



## REQUEST FOR DECISION

**TO:** Council **MEETING DATE:** March 19, 2025  
**FROM:** James Nyhus  
**SUBJECT:** **Bylaw Amendments – Multiple Enforcement Updates**  
**FILE NO:** 3900

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### RECOMMENDATION

That Council consider first, second, and third readings to the following bylaw amendments:

1. Municipal Ticket Information Amendment Bylaw No. 491-05, 2025;
  2. Bylaw Notice Enforcement Implementation Amendment Bylaw No. 515-15, 2025;
  3. Building Bylaw Amendment No. 409-13, 2025;
  4. Porpoise Bay Harbour Regulation Amendment Bylaw No. 494-03, 2025;
  5. Environmental Management and Protection Amendment Bylaw No. 484-01, 2025;
  6. Fireworks Prohibition Amendment Bylaw No. 445-01, 2025;
  7. Mobile Home Park Amendment Bylaw No. 37-02, 2025;
  8. Pesticide Bylaw Amendment No 441-01, 2025;
  9. Sign Bylaw Amendment No. 456-04, 2025;
  10. Open Air Burning Amendment Bylaw No. 486-03, 2025.
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### PURPOSE

The review of the Municipal Ticket Information Bylaw No. 491, 2010 revealed several issues that hinder enforcement. Some referenced bylaws had been repealed, while others did not mention either the Municipal Ticket Information Bylaw No. 491, 2010 or the Bylaw Notice Enforcement Implementation Bylaw No. 515, 2012 for enforcement. Additionally, some bylaws referred to Offence Act prosecutions for minor fines or required updates to ensure enforcement measures were current and relevant.

The means by which fines are paid and for what amount are made clearer in the proposed amendments and will be easier for staff to administer.

An inconsistency in the naming conventions for bylaws was noted through this review and staff are recommending that bylaws be amended to not include “District of Sechelt” for citation purposes in the formal bylaw title going forward.

## **OPTIONS**

1. Council directs staff to change some or all of the amending bylaws.
2. Council provide further direction to staff.

## **Summary**

### **Municipal Ticket Information Amendment Bylaw No. 491-05, 2025:**

As part of an overall review of the Municipal Ticket Information Bylaw No. 491,2010 and the referenced bylaws and fines, staff found that many bylaws have been subsequently repealed, the level of fines too low, and are best addressed through bylaw notices issued under the Bylaw Notice Enforcement Implementation Bylaw No. 515, 2012.

The proposed amendment removes the repealed bylaws and references bylaws best enforced through Bylaw No. 515, 2012, as well as brings the level of fines up to the \$1,000.00 level in many cases where a larger deterrent or penalty may be warranted.

### **Bylaw Notice Enforcement Implementation Amendment Bylaw No. 515-15, 2025:**

As previously noted, many violations are most effectively addressed through the Bylaw Notice Enforcement Implementation Bylaw No. 515, 2012. The proposed amendment removes early and late payment fees as these are confusing to bylaw notice recipients and cause confusion for staff when people do pay the fines. Compliance Agreements that should not have been available have been removed and added in cases where it makes sense.

Many of the existing fines have been increased to represent a better deterrent, for example the fine for Construction Without a Building Permit has a proposed increase from \$100.00 (\$50 with early payment) to \$400.00.

### **Building Bylaw Amendment No. 409-13, 2025**

Penalties for more serious violations of the Building Bylaw have been proposed to be added to the Municipal Ticket Information Bylaw No. 491, 2010 and must be referenced in this bylaw. Renumbering of subsequent parts of Section 23 is needed.

### **Porpoise Bay Harbour Regulation Amendment Bylaw No. 494-03, 2025**

There were no means to enforce this bylaw as no enforcement bylaws were cited within it. This proposed amendment now adds enforcement for minor offences under the Bylaw Notice Enforcement Implementation Bylaw No. 515, 2012 and more serious offences under the Municipal Ticket Information Bylaw No. 491, 2010.

### **Environmental Management and Protection Amendment Bylaw No. 484-01, 2025**

The Environmental Management and Protection Bylaw No. 484, 2009 had inadequate fine amounts, referenced the Municipal Ticket Information Bylaw of \$250.00 or referred to Offence

Act prosecutions for amounts that are not viable through a provincial court process. The proposed amendment increases the fines to \$1,000.00 in most cases representing a suitable deterrent to violations. Offence Act prosecutions are still reserved for very serious offences.

#### **Fireworks Amendment Bylaw No. 445-01, 2025**

The Fireworks Bylaw referred to a repealed Municipal Ticket Information Bylaw; fines for violations are proposed to be added to the Bylaw Notice Enforcement Implementation Bylaw No. 515, 2012 and the current Municipal Ticket Information Bylaw No. 491, 2010 for more serious offences.

Amendment Bylaw No. 441-01, 2025, also includes an amendment to remove “District of Sechelt” from the formal bylaw title, so it will become “Fireworks Bylaw Amendment Bylaw” for citation purposes.

#### **Mobile Home Park Amendment Bylaw No. 37-02, 2025**

One of the older bylaws that is still in effect needed reference to the Bylaw Notice Enforcement Implementation Bylaw No. 515, 2012 for enforcement is proposed in this amendment.

#### **Pesticide Bylaw Amendment No 441-01, 2025**

The Pesticide Bylaw No. 441, 2007 referred to a repealed version of the Municipal Ticket Information Bylaw. The proposed amendment still has fines under the correct version of the Municipal Ticket Information Bylaw No. 491, 2010 and has added the Bylaw Notice Enforcement Implementation Bylaw No. 515, 2012 for offences.

#### **Sign Bylaw Amendment No. 456-04, 2025**

The sign bylaw only referred to an Offence Act prosecution; the proposed amendment will allow enforcement under the Municipal Ticket Information Bylaw No. 491, 2010 and the Bylaw Notice Enforcement Implementation Bylaw No. 515, 2012.

Amendment Bylaw No. 441-01, 2025, also includes an amendment to remove “District of Sechelt” from the formal bylaw title, so it will become “Fireworks Bylaw Amendment Bylaw” for citation purposes.

#### **Open Air Burning Amendment Bylaw No. 486-03, 2025**

This is another bylaw that only referenced the Offence Act as the means of dealing with violations. The ability to use the Offence Act is preserved, but now this proposed amendment will also reference the Bylaw Notice Enforcement Implementation Bylaw No. 515, 2012.

### **POLICY AND BYLAW IMPLICATIONS**

In order to issue a valid bylaw notice or municipal ticket, the respective bylaw must reference the correct means of enforcement. There have been instances where Bylaw Enforcement Officers could not issue a fine for a violation because of the lack of a link between bylaws.

**SUSTAINABILITY PLAN IMPLICATIONS**

1. Social Sustainability and Community Well Being
3. Environmental Sustainability

**STRATEGIC PLAN IMPLICATIONS**

3. Community Safety and Wellbeing

**FINANCIAL IMPLICATIONS**

None.

**COMMUNICATIONS**

Bylaws, upon adoption, are published on [sechelt.ca](http://sechelt.ca).

Respectfully submitted,

James Nyhus

Chief Building Official