

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 167**

A Bylaw to Establish a Municipal Ticket Information System

WHEREAS Section 28 of the *Islands Trust Act* authorizes the Trust Committee to:

- A. designate those bylaws which may be enforced by means of a form of ticket as permitted by Part 8 Section 264 (1) (a) of the Community Charter S.B.C. 2003, c.26;
- B. designate as bylaw enforcement officers those persons who come within the class prescribed by regulation pursuant to Part 8 Section 264 (1)(b) of the Community Charter;
- C. authorize the use of any word or expression on a ticket to designate an offence against a bylaw.

NOW THEREFORE, the North Pender Island Local Trust Committee being the Trust Committee having jurisdiction on and in respect to the North Pender Island Local Trust Area in the Province of British Columbia, pursuant to the *Islands Trust Act*, R.S.B.C., 1989, in open meeting assembled enacts as follows:

- 1. The bylaws listed in Column 1 of Schedule "A" of this bylaw may be enforced by means of a ticket pursuant to Part 8 Section 264(2) of the Community Charter.
- 2. The persons who act in the positions listed in Column 2 of Schedule "A" to this bylaw are designated bylaw enforcement officers for the purpose of enforcing the bylaws listed in Column 1 of Schedule "A" opposite the respective positions.
- 3. The words or expressions set forth in Column 1 of Schedules 1 through 3 of this bylaw designate the offence committed under the bylaw section number appearing in Column 2 opposite the respective words or expressions.
- 4. The amounts appearing in Column 3 of Schedules 1 through 3 of this bylaw are the fines payable for contravening the bylaw offences set out opposite the fine amount in Columns 1 and 2.

This bylaw may be cited as "North Pender Island Local Trust Committee Municipal Ticketing Information System Bylaw No. 167, 2005".

READ A FIRST TIME this 22nd day of September , 2005.

READ A SECOND TIME this 22nd day of September , 2005.

READ A THIRD TIME this 22nd day of September , 2005.

APPROVED by the EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this
 4th day of October , 2005.

ADOPTED this 27th day of October , 2005.

Chairperson

Deputy Secretary

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 167**

SCHEDULE "A"

COLUMN 1

DESIGNATED BYLAWS

North Pender Island Land
Use Bylaw No. 103, 1996

North Pender Associated Islands
Land Use Bylaw No. 148, 2003

James Island Rural
Land Use Bylaw No. 47, 1989

COLUMN 2

DESIGNATED BYLAW
ENFORCEMENT OFFICERS

Bylaw Enforcement Officer

Bylaw Enforcement Officer

Bylaw Enforcement Officer

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 167**

SCHEDULE "1"

North Pender Island Land
Use Bylaw No. 103, 1996

| <u>COLUMN 1 OFFENCE DESCRIPTION</u> | <u>COLUMN 2 SECTION</u> | <u>COLUMN 3 FINE AMOUNT</u> |
|---|-----------------------------|---------------------------------|
| Disposal of waste without permit. | 3.2(4) | \$200.00 |
| Disposal of hazardous waste. | 3.2.1(5) | \$200.00 |
| Storing hazardous waste. | 3.2.1(5) | \$150.00 |
| Selling or renting personal watercraft. | 3.2.1(7) | \$100.00 |
| Storing more than two unlicensed vehicles. | 3.3(1) | \$100.00 |
| Wrecking vehicles. | 3.3(2) | \$100.00 |
| Storing derelict vehicles. | 3.3(2) | \$100.00 |
| Storing unenclosed parts or scrap. | 3.3(3) | \$100.00 |
| Inhabiting an accessory building. | 3.4.1 | \$100.00 |
| Conducting home business outdoors. | 3.5.1 | \$100.00 |
| Exceeding maximum floor area for home business. | 3.5.2 | \$150.00 |
| Selling products not produced by home business. | 3.5.3 | \$150.00 |
| Employing more than four persons. | 3.5.4 | \$100.00 |
| No resident employee. | 3.5.4 | \$100.00 |
| Unlawful sign | 3.5.5 | \$100.00 |
| Unlawfully storing materials for home business. | 3.5.6 | \$100.00 |
| Accommodating more than six guests in a B&B. | 3.5.8(1) | \$150.00 |

