

THE CORPORATION OF THE DISTRICT OF OAK BAY

BYLAW NO. 3952

(**amended by Bylaws No. 3959, 3994, 4011, 4014, 4039, 4050, 4097, 4101, 4199, 4209, 4248, 4283, 4286, 4327, 4338, 4344, 4346, 4370, 4372, 4376, 4380 and 4397)

A Bylaw to authorize the use of the municipal ticket information system

WHEREAS Division 3 of Part 8 of the *Community Charter* authorizes a municipal council by bylaw:

- A. to designate bylaws which may be enforced by means of a form of ticket prescribed by regulation under the *Community Charter*;
- B. to designate bylaw enforcement officers for the purpose of enforcing bylaws by means of a prescribed form of ticket;
- C. to designate an offence against a bylaw by means of a word or expression on a ticket;
- D. to establish penalties not exceeding an amount prescribed by regulation under the *Community Charter*;

(**Bylaw 4248, adopted November 8, 2004)

NOW THEREFORE the Municipal Council of The Corporation of the District of Oak Bay, in open meeting assembled, enacts as follows:

1. The bylaws listed in Column 1 of Schedule 1 to this Bylaw may be enforced by means of a ticket in the form prescribed for the purpose of Division 3 of Part 8 of the *Community Charter*.
2. The persons acting in the capacities listed in Column 2 of Schedule 1 to this Bylaw are designated as bylaw enforcement officers pursuant to Division 3 of Part 8 of the *Community Charter* for the purpose of enforcing the bylaws listed in Column 1 of Schedule 1 opposite the respective capacities.
3. The words or expressions set forth in Column 1 of Schedules 2 through 17 of this Bylaw designate the offence committed under the bylaw section number appearing in Column 2 opposite the respective words or expressions.

(**Bylaw 3959, adopted November 24, 1997)

(**Bylaw 4050, adopted August 23, 1999)

4. The amounts appearing in Column 3 of Schedules 2 through 17 to this Bylaw are the fines set pursuant to Division 3 of Part 8 of the *Community Charter* for the corresponding offences designated in Column 1.

(**Bylaw 3959, adopted November 24, 1997)

(*Bylaw 4050, adopted August 23, 1999)

(**Bylaw 4248, adopted November 8, 2004)

- 4.1 In the case of a continuing offence, the fines referred to in Section 4 may be imposed for each day that the offence continues.

(**Bylaw 4248, adopted November 8, 2004)

- 4.2 In this Bylaw, a reference to a provision of the *Community Charter* means a provision of the *Community Charter*, S.B.C., 2003, c. 26, and includes a like provision in an amendment or successor statute providing a legal framework for local government in the Province of British Columbia.

(**Bylaw 4248, adopted November 8, 2004)

5. Bylaw 3657, being the "Ticket Information Utilization Bylaw, 1990" and all amendments thereto, are hereby repealed, provided however, that such repeals shall not affect the validity of any tickets issued prior to the adoption of this Bylaw.

6. This Bylaw may be cited as the "**TICKET INFORMATION UTILIZATION BYLAW, 1997**".

7. This Bylaw shall take effect on the date of its adoption.

READ a first, second and third time by the Municipal Council on August 18, 1997

THIRD READING rescinded on September 22, 1997

AMENDED ON September 22, 1997

THIRD READING ON September 22, 1997

FINES APPROVED BY THE CHIEF JUDGE OF THE PROVINCIAL COURT on (--)

ADOPTED and FINALLY PASSED by the Municipal Council on October 14, 1997

Mayor

Municipal Clerk

Sealed with the Seal of The
Corporation of the District of Oak Bay.

