00	125.00
3(34)	Drive over newly painted lines	100.00	75.00	125.00
3(38)a)	Drive over highway divider	100.00	75.00	125.00
3(38)(b)	Drive on left side of highway divider	100.00	75.00	125.00
3(39)(a)	Unsafe U-turn	85.00	63.75	106.25
3(39)(b)(iii)	Prohibited U-turn	85.00	63.75	106.25
3(39)(b)(iv)	U-turn at intersection	100.00	75.00	125.00
3(39)(b)(v)	U-turn in business district	85.00	63.75	106.25
3(40)	Disobey yield sign	100.00	75.00	125.00
3(41)(1)	Fail to yield after stop	100.00	75.00	125.00
3(41)(2)	Fail to yield vehicle leaving stop	100.00	75.00	125.00
3(42)	Disobey school guard	125.00	93.75	156.25
3(43)	Disobey stop sign	100.00	75.00	125.00
3(44)	Drive over fire hose	100.00	75.00	125.00
3(45)	Person in cargo compartment	100.00	75.00	125.00
3(45)	Person not properly seated	100.00	75.00	125.00
3(47)	Unlawfully enter/remain in City parkade	100.00	75.00	125.00
3.1	Disobey direction of peace officer	100.00	75.00	125.00
3.2	Fail to stop for peace officer	150.00	112.50	187.50
3.3	Unnecessary noise	100.00	75.00	125.00
3.4	No slow moving vehicle warning device	100.00	75.00	125.00
3.4.1	Slow moving vehicle warning device improperly mounted	75.00	56.25	93.75
3.4.2	Improper use of slow moving vehicle warning device	75.00	56.25	93.75
4(1)	Park on boulevard or sidewalk	35.00	26.25	43.75
4(2)	Park within 2 metres of driveway	35.00	26.25	43.75
4(3)	Park in lane	35.00	26.25	43.75
4(4)	Park in intersection	35.00	26.25	43.75

4(5)	Park within 5 m of a fire hydrant	35.00	26.25	43.75
4(6)	Park within 6 m of crosswalk	35.00	26.25	43.75
4(7)	Park within 6 m of a stop sign	35.00	26.25	43.75
4(8)	Park within 6 m of an exit	35.00	26.25	43.75
4(9)	Park within 15 m of railway	35.00	26.25	43.75
4(10)(a)	Park vehicle on highway for sale	35.00	26.25	43.75
4(10)(b)	Store vehicle on highway	35.00	26.25	43.75
4(10)(c)	Park vehicle displaying signs	35.00	26.25	43.75
4(10)(d)	Sell products from parked vehicles	35.00	26.25	43.75
4(11)	Park obstructing traffic	35.00	26.25	43.75
4(12)	Double parked	35.00	26.25	43.75
4(13)	Park upon bridge	35.00	26.25	43.75
4(14)	Park where prohibited by sign	35.00	26.25	43.75
4(15)	Park in violation of traffic control device	35.00	26.25	43.75
4(16)	Park near excavation obstructing visibility	35.00	26.25	43.75
4(17)	Parked wrong side facing wrong direction	35.00	26.25	43.75
4(18)	Parked more than 30 cm from curb	35.00	26.25	43.75
4(19)	Vehicle over 5 M in angle parking	35.00	26.25	43.75
4(20)	Parking in reserved area	35.00	26.25	43.75
4(21)	Parked over 24 hours	35.00	26.25	43.75
4(22)	Park truck over 8500 kg on street	35.00	26.25	43.75
4(23)	Park within 6 m of a lane	35.00	26.25	43.75
4(24)	Park obstructing traffic/pedestrians	35.00	26.25	43.75
4(25)	Park other than designated parking area	35.00	26.25	43.75
4(26)	Park in designated motorcycle parking area	35.00	26.25	43.75
4(27)	Park in designated cycle/pedestrian area	35.00	26.25	43.75
4(28)(a)	Park on street exceeding time limits	30.00	22.50	37.50
4(28)(b)	Park on street exceeding time limits "in the same block during the succeeding two hours	30.00	22.50	37.50
4(29)	Park off street exceeding time limits	30.00	22.50	37.50
4(30)(a)	Park in commercial loading zone	35.00	26.25	43.75
4(30)(b)	Park over 15 minutes in loading zone	35.00	26.25	43.75
4(31)	Park in school zone where no fence	35.00	26.25	43.75
4(32)	Park in bus stop	35.00	26.25	43.75
4(33)	Park in fire lane	35.00	26.25	43.75
4(34)	Park in taxi zone	35.00	26.25	43.75
4(35)	Park at yellow curb	35.00	26.25	43.75
4(36)	Park in hotel loading zone	35.00	26.25	43.75
4(37)	Park taking up overnight abode	35.00	26.25	43.75
4(38)	Park vehicle without valid plates	35.00	26.25	43.75
4(39)	Park trailer without power unit attached	35.00	26.25	43.75
4(40)	Angle parked in area not designated	35.00	26.25	43.75
4(41)	Park more than 2 hours in restricted zone	35.00	26.25	43.75
5(1)	Occupy more than single metered space	30.00	22.50	37.50
5(2)	Meter violation	30.00	22.50	37.50



