

**Bylaw No. 2507, 2010**  
**Regional District of Okanagan-Similkameen**  
**Bylaw Notice Enforcement Bylaw**

Consolidated for convenience purposes.  
Includes all amendments to the text up to:  
May 18, 2023

Summary of Amendments

<b>Bylaw No.</b>	<b>Adopted</b>	<b>Amendment</b>	<b>Purpose</b>
2507.01	January 6, 2011	Replace Schedule A; add Schedule C	To allow for a discounted penalty; and to add a compliance agreement
2507.02	February 17, 2011	Amend Schedule A	To allow penalty to be reduced up to 50% of fine
2507.03	August 15, 2013	Amend Schedule A	To allow for fines for noise related offences in Electoral Area "H"
2507.04	May 22, 2014	Amend Schedule B	To include Central Okanagan Regional District and Coldstream as participants; to amend definitions to include the new participants
2507.05	May 21, 2015	Replace Schedule A	To replace some wording to allow for consistency with Bylaw Notice Enforcement Act, Noise bylaws; zoning bylaws; introduce some new penalties relating to zoning bylaws, Untidy/Unsightly Premises bylaws, Building bylaw; remove reference to Area "H" Noise bylaw
2507.06	July 7, 2016	Replace Appendix 3(g) to Schedule A	To apply provisions of the Bylaw Enforcement Notice Bylaw within the Kennedy Lake development.
2507.07	January 4, 2018	Replace Appendix 1(a) & 1(b) of Schedule A; Rescind Appendix 1(c) of Schedule A	Replace schedule of fines applicable to the current Animal Control bylaw and Dog Control bylaw
2507.08	March 21, 2019	Replace Appendices 3(a)-(g) of Schedule A; Add new Appendix 3(h) of Schedule A; Replace Appendix 5(a) of Schedule A	To update reference to section numbers of land use bylaws, including new Electoral Area "I";  To revise Building bylaw offences to be more consistent with member municipalities
2507.09	June 6, 2019	Add Appendix 5(A) of Schedule A; Add new Appendices 8(a)-(g); Add new Appendix 9	To include offences under Building Bylaw No. 2805; include offences for failure to obtain a Development Permit; to include offences under Fireworks Regulation and Prohibition Bylaw.  NOTE: Appendix 5(a) remains applicable with respect to permits issued on or before July 1, 2019.
2507.10	July 18, 2019	Add Appendix 10	To allow for fines at the Apex Mountain Waste Transfer Station
2507.11	August 1, 2019	Replace Appendix 5(A)	To correct reference numbers within appendix 5(A) and minor housekeeping errors
2507.12	November 19, 2020	Replace Appendix 6(a) to Schedule A	Replace schedule of fines applicable to the current Open Burning Regulations bylaw
2507.13	August 6, 2020	Replace Section 8.2; Add Section 13	Update classes of persons who may be appointed screening officers;  Add list of Schedules attached to bylaw

2507.15	August 21, 2021	Replace Appendix 3(a) to Schedule A; deleting Appendices 3(b), (c), (d), (e), (h)	To update references to current Zoning bylaws
2507.14	October 6, 2022	Replace Appendix 2(a) to Schedule A with new Appendix 2; Delete Appendices 2(b),(c),(d) to Schedule A	To ensure consistency with Bylaw No. 2931
2507.17	September 22, 2022	Replace rows 10 through 16 under Appendix 3(a) to Schedule A	To update references to current Zoning Bylaws Add offence for operation of a mobile vending unit contrary to regulations
2507.18	March 2, 2023	Adding new Appendix 11(a) to Schedule A	Add schedule of fines applicable to Soil Removal and Deposit Bylaw
2507.16	April 6, 2023	Adding new row to Appendix 1(a) Replacing Appendix 2 to Schedule A	To add penalties for noise contraventions and barking dogs
2507.19	May 18, 2023	Replacing Appendix 8(a) to (g) to Schedule A	To add penalties for failing to comply with the conditions of a development permit

# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## BYLAW NO. 2507, 2010

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A bylaw respecting the enforcement of bylaw notices.

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**WHEREAS** pursuant to Section 266.2 of the *Local Government Act*, the Regional Board of the Regional District of Okanagan-Similkameen may enforce the *Local Government Notice Enforcement Act*;

**AND WHEREAS** the Regional Board is desirous of enforcing the *Bylaw Notice Enforcement Act*;

**NOW THEREFORE**, the Board of the Regional District of Okanagan-Similkameen in open meeting assembled enacts as follows:

### **Section 1 – Citation**

1.1. This Bylaw shall be cited as the Bylaw Notice Enforcement Bylaw 2507, 2010.

### **Section 2 – Interpretation**

2.1. In this bylaw:

- a) “Act” means the “*Local Government Bylaw Notice Enforcement Act*”
- b) “District” means the “Regional District of Okanagan-Similkameen”
- c) “Registry” means the Southern Interior Bylaw Notice Adjudication Registry established pursuant to this Bylaw.

### **Section 3 – Terms**

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

### **Section 4 – Bylaw Contraventions**

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

### **Section 5 – Offence and Penalty**

5.1 The penalty for a contravention referred to in Section 4 is referenced in Schedule ‘A’.

### **Section 6 – Period for Paying a Disputed Notice**

6.1 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, or by mail, to the Regional District of Okanagan-Similkameen.

- 6.2 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.
- 6.3 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 Section 6.1 and Section 6.2 of this Bylaw do not begin to run until a copy of the bylaw notice is re-delivered to them in accordance with the *Act*.

## **Section 7 – Bylaw Notice Dispute Adjudication Registry**

- 7.1 The Registry is established as a bylaw notice dispute adjudication system in accordance with the *Act* to resolve disputes in relation to bylaw notices.
- 7.2 The civic address of the Registry is the City of Kelowna, 1435 Water Street, Kelowna, BC V1Y 1J4.
- 7.3 The City of Kelowna is authorized to enter into, and the Mayor and Clerk are authorized to execute, the dispute adjudication system agreement in the form and with the content of the agreement attached as Schedule “B”.
- 7.4 Every person who is unsuccessful in dispute adjudication in relation to a bylaw notice or a compliance agreement under the dispute adjudication system established under this section must pay the City of Kelowna an additional fee of \$25 for the purpose of the City of Kelowna recovering the costs of the adjudication system.

## **Section 8 – Screening Officers**

- 8.1 The position of screening officer is established.
- 8.2 The following are designated classes of persons that may be appointed as screening officers<sup>1</sup>:
  - a) Building and Enforcement Services Manager;
  - b) Legislative Services Manager;
  - c) Planning Services Manager;
  - d) Legislative Services Coordinator

and the Board may appoint screening officers from these classes of persons by name of office or otherwise.

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<sup>1</sup> Bylaw No. 2507.13 adopted August 6, 2020

## Section 9 – Powers, Duties and Functions of Screening Officers

- 9.1 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 cancel bylaw notices in accordance with the *Act* or Regional District policies and guidelines.
- 9.2 The bylaw contraventions in relation to which a Screening Officer may enter into a compliance agreement are indicated in Column 6 of Schedule "A".<sup>2</sup>
- 9.3 The maximum duration of a compliance agreement is one year.

## Section 10 – Bylaw Enforcement Officers

- 10.1 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*.
  - b) Bylaw Enforcement Officers appointed pursuant to the *Police Act* and *Community Charter*;
  - c) Local Assistants to the Fire Commissioner under Section 6 of the *Fire Services Act*;
  - d) Bylaw Enforcement Officers, Building Officials, 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.

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<sup>2</sup> Bylaw No. 2507.01, adopted January 6, 2011

**Section 11 – Form of Bylaw Notice**

11.1 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.

**Section 12 – Severability**

12.1 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 without the severed section, subsection, paragraph, subparagraph, clause or phrase.

