

Director	 Municipal Manager/Deputy Municipal Manager
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<u>COUNCIL AGENDA</u>	
Date: <u>June 8, 2026</u>	Item: <u>11.</u>



11.

DISTRICT OF WEST VANCOUVER
750 17TH STREET, WEST VANCOUVER BC V7V 3T3

COUNCIL REPORT

Date:	May 19, 2026
From:	Alisha Rafi, Acting Manager, Bylaw and Licensing Services
Subject:	Proposed Bylaw Enforcement Framework Policy and Procedure

RECOMMENDATION

THAT

1. proposed “Bylaw Enforcement Framework Policy 0234” attached as Appendix B to the May 19, 2026 report from the Acting Manager, Bylaw and Licensing Services, be approved; and
2. proposed “Bylaw Enforcement Framework Procedure 0235” attached as Appendix C to the May 19, 2026 report from the Acting Manager, Bylaw and Licensing Services, be approved.

1.0 Purpose

To establish a clear and consistent bylaw enforcement framework to promote the efficient use of District resources and provide a general framework on how the District responds to complaints related to bylaw contraventions to foster transparency and an administratively fair and efficient complaint process.

2.0 Legislation/Bylaw/Policy

BC Ombudsperson Report “*Bylaw Enforcement: Best Practices Guide for Local Governments*” – March 2016.

3.0 Council Strategic Objective(s)/Official Community Plan

Council’s Strategic Plan 2024-2026

Objective 5.2: Pursue excellence in community engagement, consultation, communication, and customer service.

- 5.2.1: Improved community engagement and effective communication practices.
- 5.2.2: Adopt best practices in addressing misinformation and misunderstandings in the community regarding District.

Objective 5.5: Create and/or update policies and bylaws to preserve community liveability.

4.0 Financial Implications

The proposed Bylaw Enforcement Framework Policy and Procedure do not have anticipated financial implications for the District.

5.0 Background

5.1 History

In 2016 the Office of the Ombudsperson for BC (Ombudsperson) published a report entitled *Bylaw Enforcement: Best Practices Guide for Local Governments*. The report noted that since 1995, when the Ombudsperson was given jurisdiction and authority to investigate complaints about local governments in British Columbia, each year their office responds to numerous complaints related to how local governments address and enforce their bylaws.

Despite the variability of each complaint, a common theme emerged regarding the perception that municipal bylaw enforcement practices lack transparency and administrative fairness. Administrative fairness is described by the Ombudsperson as "an overall approach to dealing with the community that is transparent, fair and accountable."

Highlighted in the report is the importance of adopting a Bylaw Enforcement Policy to show transparency and commitment to administrative fairness, and "allows council to outline, in a public way, the goals of the local government's bylaw enforcement program and to set clear expectations and standards for bylaw enforcement."

6.0 Analysis

6.1 Discussion

The proposed framework comprising of a Policy (**Appendix A**) and related Procedure (**Appendix B**) is intended to promote the efficient and consistent use of District resources by establishing a general approach for responding to reported bylaw contraventions. The District receives complaints and service requests of varying nature, scale, and urgency. In the absence of a clear framework, response efforts may be perceived as inconsistent and may not always align with operational priorities or risk.

A formalized approach provides greater transparency regarding how Requests for Service are received, assessed, prioritized, and addressed. It supports a fair and efficient complaint process by setting out guiding principles for response, including consideration of public safety, seriousness of the alleged contravention, recurrence, evidentiary sufficiency, and overall community impact. This enables the District to direct enforcement resources where they are most needed while applying a proportionate and consistent response to lower-risk matters.

The framework also improves administrative efficiency by supporting standardized intake, triage, documentation, and file management

practices. In turn, this enhances accountability, strengthens procedural fairness, and provides a more defensible basis for enforcement-related decision-making. It also assists in managing public expectations by clarifying the District's role and the factors that influence whether and how a complaint may proceed.

Overall, the framework is intended to foster transparency, consistency, and fairness in the District's bylaw complaint process while supporting effective stewardship of municipal resources.

This proposed framework would apply to members of the public, Council, and all Staff engaged in bylaw enforcement activities on behalf of the District.

