

**CITY OF VANCOUVER
BRITISH COLUMBIA**



**BY-LAW NOTICE ENFORCEMENT
BY-LAW NO. 10201**

BY-LAW NOTICE ENFORCEMENT BY-LAW

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BY-LAW NO. 10201

By-Law Notice Enforcement By-law

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

SECTION 1 CITATION

Citation

1. The name of this by-law, for citation, is the “By-law Notice Enforcement By-law”.

SECTION 2 INTERPRETATION

Definitions

- 2.1 In this By-Law:

“act” means the *Local Government Bylaw Notice Enforcement Act*;

“by-law notice” means a by-law notice referred to in section 4 of the act and issued under this by-law;

“city” means the City of Vancouver;

“Council” means the Council of the City of Vancouver; and

“screening officer” means a person designated and appointed under section 7 of this by-law to act as a Screening Officer I or Screening Officer II.

Schedules

- 2.2 The schedule attached to this by-law forms part of this by-law.

SECTION 3 BY-LAW CONTRAVENTIONS

By-law contraventions

3. The by-laws and by-law contraventions designated in Schedule “A” may be enforced by by-law notice.

**SECTION 4
PENALTY**

Penalty

4. The penalty for a contravention referred to in section 3 is:
- (a) subject to paragraphs (b) and (c), the penalty amount set out in column A1 of Schedule "A";
 - (b) if payment is received by the city within 14 days of the person receiving or being presumed to have received the by-law notice, the penalty set out in column A1 is reduced by the discount amount set out in column A2 of Schedule "A"; or
 - (c) if payment is received by the city more than 21 days after the penalty set out in column A1 becomes due and payable under the Act, the penalty set out in column A1 is increased by the surcharge set out in column A3 of Schedule "A".

**SECTION 5
PAYING OR DISPUTING NOTICE**

Delivery of by-law notice

- 5.1 A by-law notice may be delivered:
- (a) in person to the named person,
 - (b) by mailing a copy of the by-law notice,
 - (i) if the by-law notice is in respect of a contravention involving a vehicle, to the address for each registered owner of the vehicle involved;
 - (ii) to the actual or last known address of the named person; or
 - (iii) if the named person is a corporation or a business, to the registered office or head office,
 - (c) if the by-law notice is in respect of a parking contravention, by leaving the by-law notice on the vehicle involved.

Deemed receipt by mail

- 5.2 A by-law notice delivered under subsection 5.1(b) is presumed to have been received by the person to whom it is addressed on the 7th day after mailing.

Deemed receipt on vehicle

5.3 A by-law notice delivered under subsection 5.1(c) is presumed to have been received by each registered owner of the vehicle on the day it is left on the vehicle.

Dispute or pay within 14 days

5.4 A person who receives a by-law notice, or their authorized agent, must, within 14 days of the date on which the person received or is presumed to have received the by-law notice:

- (a) pay the penalty; or
- (b) request dispute adjudication;

by following the appropriate instructions on the by-law notice.

No dispute after 14 days

5.5 A person may pay the indicated penalty after 14 days of receiving a by-law notice, subject to the applicable surcharge amount in accordance with section 4(c), but no person may dispute a by-law notice after 14 days of receiving the by-law notice.

SECTION 6 BY-LAW NOTICE DISPUTE FEE

Adjudication system established

6.1 A by-law notice dispute adjudication system is hereby established in order to resolve disputes in relation to by-law notices.

By-law notice dispute fee

6.2 Every person who is unsuccessful in a dispute adjudication in relation to a by-law notice under the dispute adjudication system established under this section shall pay an administrative fee of \$25.00, in addition to any other penalty amount imposed under this By-law.

**SECTION 7
SCREENING OFFICERS**

Position of screening officers

7.1 The positions of Screening Officer I and Screening Officer II are hereby established.

Appointment of Screening Officers I

7.2 Council hereby designates all persons employed by the city as a Customer Services Representative - Parking Enforcement, as persons that may be appointed as a Screening Officer I, and hereby appoints them as a Screening Officer I.

Appointment of Screening Officers II

7.3 Council hereby designates all persons employed by the city as an Operations Supervisor - Parking Enforcement, Superintendent II - Parking Enforcement, Supervisor By-law Fines - Revenue Services, Supervisor Customer Service - Revenue Services, Manager Customer Service and Collections - Revenue Services and Manager Revenue Services - Revenue Services as persons that may be appointed as a Screening Officer II, and hereby appoints them as a Screening Officer II.

Powers of screening officers

7.4 Every Screening Officer I and Screening Officer II has the power to review disputed by-law notices, including the power to cancel a by-law notice if in the opinion of the screening officer:

- (i) the contravention did not occur as alleged;
- (ii) the by-law notice does not comply with section 4(4) of the act; or
- (iii) cancellation is otherwise in accordance with the city's policy entitled "Screening Officer Policy".

**SECTION 8
BY-LAW ENFORCEMENT OFFICERS**

By-law enforcement officers

8. Council appoints parking enforcement officers and police officers as by-law enforcement officers for the purposes of this by-law.