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SCHEDULE "1"

North Pender Island Land
Use Bylaw No. 103, 1996

| <u>COLUMN 1</u> <u>OFFENCE DESCRIPTION</u> | <u>COLUMN 2</u> <u>SECTION</u> | <u>COLUMN 3</u> <u>FINE AMOUNT</u> |
|---|-----------------------------------|---------------------------------------|
| Using more than three bedrooms in a B&B. | 3.5.8(2) | \$150.00 |
| Providing too few parking spaces for B&B. | 3.5.8(3) | \$100.00 |
| Renting equipment to non-guests | 3.5.8(4) | \$100.00 |
| Not conducting B&B in principal dwelling. | 3.5.8(5) | \$150.00 |
| Storing equipment related to home business in setbacks. | 3.5.10 | \$100.00 |
| Unpermitted home industry. | 3.6.1 | \$150.00 |
| Conducting more than one home industry. | 3.6.2 | \$150.00 |
| Exceeding maximum floor area for home business. | 3.6.2 | \$150.00 |
| Conducting home industry on lot less than two hectares. | 3.6.3(1) | \$150.00 |
| Siting home industry within required setbacks. | 3.6.3(2) | \$150.00 |
| Conducting unscreened home industry. | 3.6.3(3) | \$150.00 |
| Operating home industry during unpermitted hours. | 3.6.3(4) | \$150.00 |
| Creating home industry noise heard at lot line. | 3.6.3(5) | \$150.00 |
| Siting structure in setback from sea or lake. | 3.7.1 | \$200.00 |
| Siting animal enclosure within 7.6 m of lot line. | 3.7.5 | \$100.00 |
| Storing agricultural waste within 15 m of lot line. | 3.7.5 | \$150.00 |

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| <u>COLUMN 1 OFFENCE DESCRIPTION</u> | <u>COLUMN 2 SECTION</u> | <u>COLUMN 3 FINE AMOUNT</u> |
|---|-----------------------------|---------------------------------|
| Storing chemicals within setback from water source or lake. | 3.7.6 | \$150.00 |
| Improperly storing chemicals. | 3.7.6 | \$150.00 |
| Fence over 3 m high. | 3.17.1 | \$ 75.00 |
| Unlawful sign in RR or R Zone. | 5.1.1 | \$100.00 |
| Unlawful sign in commercial or industrial zones. | 5.2.1 | \$100.00 |
| Prohibited internally illuminated/moving/noise making sign. | 5.3.1 | \$100.00 |
| Improperly lighted sign. | 5.4.1 | \$100.00 |
| Obsolete sign. | 5.5.1 | \$100.00 |
| Providing too few parking spaces. | 6.1.2 | \$150.00 |
| Locating parking within required setbacks. | 6.6.1 | \$100.00 |
| Locating parking within 3 m of side lot line. | 6.6.2 | \$100.00 |
| Failure to provide landscape screen. | 6.6.3 | \$100.00 |
| Failure to provide parking within 1.5 m of dwelling. | 6.6.4 | \$100.00 |
| Failure to provide hard surface parking. | 6.6.5 | \$100.00 |
| Improper parking lighting. | 6.6.7 | \$100.00 |
| Structure too close to front or rear lot line. | 8.1.5(1) | \$150.00 |
| Locating structure within setback. | 8.1.5(2) | \$150.00 |