**Section 12 – Schedules<sup>3</sup>**

The following schedules are attached to and form part of this bylaw:

Schedule A – Penalties for Bylaw Contravention Offences

Schedule B – Southern Interior Bylaw Notice Dispute Adjudication Registry Agreement

Schedule C – Compliance Agreement

**READ A FIRST, SECOND, AND THIRD TIME** this 17<sup>th</sup> day of June, 2010.

**ADOPTED** this 17<sup>th</sup> day of June, 2010.

*Original signed*

*Original signed*

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RDOS Board Chair

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Chief Administrative Officer

<sup>3</sup> Bylaw No. 2507.13 adopted August 6, 2020

**Appendix 1(a) to Schedule A<sup>4</sup>**

**Electoral Areas “A”, “B”, “C”, “D”, “E” “F” and “G”  
Dog Control Bylaw No. 2671, 2017**

<b>Column 1 Offence</b>	<b>Column 2 Section</b>	<b>Column 3 Penalty</b>	<b>Column 4 Early Payment</b>	<b>Column 5 Late Payment</b>	<b>Column 6 Compliance Agreement Available</b> <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
<b>No Current Dog Licence</b>	<b>3.2</b>	<b>\$100.00</b>	<b>\$90.00</b>	<b>\$110.00</b>	<b>Yes</b>
<b>Replacement Licence Not Purchased</b>	<b>3.3</b>	<b>\$50.00</b>	<b>\$45.00</b>	<b>\$55.00</b>	<b>Yes</b>
<b>Licence not affixed / dog not wearing licence</b>	<b>3.9</b>	<b>\$25.00</b>	<b>\$22.50</b>	<b>\$27.50</b>	<b>No</b>
<b>Falsifying Information</b>	<b>3.11</b>	<b>\$100.00</b>	<b>\$90.00</b>	<b>\$110.00</b>	<b>No</b>
<b>Dog At Large</b>	<b>4.1</b>	<b>\$100.00</b>	<b>\$90.00</b>	<b>\$110.00</b>	<b>No</b>
<b>Harassing or chasing another Animal, person or cyclist</b>	<b>4.2</b>	<b>\$200.00</b>	<b>\$180.00</b>	<b>\$220.00</b>	<b>Yes</b>
<b>Injured or killed another Animal or person</b>	<b>4.3</b>	<b>\$300.00</b>	<b>\$270.00</b>	<b>\$330.00</b>	<b>Yes</b>
<b>Dog within a playground area</b>	<b>4.5</b>	<b>\$100.00</b>	<b>\$90.00</b>	<b>\$110.00</b>	<b>Yes</b>
<b>Off leash in a Park</b>	<b>4.6</b>	<b>\$100.00</b>	<b>\$90.00</b>	<b>\$110.00</b>	<b>No</b>
<b>Dog Barking Excessively<sup>5</sup></b>	<b>4.8</b>	<b>\$150.00</b>	<b>\$135.00</b>	<b>\$165.00</b>	<b>No</b>
<b>Aggressive Dog off leash and /or leash extended more than 1 m</b>	<b>5.1</b>	<b>\$150.00</b>	<b>\$135.00</b>	<b>\$165.00</b>	<b>No</b>

<sup>4</sup> Bylaw No. 2507.07, 2018 Bylaw Notice Enforcement Amendment Bylaw, adopted January 4, 2018

<sup>5</sup> Bylaw No. 2507.16, 2022 Bylaw Notice Enforcement Amendment Bylaw, adopted April 6, 2023

**Appendix 1(a) to Schedule A<sup>4</sup>**

**Electoral Areas “A”, “B”, “C”, “D”, “E” “F” and “G”  
Dog Control Bylaw No. 2671, 2017**

<b>Column 1 Offence</b>	<b>Column 2 Section</b>	<b>Column 3 Penalty</b>	<b>Column 4 Early Payment</b>	<b>Column 5 Late Payment</b>	<b>Column 6 Compliance Agreement Available</b> <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
<b>Aggressive dog not muzzled</b>	<b>5.2</b>	<b>\$150.00</b>	<b>\$135.00</b>	<b>\$165.00</b>	<b>No</b>
<b>Leash held by a person not capable</b>	<b>5.3</b>	<b>\$150.00</b>	<b>\$135.00</b>	<b>\$165.00</b>	<b>No</b>
<b>Aggressive dog not securely confined</b>	<b>5.4 (a)</b> <b>5.4 (b)</b>	<b>\$150.00</b>	<b>\$135.00</b>	<b>\$165.00</b>	<b>Yes</b>
<b>Owner not permitting Officer to photograph aggressive dog</b>	<b>5.5</b>	<b>\$150.00</b>	<b>\$135.00</b>	<b>\$165.00</b>	<b>Yes</b>
<b>Vicious Dog off leash and / or leash extended more than 1 m</b>	<b>6.1</b>	<b>\$200.00</b>	<b>\$180.00</b>	<b>\$220.00</b>	<b>No</b>
<b>Vicious dog not muzzled</b>	<b>6.2</b>	<b>\$200.00</b>	<b>\$180.00</b>	<b>\$220.00</b>	<b>No</b>
<b>Leash held by a person not capable</b>	<b>6.3</b>	<b>\$200.00</b>	<b>\$180.00</b>	<b>\$220.00</b>	<b>No</b>
<b>Vicious dog not securely confined</b>	<b>6.4</b>	<b>\$400.00</b>	<b>\$360.00</b>	<b>\$440.00</b>	<b>Yes</b>
<b>Vicious dog within a Dog Park</b>	<b>6.5</b>	<b>\$400.00</b>	<b>\$360.00</b>	<b>\$440.00</b>	<b>No</b>
<b>Owner not permitting Officer to microchip vicious dog and / or not paying for costs</b>	<b>6.6</b>	<b>\$250.00</b>	<b>\$225.00</b>	<b>\$275.00</b>	<b>Yes</b>



**Appendix 1(a) to Schedule A<sup>4</sup>**

**Electoral Areas “A”, “B”, “C”, “D”, “E” “F” and “G”  
Dog Control Bylaw No. 2671, 2017**

<b>Column 1 Offence</b>	<b>Column 2 Section</b>	<b>Column 3 Penalty</b>	<b>Column 4 Early Payment</b>	<b>Column 5 Late Payment</b>	<b>Column 6 Compliance Agreement Available</b> <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
<b>Dangerous Dog off leash and /or leash extended more than 1 m</b>	<b>7.2</b>	<b>\$300.00</b>	<b>\$270.00</b>	<b>\$330.00</b>	<b>No</b>
<b>Dangerous dog not muzzled</b>	<b>7.3</b>	<b>\$300.00</b>	<b>\$270.00</b>	<b>\$330.00</b>	<b>No</b>
<b>Leash held by a person not capable</b>	<b>7.4</b>	<b>\$300.00</b>	<b>\$270.00</b>	<b>\$330.00</b>	<b>No</b>
<b>Dangerous dog not securely confined</b>	<b>7.5</b>	<b>\$500.00</b>	<b>\$450.00</b>	<b>\$550.00</b>	<b>Yes</b>
<b>Dangerous dog within a park, beach or swimming area</b>	<b>7.6</b>	<b>\$500.00</b>	<b>\$450.00</b>	<b>\$550.00</b>	<b>No</b>
<b>Dangerous dog within 300m of a dog park</b>	<b>7.7</b>	<b>\$400.00</b>	<b>\$360.00</b>	<b>\$440.00</b>	<b>No</b>
<b>No liability insurance or unable to provide proof</b>	<b>7.8</b>	<b>\$500.00</b>	<b>\$450.00</b>	<b>\$550.00</b>	<b>Yes</b>
<b>No suitable means of dog feces disposal</b>	<b>8.1</b>	<b>\$25.00</b>	<b>\$22.50</b>	<b>\$27.50</b>	<b>No</b>
<b>Owner not providing proof of compliance with Section 8.1</b>	<b>8.3</b>	<b>\$25.00</b>	<b>\$22.50</b>	<b>\$27.50</b>	<b>No</b>
<b>Dog feces permitted to accumulate, noticeable odour</b>	<b>8.4</b>	<b>\$150.00</b>	<b>\$135.00</b>	<b>\$165.00</b>	<b>Yes</b>

**Appendix 1(a) to Schedule A<sup>4</sup>**

**Electoral Areas "A", "B", "C", "D", "E" "F" and "G"  
Dog Control Bylaw No. 2671, 2017**

<b>Column 1 Offence</b>	<b>Column 2 Section</b>	<b>Column 3 Penalty</b>	<b>Column 4 Early Payment</b>	<b>Column 5 Late Payment</b>	<b>Column 6 Compliance Agreement Available</b> <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
<b>Unattended, confined dog placing dog at risk</b>	<b>8.5</b>	<b>\$300.00</b>	<b>\$270.00</b>	<b>\$330.00</b>	<b>No</b>
<b>Obstruct an Officer</b>	<b>9.2</b>	<b>\$300.00</b>	<b>\$270.00</b>	<b>\$330.00</b>	<b>No</b>