**SECTION 9
ENACTMENT**

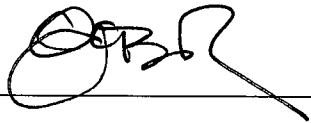
Severability

9.1 A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

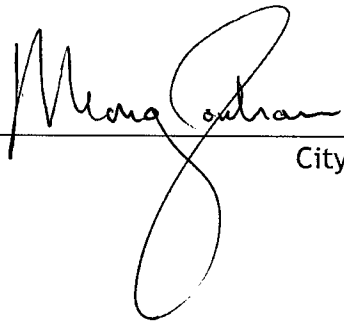
Force and effect

9.2 This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 1st day of February, 2011



Mayor



City Clerk

SCHEDULE "A"

**DESIGNATED BY-LAWS,
BY-LAW CONTRAVENTIONS AND PENALTIES**

By-law and By-law Section	Description	A1 Penalty	A2 Discount	A3 Surcharge
Street and Traffic By-law No. 2849				
17.1	Stop where prohibited	100	50	50
17.2(a)	Stop close to stop sign	100	50	50
17.2(b)	Stop near firehall	100	50	50
17.2(c)	Stop near hydrant	100	50	50
17.2(d)	Stop near crossing	100	50	50
17.2(e)	Stop near garbage	100	50	50
17.2(f)	Stop near excavation	100	50	50
17.2(g)	Stop on bridge	100	50	50
17.2(h)	Stop alongside median	100	50	50
17.2(i)	Stop on narrow road	100	50	50
17.2(j)	Stop in reserved portion	100	50	50
17.3	Stop at bus stop	100	50	50
17.4(a)	Stop on crosswalk	100	50	50
17.4(b)	Stop near crosswalk	100	50	50
17.4(c)	Stop on sidewalk	100	50	50
17.4(d)	Stop on sidewalk crossing	100	50	50
17.4(e)	Stop on boulevard	100	50	50
17.4(f)	Stop within intersection	100	50	50

17.5(a)	Stop near intersecting lane	100	50	50
17.5(b)	Stop near intersecting sidewalk	100	50	50
17.5(c)	Stop near intersecting street	100	50	50
17.6(a)	Park where prohibited	100	50	50
17.6(b)	Park where restricted	100	50	50
17.6(c)	Park on narrow curbless street	100	50	50
17.6(d)	Park opposite vehicle	100	50	50
17.6(e)	Park longer than permitted	70	35	35
17.6(f)	Park longer than 3 hours	70	35	35
17.6(g)	Park near entrance	100	50	50
17.7	Move to avoid time limit	100	50	50
18.1 (a)	Park not parallel	100	50	50
18.1 (b)	Park wrong direction	100	50	50
18.1 (c)	Park too far from curb	100	50	50
18.2	Park contrary to markings	100	50	50
18.3	Improper parking on grade	100	50	50
19.1 (a)	Stop near lane intersection	100	50	50
19.1 (b)	Stop near intersecting sidewalk	100	50	50
19.1 (c)	Stop near lane intersection	100	50	50
19.1 (d)	Stop leaving too little lane	100	50	50
19.1 (e)	Stop and obstruct vehicles	100	50	50
19.1 (f)	Stop near fire door	100	50	50
19.1 (g)	Stop near driveway	100	50	50
19.1 (h)	Stop abutting commercial property	100	50	50

19.1 (i)	Stop on lane in prohibited area	100	50	50
19.1 (j)	Stop in West End or Robson North	100	50	50
20.1 (a)	Stop too long abutting area	100	50	50
20.1 (b)	Stop overnight	100	50	50
20.2	Stop near park, school or church	100	50	50
20.3	Park trailer on street	250	125	125
21.1	Stop in passenger zone	100	50	50
21.3	Stop in loading zone	100	50	50
21.5	Stop in commercial loading zone	100	50	50
21.7	Stop in tour bus zone	100	50	50
72A (1)	Derelict vehicle on street	250	125	125

By-law and By-law Section	Description	A1 Penalty	A2 Discount	A3 Surcharge
Parking Meter By-law No. 2952				
4(1)	Park outside metered space	70	35	35
4(2)	Park at improper angle	70	35	35
4(3)	Park against traffic flow	70	35	35
5(3)(a)	Park longer than limit	70	35	35
5(4)(a)(ii)	Expired meter with zeros	70	35	35
5(4)(a)(iii)	Meter out of order	70	35	35
5(4)(b)	Expired meter time	70	35	35

By-law and By-law Section	Description	A1 Penalty	A2 Discount	A3 Surcharge
Motor Vehicle Noise and Emission Abatement By-law No. 9344				
2.7 (i)	Idle more than 3 minutes	100	50	50
2.7 (ii)	Idle unattended and unlocked	100	50	50
2.7.A (i)	Idle truck or bus more than 3 minutes	250	125	125
2.7.A (ii)	Idle truck or bus unattended and unlocked	250	125	125
Granville Mall By-law No. 9978				
10	Load or unload vehicle	250	125	125
11(a)	Stop taxi more than 3 minutes	250	125	125
11(b)	Stop vehicle more than 30 minutes	250	125	125
11(c)	Stop vehicle more than 120 minutes	250	125	125
15	Fail to display permit	250	125	125
17.1	Drive on transitway	250	125	125
17.2	Stop on transitway	250	125	125
18	Stop obstructing transitway	250	125	125