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North Pender Island Land
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| <u>COLUMN 1</u> <u>OFFENCE DESCRIPTION</u> | <u>COLUMN 2</u> <u>SECTION</u> | <u>COLUMN 3</u> <u>FINE AMOUNT</u> |
|---|-----------------------------------|---------------------------------------|
| Structure too high. | 8.1.6(1) | \$100.00 |
| Failure to provide landscape screen. | 8.1.7(1) | \$100.00 |
| Structure too close to front or rear lot line. | 8.2.5(1) | \$150.00 |
| Structure too close to side lot line. | 8.2.5(2) | \$150.00 |
| Structure too high. | 8.2.6(1) | \$100.00 |
| Failure to provide landscape screen. | 8.2.7(1) | \$100.00 |
| Structure too close to front or rear lot line. | 8.2A.5(1) | \$150.00 |
| Structure too close to side lot line. | 8.2A.5(2) | \$150.00 |
| Structure too high. | 8.2A.6(1) | \$100.00 |
| Failure to provide landscape screen. | 8.2A.7(1) | \$100.00 |
| Structure too close to front or rear lot line. | 8.3.4(1) | \$150.00 |
| Structure too close to side lot line. | 8.3.4(2) | \$150.00 |
| Failure to provide landscape screen. | 8.3.5(1) | \$100.00 |
| Structure too close to front or rear lot line. | 8.4.5(1) | \$150.00 |
| Structure too close to side lot line. | 8.4.5(2) | \$150.00 |
| Structure too high. | 8.4.6(1) | \$100.00 |
| Failure to provide storage area landscape screen. | 8.4.7(1) | \$100.00 |

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| <u>COLUMN 1 OFFENCE DESCRIPTION</u> | <u>COLUMN 2 SECTION</u> | <u>COLUMN 3 FINE AMOUNT</u> |
|---|-----------------------------|---------------------------------|
| Failure to provide commercial landscape screen. | 8.4.7(2) | \$100.00 |
| Structure too close to front or rear lot line. | 8.5.6(1) | \$150.00 |
| Structure too close to side lot line. | 8.5.6(2) | \$150.00 |
| Structure too high. | 8.5.7(1) | \$100.00 |
| Failure to provide storage area landscape screen. | 8.5.8(1) | \$100.00 |
| Failure to provide commercial landscape screen. | 8.5.8(2) | \$100.00 |
| Structure too close to front or rear lot line. | 8.6.6(1) | \$150.00 |
| Structure too close to side lot line. | 8.6.6 (2) | \$150.00 |
| Structure too high. | 8.6.7(1) | \$100.00 |
| Failure to provide storage area landscape screen. | 8.6.8(1) | \$100.00 |
| Failure to provide commercial landscape screen. | 8.6.8(2) | \$100.00 |
| Structure too close to front or rear lot line. | 8.8.5(1)(a) | \$150.00 |
| Structure too close to side lot line. | 8.8.5(1)(b) | \$150.00 |
| Structure too high. | 8.8.6(1) | \$100.00 |
| Failure to provide storage area landscape screen. | 8.8.7(1) | \$100.00 |
| Failure to provide industrial landscape screen. | 8.8.7(2) | \$100.00 |
| Structure too close to front or rear lot line. | 8.9.5(1)(a) | \$150.00 |

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| <u>COLUMN 1 OFFENCE DESCRIPTION</u> | <u>COLUMN 2 SECTION</u> | <u>COLUMN 3 FINE AMOUNT</u> |
|--|-----------------------------|---------------------------------|
| Structure too close to side lot line. | 8.9.5(1)(b) | \$150.00 |
| Structure too high. | 8.9.6(1) | \$100.00 |
| Failure to provide storage area landscape screen. | 8.9.7(1) | \$100.00 |
| Failure to provide industrial landscape screen. | 8.9.7(2) | \$100.00 |
| Structure too close to front or rear lot line. | 8.10.4(1)(a) | \$150.00 |
| Structure too close to side lot line. | 8.10.4(1)(b) | \$150.00 |
| Structure too high. | 8.10.5(1) | \$100.00 |
| Failure to provide storage area landscape screen. | 8.10.6(1) | \$100.00 |
| Failure to provide commercial landscape screen. | 8.10.6(2) | \$100.00 |
| Structure too close to front or rear lot line. | 8.11.5(1)(a) | \$150.00 |
| Structure too close to side lot line. | 8.11.5(1)(b) | \$150.00 |
| Structure too high. | 8.11.6(1) | \$100.00 |
| Failure to provide storage area landscape screen. | 8.11.7(1) | \$100.00 |
| Failure to provide multi family landscape screen. | 8.11.7(2) | \$100.00 |
| Structure too close to front or rear lot line. | 8.12.4(1)(a) | \$150.00 |
| Structure too close to side lot line. | 8.12.4(1)(b) | \$150.00 |
| Structure too high. | 8.12.5(1) | \$100.00 |
| Failure to provide storage area landscape screen. | 8.12.6(1) | \$100.00 |