Role of Council in Enforcement

Council is responsible for enacting bylaws, establishing overall enforcement priorities, adopting bylaw enforcement policies, and setting regulatory requirements for the benefit of the community. In developing new bylaws or regulations, Council considers factors such as enforceability, operational capacity, and available staffing resources to support effective implementation.

To maintain administrative fairness and an impartial enforcement process, a clear separation is maintained between the role of Council, which establishes policy and strategic direction, and Staff, who administer and enforce bylaws. This separation supports consistent, unbiased, and transparent decision-making.

Council members may occasionally be contacted by individuals involved in bylaw enforcement matters. In such cases, Council should direct the individual to Bylaw and Licensing Services for information regarding the applicable process and next steps. To preserve procedural fairness, Council should remain uninvolved in specific enforcement files or decisions unless the matter is formally brought before Council for consideration.

6.2 Other Communication, Consultation, and Research

Staff consulted with the Office of the BC Ombudsperson while drafting the proposed Bylaw Enforcement Framework Policy and Procedure. The documents were then reviewed by municipal legal counsel.

7.0 Options

7.1 Recommended Option

THAT

1. proposed “Bylaw Enforcement Framework Policy 0234” attached as Appendix B to the May 19, 2026 report from the Acting Manager, Bylaw and Licensing Services, be approved; and
2. proposed “Bylaw Enforcement Framework Procedure 0235” attached as Appendix C to the May 19, 2026 report from the Acting Manager, Bylaw and Licensing Services, be approved.

Considered Options

THAT the May 19, 2026 report from the Acting Manager, Bylaw and Licensing Services titled “Proposed Bylaw Enforcement Framework Policy and Procedure” be received for information.

8.0 Conclusion

A bylaw enforcement policy allows Council to outline, in a public way, the goals of the bylaw enforcement program and to set clear expectations and standards for bylaw enforcement.

Author:

A. Rafi

Appendices:

- Appendix A - Proposed Bylaw Enforcement Framework Policy 0234
- Appendix B - Proposed Bylaw Enforcement Framework Procedure 0235

District of West Vancouver
POLICY

Title: Bylaw Enforcement Framework
Division: Legislative Services
Policy Number: 0234
File Number: 0282-20-0234

1. Purpose

- 1.1. To promote the efficient use of District resources and provide a general framework on how the District responds to Requests for Service related to bylaw contraventions to foster transparency and a fair and efficient complaint process.

2. Scope

- 2.1. This policy applies to members of the public, Council, and all Staff engaged in bylaw enforcement activities on behalf of the District.

3. Definitions

- 3.1. **“Bylaw Enforcement Officer”** means the person or persons designated as bylaw enforcement officers as per the District’s Bylaw Notice Enforcement Bylaw, as amended or replaced from time to time.
- 3.2. **“Bylaw Notice”** means a violation notice issued pursuant to the Bylaw Notice Enforcement Bylaw, as amended.
- 3.3. **“Complainant”** includes a natural person, a company, corporation, partnership, firm, association, society, or party submitting a Request for Service.
- 3.4. **“Council”** means the Council of The Corporation of the District of West Vancouver.
- 3.5. **“Discretion”** means the ability to decide what should be done, or not be done, in a particular situation, given the available information.
- 3.6. **“District”** means The Corporation of the District of West Vancouver.
- 3.7. **“Emergency”** means a state that requires prompt coordination of action, or the special regulation of persons or property to protect the health, safety, or well-being of persons, the safety of property, District infrastructure, or the natural environment.
- 3.8. **“Employee”** means any permanent full-time, permanent part-time, temporary, casual, and contract employees of the District of West Vancouver.
- 3.9. **“Frivolous Complaint”** means a complaint that has no legitimate purpose, value, or merit; or that has no basis in fact.
- 3.10. **“Repeat Complaint”** means a complaint from the same complainant on an issue that has been previously addressed, which involves no further bylaw contraventions and where reasonable steps have been taken to resolve the issue.
- 3.11. **“Respondent”** means those responding to allegations of bylaw contraventions.