5(3)	Park exceeding maximum time shown on meter	30.00	22.50	37.50
5(6)(a)	Tamper with parking meter	30.00	22.50	37.50
5(6)(b)	Deposit other than coins in meter	30.00	22.50	37.50
5(6)(c)	Damage parking meter	200.00	150.00	250.00
6(5)(a)	Fail to display permit	30.00	22.50	37.50
6(5)(b)	Exceed time	30.00	22.50	37.50
6(6)(a)	Fail to display permit	30.00	22.50	37.50
6(6)(b)	Exceed time	30.00	22.50	37.50
6(6)(c)	Unlawful parking	30.00	22.50	37.50
6(6)(d)	Park for commuting	30.00	22.50	37.50
6(6)(e)	Store vehicle and/or trailer	35.00	26.25	43.75
6(6)(f)	Exceed one vehicle per pleasure craft	35.00	26.25	43.75
7(1)	Fail to display commercial vehicle decal on street	35.00	26.25	43.75
7(2)	Fail to display commercial vehicle decal in loading zone	35.00	26.25	43.75
7(3)	Commercial vehicle in metered area without parking permit	30.00	22.50	37.50
7(4)	Commercial vehicle in loading zone more than 15 minutes	35.00	26.25	43.75
7(5)	Commercial vehicle in metered space longer than 15 minutes	30.00	22.50	37.50
7(8)	Fail to mark commercial vehicle	75.00	56.25	93.75
7(10)	Fail to mark farm vehicle	75.00	56.25	93.75
22(1)	Fail to remove snow, ice, rubbish from sidewalk	75.00	56.25	93.75
22(2)	Fail to remove snow, ice, rubbish from structure	75.00	56.25	93.75
23(c)	Post sign on pole, highway median, tree	75.00	56.25	93.75
28	Use highway after extraordinary traffic order prohibits	100.00	75.00	125.00
29	Broadcast from vehicle	100.00	75.00	125.00
33(1)	Remove part of highway or tree	100.00	75.00	125.00
33(2)	Damage boulevard	100.00	75.00	125.00
33(3)	Change level of highway or stop water flow	100.00	75.00	125.00
33(4)	Place structure on highway	100.00	75.00	125.00
33(5)	Effluent from drain damage highway	100.00	75.00	125.00
33(6)	Deface highway or structure	100.00	75.00	125.00
33(7)	Erect sign on highway	100.00	75.00	125.00
33(8)	Tracked vehicle on highway	100.00	75.00	125.00
33(9)	Drive vehicle or animal over curb, sidewalk or ditch	100.00	75.00	125.00
33(10)	Construct crossing without permit	100.00	75.00	125.00
42	Fail to erect safety devices	100.00	75.00	125.00
50(2)	Illegal sign purports to regulate highway	100.00	75.00	125.00
51(2)	Enter upon closed highway	100.00	75.00	125.00
55(1)	Load overwidth for vehicle	100.00	75.00	125.00
55(2)	Load overlength	100.00	75.00	125.00
55(3)	Vehicle not equipped with pneumatic tires	100.00	75.00	125.00