SCHEDULE 1

Designated Bylaws

Designated Bylaw Enforcement Officers

Bylaw No. 4100, *Streets and Traffic Bylaw, 2000*

- Municipal Constable;
- A member of the Canadian Corps of Commissionaires assigned to bylaw enforcement duties in the District of Oak Bay by agreement between the said Corps and The Corporation of the District of Oak Bay
- Bylaw Compliance Official
(*Bylaw 4338, adopted Dec. 13/06)

Bylaw No. 4013, *Animal Control Bylaw, 1999*

- Municipal Constable;
- A Victoria Animal Control Services Ltd. Animal Control Officer assigned to animal control duties pursuant to a contract between Victoria Animal Control Services Ltd. and The Corporation of the District of Oak Bay
(*Bylaw 4014, adopted Feb. 8/99)
(*Bylaw 4209, adopted Dec.15/03) (*Bylaw 4338, adopted Dec. 13/06)

Bylaw No. 3531, *Zoning Bylaw, 1986*

- Municipal Constable;
- Director of Building and Planning;
- Bylaw Compliance Official
(*Bylaw 4327, adopted August 21, 2006)

Bylaw No. 3938, *Rubbish and Weed Control Bylaw, 1997*

- Municipal Constable;
- Director of Building and Planning;
- Bylaw Compliance Official
(*Bylaw 4327, adopted August 21, 2006)

Bylaw No. 4247, *Building and Plumbing Bylaw, 2005*

- Municipal Constable;
- Director of Building and Planning;
- Bylaw Compliance Official
(*Bylaw 4248, adopted November 8, 2004)
(*Bylaw 4283, adopted June 27, 2005)
(*Bylaw 4327, adopted August 21, 2006)

Bylaw No. 3603, *Business Licence Bylaw, 1988*

- Municipal Constable;
- Director of Building and Planning;
- Bylaw Compliance Official
(*Bylaw 4283, adopted June 27, 2005)
(*Bylaw 4327, adopted August 21, 2006)

Bylaw No. 3952

Bylaw No. 3946, *Sign Bylaw, 1997*

- Municipal Constable;
 - Director of Building and Planning;
 - Bylaw Compliance Official
- (**Bylaw 4327, adopted August 21, 2006)

Bylaw No. 3549, *Commercial Vehicle Licensing Bylaw, 1987*

- Municipal Constable;

Bylaw No. 3803, *Fire Regulation Bylaw, 1994*

- Fire Chief;
- Local Assistant;
- Municipal Constable;
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Bylaw No. 3210, *Anti-Noise bylaw, 1977*

- Municipal Constable;
 - Director of Building and Planning;
 - Bylaw Compliance Official
- (**Bylaw 4199, adopted January 12, 2004)
(**Bylaw 4283, adopted June 27, 2005)
(**Bylaw 4327, adopted August 21, 2006)

Bylaw No. 3805, *Smoke Alarm Installation and Maintenance Bylaw, 1994*

- Fire Chief;
- Local Assistant;
- Director of Building and Planning;

Bylaw No. 4326, *Tree Protection Bylaw, 2006*
(**Bylaw 4327, adopted August 21, 2006)

- Director of Building and Planning;
 - Manager, Parks Services;
 - Municipal Constable;
 - Bylaw Compliance Official
- (**Bylaw 4327, adopted August 21, 2006)

Bylaw No. 3881, *Parks and Beaches Bylaw, 1996*

- Manager, Parks Services;
 - Municipal Constable;
 - Bylaw Compliance Official
- (**Bylaw 4327, adopted August 21, 2006)

Bylaw No. 4371, *Refuse Collection and Disposal Bylaw, 2007*

- Municipal Constable;
 - Bylaw Compliance Official;
 - Superintendent of Public Works;
 - Operations Manager
- (**Bylaw 4327, adopted August 21, 2006)
(**Bylaw 4372, adopted July 23, 2007)

Bylaw No. 4375, *Fireworks Regulation Bylaw, 2007*

- Municipal Constable;
- Fire Chief;
- Local Assistant
- Bylaw Compliance Official

Bylaw No. 3891, *Public Sewer Bylaw, 1996*

- Director of Engineering Services
- Bylaw Compliance Official

(Reference Bylaw No. 4285 deleted by Bylaw No. 4327)

Bylaw No. 3550, *Driveway Access Bylaw, 1987*

- Director of Engineering Services
- Bylaw Compliance Official

(**Bylaw 3994, adopted August 17, 1998)

(**Bylaw 4050, adopted August 23, 1999)

(**Bylaw 4286, adopted July 25, 2005)

(**Bylaw 4327, adopted August 21, 2006)

(**Bylaw 4376, adopted September 10, 2007)

(**Bylaw 4380, adopted September 24, 2007)