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- 3.12. “**Request for Service**” means an application submitted to the District pursuant to this policy, requesting that the District take action regarding a perceived or actual bylaw contravention.
- 3.13. “**Staff**” means a member of the Bylaw and Licensing Services Department or other District employee engaged in bylaw enforcement matters.
- 3.14. “**Valid Complaint**” means a complaint about a potential bylaw contravention that:
- a) contains the complainant’s name, address, and phone number or email;
 - b) includes the location and general nature of the potential bylaw contravention; and
 - c) is not a frivolous, repeat, or vexatious complaint.
- 3.15. “**Vexatious Complaint**” means a complaint that is made for retaliatory or bad faith purposes; forms part of a broader dispute between individuals; or that forms part of a pattern of conduct by the complainant that amounts to an abuse of the complaint process.

4. Policy Statement

- 4.1. This policy sets out direction to Staff and to the public respecting the District’s approach to bylaw enforcement which is fair, equitable, transparent, timely, and efficient.
- 4.2. The District does not have the resources to proactively monitor all areas of the District to confirm compliance with all applicable bylaws. As a result, investigations into bylaw contraventions are generally in response to the receipt of a Valid Complaint.
- 4.3. The primary goals of bylaw enforcement are public safety, protecting the natural environment, and maintaining community standards. Enforcement is applied in an equitable manner in accordance with District bylaws, applicable legislation, rules, policies, and administrative fairness principles.
- 4.4. The District promotes an enforcement philosophy that seeks voluntary compliance for most private property matters. In most cases, the District will attempt to resolve a bylaw contravention by way of progressive enforcement, where education serves as the foundation. The objective of initial bylaw enforcement is to achieve voluntary compliance with applicable District bylaws. Ticketing and further escalation of enforcement are generally seen as a tool to be used only where cooperation and compliance are not achieved.
- 4.5. Progressive bylaw enforcement will generally follow the below four step process:
- Step 1: Community Education** – steps are taken to inform members of the public of bylaw regulations and requirements. Common actions include posting bylaw information on the District’s website, engaging in educational campaigns, providing verbal or written direction from Staff, and placing signage to inform the public of various bylaw requirements (i.e. parking restrictions, no smoking areas, requirements for dogs to be leashed, etc.).
- Step 2: Voluntary Compliance** – at this step, an opportunity to correct the bylaw contravention may be provided. Often this will entail providing identifying the bylaw

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contravention and providing a set time period in order to remedy the contravention, which may vary depending on the complaint priority and severity as noted in this policy and related procedure.

Step 3: Direct Enforcement – actions taken at this step may include issuing a Bylaw Notice(s), posting a stop work order, or undertaking direct enforcement action by the District to correct the observed bylaw contravention.

Step 4: Formal Legal Action – where preceding progressive enforcement steps have not resulted in compliance, the District may pursue legal actions such as seeking an injunction, initiating a remedial action requirement, undertaking a bylaw prosecution, or similar legal remedies.

- 4.6. Voluntary compliance may involve a Respondent requesting time to comply; or requesting that enforcement be paused, while proceeding with an application that would have a reasonable likelihood of success in remediating the contravention.
- 4.7. Progressive enforcement steps may not be appropriate for all bylaw contraventions; more immediate actions may be taken in situations where:
- a) public health and safety or the natural environment are at risk;
 - b) the contravention is occurring on District owned lands;
 - c) the contravention is a part of a history of non-compliance or pattern of repeated behaviour;
 - d) the resources required to resolve the matter voluntarily are limited;
 - e) a public education campaign or District signage has already identified the specific contravention(s); or
 - f) Council has prioritized direct enforcement to address a specific issue or type of issue.
- 4.8. Compliance and enforcement action will be undertaken in general conformance with this policy and related procedure but remains discretionary and based on complaint priority and available resources. In all circumstances, the District maintains discretionary authority regarding the manner and method used to enforce any particular bylaw contravention or Request for Service, including the ability to choose not to enforce, or to suspend enforcement of a bylaw contravention.
- 4.9. The District acknowledges that Respondents subject to bylaw enforcement may have unique circumstances, needs, and abilities and endeavours to be equitable and display cultural humility when determining appropriate and fair investigative actions and enforcement activities.
- 4.10. Bylaw Enforcement Officers are responsible for investigating complaints, communicating clearly with Respondents and Complainants, determining if there is a bylaw contravention, maintaining accurate records, obtaining relevant evidence, and applying progressive enforcement actions proportionally, with an emphasis on education and voluntary compliance.

