



Governance and Priorities Committee Report For the Meeting of October 8, 2015

To: Governance and Priorities Committee **Date:** September 24, 2015
From: Christopher Paine, Manager-Revenue
Subject: Parking Dispute Adjudication

RECOMMENDATION

That Council:

1. Request the Province of British Columbia amend the Bylaw Notice Enforcement Regulation (B.C. reg. 175 (2004)) to apply the *Local Government Bylaw Notice Enforcement Act* to the City of Victoria.
2. Direct staff to prepare a draft bylaw for parking dispute adjudication and report back on further details of parking dispute adjudication implementation

EXECUTIVE SUMMARY

In conjunction with the parking improvements that are underway, the City is considering improvements to how parking ticket disputes are resolved. One option is the provincial bylaw dispute adjudication system. The provincial government introduced this system in 2003, enabling local governments to have bylaw disputes heard and resolved outside the provincial court system. Implementation of this system is currently only being considered for the resolution of parking ticket disputes with a potential implementation timeline of early 2016. The program could be expanded in the future to other municipal ticket offences if desired.

The purpose of this report is to seek Council approval to request that the Provincial government amend their legislation so the City can choose to adopt the program if desired. A report providing further program details will be brought forward to Council in December for consideration and be accompanied by a draft bylaw. In order for the provincial legislation to be amended prior to 2016, the amendment must be made before the end of October. This would provide the City the flexibility to introduce the change timed with other parking improvements slated for early 2016

Implementing parking dispute adjudication may result in many benefits to the City and its parking customers:

- disputes are resolved locally with a streamlined process
- wait times can be significantly reduced for customers who would normally have to wait all day for a court hearing
- customers would not have to spend time in a courtroom or courthouse
- a variety of dispute settings can be used such as webcam or in-person
- the City will have more control over fine collection

- City staff will no longer need to attend court and can spend more time on other community priorities
- the fairness of the hearing remains intact as the adjudicators are independently appointed through a competitive process overseen by the Province of BC

Many other BC communities have implemented the program including Vancouver, North Vancouver, West Vancouver, Delta, Maple Ridge, New Westminister, Richmond, Abbotsford, Burnaby, Chilliwack, Kelowna, West Kelowna, Williams Lake, Oliver, and Coldstream. In the Capital Region, only Esquimalt has implemented the bylaw adjudication program. Other Vancouver Island municipalities who have implemented the program include Duncan, Parksville, Port Alberni, Tofino and Nanaimo.

Detailed in Appendix A, please find a sample bylaw adjudication process.

Respectfully submitted,



Christopher Paine
Manager-Revenue



Susanne Thompson
Director of Finance



Katie Hamilton
Director of Citizen Engagement and
Strategic Planning

Report accepted and recommended by the City Manager: _____

Date: _____



Sept. 29, 2015

List of Attachments

- Appendix A - Sample Parking Dispute Adjudication Process

Appendix A:

Sample Parking Dispute Adjudication Process

