



Agenda No:	93.
Mtg Date:	Feb. 22/16

## Regional Board Report

**TO:** Regional Board  
**FROM:** Mary Jane Drouin  
Manager – Corporate Services  
**DATE:** February 9, 2016  
**SUBJECT:** Amendment to RDCO Ticketing Bylaws

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**Purpose:** To propose amendments to the Regional District's Ticket and Utilization Bylaw No. 435 and Bylaw Notice Enforcement Bylaw No. 1326

### Executive Summary:

Staff is recommending amendments to the Regional District's two ticket bylaws (Bylaw No. 435 and Bylaw No. 1326) for the following regulation bylaws: RDCO Responsible Dog Ownership Bylaw No. 1343, RDCO Water Systems Regulations Bylaw No. 1370 and RDCO Prohibited Animal Bylaw No. 1028.

### RECOMMENDATION #1:

THAT Regional District of Central Okanagan Ticket Information and Utilization Amendment Bylaw be given first, second and third readings and adopted.

### RECOMMENDATION #2:

THAT Regional District of Central Okanagan Bylaw Notice Enforcement Amendment Bylaw be given first, second and third readings and adopted.

Respectfully Submitted:

Mary Jane Drouin  
Manager – Corporate Services

Approved for Board's Consideration

Brian Reardon, CAO

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**Implications of Recommendation:**

Strategic Plan:	Protect public safety. Deliver the best value services.
General:	Ensure ticket bylaws are reasonable, enforceable and hold citizens accountable for their actions.
Legal/Statutory Authority:	RDCO Ticket and Utilization Bylaw No. 435 RDCO Bylaw Notice Enforcement Bylaw No. 1326

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**Background:**

Responsible Dog Ownership Bylaw – increases to the ticket bylaw are proposed for the following sections to:

- Section 25 - Dogs at large and owners failing to leash
  - Current \$150, 1<sup>st</sup> offence remains at \$150, add: 2<sup>nd</sup> offence \$200, 3<sup>rd</sup> and subsequent offence \$300
- Section 27 - Owners failing to leash dogs in leashed park
  - Current \$100, increase 1<sup>st</sup> offence to \$150 (*same as fail to leash in public/or at-large*)
- Section 28c) - Owners failing to maintain visual sight and verbal control of dog at all times while in an off-leash park and area. *Incidents of aggression in off-leash dog parks are increasing as some owners do not supervise their dogs while in the park.*
  - Current \$100, increase to \$200

*Increase in fines related to Dangerous Dogs:*

Dangerous dog owners need to be held accountable for the actions of their dogs. Increased staff resources are required to investigate attacks and defend the ticketable offence.

- Section 36 - Municipal Ticket Offence for Dangerous Dogs
  - Current \$500, increase to \$1,000.
- Section 37 - Dangerous Dog in Prohibited Area
  - Current \$200 (the same as aggressive dogs), increase to \$500
- Section 39 - Failure to control/enclosure Dangerous Dog
  - Current \$500, increase to \$1,000
- Section 40 & 41 - Failure to post signage or microchip a Dangerous Dog
  - Current \$200, increase to \$300

RDCO Water Systems Regulations Bylaw No. 1370

The Regional Board adopted this new water systems bylaw in November 2015. The fines proposed are for contravening specific sections of the bylaw.

RDCO Prohibited Animal Bylaw No. 1028

In 2015, investigation was requested in regards to a fire where prohibited animals (snakes) had been kept. The current fine structure for prohibited animals is \$100--hardly a deterrent to individuals who choose to keep prohibited animals. Staff are recommending that all fines be increased to \$1,000, and obstructing a Bylaw Enforcement Officer increase from \$200 to \$500.

**Alternative Recommendation:**

The Board may choose to not support, or change the amount, of a specific ticket offence being recommended.