**Appendix 1(b) to Schedule A<sup>6</sup>**

**Electoral Areas “B” and “G”  
Animal Control Bylaw No. 2763, 2017**

<b>Column 1 Offence</b>	<b>Column 2 Section</b>	<b>Column 3 Penalty</b>	<b>Column 4 Early Payment</b>	<b>Column 5 Late Payment</b>	<b>Column 6 Compliance Agreement Available</b> <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
<b>Too many animals on parcel less than 0.5 ha</b>	<b>3.1</b>	<b>\$100.00</b>	<b>\$90.00</b>	<b>\$110.00</b>	<b>y</b>
<b>Animals exceed numbers permitted</b>	<b>3.2</b>	<b>\$200.00</b>	<b>\$180.00</b>	<b>\$220.00</b>	<b>Y</b>
<b>Animal(s) at Large</b>	<b>3.3</b>	<b>\$200.00</b>	<b>\$180.00</b>	<b>\$220.00</b>	<b>N</b>
<b>Obstruct Animal Control Officer</b>	<b>4.2</b>	<b>\$300.00</b>	<b>\$270.00</b>	<b>\$330.00</b>	<b>N</b>

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<sup>6</sup> Bylaw No. 2507.07, 2018 Bylaw Notice Enforcement Amendment Bylaw, adopted January 4, 2018

## Appendix 2 to Schedule A<sup>7</sup>

### Noise Control Bylaw No. 2931, 2022 (Electoral Areas “C”, “D”, “E”, “F”, & “I”)

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Contravention of Permitted Sound Levels	6.0	\$100.00	\$90.00	\$110.00	No
Making a Disturbing Sound	7.0	\$150.00	\$135.00	\$165.00	No
Making a Prohibited Type of Sound	8.0	\$150.00	\$135.00	\$165.00	No
Contravention of Power Equipment noise regulations	9.0	\$150.00	\$135.00	\$165.00	No
Contravention of Commercial noise regulations	10.0	\$150.00	\$135.00	\$165.00	No
Contravention of Natural Resource Extraction noise regulations	11.0	\$150.00	\$135.00	\$165.00	No

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<sup>7</sup> Bylaw No. 2507.16, 2022

**Appendix 3(a) to Schedule A<sup>89</sup>**

**Okanagan Valley Zoning Bylaw No. 2800, 2022**  
(Electoral Areas “A”, “C”, “D”, “E”, “F” & “I”)

Column 1 <b>Offence</b>	Column 2 <b>Section</b>	Column 3 <b>Penalty</b>	Column 4 <b>Early Payment Discount</b>	Column 5 <b>Late Payment Penalty</b>	Column 6 <b>Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Unauthorized uses, buildings and structures	3.1.1	\$500.00	\$450.00	\$500.00	Yes
Obstructing an officer, person or employee	3.3.1	\$300.00	\$270.00	\$330.00	No
Operating a use not listed in respect of a particular zone	5.4	\$500.00	\$450.00	\$500.00	Yes
Building or structure located contrary to prescribed parcel coverage, building height, density and setback regulations	5.5	\$300.00	\$270.00	\$330.00	Yes
Contravention of prescribed cannabis production regulations	6.1	\$200.00	\$180.00	\$220.00	Yes
Contravention of prescribed dock, boatlift or swimming platform regulations	6.2	\$200.00	\$180.00	\$220.00	Yes
Contravention of prescribed fence regulations	6.4	\$100.00	\$90.00	\$110.00	Yes
Contravention of prescribed livestock and honeybee regulations	6.6	\$200.00	\$180.00	\$220.00	Yes
Contravention of prescribed metal storage container regulations	6.7	\$200.00	\$180.00	\$220.00	Yes
Operation of a mobile vending unit contrary to regulations	6.8	\$200.00	\$180.00	\$220.00	Yes
Uses in contravention of terms or conditions of a Temporary Use Permit (TUP)	6.10.1	\$300.00	\$270.00	\$330.00	Yes
Occupancy of a tent or recreational vehicle as a residence contrary to regulations	6.10.2	\$200.00	\$180.00	\$220.00	Yes

<sup>8</sup> Bylaw No. 2507.15

<sup>9</sup> Bylaw No. 2507.17

Number of derelict vehicles or salvage operation use contrary to regulations	6.10.3	\$200.00	\$180.00	\$220.00	Yes
The use of land for a motorised vehicle track	6.10.4	\$200.00	\$180.00	\$220.00	Yes
Occupancy or storage of a recreational vehicle contrary to regulations	6.11	\$200.00	\$180.00	\$220.00	Yes
Contravention of prescribed retaining wall regulations	6.13	\$100.00	\$90.00	\$110.00	Yes
Obstructing visibility within a sight triangle at the intersection of a highway	6.17	\$100.00	\$90.00	\$110.00	Yes
Accessory building and structure use contrary to regulations	7.1	\$100.00	\$90.00	\$110.00	Yes
Accessory dwelling use contrary to regulations	7.2	\$200.00	\$180.00	\$220.00	Yes
Agri-tourism accommodation use contrary to regulations	7.3	\$400.00	\$360.00	\$440.00	Yes
Bed and Breakfast (B&B) Operation use contrary to regulations	7.4	\$300.00	\$270.00	\$330.00	Yes
Home industry use contrary to regulations	7.5	\$200.00	\$180.00	\$220.00	Yes
Home occupation use contrary to regulations	7.6	\$200.00	\$180.00	\$220.00	Yes
Kennel facility use contrary to regulations	7.7	\$100.00	\$90.00	\$110.00	Yes
Secondary suite use contrary to regulations	7.9	\$100.00	\$90.00	\$110.00	Yes
Vacation Rental use contrary to regulations	7.10	\$400.00	\$360.00	\$440.00	Yes
Contravention of prescribed signage regulations	9.0	\$100.00	\$90.00	\$110.00	Yes
Contravention of prescribed vehicle parking and loading regulations	11.0	\$100.00	\$90.00	\$110.00	Yes

**Appendix 3(f) to Schedule A<sup>10</sup>**  
**Electoral Area “G”**  
**Zoning Bylaw No. 2781, 2017**

Column 1 <b>Offence</b>	Column 2 <b>Section</b>	Column 3 <b>Penalty</b>	Column 4 <b>Early Payment</b>	Column 5 <b>Late Payment</b>	Column 6 <b>Compliance Agreement Available</b> <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
Obstructing an officer, person or employee	3.3.1	\$300.00	\$270.00	\$330.00	No
Operating a Use Not Listed in Respect of a Particular Zone	5.4.1 – 5.4.3	\$500.00	\$450.00	\$550.00	No
Conditions of Use <i>(restrictions within Section 10.0 to 16)</i>	5.5	\$300.00	\$270.00	\$330.00	Yes
Tent or Recreational Vehicle Used as Residence	6.4.1	\$200.00	\$180.00	\$220.00	Yes
Derelict vehicles exceed number permitted	6.4.2	\$200.00	\$180.00	\$220.00	Yes
Features projecting into setbacks	6.5	\$100.00	\$90.00	\$110.00	Yes
Fence heights	6.6.2	\$100.00	\$90.00	\$110.00	Yes
Deer Fence / Wrong Material	6.6.2(c)	\$100.00	\$90.00	\$110.00	Yes
Razor Wire Fence	6.6.3	\$100.00	\$90.00	\$110.00	No
Accessory building and structures	6.7.1 – 6.7.2	\$100.00	\$90.00	\$110.00	Yes
Accessory Dwellings not allowed	6.8	\$500.00	450.00	\$550.00	No
Secondary Suites	6.9.1 – 6.9.6	\$100.00	\$90.00	\$110.00	Yes
Residential occupancy of recreational vehicle	6.10.1 – 6.10.2	\$200.00	\$180.00	\$220.00	Yes

<sup>10</sup> Bylaw No. 2507.08, 2019 RDOS Bylaw Notice Enforcement Amendment Bylaw adopted March 21, 2019