5. Authority

- 5.1. *Community Charter, Part 8 – Bylaw Enforcement and Related Matters.*
- 5.2. *Local Government Bylaw Notice Enforcement Act.*

6. Related Documents

- 6.1. Bylaw Enforcement Framework Procedure 0235
- 6.2. Bylaw Notice Enforcement Bylaw, as amended
- 6.3. Respectful Behaviour Bylaw, as amended
- 6.4. The Office of the Ombudsperson Special Report No. 36, March 2016 – Bylaw Enforcement: Best Practices Guide for Local Governments

7. Approval

Approved by	<input type="checkbox"/> Municipal Manager	<input type="checkbox"/> Mayor and Council
Approval date	Click here to enter a date.	
Council minutes eDocs # (Council Policies only)		
Council report eDocs # (Council Policies only)		
Signature	<div style="border: 1px solid black; width: 300px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> X </div>	

8. Additional Information

Category	<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Administrative
Related procedure	<input checked="" type="checkbox"/> Yes (0282-20-0235)	<input type="checkbox"/> No
Date of last review	2026	

Title: Bylaw Enforcement Framework
Division: Legislative Services
Policy Number: 0235
File Number: 0282-20-0235

1. Governing Policy

- 1.1. This procedure is associated with Bylaw Enforcement Framework Policy 0234.

2. Scope/Application

- 2.1. This procedure applies to members of the public, Council, and all Staff engaged in bylaw enforcement activities on behalf of the District.

3. Procedure

3.1. Submitting a Request for Service

- 3.1.1. A Request for Service may be submitted to the District by a member of the public, Staff, or Council member through the District's online complaint submission form, by mail, email, phone, or in-person. Staff can assist individuals who may need assistance with submitting a Request for Service.
- 3.1.2. Members of the public and Complainants are encouraged to submit accurate complaints in good faith, engage respectfully with Staff, and uphold the confidentiality of enforcement processes.
- 3.1.3. When submitting a Request for Service, a Complainant must provide their name, address, valid phone number or email address, a description of the alleged bylaw contravention, and the address or location where the alleged contravention is occurring for it to be considered a Valid Complaint.
- 3.1.4. Complainants are responsible for providing clear and accurate information related to the supposed bylaw contravention to optimize investigative efficiency. For example, Requests for Service related to a specific property must include the specific address; complaints regarding vehicles must include specific identifiers, such as make, model, colour, and/or license plate.
- 3.1.5. Staff endeavour to aid Complainants in providing clear and accurate information where barriers may be present. Requests for Service submitted with insufficient information may not be considered a Valid Complaint or otherwise acted upon.
- 3.1.6. Except in situations where a bylaw contravention poses a significant safety risk, is occurring on District owned lands, or is classified as Priority 1, anonymous complaints will not be recorded or otherwise acted upon.
- 3.1.7. Requests for Service from Complainants residing outside of the District will only be considered if classified as Priority 1 or occurring on District owned lands.

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- 3.1.8. A Complainant may be asked to take additional steps after submitting a Request for Service, as part of the District's enforcement process (keeping a log of dates and times of contraventions, submitting photographs, etc.).
- 3.1.9. A Complainant should keep the Bylaw Enforcement Officer apprised of whether a situation improves or worsens.
- 3.1.10. From time to time, a Council member may submit a Request for Service, as a private citizen. In such cases, the Council member will be recorded as the Complainant and the process for seeking compliance will be followed, as described in this policy and procedure.
- 3.1.11. The District endeavours to keep the identity of every Complainant confidential; however, anonymity cannot be assured in all circumstances, particularly if a Request for Service has been publicly disclosed by the Complainant, or:
 - a) if disclosure is required by Court order, subpoena, warrant, or other similar judicial or quasi-judicial process;
 - b) if disclosure is required under the *Freedom of Information and Protection of Privacy Act*;
 - c) if disclosure is required as part of the disclosure process in the event of a prosecution or civil proceeding; or
 - d) if the person to whom the personal information pertains consents to the disclosure.
- 3.1.12. If a Complainant is the only witness to an alleged contravention and the Complainant's information is necessary to proceed with enforcement, the Complainant will be advised of the extent to which their identity needs to be disclosed, and the reasons Staff consider the disclosure necessary. Except in situations of significant risk to the environment, District infrastructure, or human safety, the Complainant may be provided the option of consenting to the disclosure or withdrawing the Request for Service.
- 3.1.13. Requests for Service that contravene the Respectful Behaviour Bylaw, as amended, compromise Staff safety, or are a Repeat Complaint, Vexatious Complaint, or Frivolous Complaint will not be accepted or otherwise acted upon.