Attachment(s): Regional District's Ticket and Utilization Amendment Bylaw  
Bylaw Notice Enforcement Bylaw Amendment Bylaw

**REGIONAL DISTRICT OF CENTRAL OKANAGAN**

**BYLAW NO.**

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Being a bylaw to amend the Regional District of Central Okanagan Ticket Information Utilization Bylaw No. 435, 1990

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WHEREAS the Regional District of Central Okanagan adopted the Regional District of Central Okanagan Ticket Information Utilization Bylaw No. 435, 1990 and amendments thereto;

AND WHEREAS it is deemed necessary to amend the Ticket Information Utilization Bylaw No. 435;

NOW THEREFORE the Regional District of Central Okanagan in open meeting assembled enacts as follows:

1. Schedule 3 shall be deleted in its entirety and replaced with Schedule 3 attached hereto and forming part of this bylaw.
2. Schedule 15 shall be deleted in its entirety and replaced with Schedule 15 attached hereto and forming part of this bylaw.
3. Schedule 16 shall be deleted in its entirety and replaced with Schedule 16 attached hereto and forming part of this bylaw.
4. This Bylaw may be cited as the "Regional District of Central Okanagan Ticket Information and Utilization Amendment Bylaw No. 13XX, 2016.

READ A FIRST TIME THIS	DAY OF	2016
READ A SECOND TIME THIS	DAY OF	2016
READ A THIRD TIME THIS	DAY OF	2016
ADOPTED THIS	DAY OF	2016

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 13XX cited as the "Regional District of Central Okanagan Ticket Information and Utilization Amendment Bylaw No. 13XX, 2016" as read a third time and adopted by the Regional Board on the \_\_\_ day of \_\_\_\_\_ 2016.

Dated at Kelowna, B.C. this  
day of 2016

\_\_\_\_\_  
DIRECTOR OF CORPORATE SERVICES

## SCHEDULE 3

(Bylaw No. 13XX, 2016)

Ticket Offences for Regional District of Central Okanagan Responsible Dog Ownership  
Bylaw No. 1343

	SECTION	FINE
Obstruct Animal Control Officer	7	\$150.00
No dog license <i>(adopted Dec. 2013)</i>	10 & 11	300.00
Dog without tag	12	100.00
Keep more than <b>3</b> dogs	14	100.00
Fail to keep dog in fence or pen	21	100.00
Fail to keep dog as required	21.1 & 21.2	100.00
Fail to fence/pen	22 & 62	100.00
Contravene tethering	23 & 24	200.00
Dog at large / <b>Fail to Leash</b> – 1 <sup>st</sup> offence	25	150.00
<b>Dog at large / Fail to Leash</b> – 2 <sup>nd</sup> offence	25	<b>200.00</b>
<b>Dog at large / Fail to Leash</b> – 3 <sup>rd</sup> & subsequent offences	25	<b>300.00</b>
Dog in prohibited area	26	100.00
Fail to leash, <b>in park</b> – 1 <sup>st</sup> offence	27	<b>150.00</b>
Fail to leash, <b>in park</b> – 2 <sup>nd</sup> offence	27	200.00
Fail to leash – <b>in park</b> 3 <sup>rd</sup> & subsequent offences	27	300.00
Contravene off Leash Requirement <b>in Off-Leash Parks and Areas</b>	28 a, b,d,e,f	100.00
<b>Contravene off Leash Requirement in Off-Leash Parks and Areas</b>	<b>28 c</b>	<b>200.00</b>
Noisy dog	29	100.00
Fail to remove dog feces	30 & 31	150.00
Fail to control - disease	32	100.00
Enclosed space or vehicle- ventilation	33	150.00
Nuisance ( <b>menacing</b> ) dog – charging or lunging at a fence	34	150.00
Aggressive Dog	35	300.00
Dangerous Dog	36	<b>1,000.00</b>
Dog in prohibited area, <b>aggressive dog</b>	37	200.00
<b>Dog in prohibited area, dangerous dog</b>	37	<b>500.00</b>
Fail to control/enclose aggressive dog	38, 38.1, 38.2	300.00
Fail to control/enclose dangerous dog	39, 39.1, 39.2	<b>1,000.00</b>
Fail to post signage, or microchip – dangerous dog	40 & 41	<b>300.00</b>
Contravene kennel requirements	42 a) b) c) 43 a) b) 44, 47	200.00
Unlawful release of a dog	66	500.00

## Schedule 15

(Bylaw No. 13XX, 2016)