**Appendix 3(f) to Schedule A<sup>10</sup>**  
**Electoral Area "G"**  
**Zoning Bylaw No. 2781, 2017**

Column 1 <b>Offence</b>	Column 2 <b>Section</b>	Column 3 <b>Penalty</b>	Column 4 <b>Early Payment</b>	Column 5 <b>Late Payment</b>	Column 6 <b>Compliance Agreement Available</b> <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
Home Occupations	6.11.1-6.11.7	\$200.00	\$180.00	\$220.00	Yes
Home Industry	6.12.1- 6.12.10	\$200.00	\$180.00	\$220.00	Yes
Bed and Breakfast operated contrary to provisions	6.13.1 – 6.13.9	\$300.00	\$270.00	\$330.00	Yes
Keeping of Livestock and Honeybees	6.14.1 – 6.14.4	\$100.00	\$90.00	\$110.00	Yes
Kennel Facilities	6.15.1-6.15.2	\$100.00	\$90.00	\$110.00	Yes
Parking / loading not on same parcel	9.2.1	\$100.00	\$90.00	\$110.00	Yes
Insufficient off-street vehicle parking spaces	9.4	\$100.00	\$90.00	\$110.00	Yes



**Appendix 3(g) to Schedule A<sup>11</sup>**  
**Electoral Area "H"**  
**Zoning Bylaw No. 2498, 2012**

Column 1 <b>Offence</b>	Column 2 <b>Section</b>	Column 3 <b>Penalty</b>	Column 4 <b>Early Payment</b>	Column 5 <b>Late Payment</b>	Column 6 <b>Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Obstructing an officer, person or employee	3.3.1	\$300.00	\$270.00	\$330.00	No
Operating a Use Not Listed in Respect of a Particular Zone	6.4.1 – 6.4.3	\$500.00	\$450.00	\$550.00	No
Conditions of Use (restrictions within Section 10.0 to 16)	6.5	\$300.00	\$270.00	\$330.00	Yes
Tent as permanent residence	7.4.1	\$300.00	\$270.00	\$330.00	Yes
Recreational Vehicle Used as Residence	7.4.2	\$200.00	\$180.00	\$220.00	Yes
Derelict vehicles exceed number permitted	7.4.3	\$200.00	\$180.00	\$220.00	Yes
Features projecting into setbacks	7.5	\$100.00	\$90.00	\$110.00	Yes
Fence heights	7.6.1	\$100.00	\$90.00	\$110.00	Yes
Deer Fence / Wrong Material	7.6.1(e)	\$100.00	\$90.00	\$110.00	Yes
Barbed Wire Fence	7.6.2	\$100.00	\$90.00	\$110.00	No
Razor Wire Fence	7.6.3	\$100.00	\$90.00	\$110.00	No
Provision and maintenance of screening and landscaping	7.7	\$100.00	\$90.00	\$110.00	Yes
Exterior lighting not deflected	7.8.1	\$100.00	\$90.00	\$110.00	Yes
Accessory Dwellings or Mobile Homes	7.9.1-7.9.5	\$200.00	\$180.00	\$220.00	Yes

<sup>11</sup> Bylaw No. 2507.08, 2019 RDOS Bylaw Notice Enforcement Amendment Bylaw adopted March 21, 2019

**Appendix 3(g) to Schedule A<sup>11</sup>**  
**Electoral Area “H”**  
**Zoning Bylaw No. 2498, 2012**

Column 1 <b>Offence</b>	Column 2 <b>Section</b>	Column 3 <b>Penalty</b>	Column 4 <b>Early Payment</b>	Column 5 <b>Late Payment</b>	Column 6 <b>Compliance Agreement Available</b> <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
Secondary Suites	7.10.1-7.10.5	\$100.00	\$90.00	\$110.00	Yes
Carriage houses	7.11.1-7.11.6	\$100.00	\$90.00	\$110.00	Yes
Accessory buildings and structures	7.12.1-7.12.5	\$100.00	\$90.00	\$110.00	Yes
Residential occupancy of recreational vehicles	7.14.1-7.14.4	\$200.00	\$180.00	\$220.00	Yes
Agri-Tourism Accommodation	7.15.1-7.15.7	\$400.00	\$360.00	\$440.00	Yes
Home Occupations	7.16.1-7.16.7	\$200.00	\$180.00	\$220.00	Yes
Home Industries	7.17.1- 7.17.10	\$200.00	\$180.00	\$220.00	Yes
Bed and Breakfast	7.18.1 – 7.18.9	\$300.00	\$270.00	\$330.00	Yes
Signs	7.19.1-7.19.7	\$100.00	\$90.00	\$110.00	Yes
Keeping of Livestock and Honeybees	7.22.1 – 7.22.4	\$100.00	\$90.00	\$110.00	Yes
Fuel Storage and Distribution	7.24.1-7.24.2	\$300.00	\$270.00	\$330.00	Yes
Composting Facilities	7.25	\$300.00	\$270.00	\$330.00	Yes
Tourist Cabins	7.26.1	\$100.00	\$90.00	\$110.00	Yes
Kennel Facilities	7.28.1-7.28.2	\$100.00	\$90.00	\$110.00	Yes
Retaining walls	7.29.1-7.29-6	\$100.00	\$90.00	\$110.00	Yes
Parking / loading not on same parcel	9.2.1	\$100.00	\$90.00	\$110.00	Yes
Insufficient off-street vehicle parking spaces	9.5 Table 9.2	\$100.00	\$90.00	\$110.00	Yes

**Appendix 3(g) to Schedule A<sup>11</sup>**  
**Electoral Area "H"**  
**Zoning Bylaw No. 2498, 2012**

Column 1 <b>Offence</b>	Column 2 <b>Section</b>	Column 3 <b>Penalty</b>	Column 4 <b>Early Payment</b>	Column 5 <b>Late Payment</b>	Column 6 <b>Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
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**Kennedy Lake Comprehensive Development Zone (CD6)**

Non permitted use Recreational Use Area	16.6	\$500.00	\$480.00	\$520.00	No
Non permitted use Non- Occupancy Area	16.7	\$500.00	\$480.00	\$520.00	No
Exceeding Maximum Density	16.9(a)	\$300.00	\$280.00	\$320.00	Yes
Seasonal Cabin or Recreational Vehicle in Non-Occupancy Area	16.9(b)	\$500.00	\$480.00	\$520.00	Yes
Minimum Setbacks	16.11	\$200.00	\$180.00	\$220.00	Yes
Maximum Height	16.12	\$100.00	\$90.00	\$110.00	Yes
Maximum Floor Area	16.13	\$100.00	\$90.00	\$110.00	Yes

**Appendix 4(a) to Schedule A**

**Parks Regulation Bylaw No. 704, 1982**

<b>Column 1 Offence</b>	<b>Column 2 Section</b>	<b>Column 3 Penalty</b>	<b>Column 4 Early Payment</b>	<b>Column 5 Late Payment</b>	<b>Column 6 Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Selling without Permission	3 (g) (i)	\$100.00	\$90.00	\$110.00	No
Prohibited Event	3 (g) (iii)	\$100.00	\$90.00	\$110.00	No
Lighting Fire	3 (g) (iii)	\$100.00	\$90.00	\$110.00	No
Advertising without Permission	3 (g) (iv)	\$100.00	\$90.00	\$110.00	No
Camping outside of Designated Area	5 (a)	\$50.00	\$45.00	\$55.00	No
Unregistered Person in Campsite After Hours	5 (e)	\$50.00	\$45.00	\$55.00	No
Deposit of Waste	5 (g)	\$250.00	\$225.00	\$275.00	No
Discharge of Water	5 (h)	\$250.00	\$225.00	\$275.00	No
Discharge of Liquid Waste	5 (i)	\$250.00	\$225.00	\$275.00	No
Damage to Tree	5 (j)	\$250.00	\$225.00	\$275.00	No
Activity which Disturbs	5 (k)	\$100.00	\$90.00	\$110.00	No
Firearm within a Park	5 (l)	\$100.00	\$90.00	\$110.00	No
Injure Wild Animal	5 (m)	\$100.00	\$90.00	\$110.00	No
Animal at Large	5 (n)	\$75.00	\$67.50	\$82.50	No
Damage/Destroy Property	5 (o)	\$100.00	\$90.00	\$110.00	No

Unlicensed Vehicle in Park	5 (q)	\$100.00	\$90.00	\$110.00	No
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**Appendix 4(a) to Schedule A, continued**