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| <u>COLUMN 1 OFFENCE DESCRIPTION</u> | <u>COLUMN 2 SECTION</u> | <u>COLUMN 3 FINE AMOUNT</u> |
|--|-----------------------------|---------------------------------|
| Failure to provide recycling landscape screen. | 8.12.7(2) | \$100.00 |
| Structure too close to front or rear lot line. | 8.13.3(1)(a) | \$150.00 |
| Structure too close to side lot line. | 8.13.3(1)(b) | \$150.00 |
| Structure too high. | 8.13.4(1) | \$100.00 |
| Failure to provide sewage facility landscape screen. | 8.13.5(1) | \$100.00 |
| Structure too close to any lot line. | 8.15.3(1) | \$150.00 |
| Structure too high. | 8.15.4(1) | \$100.00 |
| Unpermitted use in Water 1 Zone. | 8.19.1 | \$150.00 |
| Building in Water 1 Zone. | 8.19.2 | \$150.00 |
| Residing in Water 1 Zone. | 8.19.4 | \$150.00 |
| Structure Located within 3 m of abutting lot. | 8.19.5 | \$100.00 |
| Oversized float. | 8.19.6(1) | \$100.00 |
| Oversized ramp or walkway. | 8.19.6(2) | \$100.00 |
| Unpermitted use in Water 2 zone. | 8.20.1 | \$150.00 |
| Residing in Water 2 zone. | 8.20.2 | \$150.00 |
| Locating structure outside lease area. | 8.20.3 | \$100.00 |
| Building exceeding 4.5 m. | 8.20.4 | \$100.00 |
| Unpermitted use in Water 3 zone. | 8.21.1 | \$150.00 |
| Unpermitted use in Water 4 zone. | 8.22.1 | \$150.00 |

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| <u>COLUMN 1</u> <u>OFFENCE DESCRIPTION</u> | <u>COLUMN 2</u> <u>SECTION</u> | <u>COLUMN 3</u> <u>FINE AMOUNT</u> |
|--|-----------------------------------|---------------------------------------|
| Unpermitted use. | 8.23.2 | \$150.00 |
| More than one dwelling. | 8.23.3(1) | \$150.00 |
| Dwelling not located in commercial building | 8.23.3(2) | \$150.00 |
| Dwelling too large. | 8.23.3(3) | \$100.00 |
| Unscreened external storage. | 8.23.7(1) | \$100.00 |
| Unscreened commercial building. | 8.23.7(2) | \$150.00 |
| Unpermitted wall sign. | 8.23.8(1) (a) | \$100.00 |
| Unpermitted free standing sign. | 8.23.8(1) (b) | \$100.00 |
| Unpermitted business sign. | 8.23.8(1) (c) | \$100.00 |
| Unpermitted dwelling sign. | 8.23.8(1) (d) | \$100.00 |
| No parking for dwelling. | 8.23.9(1) | \$100.00 |
| No bicycle parking. | 8.23.9(2) | \$100.00 |

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 167**

SCHEDULE "2"