### Ticket Offences for RDCO Water Systems Regulations Bylaw No. 1370, 2015

	<u>Section</u>	<u>Fine</u>
Enter into or work upon the water system	8.1 a)	\$300.00
Connect or disconnect a water service connection	8.1 b)	300.00
Uncover, cover, damage, injure, tamper with, alter, modify, maintain, operate or interfere with the water system	8.1 c)	300.00
Obstruct access to the water system	8.1 d)	300.00
Obstruct utility corridor	8.1 e)	300.00
Booster pump without backflow prevention device	15.1	300.00
Sale of water from the water system	15.2	300.00
Introduction of contaminants into the water system	15.3	300.00
Risk of contaminants into the water system	15.4	300.00
Possible backflow into the water system	15.5	300.00
Demolition without water shut off	15.6	300.00
Sprinkling outside of permitted times	16.2	300.00
Sprinkling outside of permitted days	16.3	300.00
Fill a swimming pool, hot tub, garden pond, or fountain; or wash a vehicle, boat, driveway, sidewalk, or patio during Stage 3 restriction period	16.3 a)	300.00
Outdoor water use during stage 4 restriction period	16.3 b)	300.00
Wasteful use of water	16.6	300.00
Unauthorized hydrant use	17.6	300.00

## Schedule 16

(Bylaw No. 13XX, 2016)

Ticket Offences for Regional District of Central Okanagan Prohibited Animal Bylaw No. 1028, 2003.

	<u>Section</u>	<u>Fine</u>
Keep prohibited animal	2.	\$1,000.00
Fail to secure prohibited animal	2.2a	1,000.00
Display prohibited animal	2.2b	1,000.00
Allow prohibited animal to reproduce	2.2.c	1,000.00
Obstruct Bylaw Enforcement Officer	4.3	500.00

**REGIONAL DISTRICT OF CENTRAL OKANAGAN**

**BYLAW NO. 13XX**

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Being a bylaw to amend the Regional District of Central Okanagan Bylaw Notice Enforcement Bylaw No. 1326

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WHEREAS the Regional District of Central Okanagan adopted the Regional District of Central Okanagan Bylaw Notice Enforcement Bylaw No. 1326;

AND WHEREAS it is deemed necessary to amend the Bylaw Notice Enforcement Bylaw No. 1326;

NOW THEREFORE the Regional District of Central Okanagan in open meeting assembled enacts as follows:

1. Schedule A, Appendix 2 shall be deleted in its entirety and replaced with Schedule A, Appendix 2 (2016) attached hereto and forming part of this bylaw.
2. Schedule A, Appendix 14 shall be deleted in its entirety and replaced with Schedule A, Appendix 14 (2016) attached hereto and forming part of this bylaw.
3. Schedule A, Appendix 15 shall be deleted in its entirety and replaced with Schedule A, Appendix 15 (2016) attached hereto and forming part of this bylaw.
4. This Bylaw may be cited as the "Regional District of Central Okanagan Bylaw Notice Enforcement Amendment Bylaw No. 13XX, 2016".

READ A FIRST TIME THIS DAY OF 2016

READ A SECOND TIME THIS DAY OF 2016

READ A THIRD TIME THIS DAY OF 2016

ADOPTED THIS DAY OF 2016

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 13XX cited as the "Regional District of Central Okanagan Bylaw Notice Enforcement Amendment Bylaw No. 13XX, 2016" as read a third time and adopted by the Regional Board on the \_\_\_\_ day of \_\_\_\_\_ 2016

Dated at Kelowna, B.C. this  
day of 2016

\_\_\_\_\_  
DIRECTOR OF CORPORATE SERVICES



**Bylaw Notice Enforcement Bylaw No. 1326**

**Schedule A**

**Appendix 2**

(Bylaw No. 13XX, 2016 Amendment)

(For Responsible Dog Ownership Bylaw No. 1343)