**Parks Regulation Bylaw No. 704, 1982**

<b>Column 1 Offence</b>	<b>Column 2 Section</b>	<b>Column 3 Penalty</b>	<b>Column 4 Early Payment</b>	<b>Column 5 Late Payment</b>	<b>Column 6 Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Driving in Non-Designated Area	5 (q)	\$100.00	\$90.00	\$110.00	No
Vehicle Obstructing Traffic	5 (r)	\$50.00	\$45.00	\$55.00	No
No Overnight Camping	Schedule A 1 (a), 2 (c), 4 (a)	\$100.00	\$90.00	\$110.00	No
Horses, Dogs, Animals in Park	Schedule A 1 (b)	\$100.00	\$90.00	\$110.00	No
Timber Cut From Park	Schedule A 2 (a)	\$100.00	\$90.00	\$110.00	No
Interference with Roads or Trails	Schedule A 2 (b)	\$100.00	\$90.00	\$110.00	No
Vehicle Park during Prohibited Hours	Schedule A 5 (a)	\$100.00	\$90.00	\$110.00	No
Horse in Park	Schedule A 5 (b)	\$150.00	\$135.00	\$165.00	No
Dog not on Leash	Schedule A 5 (b)	\$150.00	\$135.00	\$165.00	No

**Appendix 5(a) to Schedule A  
Building Bylaw No. 2333, 2005<sup>12</sup>**

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
Interference with Building Official's right of entry / Obstruct Building Official	6.6, 7.2	\$300	\$270	\$330	No
Violation of Stop Work Order	26.4	\$500	\$450	\$550	No
Violation of Do Not Occupy Notice	26.6	\$500	\$450	\$550	Yes
Interfere (remove/tamper) with Stop Work Order / Do Not Occupy Notice	6.4	\$250	\$225	\$275	Yes
Fail to Obtain Building Permit or Construction Without Approval	4.1, 5.1, 6.1, 8.1	\$500	\$450	\$550	Yes
Moving building without Permit	10.0, 23.1, 23.2, 23.3, 23.4	\$200	\$180	\$220	Yes
No Permit – Retaining Wall	25.0	\$200	\$180	\$220	Yes
Change of Occupancy without Permit	5.1, 6.1	\$100	\$90	\$110	Yes
Submit False or Misleading Information	6.3	\$100	\$90	\$110	Yes
Failure to post civic address	18.2.3	\$50	\$45	\$55	Yes
Failure to Post Permit in Conspicuous Place	18.2.1	\$50	\$45	\$55	Yes
Failure to having permit and supporting documents on site	18.2.2	\$100	\$90	\$110	Yes
Failure to Provide Notice for Inspection	19.3	\$100	\$90	\$110	Yes

<sup>12</sup> RDOS Bylaw No. 2507.08 Bylaw Notice Enforcement Amendment Bylaw adopted March 21, 2019

NOTE: Appendix 5(a) valid for permits issued on or before July 1, 2019. See Appendix 5(A) for permits issued after this date.

**Appendix 5(a) to Schedule A  
Building Bylaw No. 2333, 2005<sup>12</sup>**

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
Fail to Obtain Inspection	19.3	\$250	\$225	\$275	Yes
Construction at Variance with Plans / Modification of Plans without approval	6.5	\$150	\$135	\$165	Yes
Failure to obtain building official's written acceptance prior to concealing work	19.3	\$250	\$225	\$275	Yes
Failure to uncover work	19.4	\$100	\$90	\$110	Yes
Building Code Contravention	3.2.2, 4.2, 4.3, 7.4, 8.2, 19.2, 26.3	\$100	\$90	\$110	Yes
Unsafe demolition site	24.2	\$50	\$45	\$55	Yes
Unsafe demolition condition	24.3	\$100	\$90	\$110	Yes
Failure to obtain final inspection notice / Occupy without Approval	19.3.6, 20.1, 20.4	\$250	\$225	\$275	Yes
Failure to Provide Schedule C-B from Registered Professional	17.2, 25.0	\$100	\$90	\$110	Yes
Continue work without valid permit / expired permit	15.9	\$100	\$90	\$110	Yes
Construction or swimming pool without permit	22.0	\$150	\$135	\$165	Yes
Fail to Provide Swimming Pool Fencing as Required (prior to use)	22.3, 22.4, 22.5	\$100	\$90	\$110	No
No Renovation or Demolition Permit	9.0, 24.1, 24.2, 24.3, 24.4	\$200	\$180	\$220	Yes

**Appendix 5(a) to Schedule A  
Building Bylaw No. 2333, 2005<sup>12</sup>**

Column 1 <b>Offence</b>	Column 2 <b>Section</b>	Column 3 <b>Penalty</b>	Column 4 <b>Early Payment</b>	Column 5 <b>Late Payment</b>	Column 6 <b>Compliance Agreement Available</b> <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
Failure to clear all demolition debris and fill	24.4	\$150	\$135	\$165	Yes
Failure to maintain demolition site /allow escape of noxious & deleterious material	24.3	\$100	\$90	\$110	Yes



**Appendix 5(A) to Schedule A<sup>1314</sup>**  
**Building Bylaw No. 2805, 2018**

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
Interference with Building Official's right of entry / Obstruct Building Official	4.7	\$300	\$270	\$330	No
Violation of Stop Work Order	4.9, 6.6(b)	\$500	\$450	\$550	No
Violation of Do Not Occupy Notice	4.9, 6.6(g)&(h)	\$500	\$450	\$550	Yes
Interfere (remove/tamper) with Stop Work Order / Do Not Occupy Notice	4.5	\$250	\$225	\$275	Yes
Fail to Obtain Building Permit or Construction Without Approval	4.1, 7.1	\$500	\$450	\$550	Yes
Moving building without Permit	4.1, 7.1(b)	\$200	\$180	\$220	Yes
No Permit – Retaining Wall	4.1, 7.1(a)	\$200	\$180	\$220	Yes
Change of Occupancy / Use without Permit	4.1, 4.10, 7.1(g)	\$100	\$90	\$110	Yes
Submit False or Misleading Information	4.3	\$100	\$90	\$110	Yes
Failure to post civic address	4.8, 7.5(a)	\$50	\$45	\$55	Yes
Failure to Post Permit in Conspicuous Place	7.5(b)	\$50	\$45	\$55	Yes
Failure to having permit and supporting documents on site	7.3(b)	\$100	\$90	\$110	Yes
Failure to Provide Notice for Inspection	7.14, 10.33	\$100	\$90	\$110	Yes
Fail to Obtain Inspection	10.33	\$250	\$225	\$275	Yes

<sup>13</sup> Bylaw No. 2507.09 Bylaw Notice Enforcement Amendment Bylaw adopted June 6, 2019

<sup>14</sup> Bylaw No. 2507.11 Bylaw Notice Enforcement Amendment Bylaw adopted August 1, 2019

**Appendix 5(A) to Schedule A<sup>1314</sup>**  
**Building Bylaw No. 2805, 2018**

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
Construction at Variance with Plans / Modification of Plans without approval	4.4, 4.6	\$150	\$135	\$165	Yes
Failure to obtain building official's written acceptance prior to concealing work	4.9, 6.6(e)	\$250	\$225	\$275	Yes
Failure to uncover work	4.9, 6.6(f)	\$250	\$225	\$275	Yes
Unsafe site	7.5(c)	\$50	\$45	\$55	Yes
Failure to correct unsafe condition	4.9, 6.6(i)	\$300	\$270	\$330	Yes
Failure to comply with permit conditions	5.4, 7.3(a)	\$100	\$90	\$110	Yes
Failure to obtain final inspection notice / Occupy without Approval	4.2, 10.54	\$250	\$225	\$275	Yes
Failure to stop work after a registered professional's services are terminated	7.13, 10.39	\$250	\$225	\$275	No
Failure to Provide Letters of Assurance or Schedule C-B from Registered Professional	9.1	\$100	\$90	\$110	Yes
Continue work without valid permit / expired permit	4.1, 10.47	\$100	\$90	\$110	Yes
Construction of swimming pool without permit	7.1(a), 14.1	\$150	\$135	\$165	Yes
Fail to Provide Swimming Pool Fencing as Required (prior to use)	14.3	\$100	\$90	\$110	No
No Renovation or Demolition Permit	4.1, 7.1(c), 16.1	\$200	\$180	\$220	Yes

**Appendix 5(A) to Schedule A<sup>1314</sup>**  
**Building Bylaw No. 2805, 2018**

Column 1 <b>Offence</b>	Column 2 <b>Section</b>	Column 3 <b>Penalty</b>	Column 4 <b>Early Payment</b>	Column 5 <b>Late Payment</b>	Column 6 <b>Compliance Agreement Available</b> <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
Failure to provide Hazardous Materials Assessment / Clearance Letter	16.2(e)	\$250	\$225	\$275	Yes
Failure to clear all debris and fill	7.9	\$150	\$135	\$165	Yes
Failure to maintain demolition site /allow escape of noxious & deleterious material	7.10	\$100	\$90	\$110	Yes

