



Islands Trust

**NORTH PENDER ISLAND
LOCAL TRUST COMMITTEE**

BYLAW ENFORCEMENT NOTIFICATION BYLAW NO. 188, 2011

AS AMENDED BY NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 218 and 230

NOTE: This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

Certified copies of the Bylaw Enforcement Notification Bylaw are available from the Islands Trust Office,
200 - 1627 Fort Street, Victoria, BC V8R 1H8

Consolidated: October 29, 2025

This copy is consolidated for convenience only and includes the following amendments:

<u>Bylaw Number</u>	<u>Amendment Number</u>	<u>Adoption Date</u>
218	Amendment No. 1, 2018	April 25, 2019
230	Amendment No. 1, 2022	October 3, 2025

ADOPTED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 188, 2011

BL 218

A BYLAW WITH RESPECT TO THE ENFORCEMENT OF BYLAW NOTICES WITHIN THE NORTH PENDER ISLAND LOCAL TRUST AREA

WHEREAS the North Pender Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the North Pender Island Local Trust Area, pursuant to the *Islands Trust Act*; and

WHEREAS the North Pender Island Local Trust Committee wishes to regulate the Enforcement of Bylaw Violation Notices in the North Pender Island Local Trust Area;

NOW THEREFORE the North Pender Island Local Trust Committee enacts, in open meeting assembled, as follows:

Citation

1. This Bylaw may be cited as “North Pender Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 188, 2011”.

1.0 INTERPRETATION

In this Bylaw:

- 1.1 “Act” means the *Local Government Bylaw Notice Enforcement Act*, SBC 2003, c 60.
- 1.2 “Registry” means the Islands Trust established pursuant to section 6 of this bylaw.
- 1.3 “LTC” means the North Pender Island Local Trust Committee.

BL 218

2.0 DEFINITIONS

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

3.0 BYLAW CONTRAVENTIONS

The bylaws and bylaw contraventions designated in Schedule “A” and Schedule “B” attached to this bylaw may be dealt with by Bylaw Violation Notice.

4.0 PENALTY

The penalty for a contravention referred to in Section 3 is as follows:

- (1) subject to paragraphs (2) to (4), is the Penalty amount set out in column A1 of Schedule “A” and Schedule “B” as attached to this bylaw;
- (2) if received by the Islands Trust within 14 days of the person receiving or being presumed to have received the bylaw violation notice, is the Discounted Penalty Amount set out in column A2 of Schedule “A” and Schedule “B” as attached to this bylaw applies;
- (3) if more than 28 days after the person has received or is presumed to have received the bylaw violation notice, is subject to a late payment surcharge in addition to the penalty under paragraph (1), and is the Late Payment Penalty Amount set out in column A3 of Schedule “A” and Schedule “B” as attached to this bylaw or;
- (4) if paid under a compliance agreement, may be reduced as provided under column A5 of Schedule “A” and Schedule “B” as attached to this bylaw.

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5.0 PERIOD FOR PAYING OR DISPUTING NOTICE

5.1 A person who receives a bylaw violation notice must, within 14 days of the date on which the person received or is presumed to have received the bylaw violation notice,

- (1) pay the penalty, or
- (2) request dispute adjudication

by filling in the appropriate portion of the bylaw violation notice indicating either a payment or a dispute and delivering it, either in person during regular office hours, or by mail, to the Islands Trust as directed on the bylaw violation notice.

5.2 A person may pay the indicated penalty after 14 days of receiving the bylaw violation notice subject to the applicable surcharge for late payment in accordance with Section 4(3) of this bylaw, but no person may dispute the bylaw violation notice after 14 days of receiving it.

5.3 Where a person was not served personally with a bylaw violation notice and advises the Islands Trust that they did not receive a copy of the original notice, the time limits for responding to a bylaw violation notice under Sections 5, 6 and 7 of this bylaw do not begin to run until a copy of the bylaw violation notice is re-delivered to them in accordance with the *Act*.

6.0 BYLAW NOTICE DISPUTE ADJUDICATION SYSTEM

6.1 The Registry is established as a bylaw violation notice dispute adjudication system in accordance with the *Act* to resolve disputes in relation to bylaw violation notices.

BL 218 6.2 The civic address of the Registry is Suite 200 – 1627 Fort Street, Victoria, BC V8R 1H8.

6.3 Every person who is unsuccessful in dispute adjudication in relation to a bylaw violation notice, or a compliance agreement under the dispute adjudication system established under this Section, must pay the Islands Trust an additional fee of \$25.00 for the purpose of the Islands Trust recovering the costs of the adjudication system.