3.2. Recording and Investigating a Request for Service

- 3.2.1. All Requests for Service will be entered into the District's database for tracking, follow-up, resolution, and statistical recording. As part of creating a valid Request for Service, the information recorded in the District's database may include the Complainant's contact information and a general description of the alleged bylaw contravention.
- 3.2.2. On receipt of a Request for Service, Staff will acknowledge receipt of the Request for Service in a timely manner and provide general information on the investigative processes specific to the Request for Service. Staff will then look to determine if:
 - a) the request is a Valid Complaint;

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- b) the Request for Service is regarding an actual bylaw contravention, or if the matter is the result of a conflict unrelated to a bylaw contravention (neighbourhood dispute, real property dispute, or a similar civil matter); and
 - c) the District has authority to enforce the Request for Service, or if responsibility for enforcement is the responsibility of another entity or government agency (bylaws enacted by strata corporations, tenancy issues regulated under the *Residential Tenancy Act*, liquor licence violations, etc.).
- 3.2.3. A Request for Service that does not fall within the jurisdiction of the District may be referred to another agency with jurisdiction or the Complainant may be directed to the agency with jurisdiction.
- 3.2.4. While all Requests for Service are to be received and recorded, not all will be investigated directly in-person.
- 3.2.5. While all Requests for Service will be received and recorded, not all will be investigated, including but not limited to:
- a) Frivolous Complaints, Vexatious Complaints, or Repeat Complaints;
 - b) anonymous complaints, unless the contravention is considered Priority 1 or is occurring on District owned lands;
 - c) complaints that fall outside of District jurisdiction or, in the District's sole discretion, are more properly within the jurisdiction of another enforcement body; or
 - d) complaints that are private in nature, such as disputes between neighbours, that are more appropriately managed by the Complainant through their own access to private resolution processes (strata, Residential Tenancy Branch, private legal action, etc.).
- 3.2.6. Response to a Request for Service is generally prioritized as follows:
- Priority 1: Significant** – the alleged bylaw contravention has the potential to adversely impact public health and safety, District infrastructure, or the natural environment.
- Priority 2: Moderate** – the alleged bylaw contravention may be significantly impacting adjacent properties in a negative manner but generally does not pose an immediate risk to public health and safety, District infrastructure, or the natural environment.
- Priority 3: General** – the alleged bylaw contravention may be a matter that is a general community concern, is minor in nature, and does not affect public health and safety, District infrastructure, or the natural environment.
- 3.2.7. Staff, through the means available to them, will endeavour to provide Respondents who are the subject of investigation with notice of the investigation, reasons for the investigation, an explanation of the bylaw contravention(s) requiring remediation, evidence of the bylaw contravention(s) requiring remediation and the consequences of failing to respond or comply within a reasonable time.
- 3.2.8. Staff may conduct a site inspection of a property or business premises in response to a Request for Service to investigate potential bylaw contraventions.