55(4)	Inadequate solid tires	100.00	75.00	125.00
55(6)	Operate vehicle with cleats/studs	100.00	75.00	125.00
55(8)	Load dropping or swaying	100.00	75.00	125.00
55.2(1)(a)	Load not secure	100.00	75.00	125.00
55.2(1)(b)	Insufficient tiedowns	100.00	75.00	125.00
55.2(1)(c)	Tiedowns not distributed evenly	100.00	75.00	125.00
55.2(3)	Tiedown requirements not sufficient	100.00	75.00	125.00
55.4	Logs or poles without binders	100.00	75.00	125.00
55.5	Insufficient tiered load securement	100.00	75.00	125.00
55.6(1)	Drums or barrels not secure	100.00	75.00	125.00
55.7(1)	Aggregate material not secure	100.00	75.00	125.00
55.7(2)	Wood waste not covered	100.00	75.00	125.00
55.7(3)	Cover not secure	100.00	75.00	125.00
55.8	Roller not locked	100.00	75.00	125.00
55.9	Refuse container not secure	100.00	75.00	125.00
55.10	No bulkhead or cab protector	100.00	75.00	125.00
56(1)	Overwidth vehicle	100.00	75.00	125.00
56(2)	Overheight vehicle	100.00	75.00	125.00
56(3)	Overlength vehicle	100.00	75.00	125.00
56(4)	Load obstructs driver's view	75.00	56.25	93.75
56.1(1)	Pilot car exceed 5500 kg GVW	75.00	56.25	93.75
56.1(2)	No proper oversize sign	75.00	56.25	93.75
56.1(3)	No proper cautionary sign	75.00	56.25	93.75
56.2	Pilot car – no proper warning device	75.00	56.25	93.75
56.3	No proper flags	75.00	56.25	93.75
56.4	Improper use of sign	75.00	56.25	93.75
56.5	Precede/follow improper distance	75.00	56.25	93.75
61	Operate contrary to permit	100.00	75.00	125.00
61.3	Obstruct peace officer	150.00	112.50	187.50
61.4	Operate unsafe vehicle (load)	200.00	150.00	250.00

**Waterworks Rate and Regulation Bylaw 2006 No. 7004**

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
22	Water used by other than occupant	50.00	37.50	62.50
24	Waste water	100.00	75.00	125.00
27	Unauthorized connection	100.00	75.00	125.00
28.1	Connected to other water supply	100.00	75.00	125.00
29	Tamper with water system	100.00	75.00	125.00
30	Unauthorized use of fire hydrant	100.00	75.00	125.00
30	Unauthorized use of valve or stop cock	100.00	75.00	125.00
31.1	Fail to maintain access to water meter	35.00	26.25	43.75
42.1(a)	Sell water without permit	100.00	75.00	125.00
42.1(b)	Give water without permit	100.00	75.00	125.00
43(a) or 43(b)	Water on day not permitted	100.00	75.00	125.00
44(a) or 44(b)	Water on day not permitted	100.00	75.00	125.00

45(a) or 45(b)	Water of day not permitted	100.00	75.00	125.00
46(a)	Water on day not permitted	100.00	75.00	125.00
43(c)	Water between 10:00 am and 4:00 pm	100.00	75.00	125.00
44(c)	Water between 10:00 am and 4:00 pm	100.00	75.00	125.00
45(c)	Water between 10:00 am and 4:00 pm	100.00	75.00	125.00
46(b)	Water between 10:00 am and 4:00 pm	100.00	75.00	125.00
43(e)	Wash vehicles when prohibited	50.00	37.50	62.50
44(e)	Wash vehicles when prohibited	50.00	37.50	62.50
45(e)	Wash vehicles when prohibited	50.00	37.50	62.50
45(d)	Operate fountains or pools when prohibited	50.00	37.50	62.50
43(f)	Use water hose without a hand	50.00	37.50	62.50