7.0 SCREENING OFFICERS

7.1 The position of screening officer is established.

7.2 The following are designated classes of person that may be appointed as screening officers:

- BL 218
- (1) Regional Planning Manager;
 - (2) Bylaw Enforcement Manager;
 - (3) Bylaw Enforcement Officer;
 - (4) Bylaw Enforcement Assistant;

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

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

- (1) Where requested by the person against whom a contravention is alleged, to 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 violation notice dispute adjudication system and the fee or fees payable in relation to the bylaw violation notice enforcement process;
- (2) To communicate with any or all of the following for the purposes of performing their functions under this bylaw or the *Act*:
 - (a) the person against whom a contravention is alleged or their representative;

- (b) the officer issuing the bylaw violation notice;
- (c) the complainant or their representative;
- (d) the Islands Trust staff and record regarding the disputant's history of bylaw compliance.

- (3) To prepare and enter into compliance agreements under the *Act* with persons who dispute bylaw violation 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;
- (4) To provide for payment of a reduced penalty if a compliance agreement is entered into as provided in column A5 of Schedule "A" and Schedule "B" as attached to this bylaw; and
- (5) To cancel bylaw violation notices in accordance with the *Act* or LTC policies and guidelines.

7.4 The bylaw contraventions in relation to which a screening officer may enter into a compliance agreement are indicated in column A4 of Schedule "A" and Schedule "B" as attached to this bylaw.

7.5 The maximum duration of a compliance agreement is one year.

8.0 BYLAW ENFORCEMENT OFFICERS

Persons acting as any of the following are designated as bylaw enforcement officers for the purposes of this bylaw and the *Act*:

- BL 218 (a) Bylaw Enforcement Manager;
- (b) Bylaw Enforcement Officer.

9.0 FORM OF BYLAW VIOLATION NOTICE

The LTC may, from time to time, stipulate the form or forms of the bylaw violation notice provided the bylaw violation notice complies with Section 4 of the *Act*.

10.0 SCHEDULES

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

- BL 230 (a) Schedule A – North Pender Island Contraventions and Penalties.
- (b) Schedule B – North Pender Associated Islands Contraventions and Penalties.

READ A FIRST TIME THIS	22 nd	DAY OF	September	,2011
READ A SECOND TIME THIS	22 nd	DAY OF	September	,2011
READ A THIRD TIME THIS	22 nd	DAY OF	September	,2011
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	12 th	DAY OF	October	,2011
ADOPTED THIS	27 th	DAY OF	October	,2011

SECRETARY

CHAIR

**Schedule A
NORTH PENDER ISLAND
CONTRAVENTIONS AND PENALTIES**

Bylaw Section	Bylaw & Contravention description: North Pender Island Land Use Bylaw No. 224	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment including \$300.00 Surcharge (after 28 days)	A4 Compliance Agreement	A5 Agreement Discount
2.3	Fail to permit inspection	\$500.00	\$400.00	\$800.00	Yes	100%
3.2	Prohibited use, building or structure	\$500.00	\$400.00	\$800.00	Yes	100%
3.3	Non-Permitted siting in setback area from the sea, lake, wetland or stream	\$500.00	\$400.00	\$800.00	Yes	100%
3.3 (4-8) inclusive	Non-Permitted siting in setback area	\$350.00	\$250.00	\$650.00	Yes	100 %
3.4	Fail to comply with height regulations	\$350.00	\$250.00	\$650.00	Yes	100%
3.5	Non-Permitted accessory use, building or structure; or fail to provide landscape screen	\$350.00	\$250.00	\$650.00	Yes	100%
3.6	Fence exceeds height restriction	\$350.00	\$250.00	\$650.00	Yes	100%
3.7	Fail to comply with Home Business Regulations	\$350.00	\$250.00	\$650.00	Yes	100%
3.8	Fail to comply with Home Industry Regulations	\$350.00	\$250.00	\$650.00	Yes	100%
3.9	Fail to comply with landscape regulations	\$350.00	\$250.00	\$650.00	Yes	100%
3.10	Fail to comply with secondary suite regulations	\$350.00	\$250.00	\$650.00	Yes	100%
3.11	Fail to comply with cistern requirements	\$350.00	\$250.00	\$650.00	Yes	100%
3.12	Fail to comply with derelict vehicle regulations	\$350.00	\$250.00	\$650.00	Yes	100%
3.13	Fail to comply with Agri-tourism or Agri-tourist Accommodation Regulations	\$350.00	\$250.00	\$650.00	Yes	100%
5.1 – 5.26 inclusive	Non-Permitted use in Any Zone	\$500.00	\$400.00	\$800.00	Yes	100%
5.1 – 5.26 inclusive	Non-Permitted density in Any Zone	\$500.00	\$400.00	\$800.00	Yes	100%