North Pender Associated Islands
Land Use Bylaw No. 148, 2003

| <u>COLUMN 1</u> <u>OFFENCE DESCRIPTION</u> | <u>COLUMN 2</u> <u>SECTION</u> | <u>COLUMN 3</u> <u>FINE AMOUNT</u> |
|---|-----------------------------------|---------------------------------------|
| Storing derelict unenclosed vehicles. | 3.2(1) | \$100.00 |
| Disposal or storage of hazardous or toxic waste. | 3.2(2) | \$200.00 |
| Renting/Selling/Storing personal watercraft. | 3.2(3) | \$100.00 |
| Using a vessel as permanent residence. | 3.2(4) | \$100.00 |
| Operating a dog boarding or breeding kennel. | 3.2(10) | \$100.00 |
| Siting a structure within a setback. | 3.3(2) | \$100.00 |
| Siting structure within 15 m of a watercourse. | 3.3(4) | \$200.00 |
| Storing agricultural waste within 15 m of a lot line/watercourse. | 3.3(5) | \$150.00 |
| Using accessory building as dwelling. | 3.5(1) | \$100.00 |
| Operating unpermitted home occupation. | 3.6(2) | \$150.00 |
| Operating outdoor home occupation. | 3.6(3) | \$100.00 |
| Exceeding maximum floor area for home occupation. | 3.6(3) | \$150.00 |
| No resident employee of home occupation. | 3.6(4) | \$100.00 |
| More than four nonresident employing personel. | 3.6(5) | \$100.00 |
| Storing unenclosed materials. | 3.6(6) | \$100.00 |

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 167

SCHEDULE "2"

North Pender Associated Islands
Land Use Bylaw No. 148, 2003

| <u>COLUMN 1</u> <u>OFFENCE DESCRIPTION</u> | <u>COLUMN 2</u> <u>SECTION</u> | <u>COLUMN 3</u> <u>FINE AMOUNT</u> |
|--|-----------------------------------|---------------------------------------|
| Too many signs. | 3.6(7) | \$100.00 |
| Generating noise heard at lot line. | 3.6(8) | \$150.00 |
| Fence in setback exceeding 3 m high. | 3.8(1) | \$100.00 |
| Storing unenclosed unusable vehicles\vessels. | 3.11(1) | \$100.00 |
| Storing unenclosed detached parts of vehicles\vessels. | 3.11(3) | \$100.00 |
| Unenclosed winery retail sales. | 3.14(3) (a) | \$100.00 |
| Exceeding area for retail sales. | 3.14(3) (b) | \$150.00 |
| Retail sales Outdoor service areas within 30 m setback. | 3.14(3) (c) | \$150.00 |
| No landscape screen. | 3.14(3) (d) | \$150.00 |
| Conducting tours on non ALR area. | 3.14(3) (e) | \$100.00 |
| Storing/Packing/Preparing farm products in setback. | 3.14(4) | \$100.00 |
| Failure to provide landscape screen. | 5.1(9) | \$100.00 |
| Failure to provide landscape screen. | 5.2(10) | \$100.00 |
| Unlawful occupancy of accessory dwelling. | 5.3(6) | \$100.00 |
| Failure to provide storage landscape screen. | 5.3(7) | \$150.00 |
| Failure to provide landscape screen. | 5.4(8) | \$150.00 |

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 167

SCHEDULE "2"

