

Report

Date July 16, 2025

File: 3900-50

Subject Municipal Fine Amendment Bylaw No. 4025, 2025 for first three readings

PURPOSE

To introduce amendments to the Bylaw Offence Notice (BON) Enforcement Bylaw No. 3677 and Municipal Ticket Information (MTI) System Bylaw No. 3464, following the adoption of the new Waste Collection Bylaw and previous amendments to the Sign Bylaw.

BACKGROUND

Waste Collection Bylaw

Should Council adopt Waste Collection Bylaw No. 4012, 2025 [*a bylaw to regulate automated curbside collection of garbage and organics*] at its meeting on July 16, 2025, the new bylaw will replace the existing Waste Collection Bylaw. This change will necessitate updates to the associated municipal fine bylaws and the Fees and Charges Bylaw. The proposed amendments to the municipal fine bylaws in relation to the Waste Collection Bylaw are addressed in this report. Revisions to the Fees and Charges Bylaw will be presented in a separate staff report.

Sign Bylaw

On November 20, 2024, Council adopted Sign Bylaw Amendment Bylaw No. 3980, 2024, which improved the regulations governing the placement of political signs. These amendments were designed to provide candidates with clear and consistent guidelines for when and where signs may be placed. At the time, corresponding updates to the associated municipal fine bylaws were not undertaken; therefore, the proposed amendments to the municipal fine bylaws related to the Sign Bylaw are presented in this report.

DISCUSSION

The MTI Bylaw and the BON Bylaw are two different systems used by local governments in British Columbia to enforce municipal bylaws. Key differences include:

- MTI tickets are used for prosecuting minor to medium bylaw infractions, whereas BON notices provide an alternative, more streamlined system for enforcing bylaws.
- MTI tickets resemble provincial violation tickets, they are issued directly by bylaw enforcement officers and disputes are handled through the Provincial Court system. In contrast, BON notices are issued and can be disputed through a local adjudication system, rather than the courts, and are designed to be more accessible and less formal than court proceedings.
- The advantages of BON notices include faster resolution, lower costs for both the municipality and the individual, and encourage voluntary compliance.

Table 1 - Key Differences

Feature	MTI Bylaw	BON Bylaw
Dispute Process	Provincial Court	Local Adjudication
Formality	More formal	Less formal
Cost & Time	Higher	Lower
Flexibility	Less	More (e.g., education-based enforcement)

Many municipalities are gradually shifting from the MTI system to the BON system, especially for minor bylaw infractions. This shift is due to the BON process being simpler, more cost-effective, less adversarial, and emphasizing education, which often leads to voluntary compliance. It also offers flexibility through early payment discounts and dispute resolution options, while also helping to alleviate court backlogs.

The proposed amendments to the MTI Bylaw related to the Waste Collection Bylaw and the Sign Bylaw are to remove the associated penalties from the MTI Bylaw entirely, given that the offences under these bylaws are considered minor in nature.

Waste Collection Bylaw

Proposed amendments to the **BON Bylaw** associated with the **Waste Collection Bylaw** include:

- establish \$100 penalty for:
 - collection carts being set out before 5AM or left out after 10PM on collection day
 - improper placement of collection carts
 - failure to maintain the collection cart in a clean and sanitary condition
 - over-loading of carts by weight or volume
- establish \$200 penalty for:
 - failure to clean spillage from the collection cart
 - failure to arrange for a private collection service (for properties excluded from the service)
 - the removal of garbage, recycling or organic waste from a collection cart by a person other than the owner
 - the addition of garbage, recycling or organic waste to the collection cart by a person other than the owner, unless agreed upon by the owner
 - the improper use of collection cart – storing hazardous materials
 - anyone who reaches step 5 in the Solid Waste Contamination Management policy
- establish \$500 penalty for:
 - the disposal of prohibited waste, special waste or hazardous waste in a collection cart
 - anyone obstructing a bylaw enforcement officer from carrying out their duties

Sign Bylaw

Proposed amendments to the **BON Bylaw** associated with the **Sign Bylaw** include:

- establish \$100 penalty for:
 - erecting a sign without a permit
 - erecting a sign exceeding the maximum height or exceeding the minimum height
 - erecting a political sign too close to a fire hydrant, within 100 m of a voting location, or for the unlawful use of a logo, mark or symbol
 - erecting a political sign earlier than 36 days before general voting day, or for failure to remove a political sign seven days after general voting day
 - failure to keep sign in good repair
- establish \$200 penalty for:
 - erecting a political sign that interferes with a traffic control device, obstructs the line of vision, or creates a hazard
 - use of profanity or defamatory language on a political sign
- establish a \$500 penalty for anyone obstructing a bylaw enforcement officer from carrying out their duties

A reminder to Council that issuing a fine would be considered a last resort, reserved for exceptional circumstances. As with all instances of non-compliance, staff will prioritize education and collaboration, working directly with the individual to achieve voluntary compliance before pursuing enforcement actions.

OPTIONS

1. **(Recommended Option)** THAT Council gives first, second and third readings to Municipal Fine Amendment Bylaw No. 4025, 2025.
 - Maintaining penalties that are current and aligned with updated regulatory bylaws enhances the municipality's ability to enforce its regulations effectively.
2. Should Council wish to amend the bylaw.
 - (1) THAT Council gives first, second and third readings to Municipal Fine Amendment Bylaw No. 4025, 2025.
 - (2) THAT Council amends Municipal Fine Amendment Bylaw No. 4025, 2025 as follows:
 - (insert amendment)
 -
 - (3) THAT Council gives third reading to Municipal Fine Amendment Bylaw No. 4025, 2025, as amended.

IMPLICATIONS

If fines in the MTI or BON bylaws do not align with updated regulatory bylaws, it can create confusion or legal ambiguity. This misalignment may weaken the municipality's position in disputes or adjudications.

Failing to update fines may negatively impact the public's perception of the municipality's responsiveness and accountability, while also limiting the ability to recover enforcement-related costs.

An updated BON fine structure includes early payment discounts, late payment surcharges, and compliance agreements. Without these tools, the municipality may lose flexibility in encouraging voluntary compliance.

Removing the fines from the MTI Bylaw eliminates redundancy and ensures that enforcement measures are streamlined and aligned with the municipality's preferred enforcement approach.

RECOMMENDATION

THAT Council gives first, second and third readings to Municipal Fine Amendment Bylaw No. 4025, 2025.

Report prepared by:



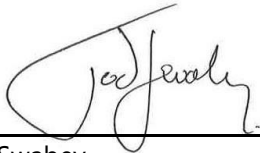
Tricia Mayea
Manager, Legislative Services

Report reviewed by:



Bill Corsan
General Manager, Corporate Services

Approved to be forwarded to Council:



Ted Swabey
Chief Administrative Officer

Attachments:

- (1) Municipal Fine Amendment Bylaw No. 4025, 2025