

POLICY NAME	Bylaw Enforcement Notification System Screening Officer	POLICY NO.	1.3.15
POLICY OWNER	Director of Planning and Development	REVIEW PERIOD	
EFFECTIVE DATE	November 21, 2001	RESOLUTION NO.	14955
AMENDMENT DATE		AMENDMENT RESOLUTION NO.	

PURPOSE

To provide a process whereby disputes of notices (tickets) issued pursuant to the Bylaw Enforcement Notification System Bylaw can be resolved in-house, and to provide the opportunity to resolve bylaw infractions through compliance agreements.

POLICY

Screening Policy

The Screening Officer is authorized to cancel a Bylaw Notice where he or she is satisfied that one or more of the following reasons exist and a compliance agreement is not appropriate or available:

- (a) Identity cannot be proven, for example, the Bylaw Notice was issued to the wrong person or the vehicle involved in the contravention had been stolen.
- (b) An exception specified in the Bylaw or a related enactment is made out, for example, handicap vehicle in time zone or pay lot.
- (c) There is poor likelihood of success at adjudication for the District, for example, the evidence is inadequate to show a contravention; or the Officer relied on incorrect information in issuing the Notice; or the Notice was not completed properly; or the Bylaw provision is unenforceable or poorly worded.
- (d) The contravention was necessary for the preservation of health and safety, for example, the contravention was the result of a medical emergency.
- (e) The Notice is one of a number of Notices arising out of the same incident, in which case the Screening Officer may cancel all but the most appropriate Notice.

- (f) It is not in the public interest to proceed to adjudication for one of the following reasons: the person who received the Notice was permitted or entitled to take the action, but the issuing officer was not aware of this entitlement or permit; the person receiving the Notice was undergoing a personal tragedy at the time of the contravention such that it is not in the public interest to proceed; the bylaw has changed since the Notice was issued and now authorizes the contravention.
- (g) The person exercised due diligence in their efforts to comply with the bylaw, for example, as a result of mechanical problems the person could not comply with the bylaw; or the sign indicating the bylaw requirement was not visible.