**Appendix 6(a) to Schedule A<sup>15</sup>**

**Open Air Burning Regulations Bylaw, 2898, 2020**

<b>Column 1 Offence</b>	<b>Column 2 Section</b>	<b>Column 3 Penalty</b>	<b>Column 4 Early Payment</b>	<b>Column 5 Late Payment</b>	<b>Column 6 Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Burn without authorization	IV.1.	\$125.00	\$112.50	\$137.50	Yes
Campfire without fuel break	V.1.b.	\$250.00	\$225.00	\$275.00	No
Campfire not monitored by responsible adult	V.1.c.	\$250.00	\$225.00	\$275.00	No
Campfire without adequate firefighting hand tools and adequate water available	V.1.d.	\$250.00	\$225.00	\$275.00	No
Campfire not completely out and cold before leaving unattended	V.1.e.	\$500.00	\$450.00	\$550.00	No
Campfire between 2300 hrs and 0600 hrs unless otherwise authorized by Fire Chief	V.1.f.	\$125.00	\$112.50	\$137.50	Yes
Campfire during windy period	V.1.g.	\$250.00	\$225.00	\$275.00	No
Open Burning between April 15 and October 14	III.1.c.	\$250.00	\$225.00	\$275.00	No
Open Burning without fuel break	V.2.b.	\$250.00	\$225.00	\$275.00	No
Open Burning without burn area monitored by responsible adult	V.2.c.	\$250.00	\$225.00	\$275.00	No
Open Burning without adequate firefighting hand tools	V.2.d.	\$250.00	\$225.00	\$275.00	No

<sup>15</sup> Bylaw No. 2507.12, 2020, adopted November 19, 2020

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Fire not completely out and cold before leaving fire unattended	V.2.e	\$500.00	\$450.00	\$550.00	No
Burning Permitted Burning Materials between 2300 hrs and 0800 hrs unless otherwise authorized by Fire Chief	V.2.f.	\$125.00	\$112.50	\$137.50	Yes
Burning during windy period	V.2.g.	\$250.00	\$225.00	\$275.00	No
Use of fireworks not in accordance with Provincial Regulation or RDOS fireworks bylaw	V.3.	\$250.00	\$225.00	\$275.00	No
Use of torches during complete fire restricted times	V.4.	\$250.00	\$225.00	\$275.00	No
Use of Bear bangers during complete fire restricted times	V.5.	\$250.00	\$225.00	\$275.00	No
Not reporting escape of fire to 9-1-1; leaving scene of escape of fire without release by Fire Chief	V.7.	\$500.00	\$450.00	\$550.00	No
Burning of Prohibited Materials	V.9.	\$500.00	\$450.00	\$550.00	No

**Appendix 7(a) to Schedule A**

**Electoral Area "C" Untidy/Unsightly Premises Bylaw No. 2393, 2007**

Column 1 <b>Offence</b>	Column 2 <b>Section</b>	Column 3 <b>Penalty</b>	Column 4 <b>Early Payment</b>	Column 5 <b>Late Payment</b>	Column 6 <b>Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Accumulation of Refuse, Garbage, Noxious, Offensive, Unwholesome material on Real Property	2 a)	\$100.00	\$90.00	\$110.00	Yes
Water to Accumulate on Real Property	2 b)	\$100.00	\$90.00	\$110.00	Yes
Noxious Weeds to Grown or Accumulate on Real Property	2 c)	\$100.00	\$90.00	\$110.00	Yes
Trees, Brush Creating a Safety Hazard on Real Property	2 d)	\$100.00	\$90.00	\$110.00	Yes
Graffiti on building or structure	2 e)	\$100.00	\$90.00	\$110.00	Yes
Any other unsightly condition	2 f)	\$100.00	\$90.00	\$110.00	Yes
Obstructing or interfering with Officer	6	\$300.00	\$270.00	\$330.00	No

**Appendix 7(b) to Schedule A**

**Electoral Area "D" Untidy/Unsightly Premises Bylaw No. 2326, 2004**

<b>Column 1 Offence</b>	<b>Column 2 Section</b>	<b>Column 3 Penalty</b>	<b>Column 4 Early Payment</b>	<b>Column 5 Late Payment</b>	<b>Column 6 Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Accumulation of Refuse, Garbage, Noxious, Offensive, Unwholesome material on Real Property	2 a)	\$100.00	\$90.00	\$110.00	Yes
Water to Accumulate on Real Property	2 b)	\$100.00	\$90.00	\$110.00	Yes
Noxious Weeds to Grown or Accumulate on Real Property	2 c)	\$100.00	\$90.00	\$110.00	Yes
Trees, Brush Creating a Safety Hazard on Real Property	2 d)	\$100.00	\$90.00	\$110.00	Yes
Graffiti on building or structure	2 e)	\$100.00	\$90.00	\$110.00	Yes
Any other unsightly condition	2 f)	\$100.00	\$90.00	\$110.00	Yes
Obstructing or interfering with Officer	6	\$300.00	\$270.00	\$330.00	No

**Appendix 7(c) to Schedule A**

**Electoral Area "E" Untidy/Unsightly Premises Bylaw No. 2391, 2006**

<b>Column 1 Offence</b>	<b>Column 2 Section</b>	<b>Column 3 Penalty</b>	<b>Column 4 Early Payment</b>	<b>Column 5 Late Payment</b>	<b>Column 6 Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Accumulation of Refuse, Garbage, Noxious, Offensive, Unwholesome material on Real Property	2 a)	\$100.00	\$90.00	\$110.00	Yes
Water to Accumulate on Real Property	2 b)	\$100.00	\$90.00	\$110.00	Yes
Noxious Weeds to Grown or Accumulate on Real Property	2 c)	\$100.00	\$90.00	\$110.00	Yes
Trees, Brush Creating a Safety Hazard on Real Property	2 d)	\$100.00	\$90.00	\$110.00	Yes
Graffiti on building or structure	2 e)	\$100.00	\$90.00	\$110.00	Yes
Any other unsightly condition	2 f)	\$100.00	\$90.00	\$110.00	Yes
Obstructing or interfering with Officer	6	\$300.00	\$270.00	\$330.00	No



**Appendix 7(d) to Schedule A**

**Electoral Area "F" Untidy/Unsightly Premises Bylaw No. 2438, 2008**

<b>Column 1 Offence</b>	<b>Column 2 Section</b>	<b>Column 3 Penalty</b>	<b>Column 4 Early Payment</b>	<b>Column 5 Late Payment</b>	<b>Column 6 Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Accumulation of Refuse, Garbage, Noxious, Offensive, Unwholesome material on Real Property	2 a)	\$100.00	\$90.00	\$110.00	Yes
Water to Accumulate on Real Property	2 b)	\$100.00	\$90.00	\$110.00	Yes
Noxious Weeds to Grown or Accumulate on Real Property	2 c)	\$100.00	\$90.00	\$110.00	Yes
Trees, Brush Creating a Safety Hazard on Real Property	2 d)	\$100.00	\$90.00	\$110.00	Yes
Graffiti on building or structure	2 e)	\$100.00	\$90.00	\$110.00	Yes
Any other unsightly condition	2 f)	\$100.00	\$90.00	\$110.00	Yes
Interfering or obstructing an Officer	6	\$300.00	\$270.00	\$330.00	No

**Appendix 7(e) to Schedule A**

**Electoral Area "G" Untidy/Unsightly Premises Bylaw No. 2521, 2010**

<b>Column 1 Offence</b>	<b>Column 2 Section</b>	<b>Column 3 Penalty</b>	<b>Column 4 Early Payment</b>	<b>Column 5 Late Payment</b>	<b>Column 6 Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Accumulation of Refuse, Garbage, Noxious, Offensive, Unwholesome material on Real Property	2 a)	\$100.00	\$90.00	\$110.00	Yes
Water to Accumulate on Real Property	2 b)	\$100.00	\$90.00	\$110.00	Yes
Noxious Weeds to Grown or Accumulate on Real Property	2 c)	\$100.00	\$90.00	\$110.00	Yes
Trees, Brush Creating a Safety Hazard on Real Property	2 d)	\$100.00	\$90.00	\$110.00	Yes
Graffiti on building or structure	2 e)	\$100.00	\$90.00	\$110.00	Yes
Any other unsightly condition	2 f)	\$100.00	\$90.00	\$110.00	Yes
Interfering or obstructing an Officer	6	\$300.00	\$270.00	\$330.00	No