SCHEDULE 2

Bylaw No. 4100, *“Streets and Traffic Bylaw, 2000”*

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Hindering use of sidewalk	10	\$50.00
Prohibited parking - commercial vehicle	20(1)	\$50.00
Prohibited parking - motor home	20(2)	\$50.00
Prohibited parking - trailer	20(3)	\$50.00
Prohibited parking - bus	20(4)	\$50.00
Parked on boulevard	25	\$25.00
Not one metre from driveway	26	\$25.00
Prohibited parking - handicapped zone	29(1)(a)	\$50.00
Handicapped zone - no valid permit	29(1)(b)	\$50.00
Parked on sidewalk	31(1)	\$25.00
Parked across driveway	31(2)	\$50.00
Parked in intersection	31(3)	\$25.00
Not 5 m from hydrant	31(4)	\$25.00
Parked on crosswalk	31(5)	\$75.00
Not 6 m from crosswalk	31(6)	\$75.00
Not 6 m from stop sign	31(7)	\$25.00
Not 6 m from public exit	31(8)	\$25.00
Vehicle for sale on highway	31(9)(a)	\$25.00
Repairing vehicle on highway	31(9)(b)	\$25.00
Parked for sign display	31(9)(c)	\$25.00
Selling goods from vehicle	31(9)(d)	\$100.00
Parked alongside excavation	31(10)	\$25.00
Double parked	31(11)	\$50.00
Parked contrary to sign	31(13)	\$25.00
Obstructing sign	31(14)	\$25.00
Hindering use of street	37(1)	\$50.00
Throwing missile on street	37(2)	\$50.00

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Lighting fire on street	37(3)	\$50.00
Conducting business on street	37(4)	\$50.00
Loose material on street	43(1)	\$50.00
Liquid on street	43(2)	\$50.00
Insecure load	43(3)	\$50.00
Dangerous material on street	43(4)	\$100.00
Soiling street	43(5)	\$50.00
Failure to clear sidewalk	43(6)	\$50.00
Leaves or garden waste on street	43(7)	\$50.00
Garden waste on boulevard or sidewalk	43(8)	\$50.00
Rubbish on street	44	\$50.00
Injure public tree	52(4)	\$100.00
Driving off road in park	53	\$100.00
Deleterious substance on street	55	\$50.00

*(**Bylaw 4101, adopted December 11, 2000)*

*(**Bylaw 4344, adopted January 22, 2007)*

SCHEDULE 3Bylaw No. 4013, *Animal Control Bylaw, 1999*

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Obstruction of Poundkeeper	18	\$200.00
Prohibited Animal	20	\$50.00
Inadequate Care of Animal	22	\$50.00
Inadequate Shelter of Animals	23	\$50.00
Cruelty to Animals – Enclosed Space	24	\$50.00
Unlawful Animal Performance	25	\$50.00
Prohibited Poultry	26	\$50.00
Poultry in Prohibited Location	27	\$50.00
Prohibited Bees	29	\$50.00
Bees in Prohibited Location	30	\$50.00
Prohibited Number of Cats	31	\$50.00
No License Tag on Dog	38	\$50.00
Unlicensed Dog	40	\$50.00
More Than 2 Dogs	44	\$50.00
Unconfined Female Dog in Heat	45	\$50.00
Failure to Provide Information	48	\$50.00
Noisy Dog	49	\$50.00
Dog at Large	50	\$50.00
Failure to Remove Excrement	52	\$50.00
Prohibited Deposit of Excrement	54	\$50.00
Unleashed Dog – Uplands Park	55	\$50.00
Unleashed Dog in Park	56	\$50.00
Dog in Windsor Park Rose Garden	59(1)	\$50.00
Dog in Native Plant Park	59(2)	\$50.00
Dog on Golf Course/Chip Trail	59(3)	\$50.00
Dog on Turkey Head Walkway	59(4)	\$50.00
Dog on Willows Beach	60	\$50.00
Dog on McNeill Bay Beach	60.1	\$50.00
Unleashed Dog on Street	61	\$50.00
Vicious Dog	62	\$200.00
Unmuzzled Vicious Dog	63	\$200.00
No vicious dog sign securely displayed	69	\$50.00
Unlawful Removal of Sign	70	\$50.00

(**Bylaw 4014, adopted February 8, 1999)