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- 3.2.9. Site inspections are to be carried out at a reasonable time and in a reasonable manner, with a focus on what is specific to the Request for Service and associated bylaw contravention.
- 3.2.10. While the primary focus will remain on the specific issue outlined in the Request for Service, Staff may separately address additional observed bylaw contraventions during inspection in accordance with this policy and procedure.
- 3.2.11. Except in the case of an Emergency, Priority 1 Request for Service, or where consent is not possible or reasonable given the circumstances, Staff will make reasonable efforts to provide advanced notice and reasons for a site inspection to any involved business, property owner, or occupant in accordance with the *Community Charter* and other applicable legislation, and work to obtain consent and collaboratively schedule any site inspections with Respondents.
- 3.2.12. Staff will endeavour to provide Respondents who may be the subject of bylaw enforcement with the opportunity to respond, voluntarily comply, submit any relevant information or evidence for review, and participate in the investigative process.
- 3.2.13. When determining appropriate enforcement action, Staff will exercise discretion in light of the specific circumstances of the contravention, including:
 - a) the Request for Service Priority;
 - b) the impact of the contravention on the Complainant and surrounding community;
 - c) prior history, complaints, and enforcement action;
 - d) the nature and duration of the contravention;
 - e) the available methods for achieving compliance;
 - f) a Respondent's ability to comprehend, comply, and adhere to bylaw enforcement decisions;
 - g) the resources available to resolve the Request for Service; and/or
 - h) the impact of enforcement on the Respondent of a Request for Service.
- 3.2.14. Records of enforcement activity, including notes or observations taken in the field, digital photographs, copies of correspondence and other related materials, will be recorded in the District's database and retained in compliance with District policies.
- 3.2.15. A Bylaw Enforcement Officer may commence a Request for Service without a Valid Complaint when:
 - a) they observe a Priority 1 bylaw contravention;
 - b) a bylaw contravention of any Priority is observed during the regular course of their duties; or
 - c) a notification or referral is received from an external agency that identifies a possible contravention of District bylaws.

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3.3. Role of Council in Enforcement

- 3.3.1. Council enacts bylaws, establishes overall priorities for enforcement, establishes regulatory requirements for the overall benefit of the community and adopts bylaw enforcement policies.
- 3.3.2. Council considers enforceability, capacity, and staffing when developing or adopting new bylaws or new bylaw regulations.
- 3.3.3. To maintain administrative fairness and an unbiased enforcement process, separation between the role of Council, who set overarching policies and priorities, and Staff, who execute enforcement procedures, is important.
- 3.3.4. Council may be contacted by persons who have been the subject of bylaw enforcement. In these situations, Council should direct the member of the public to contact the Bylaw and Licensing Services Department directly for the appropriate information and next steps in the bylaw enforcement process.
- 3.3.5. To maintain administrative fairness, Council should remain uninvolved in specific bylaw enforcement files or decisions until a matter is placed on a Council agenda for Council to consider.


3.4. Reporting Outcomes

- 3.4.1. Staff will endeavor to acknowledge receipt of a Request for Service in a timely manner.
- 3.4.2. Staff may contact the Complainant to obtain additional information on the nature of the Request for Service and the impact that it has on the Complainant.
- 3.4.3. Staff may provide general information to a Complainant, subject to confidentiality requirements, on a case-by-case basis.
- 3.4.4. Staff will provide Respondents with notice of the reasons for direct enforcement of District bylaws where a contravention is observed.
- 3.4.5. It is not the District's practice to provide ongoing updates to a Complainant on the status of a Request for Service or enforcement activity. A Complainant may contact the Bylaw and Licensing Services Department and request an update, at which point Staff will endeavor to provide a response as time and resources permit.
- 3.4.6. In most circumstances a Complainant and Respondent will be provided with general notice when a Request for Service has been resolved, including:
 - a) the reasons for the decision(s) made throughout the investigative process;
 - b) information on any applicable complaint or dispute resolution processes; and
 - c) any other information deemed relevant to ensure a fair, equitable, and transparent resolution.
- 3.4.7. A Complainant, Respondent, or other persons requiring detailed information related to a Request for Service, bylaw contravention, or similar matter, must submit a Freedom of Information request to the Legislative Services Department.

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3.4.8. To dispute a Bylaw Notice, the person served with the notice must follow the process described in the Bylaw Notice Enforcement Bylaw, as amended or replaced from time to time.

4. Approval

Approved by	<input type="checkbox"/> Municipal Manager	<input type="checkbox"/> Mayor and Council
Approval date	Click here to enter a date.	
Council minutes Document ID (Council Procedures only)		
Council report Document ID (Council Procedures only)		
Signature		

5. Additional Information

Category	<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Administrative
Date of last review	2026	