### Zoning Bylaw 2011 No. 4500

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
6.3.1	Watercourse leavestrip encroachment	500.00	375.00	
6.7.8	Occupy recreational vehicle on a lot for a period exceeding 42 days in a calendar year	200.00	150.00	250.00
6.12.1	Derelict vehicles on property	200.00	150.00	250.00
6.12.1	Exceed two unlicensed vehicles	200.00	150.00	250.00
6.12.2	Prohibited vehicle on residential lot	200.00	150.00	250.00
6.12.3	Exceed four vehicles for a single residential dwelling sited on a lot	200.00	150.00	250.00
6.20.1.3	Home based business exceeds one non-resident employee	200.00	150.00	250.00
6.20.2	Home based business exceeds allowable gross floor area	200.00	150.00	250.00
6.20.2.7	Storage not contained	200.00	150.00	250.00
6.20.3	Retail sales within a home based business	200.00	150.00	250.00
6.20.4	Emit noxious matter	200.00	150.00	250.00
6.20.5.1	Home based business exceeds 10 vehicle trips	200.00	150.00	250.00
6.20.6	Exceed 1 commercial vehicle on the lot	200.00	150.00	250.00

**SCHEDULE "B"** (*Bylaw No. 7159.01*)

**NANAIMO BYLAW NOTICE DISPUTE ADJUDICATION**

**REGISTRY AGREEMENT**

This Agreement dated \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**BETWEEN:**

**CITY OF NANAIMO**, 455 Wallace Street, Nanaimo, BC V9R 5J6

("Nanaimo")

**AND:**

**CITY OF DUNCAN**, 200 Craig Street, Duncan, BC V9L 1W3

("Duncan")

**AND:**

**CITY OF PARKSVILLE**, Box 1390, 100 Jensen Avenue East, Parksville, BC V9P 2H3

("Parksville")

**AND:**

**DISTRICT OF TOFINO**, PO Box 9, 121 – 3<sup>rd</sup> Street, Tofino, BC V0R 2Z0

("Tofino")

**WHEREAS:**

1. The *Local Government Bylaw Notice Enforcement Act* provides that a local government may, by bylaw, deal with a bylaw contravention by Bylaw Notice in accordance with the *Act*;
2. The *Act* also provides that anything a local government is authorized to do under the *Act*, may be done jointly by two or more local governments entering into an agreement adopted, by bylaw, by each local government that is party to it;
3. Nanaimo, Duncan, Parksville and Tofino wish to:
  - (a) share the costs of a bylaw notice Dispute Adjudication System; and
  - (b) enter an agreement to establish such a system, to be called the Nanaimo Bylaw Notice Dispute Adjudication Registry, and to provide for the sharing of costs.

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

## **INTRODUCTORY PROVISIONS**

### **1. Definitions**

1.1 In this Agreement, the following definitions apply:

"Act"	Means the <i>Local Government Bylaw Notice Enforcement Act</i> .
"Adjudication Fee"	Means the sum of \$25.00 payable to the applicable Party should the disputant be unsuccessful in the dispute adjudication.
"Agreement"	Means this Agreement.
"Authorizing Bylaw"	Means a bylaw adopted by each Party for the purposes of section 2 of the <i>Act</i> (application of the <i>Act</i> )
"Bylaw Notice"	Has the same meaning as in the <i>Act</i> .
"Disputant"	Has the same meaning as in the Regulation.
"Dispute Adjudication System"	Means a system established in accordance with the <i>Act</i> that provides for the hearing and determination of disputes in respect of whether: a) a contravention in a Bylaw Notice occurred as alleged or b) the terms and conditions of a compliance agreement were observed or performed.
"Parties"	Means all of Nanaimo, Duncan, Parksville and Tofino.
"Party"	Means any one of Nanaimo, Duncan Parksville or Tofino.
"Registry"	Means the Nanaimo Bylaw Notice Dispute Adjudication Registry established by this Agreement.
"Regulation"	Means the Bylaw Notice Enforcement Regulation.
"Roster Organization"	Has the same meaning as in the Regulation.
"Screening Officer"	Has the same meaning as in the <i>Act</i> .
"Terms"	Means the term of this Agreement as set out herein.