<b>Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Discount</b>	<b>A3 Late Payment Penalty</b>	<b>A4 Compliance Agreement Available</b>
Obstruct Animal Control Officer	7	\$150.00	\$25.00	\$25.00	Y
No dog license	10 & 11	300.00	25.00	25.00	Y
Dog without tag	12	100.00	25.00	25.00	Y
Keep more than 3 dogs	14	100.00	25.00	25.00	Y
Fail to keep dog in fence or pen	21	100.00	25.00	25.00	Y
Fail to keep dog as required	21.1 & 21.2	100.00	25.00	25.00	Y
Fail to fence/pen	22 & 62	100.00	25.00	25.00	Y
Contravene tethering	23 & 24	200.00	25.00	25.00	Y
Dog at large/Fail to leash – 1 <sup>st</sup> offence	25	150.00	25.00	25.00	Y
Dog at large/Fail to leash – 2 <sup>nd</sup> offence	25	200.00	25.00	25.00	Y
Dog at large /Fail to leash – 3 <sup>rd</sup> & subsequent offences	25	300.00	25.00	25.00	Y
Dog in prohibited area	26	100.00	25.00	25.00	Y
Fail to leash, in park – 1 <sup>st</sup> offence	27	100.00	25.00	25.00	Y
Fail to leash, in park – 2 <sup>nd</sup> offence	27	200.00	25.00	25.00	Y
Fail to leash, in park 3 <sup>rd</sup> & subsequent offences	27	300.00	25.00	25.00	Y
Contravene off-leash requirement in off-leash parks and areas	28 a)b)d)e)f)	100.00	25.00	25.00	Y
Contravene off-leash requirement in off-leash parks and areas	28 c)	200.00	25.00	25.00	Y
Noisy dog	29	100.00	25.00	25.00	Y
Fail to remove dog feces	30 & 31	150.00	25.00	25.00	Y
Fail to control – disease	32	100.00	25.00	25.00	Y
Enclosed space or vehicle – ventilation	33	150.00	25.00	25.00	Y
Nuisance (menacing) dog – lunges at a fence	34	150.00	25.00	25.00	Y
Dog in prohibited area, aggressive	37	200.00	25.00	25.00	Y
Dog in prohibited area, dangerous	37	500.00	25.00	0.00	Y
Fail to control/enclose aggressive dog	38, 38.1 38.2	300.00	25.00	25.00	Y
Fail to post signage or microchip dangerous dog	40 & 41	300.00	25.00	25.00	Y
Contravene kennel requirements	42 a) b) c) 43 a) b) 44 & 47	200.00	25.00	25.00	Y
Unlawful release of a dog	66	500.00	25.00	0.00	Y

**Bylaw Notice Enforcement Bylaw No. 1326**

**Schedule A**

**Appendix 14**

(Bylaw No. 13XX, 2016 Amendment)

(For Water Systems Regulation Bylaw No. 1370, 2015)

<b>Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Late Payment Penalty</b>	<b>A4 Compliance Agreement Available</b>
Enter into or work upon the water system	8.1 a)	300.00	25.00	25.00	Y
Connect or disconnect a water service connection	8.1 b)	300.00	25.00	25.00	Y
Uncover, cover, damage, injure, tamper with, alter Modify, maintain, operate or interfere with the water system	8.1 c)	300.00	25.00	25.00	Y
Obstruct access to the water system	8.1 d)	300.00	25.00	25.00	Y
Obstruct utility corridor	8.1 e)	300.00	25.00	25.00	Y
Booster pump without backflow prevention device	15.1	300.00	25.00	25.00	Y
Sale of water from the water system	15.2	300.00	25.00	25.00	Y
Introduction of contaminants into the water system	15.3	300.00	25.00	25.00	Y
Risk of contaminants into the water system	15.4	300.00	25.00	25.00	Y
Possible backflow into the water system	15.5	300.00	25.00	25.00	Y
Demolition without water shut off	15.6	300.00	25.00	25.00	Y
Sprinkling outside of permitted times	16.2	300.00	25.00	25.00	Y
Sprinkling outside of permitted days	16.3	300.00	25.00	25.00	Y
Fill a swimming pool, hot tub, garden pond, or fountain or wash a vehicle, boat, driveway, sidewalk or patio during Stage 3 restriction period	16.3 a)	300.00	25.00	25.00	Y
Outdoor water use during stage 4 restriction period	16.3 b)	300.00	25.00	25.00	Y
Wasteful use of water	16.6	300.00	25.00	25.00	Y
Unauthorized hydrant use	17.6	300.00	25.00	25.00	Y

Bylaw Notice Enforcement Bylaw No. 1326

**Schedule A**

**Appendix 15**

(Bylaw No. 13XX, 2016 Amendment)

(For Prohibited Animal Bylaw No. 1028, 2003)

<b>Offence</b>	<b>Section</b>	<b>A1 Penalty</b>	<b>A2 Early Payment Penalty</b>	<b>A3 Late Payment Penalty</b>	<b>A4 Compliance Agreement Available</b>
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Obstruct Bylaw Enforcement Officer

4.3

500.00

25.00

0.00

Y