(**Bylaw 4097, adopted November 14, 2000)

(** Bylaw 4338, adopted December 13, 2006)

(**Bylaw 4370, adopted May 28, 2007)

(**Bylaw 4397, adopted January 28, 2008)

SCHEDULE 4Bylaw No. 3531, *Zoning Bylaw, 1986*

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Prohibited use of land	3.7.2	\$200.00
Restricted object in prohibited location	4.13.2	\$100.00
More than 2 restricted objects	4.13.5	\$100.00
Restricted object in prohibited location (vacant lot)	4.13.8	\$100.00
More than 2 restricted objects (vacant lot)	4.13.9	\$100.00
Commercial vehicle not in garage	4.13.10	\$100.00
Commercial use in public place	5.1.1(14)	\$200.00
Carry on business in public place	5.1.1(16)	\$200.00

(**Bylaw 4011, adopted January 25, 1999)

(**Bylaw 4376, adopted September 10, 2007)

SCHEDULE 5

Bylaw No. 3938, "Rubbish and Weed Control Bylaw, 1997"

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Rubbish on property	2(1)	\$100.00
Graffiti on Property	2(1)	\$50.00
Overgrown property	2(2)	\$100.00

SCHEDULE 6

Bylaw No. 4247, "Building and Plumbing Bylaw, 2005"

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Work without permit	5(1)	\$100.00
Plumbing without permit	5(2)	\$100.00
Solid fuel stove, no permit	5(3)	\$100.00
Blasting without permit	5(4)	\$100.00
Contravene Stop Work notice	5(5)	\$250.00
Non-compliance with approved plans	5(10)	\$100.00
Occupy building without permit	18(1)	\$100.00
Fail to complete demolition in required time	22(5)	\$100.00
Fail to complete deconstruction in required time	22(6)	\$100.00
Fail to comply with demo sale conditions	22(7)	\$100.00

(**Bylaw 4248, adopted November 8, 2004)

(**Bylaw 4346, adopted February 12, 2007)

SCHEDULE 7

Bylaw No. 3603, “*Business Licence Bylaw, 1988*”

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Carry on business without licence	2	\$200.00

SCHEDULE 8

Bylaw No. 3946, “*Sign Bylaw, 1997*”

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Sign without permit	2(1)	\$100.00
Sign on public property	13(1)	\$100.00

SCHEDULE 9

Bylaw No. 3549, “*Commercial Vehicle Licensing Bylaw, 1987*”

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
No decal displayed	3	\$25.00
Failure to obtain decal	4	\$25.00

SCHEDULE 10

Bylaw No. 3803, *Fire Regulation Bylaw, 1994*

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Burning prohibited materials	44	\$50.00
Prohibited burning	45	\$50.00

(**Bylaw 3994, adopted August 17, 1998)

SCHEDULE 11

Bylaw No. 3210, “*Anti-Noise Bylaw, 1977*”

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
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Noise liable to disturb	3(1)	\$100.00
Noise on property liable to disturb	3(2)	\$100.00
Noise in public place liable to disturb	4(1)	\$100.00
Musical instrument liable to disturb	4(2)	\$100.00
Amplified sound liable to disturb	4(2)	\$100.00
Animal noise liable to disturb	4(3)	\$100.00
Vehicle noise liable to disturb	(4)	\$100.00
Operation of leaf blower when prohibited, weekend or holiday	(5)(a)	\$100.00
Operation of leaf blower when prohibited, weekday	(5)(b)	\$100.00

*(**Bylaw 4199, adopted January 12, 2004)*

SCHEDULE 12

Bylaw No. 3805, *“Smoke Alarm Installation and Maintenance Bylaw, 1994”*

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
No smoke alarm in dwelling unit	2(1)	\$50.00
No smoke alarm in sleeping room	2(2)	\$50.00