**Appendix 7(f) to Schedule A**

**Electoral Area "H" Untidy/Unsightly Premises Bylaw No. 2637, 2013**

<b>Column 1 Offence</b>	<b>Column 2 Section</b>	<b>Column 3 Penalty</b>	<b>Column 4 Early Payment</b>	<b>Column 5 Late Payment</b>	<b>Column 6 Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Accumulation of Refuse, Garbage, Noxious, Offensive, Unwholesome material on Real Property	2 a)	\$100.00	\$90.00	\$110.00	Yes
Water to Accumulate on Real Property	2 b)	\$100.00	\$90.00	\$110.00	Yes
Noxious Weeds to Grown or Accumulate on Real Property	2 c)	\$100.00	\$90.00	\$110.00	Yes
Trees, Brush Creating a Safety Hazard on Real Property	2 d)	\$100.00	\$90.00	\$110.00	Yes
Graffiti on building or structure	2 e)	\$100.00	\$90.00	\$110.00	Yes
Any other unsightly condition	2 f)	\$100.00	\$90.00	\$110.00	Yes
Interfering or obstructing an Officer	6	\$300.00	\$270.00	\$330.00	No

**Appendix 8(a) to Schedule A<sup>16</sup>**

**Electoral Area "A"**

**Official Community Plan Bylaw No. 2450, 2008**

Column 1 Offence	Column 2 Section	Column 3 Penalty	Column 4 Early Payment	Column 5 Late Payment	Column 6 Compliance Agreement Available <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
Failure to obtain a Development Permit	23.2.1	\$500.00	\$450.00	\$550.00	Yes
Failure to comply with a condition of a Development Permit	23.2.2	\$500.00	\$450.00	\$550.00	Yes

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<sup>16</sup> Bylaw No. 2507.19 RDOS Bylaw Notice Enforcement Amendment Bylaw adopted May 18, 2023

**Appendix 8(b) to Schedule A<sup>17</sup>**  
**Electoral Area "C"**  
**Official Community Plan Bylaw No. 2452, 2008**

Column 1 <b>Offence</b>	Column 2 <b>Section</b>	Column 3 <b>Penalty</b>	Column 4 <b>Early Payment</b>	Column 5 <b>Late Payment</b>	Column 6 <b>Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Failure to obtain a Development Permit	21.2.1	\$500.00	\$450.00	\$550.00	Yes
Failure to comply with a condition of a Development Permit	21.2.2	\$500.00	\$450.00	\$550.00	Yes

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<sup>17</sup> Bylaw No. 2507.19 RDOS Bylaw Notice Enforcement Amendment Bylaw adopted May 18, 2023

**Appendix 8(c) to Schedule A<sup>18</sup>**  
**Electoral Area "D"**  
**Official Community Plan Bylaw No. 2603, 2013**

Column 1 <b>Offence</b>	Column 2 <b>Section</b>	Column 3 <b>Penalty</b>	Column 4 <b>Early Payment</b>	Column 5 <b>Late Payment</b>	Column 6 <b>Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Failure to obtain a Development Permit	24.2.1	\$500.00	\$450.00	\$550.00	Yes
Failure to comply with a condition of a Development Permit	24.2.2	\$500.00	\$450.00	\$550.00	Yes

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<sup>18</sup> Bylaw No. 2507.19 RDOS Bylaw Notice Enforcement Amendment Bylaw adopted May 18, 2023

**Appendix 8(d) to Schedule A<sup>19</sup>**  
**Electoral Area "E"**  
**Official Community Plan Bylaw No. 2458, 2008**

Column 1 <b>Offence</b>	Column 2 <b>Section</b>	Column 3 <b>Penalty</b>	Column 4 <b>Early Payment</b>	Column 5 <b>Late Payment</b>	Column 6 <b>Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Failure to obtain a Development Permit	23.2.1	\$500.00	\$450.00	\$550.00	Yes
Failure to comply with a condition of a Development Permit	23.2.2	\$500.00	\$450.00	\$550.00	Yes

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<sup>19</sup> Bylaw No. 2507.19 RDOS Bylaw Notice Enforcement Amendment Bylaw adopted May 18, 2023

**Appendix 8(e) to Schedule A<sup>20</sup>**  
**Electoral Area “F”**  
**Official Community Plan Bylaw No. 2790, 2018**

Column 1 <b>Offence</b>	Column 2 <b>Section</b>	Column 3 <b>Penalty</b>	Column 4 <b>Early Payment</b>	Column 5 <b>Late Payment</b>	Column 6 <b>Compliance Agreement Available</b> <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
Failure to obtain a Development Permit	23.2.1	\$500.00	\$450.00	\$550.00	Yes
Failure to comply with a condition of a Development Permit	23.2.2	\$500.00	\$450.00	\$550.00	Yes

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<sup>20</sup> Bylaw No. 2507.19 RDOS Bylaw Notice Enforcement Amendment Bylaw adopted May 18, 2023



**Appendix 8(f) to Schedule A<sup>21</sup>**  
**Electoral Area "H"**  
**Official Community Plan Bylaw No. 2497, 2012**

Column 1 <b>Offence</b>	Column 2 <b>Section</b>	Column 3 <b>Penalty</b>	Column 4 <b>Early Payment</b>	Column 5 <b>Late Payment</b>	Column 6 <b>Compliance Agreement Available</b> <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
Failure to obtain a Development Permit	22.2.1	\$500.00	\$450.00	\$550.00	Yes
Failure to comply with a condition of a Development Permit	22.2.2	\$500.00	\$450.00	\$550.00	Yes

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<sup>21</sup> Bylaw No. 2507.19 RDOS Bylaw Notice Enforcement Amendment Bylaw adopted May 18, 2023

**Appendix 8(g) to Schedule A<sup>22</sup>**  
**Electoral Area "1"**  
**Official Community Plan Bylaw No. 2683, 2016**

Column 1 <b>Offence</b>	Column 2 <b>Section</b>	Column 3 <b>Penalty</b>	Column 4 <b>Early Payment</b>	Column 5 <b>Late Payment</b>	Column 6 <b>Compliance Agreement Available</b> <i>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</i>
Failure to obtain a Development Permit	24.2.1	\$500.00	\$450.00	\$550.00	Yes
Failure to comply with a condition of a Development Permit	24.2.2	\$500.00	\$450.00	\$550.00	Yes

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<sup>22</sup> Bylaw No. 2507.19 RDOS Bylaw Notice Enforcement Amendment Bylaw adopted May 18, 2023

**Appendix 9 to Schedule A<sup>23</sup>**  
**Electoral Areas “D”, “F” and “I”**  
**Fireworks Regulation and Prohibition Bylaw No. 2854, 2019**

Column 1 <b>Offence</b>	Column 2 <b>Section</b>	Column 3 <b>Penalty</b>	Column 4 <b>Early Payment</b>	Column 5 <b>Late Payment</b>	Column 6 <b>Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Sale or disposal of fireworks	3.1	\$450.00	\$400.00	\$500.00	No
Discharge or setting off of fireworks	3.2	\$450.00	\$400.00	\$500.00	No

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<sup>23</sup> Bylaw No. 2507.09 RDOS Bylaw Notice Enforcement Amendment Bylaw adopted June 6, 2019

**Appendix 10 to Schedule A<sup>24</sup>**

**Apex Mountain Waste Transfer Station Regulation Bylaw No. 2864, 2019**

<b>Column 1 Offence</b>	<b>Column 2 Section</b>	<b>Column 3 Penalty</b>	<b>Column 4 Early Payment</b>	<b>Column 5 Late Payment</b>	<b>Column 6 Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Any User who deposits Recycling anywhere other than within the bins provided including on the ground or walkways	3.3	\$110.00	\$100.00	\$120.00	No
Any User who deposits any materials at a Facility other than as directed by the District or as directed by on-site signage placed by the District	3.3	\$110.00	\$100.00	\$112.00	No
Any User who deposits any materials in any container, on the ground or on the walkways that is not acceptable at the Facility	3.3	\$200.00	\$180.00	\$220.00	No
Any User who deposits Prohibited Materials at a Facility	3.5	\$450.00	\$400.00	\$500.00	No
Anyone who removes any materials from the Facility without the express written approval of the District	3.3	\$200.00	\$180.00	\$220.00	No
Anyone who enters the Facility at any time when the Facility has been closed to the public as dictated by signage at the Facility or verbal instructions given by the District	3.4	\$450.00	\$400.00	\$500.00	No