**Schedule A
NORTH PENDER ISLAND
CONTRAVENTIONS AND PENALTIES**

Bylaw Section	Bylaw & Contravention description: North Pender Island Land Use Bylaw No. 224	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment including \$300.00 Surcharge (after 28 days)	A4 Compliance Agreement	A5 Agreement Discount
5.1 – 5.26 inclusive	Non-Permitted siting, size, height in Any Zone	\$350.00	\$250.00	\$650.00	Yes	100%
5.1 – 5.26 inclusive	Fail to comply with site specific regulations in Any Zone	\$350.00	\$250.00	\$650.00	Yes	100%
6.1-5 inclusive	Fail to comply with sign regulations	\$350.00	\$250.00	\$650.00	Yes	100%
7.1-4 inclusive	Fail to comply with parking regulations	\$350.00	\$250.00	\$650.00	Yes	100%
9.1-2 inclusive	Fail to comply with campground regulations	\$350.00	\$250.00	\$650.00	Yes	100%

Bylaw Section	Bylaw & Contravention description: North Pender Island Official Community Plan Bylaw No 171	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment with \$300.00 Surcharge (after 28 days)	A4 Compliance Agreement	A5 Agreement Discount
5.2 - 5.11 inclusive	Fail to obtain development permit	\$500.00	\$400.00	\$800.00	Yes	100%

Schedule B
NORTH PENDER ASSOCIATED ISLANDS CONTRAVENTIONS AND PENALTIES

Bylaw Section	Bylaw & Contravention Description: North Pender Associated Islands Land Use Bylaw No. 148, 2003	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment including \$300 Surcharge (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.3	Fail to Permit Inspection	\$500.00	\$400.00	\$800.00	Yes	100 %
3.2.	Prohibited use, building or structure	\$500.00	\$400.00	\$800.00	Yes	100%
3.3	Non-Permitted Siting	\$500.00	\$400.00	\$800.00	Yes	100%
3.4	Non-Permitted Height	\$350.00	\$250.00	\$650.00	Yes	100%
3.5	Fail to comply with regulations for Accessory use, building, or structure	\$350.00	\$250.00	\$650.00	Yes	100%
3.6	Fail to comply with home occupation regulations	\$350.00	\$250.00	\$650.00	Yes	100%
3.7	Fail to comply with regulations for Agricultural use, building or structure	\$350.00	\$250.00	\$650.00	Yes	100%
3.8	Fence Exceeds Maximum Permitted Height	\$350.00	\$250.00	\$650.00	Yes	100%
3.9.1	Inadequate Landscape Screen	\$350.00	\$250.00	\$650.00	Yes	100%
3.10.1	Non-Permitted Use of Recreation Vehicle	\$350.00	\$250.00	\$650.00	Yes	100%
3.11.1	Non permitted derelict vehicle storage	\$350.00	\$250.00	\$650.00	Yes	100%
3.14	Fail to comply with Agricultural Land Reserve Farm Use Regulations	\$500.00	\$400.00	\$800.00	Yes	100%
5.1-5.21 inclusive	Non-Permitted Use In Any Zone	\$500.00	\$400.00	\$800.00	Yes	100%
5.1-5.21 inclusive	Non permitted Density in Any Zone	\$500.00	\$400.00	\$800.00	Yes	100%
5.1-5.21 inclusive	Non permitted siting or size in Any Zone	\$350.00	\$250.00	\$650.00	Yes	100%
5.1-5.21 inclusive	Fail to comply with site specific regulations in Any Zone	\$350.00	\$250.00	\$650.00	Yes	100%

Schedule B
NORTH PENDER ASSOCIATED ISLANDS CONTRAVENTIONS AND PENALTIES

Bylaw Section	Bylaw & Contravention Description: North Pender Associated Islands Land Use Bylaw No. 148, 2003	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment including \$300 Surcharge (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
6.2-6 inclusive	Failure to comply with sign regulations	\$350.00	\$250.00	\$650.00	Yes	100%
7.1-4 inclusive	Fail To comply with parking regulations	\$350.00	\$250.00	\$650.00	Yes	100%

Bylaw Section	Bylaw & Contravention description: North Pender Associated Island Official Community Plan Bylaw No 147, 2002	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment including \$300.00 Surcharge (after 28 days)	A4 Compliance Agreement	A5 Agreement Discount
701, 702, 703	Fail to obtain development permit	\$500.00	\$400.00	\$800.00	Yes	100%