SCHEDULE 13

Deleted

*(**Bylaw 4283, adopted June 27, 2005)*

REPEALED Bylaw No. 3835, *Garry Oak Tree Protection Bylaw, 1995*

*(**Repealed by Bylaw 4327, adopted August 21, 2006)*

SCHEDULE 14

REPEALED, Schedule 14 by Bylaw 4327, adopted August 21, 2006

SCHEDULE 14

Bylaw No. 4326, *Tree Protection Bylaw, 2006*

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Cut Down Protected Tree – No Permit	2	\$500.00
Damage Protected Tree – No Permit	2	\$250.00
Fail to Plant Replacement Tree – Permit Condition	10(1)	\$500.00
Fail to Maintain Replacement Tree	10(6)	\$500.00
Fail to Protect Tree – No Permit	12	\$250.00
Fail to Comply with Specified Practices, Construction	13	\$250.00
Fail to Protect Tree – Permit Condition, Construction	14	\$250.00
Fail to Plant Replacement for Tree Cut – No Permit	15	\$500.00
Prune Without Permit	16(1)	\$100.00
Fail to Comply With Pruning Permit Conditions	16(2)	\$250.00

(**Bylaw 4327, adopted August 21, 2006)

SCHEDULE 15

Bylaw 3881, "Parks and Beaches Bylaw, 1996"

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Cycling where prohibited	2(2)	\$ 50.00
Damage to Park- turf	5	\$ 50.00
Damage to Park- earth	5	\$ 50.00
Damage to Park- sand 50.00		5 \$
Damage to Park- rock	5	\$ 50.00
Damage to plants	6	\$100.00
Damage to trees	6	\$100.00
Damage to park bench	7	\$ 50.00
Damage to sign	7	\$ 50.00
Deposit of prohibited material	8	\$ 50.00
Disturbance of wildlife	10	\$ 50.00
Disturbance of park use	12	\$ 50.00
Prohibited activity in Park	13	\$ 50.00
Event without Permit	14	\$ 50.00
Unauthorized P.A. system in park	15(1)	\$100.00
Unauthorized private instruction in park or facility	16(1)(a)	\$100.00
Unauthorized recreation program in park or facility	16(1)(b)	\$100.00
Unauthorized tournament in park or facility	16(1)(c)	\$100.00
Posting without Permit	21	\$ 50.00
Camping in Park	22	\$ 50.00

(**Bylaw 4397, adopted January 28, 2008)

SCHEDULE 16

Bylaw No. 4371, "Refuse Collection and Disposal Bylaw, 2007"

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Non-resident dumping at municipal yard	3(2)	\$250.00
Commercial dumping at municipal yard	3(3)	\$250.00
Accumulation of waste on property	5	\$100.00
Banned material in garbage	6(1)	\$100.00
Waste container in front yard	9(1)	\$100.00
Waste container left on boulevard	9(2)	\$100.00

SCHEDULE 17Bylaw No. 4375, *Fireworks Regulation Bylaw, 2007*

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Sale of firecrackers	2	\$500.00
Possession of firecrackers	3	\$200.00
Discharge of firecrackers	4	\$200.00
Sale of fireworks	5	\$500.00
Possession of fireworks, no permit	6	\$100.00
Discharge of fireworks, no permit	7	\$100.00
Discharge of fireworks contrary to permit conditions	8	\$200.00
Sale of pyrotechnics	9	\$500.00
Possession of pyrotechnics, no permit	10	\$500.00
Discharge of pyrotechnics, no permit	11	\$1,000.00
Discharge of pyrotechnics contrary to permit conditions	12	\$500.00
Refusal to surrender prohibited product	23	\$100.00

(**Bylaw 4376, adopted September 10, 2007)

SCHEDULE 18Bylaw No. 3891, *Public Sewer Bylaw, 1996*

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Prohibited discharge to sanitary sewer	9(1)	\$200.00
Prohibited discharge to combined sewer	10(1)	\$200.00
Prohibited discharge to storm sewer or watercourse	13(1)	\$500.00
Damage sewer system	14(2)	\$200.00
Unauthorized sewer connection	14(3)	\$200.00
Make or fail to rectify cross connection	14(4)(a)	\$200.00
Make or fail to rectify cross connection	14(4)(b)	\$200.00

(**Bylaw 4376, adopted September 10, 2007)

SCHEDULE 19Bylaw No. 3550, *Driveway Access Bylaw, 1987*

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Driveway access work without permit	3	\$200.00
Non-compliance with approved application	7(1)	\$200.00
Non-compliance with footpath regulations	7(3)	\$100.00

(**Bylaw 4380, adopted September 24, 2007)