### **2. Establishment of the Registry**

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

## **ADJUDICATION**

### **3. Screening Officer**

3.1 The Parties agree that where a Screening Officer position has been established by a Party in accordance with the *Act*, a Bylaw Notice must be reviewed by the Screening Officer before a dispute adjudication may be scheduled.

### **4. Bylaw Notice Dispute Adjudication System**

4.1 The Parties agree that a Dispute Adjudication System will be established as a function of the Registry, and that disputes will be heard by an adjudicator selected by a Roster Organization in accordance with the Regulation.

4.2 The Parties agree that Nanaimo will enter into a contract with a designated Roster Organization for the purpose of providing dispute adjudication services to the Registry.

## **REGISTRY OPERATIONS**

### **5. Location**

5.1 The Registry will be located in the Service and Resource Centre, City of Nanaimo, 411 Dunsmuir Street, Nanaimo, BC V9R 5J6

### **6. Services Provided**

6.1 Nanaimo will provide all administrative services required by the Registry in respect of the Dispute Adjudication System, including:

- (a) providing the venue and facilities to hear dispute adjudications in accordance with the *Act*;
- (b) submitting requests to the Roster Organization for the assignment of an adjudicator;
- (c) providing a Bylaw Adjudication Clerk to facilitate and support the hearing and determination of disputes;
- (d) providing venue security;
- (e) providing for the collection of Adjudication Fees and any penalties payable to a Party for a bylaw contravention;
- (f) issuing cheques to the applicable Party in accordance with section 7 for any amounts collected under section 6.1 (e), with the cheque to include the Bylaw Notice number (s); and
- (g) issuing invoices to the applicable Party in accordance with section 7 for dispute adjudication services.

6.2 Despite section 6.1 (e), the collection of Adjudication Fees and bylaw contravention penalties will be the responsibility of the applicable Party if not collected by the Registry immediately following the adjudication.

## **7. Payments and Disbursements**

- 7.1 Duncan, Parksville and Tofino agree to pay the City of Nanaimo proportionate costs of the fees charged by the Roster Organization. Amounts owing are to be calculated based on the number of Bylaw Notices each Party submits to the Registry for dispute adjudication.
- 7.2 Nanaimo will issue an invoice to the applicable Party for dispute adjudication services within 30 days of the service being rendered. Amounts owing are due and payable within 30 days of receipt of the invoice.
- 7.3 Nanaimo will issue a cheque payable to the applicable Party for any amounts collected under section 6.1 (e) within 30 days of collection, with the cheque to include the Bylaw Notice number (s).
- 7.4 For certainty, the Parties agree that costs relating to legal counsel, witnesses, screening officers and bylaw enforcement officers will be borne by the Party that issued the Bylaw Notice and not by the Registry or by Nanaimo on behalf of the Registry.

## **GENERAL PROVISIONS**

### **8. Amendments**

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

### **9. Dispute Resolution**

- 9.1 If a dispute arises under this Agreement and is not resolved by the Parties within 60 days, it will be settled by final and binding arbitration conducted under the *Commercial Arbitration Act of British Columbia*.

### **10. Term**

- 10.1 This Agreement comes into effect upon adoption of the authorizing bylaws and continues in effect until December 31, 2020. Any party may withdraw from this Agreement upon 30 days written notice to the other Parties.

### **11. Execution of Agreement**

- 11.1 This Agreement may be executed in counterparts through original copies, facsimile copies, or by email PDF copies. Each counterpart will be deemed to be an original that, together with the other counterparts, constitutes one agreement having the same effect as if the Parties had signed the same document.

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

**THE CITY OF Nanaimo**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

**THE CITY OF Duncan**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

**THE CITY OF Parksville**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

**THE DISTRICT OF Tofino**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer