

DATE OF MEETING JUNE 7, 2021

AUTHORED BY KAREN ROBERTSON, DEPUTY CITY CLERK

SUBJECT BYLAW NOTICE ENFORCEMENT AMENDMENT BYLAW – TO AUTHORIZE THE DISTRICT OF NORTH COWICHAN TO PARTICIPATE IN THE DISPUTE ADJUDICATION REGISTRY SYSTEM

OVERVIEW

Purpose of Report

To replace Schedule B (The Registry Agreement) to formally authorize the District of North Cowichan to participate in the City's Dispute Adjudication Registry System (DARS)

Recommendation

Bylaw Notice Enforcement Amendment Bylaw

That "Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10" (to replace Schedule B – Registry Agreement to authorize the District of North Cowichan to participate in the City's Dispute Adjudication Registry System) pass first reading.

That "Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10" pass second reading.

That "Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10" pass third reading.

BACKGROUND

On April 26, 2021, the City of Nanaimo received an email from the Corporate Officer for the District of North Cowichan advising that North Cowichan wished to participate in the City's Dispute Adjudication Registry System (DARS). This is the system that the City, as well as other participating local governments, utilize to adjudicate disputed tickets under \$500.

Costs to run the program are shared amongst the participants and the City of Nanaimo oversees administration of the program. As such, both the City of Nanaimo, and the District of North Cowichan, must adopt the Agreement to authorize North Cowichan's participation, by bylaw. The District of North Cowichan Council adopted its bylaw on May 17, 2021 and it is recommended that Nanaimo Council also give the bylaw attached to the staff report its first three readings.

DISCUSSION

Currently, there are 8 local governments that participate and share in the costs of running the DARS program. The most recent local governments to join the program were the City of Port Alberni, The Regional District of Nanaimo, the Regional District of Alberni Clayoquot and the Village of Port Clements. They were formally endorsed to participate by Council on October 19,

2020. The City of Duncan, District of Tofino, and City of Parksville have been with the program since 2014.

It is recommended that Council support inclusion of North Cowichan as the more local governments that participate, the more timely adjudication hearings can be held as hearings are only booked when there are enough cases to warrant bringing in an adjudicator.

OPTIONS

Option 1:

That “Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10” (to replace Schedule B – Registry Agreement to authorize the District of North Cowichan to participate in the City’s Dispute Adjudication Registry System) pass first reading;

That “Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10” pass second reading;

That “Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10” pass third reading.

Implications:

By authorizing the District of North Cowichan’s inclusion into the DARS program, it will assist in offsetting the costs associated with administering the Adjudication Hearings for all local governments who participate in the program and also result in more timely hearings.

Option 2:

That Council decline the District of North Cowichan’s participation in the Dispute Adjudication Registry System.

Implications:

Should Council not be supportive of the District of North Cowichan’s participation in the program, North Cowichan would continue to administer all of its ticket disputes through the Provincial Court system as it would likely be cost prohibitive for them to run a DARS program independently.

SUMMARY POINTS

- There are currently 8 local governments that participate and share in the costs of running the Dispute Adjudication Registry System program.
- By adding the District of North Cowichan into the DARS program, it will further assist in offsetting the costs associated with administering the Adjudication Hearings for all local governments who participate.

ATTACHMENTS:

Attachment 1 – BL 7159.10 – Bylaw Notice Enforcement Amendment

Submitted by:

Karen Robertson
Deputy City Clerk

Dave Laberge
Manager of Bylaw Services

Concurrence by:

Sheila Gurrie
Director of Legislative Services

Dale Lindsay
General Manager, Development Services