North Pender Associated Islands
Land Use Bylaw No. 148, 2003

| <u>COLUMN 1</u> <u>OFFENCE DESCRIPTION</u> | <u>COLUMN 2</u> <u>SECTION</u> | <u>COLUMN 3</u> <u>FINE AMOUNT</u> |
|--|-----------------------------------|---------------------------------------|
| Exceeding short-term accommodation limits. | 5.5(11) | \$100.00 |
| Exceeding floor area for retail sales. | 5.5(12) | \$100.00 |
| Non accessory residential or agricultural use of dock. | 5.10(13) | \$100.0 |
| Mooring buoy used for non accessory residential use. | 5.10(14) | \$100.00 |
| Unlawful building on dock. | 5.10(16) | \$100.00 |
| Using unenclosed foam flotation. | 5.10(17) | \$100.00 |
| Non accessory residential use of barge ramp. | 5.10(18) | \$100.00 |
| Mooring buoy used for non accessory residential use. | 5.11(3) | \$100.00 |
| Mooring buoy used for non accessory residential use. | 5.12(7) | \$100.00 |
| Unlawful use of private marina. | 5.12(8) | \$100.00 |
| Unlawful building on dock. | 5.12(9) | \$100.00 |
| Non accessory residential use of barge ramp. | 5.12(10) | \$100.00 |
| Failure to provide landscape screen. | 5.15(7) | \$150.00 |
| Prohibited sign. | 6.2(1) | \$100.00 |
| Unlawful siting of sign. | 6.4(1) | \$100.00 |
| Sign too high. | 6.4(2) | \$100.00 |
| Obsolete sign. | 6.5(1) | \$100.00 |

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 167**

SCHEDULE "3"

James Island Rural
Land Use Bylaw No. 47, 1989

| <u>COLUMN 1</u> <u>OFFENCE DESCRIPTION</u> | <u>COLUMN 2</u> <u>SECTION</u> | <u>COLUMN 3</u> <u>FINE AMOUNT</u> |
|--|-----------------------------------|---------------------------------------|
| Conducting agri-tourism on non ALR area. | Sch C 3.14(5) | \$100.00 |
| Conducting intensive livestock\ mushroom\land-based aquaculture operations in setback. | Sch C 3.14(6) | \$100.00 |
| Storing derelict vehicles\salvage\ materials outside. | Sch C 2.1.2. (a) | \$100.00 |
| Residing over water. | Sch C 2.1.2. (b) | \$100.00 |
| Dwelling exceeding 7 m high within 100 m of sea. | Sch C 2.1.3. (a) | \$100.00 |
| Dwelling exceeding 8 m high. | Sch C 2.1.3. (a) | \$100.00 |
| Accessory building exceeding 6 m high. | Sch C 2.1.3(c) | \$100.00 |
| Agricultural\Recreational building exceeding 10 m high. | Sch C 2.1.3(d) | \$100.00 |
| Locating building within 60 m of lake. | Sch C 2.1.6(a)(i) | \$100.00 |
| Locating building within 15 m of sea\watercourse. | Sch C 2.1.6(a)(ii) | \$100.00 |
| Locating building less than 1.5 m above sea\watercourse. | Sch C 2.1.6(a)(iii) | \$100.00 |
| Locating fill within 15 m of sea\watercourse. | Sch C 2.1.6(a)(iv) | \$100.00 |
| Locating disposal field within 30 m of sea\watercourse. | Sch. C 2.1.6(b) | \$100.00 |
| Depositing sewage within 30 m of lake\tidal water. | Sch C 2.1.6(c) | \$100.00 |
| Keeping animals within 76 m of lake. | Sch C 2.1.6(d) | \$100.00 |

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SCHEDULE "3"

James Island Rural
Land Use Bylaw No. 47, 1989

| <u>COLUMN 1</u> <u>OFFENCE DESCRIPTION</u> | <u>COLUMN 2</u> <u>SECTION</u> | <u>COLUMN 3</u> <u>FINE AMOUNT</u> |
|--|-----------------------------------|---------------------------------------|
| Locating farm animal facilities within 8 m setback. | Sch C 2.1.7(a) | \$100.00 |
| Conducting unpermitted home occupation. | Sch C 2.1.8(a) | \$100.00 |
| Storing home occupation materials outdoors. | Sch C 2.1.8(b) | \$100.00 |
| Conducting home occupation in non-dwelling\ by non-resident\ too many employees. | Sch C 2.1.8(c) | \$100.00 |
| Selling articles not produced on site. | Sch C 2.1.8(d) | \$150.00 |