



REGIONAL
DISTRICT
OF NANAIMO



Bylaw Dispute Adjudication System



► What is bylaw dispute adjudication?

The Bylaw Dispute Adjudication system allows the Regional District of Nanaimo to **manage bylaw disputes locally** rather than through the Provincial Court system. Bylaw Offence Notices can be disputed out of court with an adjudicator appointed by the Provincial Attorney General's Office.

► Why is adjudication used?

- Simplifies the dispute process.
- More convenient for disputants, because attendance at an adjudication hearing is not mandatory.
- Removes bylaw violations from the Provincial court system.
- Reduces ticket dispute time.
- Reduces need to employ lawyers or enforcement officers to take a case to court.
- More cost effective and efficient system.
- Helps ensure bylaw compliance.

► How does bylaw dispute adjudication work?

STEP 1 Pay or Dispute a Bylaw Offence Notice

After receiving a Bylaw Offence Notice, you have the option to either pay the Notice or dispute it. **You have 14 calendar days upon receipt of the Bylaw Offence Notice to dispute it.** If a dispute is not filed with the Regional District of Nanaimo within 14 calendar days, you will not be able to dispute it later.

To dispute a Bylaw Offence Notice, fill out the information on the rear of the Notice and deliver it in person, by email or fax within 14 calendar days to:

Regional District of Nanaimo – Bylaw Services
6300 Hammond Bay Road – Nanaimo, BC V9T 6N2
Fax: 250-390-6513 Email: adjudication@rdn.bc.ca

STEP 2 Bylaw Offence Notice Dispute Process

If disputed, the Notice will then be assigned to a Screening Officer who will contact you to review the details of your dispute. **The Screening Officer will either confirm or cancel the Notice based on the Bylaw Offence Notice screening policy.** If the Screening Officer determines that the Notice will be upheld, the disputant will be offered the choice of:

- Paying the full amount of the fine (not eligible for discounted amount).
- Entering into a compliance agreement, which establishes terms and conditions for compliance, including time periods for payment of penalties and plans to cease or remedy the bylaw contraventions that gave rise to the Bylaw Offence Notice. As a term of the compliance agreement, the Screening Officer may authorize a reduction of the prescribed penalty by 50%.
- Requesting a bylaw dispute adjudication hearing.

STEP 3 Adjudication Hearing

If you request an adjudication hearing, you will be contacted by a dispute coordinator to set the date, time and location of the hearing. You can choose your preferred method of participation: in person, by phone/video, or in writing.

Prior to the hearing, an evidence package will be sent to you which will include the evidence being presented at the hearing.

At the hearing, an independent adjudicator will determine if the bylaw offence occurred or not. If the adjudicator determines the offence occurred, you will be required to pay the full fine amount, plus a \$25 adjudication surcharge.

! Please note:

- Bylaw dispute adjudications are open to the public.
- If a disputant fails to appear or present their case, the adjudicator must order the penalty set out in the Notice is immediately due and payable to the Regional District of Nanaimo.
- The decision of the adjudicator is final.
- The adjudicator cannot reduce the fine amount.
- A dispute can only be cancelled by paying the indicated fine amount.
- A paid Bylaw Offence Notice cannot be taken to adjudication.



Bylaw Offence Notice Payment Options



BY MAIL:

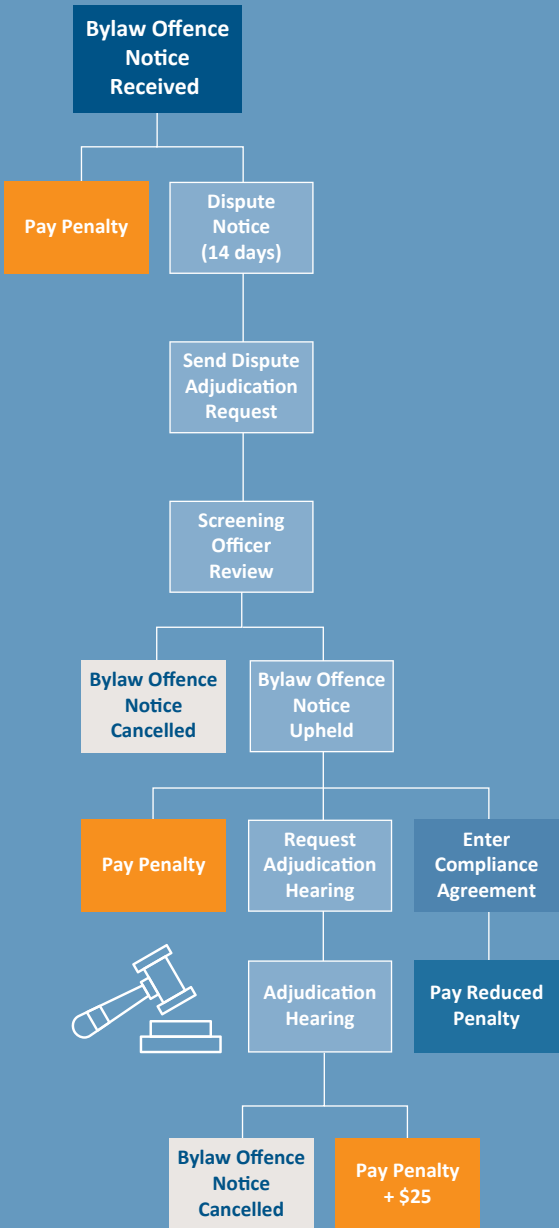
Cheque or money order
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2



IN PERSON, Monday - Friday 8:30 am to 4:30 pm:

Cash, money order, cheque, or debit card
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

► Bylaw Offence Notice at a Glance:




► References:

Local Government Bylaw Notice Enforcement Act

**Regional District of Nanaimo Bylaw Notice Bylaw
No. 1786, 2019**



6300 Hammond Bay Road, Nanaimo, BC V9T 6N2
www.rdn.bc.ca

 250-390-6559 | 250-390-4111 | 1-877-607-4111

 bylawservices@rdn.bc.ca