<sup>24</sup> Bylaw No. 2507.10 Bylaw Notice Enforcement Amendment Bylaw adopted July 18, 2019

**Appendix 11 to Schedule A<sup>25</sup>**

**Soil Removal and Deposit Bylaw No. 2974, 2023**  
(Electoral Area "F")

<b>Column 1 Offence</b>	<b>Column 2 Section</b>	<b>Column 3 Penalty</b>	<b>Column 4 Early Payment</b>	<b>Column 5 Late Payment</b>	<b>Column 6 Compliance Agreement Available</b> <small>Maximum 50% reduction in Penalty Amount when Compliance Agreement shown as YES</small>
Failure to obtain a permit	4.0	\$500.00	\$450.00	\$550.00	Yes
Failure to comply with a term or condition of a permit	7.1	\$500.00	\$450.00	\$550.00	Yes
Failure to comply with an order or notice given under Bylaw No. 2974	14.1	\$500.00	\$450.00	\$550.00	Yes
Refusal or hindrance of an inspection under Bylaw No. 2974	13.2	\$500.00	\$450.00	\$550.00	Yes

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<sup>25</sup> Bylaw No. 2507.18, 2023

**SCHEDULE B**

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

This Agreement, dated \_\_\_\_ day of \_\_\_\_\_, 2010

**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:**

**CENTRAL OKANAGAN REGIONAL DISTRICT<sup>26</sup>**, 1450 KLO Road, Kelowna, British  
Columbia V1W 3Z4  
("Central Okanagan Regional District")

**AND:**

**DISTRICT OF COLDSTREAM<sup>2</sup>**, 9901 Kalamalka Road, Coldstream, British Columbia V1B  
1L6  
("Coldstream")

**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;

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<sup>26</sup> Bylaw No. 2507.04, 2014 adopted May 22, 2014

- 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, Central Okanagan Regional District<sup>27</sup> and District of Coldstream<sup>3</sup> 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;
  - d. “**Agreement**” means this Agreement;

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<sup>27</sup> Bylaw No. 2507.04, 2014 adopted May 22, 2014



- e. **“Authorizing Bylaws”** means the bylaws adopted by the Councils/Boards of each of the Parties authorizing this Agreement;
- f. **“By Law 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<sup>28</sup>”** means all of Penticton, Vernon, West Kelowna, Lake Country, Summerland, Peachland, RDOS, Oliver, Central Okanagan Regional District and the District of Coldstream, except Kelowna;
- j. **“Parties<sup>4</sup>”** means all of Kelowna, Penticton, Vernon, West Kelowna, Lake Country, Summerland, Peachland, RDOS, Oliver, Central Okanagan Regional District and the District of Coldstream;
- k. **“Party<sup>4</sup>”** means any one of Kelowna, Penticton, Vernon, West Kelowna, Lake Country, Summerland, Peachland, RDOS, Oliver, Central Okanagan Regional District and the District of Coldstream;
- l. **“Registry”** means the Southern 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;

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<sup>28</sup> RDOS Bylaw No. 2507.04, 2014 adopted May 22, 2014



## **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 the calendar 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;

- c. the difference between estimated revenues and operational expenditures for the Registry; and
- d. 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. The Parties will, upon approval of the Registry's operating budget by each of the Parties, pay to Kelowna their respective Contribution Amounts for the upcoming budget year no later than March 31<sup>st</sup> of that budget year.
- 22. Kelowna will, as soon following the end of a budget year as practicable, calculate the amount of each Party's Contribution Adjustment Amount by
  - a. determining each Party's pro-rated proportion of the amount by which Actual Expenditures exceed Budget Expenditures for the relevant year, 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 will exclude incorporated areas; and

- b. deducting, if applicable, the aggregate of fines and administrative fees collected by Kelowna on behalf of each Party for the relevant year.
23. Each of the Contributing Parties will, within 30 days of receipt of notice of its respective Contribution Adjustment Amount, pay (if required) to Kelowna the Contribution Adjustment Amount.
24. Kelowna will pay (if required) any Contribution Adjustment Amount owing to the Contributing Parties, as appropriate, within 30 days of preparation of a statement outlining the Contribution Adjustment Amounts of each Party or may, at the election of Kelowna each year except the final year, credit the amount owing to the Contribution Amount required from each Party for the following year.
25. Each Party will pay to Kelowna within thirty days following each of March 31, June 30, October 31 and December 31 of each year of the Term, the Adjudication Fee for each adjudication scheduled in respect of that Party in the previous quarter.

### **Maintenance of Records**

26. 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**

27. 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**

28. 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**

29. 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**

30. 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**

- 31. This Agreement comes into effect on \_\_\_\_\_ and continues in effect until December 31, 2015. 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 CORPORATION SEAL of THE )  
CORPORATION OF THE **CITY OF** )  
**KELOWNA** was hereunto affixed )  
in the presence of: )

\_\_\_\_\_ )

Mayor )

\_\_\_\_\_ )

City Clerk )

C/S

THE CORPORATION SEAL of THE )  
CORPORATION OF THE **CITY OF** )  
**PENTICTON** was hereunto affixed )  
in the presence of: )

\_\_\_\_\_ )

Mayor )

\_\_\_\_\_ )

City Clerk )

C/S

THE CORPORATION SEAL of THE )  
CORPORATION OF THE **CITY OF** )  
**VERNON** was hereunto affixed )  
in the presence of: )

C/S

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

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

THE CORPORATION SEAL of THE )  
CORPORATION OF **THE DISTRICT** )  
**OF WEST KELOWNA** was hereunto )  
affixed in the presence of: )

C/S

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

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

THE CORPORATION SEAL of THE )  
CORPORATION OF THE **DISTRICT** )  
**OF LAKE COUNTRY** was hereunto )  
affixed in the presence of: )

C/S

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

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

THE CORPORATION SEAL of THE )  
CORPORATION OF **THE DISTRICT** )  
**OF SUMMERLAND** was hereunto )  
affixed in the presence of: )

C/S

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

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

THE CORPORATION SEAL of THE )  
CORPORATION OF **THE DISTRICT** )  
**OF PEACHLAND** was hereunto )  
affixed in the presence of: )

C/S

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

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

THE CORPORATION SEAL of THE )  
CORPORATION OF THE **REGIONAL** )  
**DISTRICT OF OKANAGAN** )  
**SIMILKAMEEN** was hereunto affixed )  
in the presence of: )

C/S

\_\_\_\_\_  
Chair )

\_\_\_\_\_  
Chief Administrative Officer )

THE CORPORATION SEAL of THE )  
CORPORATION OF THE **TOWNSHIP** )  
**OF OLIVER** was hereunto affixed in the )  
presence of: )

C/S

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

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

THE CORPORATION OF REGIONAL DISTRICT OF CENTRAL OKANAGAN<sup>29</sup>

THE CORPORATION OF DISTRICT OF COLDSTREAM<sup>5</sup>

<sup>29</sup> Bylaw No. 2507.04, 2014 adopted May 22, 2014

Schedule C

Compliance Agreement<sup>30</sup>

Pursuant to Regional District of Okanagan-Similkameen Bylaw Notice Enforcement Bylaw No. 2507.01, 2010

I \_\_\_\_\_  
name

of \_\_\_\_\_  
Address

Acknowledge receipt of bylaw notice(s) # \_\_\_\_\_  
(the "Bylaw Notice"), and wish to enter into a Compliance Agreement whereby I agree to fulfill  
certain conditions, in exchange for a reduced penalty of \$ \_\_\_\_\_  
which I have now paid.

Specifically, I agree to comply with the following terms and conditions of this Agreement:

1. On or before \_\_\_\_\_  
Date

I will \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. On or before \_\_\_\_\_  
Date

I will \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that this Agreement is binding on me for one (1) year from the date of this Agreement.

I also understand that if I breach a term of this Agreement, or fail to observe or perform the above terms and conditions, the Screening Officer may rescind this Agreement. I understand that if this Agreement is rescinded, I will have 14 days to dispute the Screening Officer's decision to rescind the Agreement, and that if I do not dispute this decision in that time, the balance of the penalty stated in the Bylaw Notice in the amount of \$ \_\_\_\_\_ will immediately be due and payable and subject to all fees and penalties as if the Bylaw Notice was not disputed.

\_\_\_\_\_  
Signature of Bylaw Notice Recipient

\_\_\_\_\_  
Signature of Screening Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

<sup>30</sup> Bylaw No. 2507.01, 2010 adopted January 6, 2011