



**REPORT TO PLANNING TRANSPORTATION AND PROTECTIVE SERVICES COMMITTEE
MEETING OF WEDNESDAY, 28 MARCH, 2012**

SUBJECT **BYLAW NO. 3609 - AMENDMENT TO BYLAW NO. 1857, "CAPITAL REGIONAL DISTRICT TICKET INFORMATION AUTHORIZATION BYLAW, 1990"**

ISSUE

To enable enforcement of Bylaw No. 3533 - Capital Regional District Idling Control Bylaw No. 1, 2008 (the "Idling Control Bylaw").

BACKGROUND

In 2009, the Board adopted Bylaw No. 3533. A consequential Municipal Ticket Information Bylaw (Bylaw 3609) is required to enforce the Idling Control Bylaw. On April 8, 2009, the Board gave three readings to Bylaw No. 3609 and this Bylaw now requires adoption.

Final adoption was put on hold so that a public education and community awareness process could be conducted of the new Bylaw. The CRD has enacted several related broad strategies linked to its Climate Action Program, as well as specific actions such as the use of street signage in commercial loading zones and promotional stickers on government vehicles for the CRD fleet, member municipalities and the Vancouver Island Health Authority.

ALTERNATIVES

That the Planning, Transportation and Protective Services Committee recommend to the Board that:

1. Bylaw No. 3609, "Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 42, 2009", authorizing fines \$100 (first offence), \$200 (second offence) and \$500 (subsequent offences), be adopted.
2. Staff be directed to amend the recommended fines structure and to return with a revised recommended amendment to the Ticket Information Bylaw.

FINANCIAL IMPLICATIONS

Alternative 1 would result in some recovery of enforcement costs; however, the intent is to have the fines serve as a deterrent rather than as a source of revenue.

Alternative 2 would have no clear benefit as staff has confirmed with the Vancouver Island Health Authority and CRD Bylaw officers that the recommended fine structure is an appropriate level of deterrent.

LEGAL IMPLICATIONS

Staff has confirmed that the recommended fines structure is within the regulatory authority granted to the CRD.

COMMUNITY IMPLICATIONS

The Idling Bylaw enforcement strategy is based on the principle that infractions will cease once offenders have been contacted by enforcement officers. Experience to date validates this principle. Beyond that, the escalation of fines is intended to act as a deterrent to multiple offences.

CONCLUSIONS

Following a successful public education process regarding the new idling control regulations, it is now in order for the Board to consider adoption of Bylaw No. 3609 so that the Idling Control Bylaw can be enforced.

RECOMMENDATION

That the Planning, Transportation and Protective Services Committee recommends to the Capital Regional District Board that:

1. Bylaw No. 3609, "Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 42, 2009", authorizing fines \$100 (first offence), \$200 (second offence) and \$500 (subsequent offences), be adopted.

ORIGINAL SIGNED

Don Brown
Chief Bylaw Officer

Maurice Rachwalski, Senior Manager
Health & Capital Planning Strategies

Robert Lapham (MCIP)
General Manager Planning & Protective Services
Concurrence

Kelly Daniels
Chief Administrative Officer
Concurrence

Attachment: 1

COMMENTS: