



Date Issued: May 28, 2026	Adopted By: Board
Last Amended: May 28, 2026	Policy Owner: Mgr of Inspection Services
Next Review Date: May 2027	Manner Issued: Website

ELECTORAL AREA BYLAW ENFORCEMENT POLICY & PROCEDURES

1.0 BYLAW ENFORCEMENT POLICY

1.1 APPLICATION

This policy applies to bylaw compliance and enforcement matters arising in all Electoral Areas of the FVRD and conducted by Bylaw Enforcement staff within Electoral Area Planning & Development.

1.2 POLICY OBJECTIVE

The objectives of this policy and procedures are to:

- ensure that FVRD bylaw compliance and enforcement activities are conducted in a manner consistent with the economic, social and political objectives of the FVRD Board;
- allocate the limited enforcement resources in a manner proportionate to risk, urgency, and community impact;
- ensure limited bylaw compliance and enforcement resources are applied on a priority basis to bylaw contraventions deemed by the FVRD Board to represent the greatest risk to electoral area communities;
- to balance competing interests inherent to bylaw enforcement processes, including the interests of complainants with the interests of parties subject to bylaw compliance and enforcement efforts;
- establish a public, written framework for the fair, transparent, and consistent exercise of discretion in the enforcement of FVRD bylaws;
- guide staff in receiving, assessing, prioritizing, investigating, enforcing, reviewing, and closing bylaw matters; and,
- provide clear public information about how bylaw enforcement decisions are made;
- outline key roles in the BCE processes and provide parameters for the exercise of discretion.

1.3 BYLAW COMPLIANCE & ENFORCEMENT APPROACH

- a. As FVRD does not have the financial and personnel resources to proactively monitor for or address all potential bylaw contraventions in its jurisdiction, bylaw compliance and enforcement (BCE) is conducted in response to complaints. A complaint-based model is used to both identify instances of potential contraventions and to prioritize contraventions for BCE actions.
- b. Nothing in this Policy prevents a Bylaw Enforcement Officer from initiating an investigation, inspection, or enforcement action without a complaint where an officer observes a potential bylaw contravention that in the opinion of the officer may represent a significant risk to public health, safety or the environment.
- c. Bylaw compliance and enforcement resources will be allocated on a priority basis to bylaw contraventions that the FVRD Board considers having the most impact on electoral area communities and environments. Complaints will be prioritized as follows:
 - i. **Priority 1- High Risk** complaints involve potential bylaw contraventions that present immediate or significant risk of harm to public health, safety, or the environment. These complaints will be prioritized. They will receive the greatest resource allocation for BCE actions and emphasis will be on enforcement actions to achieve compliance quickly and minimize potential harm.
 - ii. **Priority 2 – Medium Risk** complaints relate to potential bylaw contraventions that may impact the surrounding community in a negative manner but do not pose an immediate or significant risk to the environment, health, or public safety. These complaints will receive second priority for BCE resources and action. Emphasis will be on voluntary compliance and enforcement.
 - iii. **Priority 3 – Low Risk** complaints relate to potential bylaw contraventions that are low-impact, minor technical or administrative contraventions, low-level nuisance matters, and impact only immediately adjacent properties. They do not pose a significant risk to the environment, health, or public safety. These complaints will be acted on when and if resources are available. Emphasis will be on voluntary compliance and education.
- d. This policy does not create a duty to investigate or enforce any or every alleged bylaw contravention. FVRD may elect not to investigate or conduct BCE activities in relation to potential bylaw contraventions. A decision to not enforce a bylaw at a given time does not preclude FVRD from proceeding with enforcement at a later time.
- e. This Policy guides, but does not fetter, the discretion of the FVRD Board.

1.4 ROLES & RESPONSIBILITIES

- a. The **FVRD Board** is responsible for establishing bylaws, service levels, budgets, work plans, enforcement policy, and general enforcement priorities and:

- i. To maintain impartiality and avoid actual or apparent bias, Directors will remain uninvolved in file-level decision-making unless and until a matter properly comes before the Board under a statutory or policy-based process. Directors may relay constituent concerns to staff.
 - ii. Board members will direct inquiries and information respecting active files to the Manager of Inspection Services or the Director of Planning & Development.
 - iii. Board members will relay public concerns and interests to the Manager of Inspection Services or the Director of Planning & Development and will encourage members of the public with questions or concerns to also engage directly with bylaw enforcement staff.
 - iv. The FVRD Board will make decisions, set direction, and allocate resources with respect to bylaw compliance and enforcement matters that escalate to FVRD Board Action and Civil Action.
- b. The **Manager of Inspection Services** is responsible for the overall administration of this Policy, including:
- i. managing complaint intake, screening, assignment, prioritization, and closure;
 - ii. ensuring enforcement activities are carried out consistently, fairly, and in accordance with this Policy;
 - iii. making case-specific assessments and decisions respecting the acceptance of complaints, prescribing a bylaw complaint form, and making decisions on concluding bylaw compliance and enforcement actions
 - iv. ensuring file documentation and reasons are adequate for operational, legal, and review purposes;
 - v. escalating appeals and other matters to the Director of Planning & Development as required;
 - vi. exercising discretion on matters of bylaw compliance and enforcement; and,
 - vii. as directed by the FVRD Board and the Director of Planning & Development, retaining and instructing legal counsel where necessary.

Note: This section should be read in conjunction with applicable job descriptions or position profiles. Nothing in this Policy alters, amends or supersedes job descriptions, position profiles or contracts.

- c. **Bylaw Enforcement Officers (BEOs)** are responsible for accepting complaints; reviewing and investigating assigned files; identifying appropriate compliance and enforcement actions; conducting bylaw compliance and enforcement actions; documenting investigations, actions and decisions; referring matters to external agencies; and, exercising delegated discretion in accordance with applicable legislation, bylaws, and this Policy. In carrying out those duties, the Bylaw Enforcement Officer will:
- i. assess risk and assign or recommend priority level;

- ii. exercise discretion in the areas of timelines, referrals, progression of BCE activities, methods to resolve contraventions and other matters as identified in this Policy;
- iii. protect privacy and, as appropriate, share information with stakeholders; and,
- iv. escalate urgent, complex, precedent-setting, or high-risk matters to the Manager of Inspection Services or Director of Planning & Development.

Note: This section should be read in conjunction with applicable job descriptions or position profiles. Nothing in this Policy alters, amends or supersedes job descriptions or position profiles.

1.5 CONFIDENTIALITY

- a. Personal information collected or created in bylaw enforcement files will be handled in accordance with the Freedom of Information and Protection of Privacy Act, the policies of FVRD and other applicable law.
- b. The identity of a complainant will not be disclosed to the subject of a complaint or to the public except where disclosure is required by law, or where anonymity cannot be maintained in a tribunal or court process.
- c. Bylaw enforcement file details will not be discussed with complainants or third parties. However, a complainant or third party may be provided with information on:
 - general bylaw enforcement processes;
 - basic status information for specific files; and,
 - general reasons for acceptance or non-acceptance of a complaint, concluding or deferring a file, or closure of a file;provided that protected information is not disclosed.
- d. Bylaw enforcement staff are responsible for ensuring that in matters within their care and control confidential information is not disclosed, is handled with discretion, and in all respects is treated in accordance with the FVRD Confidentiality Policy and Privacy and Accountability Policy.

2.0 BYLAW COMPLIANCE & ENFORCEMENT ACTIONS

FVRD will evaluate potential bylaw contraventions and take reasonable steps to investigate and achieve compliance in accordance with this policy and procedures.

2.1 STAFF SAFETY

- a. The safety of all staff, contractors, and agents engaged in bylaw enforcement is paramount.
- b. Bylaw staff will not perform site inspections in locations or at times when it is not safe to do so.

- c. Where a person threatens, intimidates, harasses, or obstructs staff in the performance of their duties, the FVRD may take reasonable protective measures, including involving police, restricting communication channels, requiring accompanied attendance, transferring conduct of the file, or referring the matter to legal counsel.
- d. This section is in addition to, and does not replace, any FVRD Safe Work Procedures or occupational health and safety requirements.

2.2 COMPLAINT SUBMISSION & ACCEPTANCE

- a. Complaints may be delivered in person or by email and must take the form of the Bylaw Enforcement Complaint Form prescribed by the Manager of Inspection Services. All complaints will be recorded in FVRD's bylaw enforcement file system.
- b. Complainants are expected to submit accurate complaints, in good faith and engage respectfully with staff, and uphold the confidentiality of enforcement processes.
- c. A complaint must include the complainant's name, contact information, the location of the alleged contravention, a description of the alleged contravention and sufficient particulars of the concern to permit assessment.
- d. Upon receipt of a Valid Complaint, a Bylaw Enforcement Officer will be assigned to investigate in accordance with the priorities described in this policy. FVRD will acknowledge receipt of Valid Complaints within [5] business days where practicable.
- e. Anonymous complaints will not be accepted.
- f. Complaints made in bad faith, for a retaliatory or improper purpose, or as part of a pattern of conduct that abuses the complaint process are Frivolous or Vexatious Complaints. Complaints considered to be Frivolous or Vexatious by a Bylaw Enforcement Officer will be referred to the Manager of Inspection Services for a case-specific assessment and decision. Complaints deemed by the Manager of Inspection Services to be Frivolous or Vexatious will not be accepted. Decision respecting Frivolous or Vexatious Complaints must be recorded with reasons.
- g. If a complaint is not accepted, the determination to not accept the complaint will not be proactively reported back to the complainant. A complainant may request an update, and, in that case, the complainant will be advised of determination and provided the general reasons for it.

2.3 PRIORITIZATION OF COMPLAINTS

- a. Valid complaints will be prioritized having regard to risk to health, safety, the environment, seriousness of harm, impact on neighbours or the community, repeat non-compliance, and available resources as follows:

- i. Priority 1 – High Risk**

A Priority 1 matter involves an immediate or significant risk to public health, safety, or the environment. These matters will be investigated as soon as practicable.

Target response time: 1–5 days, or sooner if urgent.

ii. Priority 2 – Medium Risk

A Priority 2 matter significantly affects adjacent properties or the community but does not present an immediate risk to health, safety, or the environment.

Target response time: 7–14 days.

i. Priority 3 – Low Risk

A Priority 3 matter is generally lower risk, often cosmetic or localized in impact, and does not materially affect health, safety, or the environment.

Target response time: 14–28 days, subject to resources, workload, and travel requirements for remote locations.

Complaints may be re-prioritized where new information emerges.

2.4 INVESTIGATION OF COMPLAINTS

- a. All investigations will be conducted fairly and impartially
- b. Upon receipt of a valid complaint or observation of an apparent infraction, a Bylaw Enforcement Officer may conduct a preliminary review, contact the complainant for clarification, review property records and other relevant information, contact the owner or occupier, issue a notice of investigation, and, where authorized and warranted, attend the property.
- c. The Bylaw Enforcement Officer will contact the owner and/or occupant of the property subject to the complaint being investigated to inform them of the investigation and the possible bylaw contravention.
- d. For each file, bylaw enforcement staff will document:
 - a summary of the complaint or observed contravention;
 - the applicable bylaw provisions and the test to confirm a contravention;
 - significant investigative steps taken;
 - material evidence and its source; and,
 - key decisions and reasons
- e. Any information related to a bylaw contravention under investigation will be documented to support any potential prosecution of a ticket or other enforcement action.
- f. A decision not to investigate further, or not to pursue enforcement after investigation, will be documented with reasons.

2.5 INSPECTION OF PRIVATE PROPERTY

- a. The provisions of the *Community Charter and Local Government Act* allow a Bylaw Enforcement Officer to enter onto private property to inspect and determine whether all regulations, prohibitions, and requirements are being met in relation to any matter for which the Board has exercised authority to regulate, prohibit, or impose requirements.
- b. Pursuant to section 16 of the Community Charter, officers or employees of the Regional District or other people authorized by the Board may enter on property without consent of the owner or occupier for the purposes of bylaw enforcement.
- c. Inspections of private property may be carried out only where authorized by applicable legislation and the relevant FVRD bylaw or bylaws.
- d. Unless notice is not required by law or is excused by urgency or risk, staff will provide notice of inspection that includes the reason for the inspection.
- e. Any inspection must be conducted at a reasonable time, in a reasonable manner, and with reasonable steps to advise the owner or occupier before entry. Staff must limit the inspection to what is relevant to the bylaw matter and complete the inspection within a reasonable time.
- f. Entry into a building or structure occupied as a private dwelling may occur only with consent, valid written notice, warrant authority, or reasonable grounds to believe that failure to enter may result in significant risk to health or safety.
- g. A Stop Work Order and/or Do Not Occupy Notice may be posted at this time.

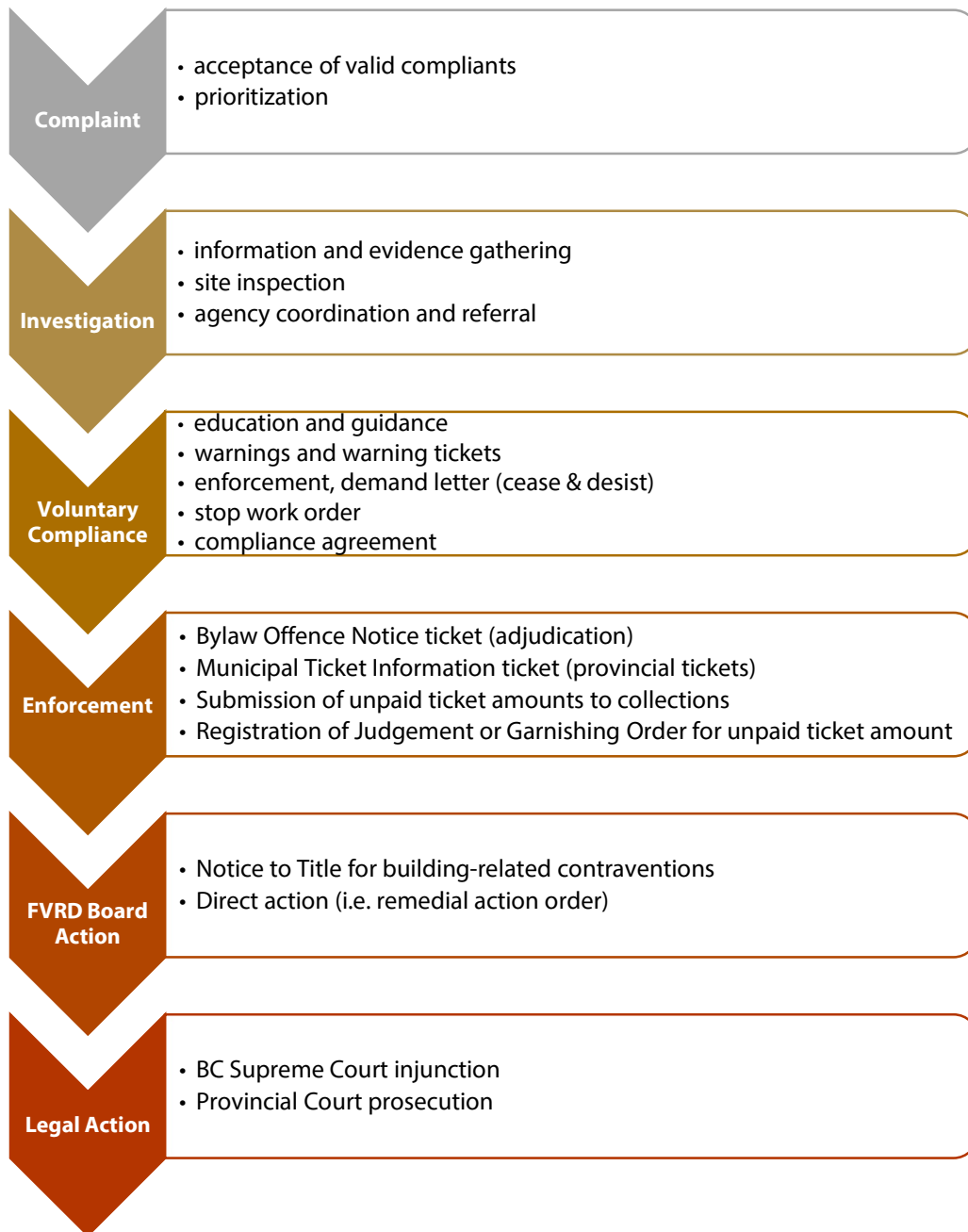
2.6 DETERMINATION & NOTIFICATION OF CONTRAVENTION

- a. If a Bylaw Enforcement Officer or the Manager of Inspection Services determines that a bylaw contravention exists, the BEO will provide an enforcement letter to the owner(s) of the property, and if appropriate the occupants, advising of the contravention.
- b. Any enforcement letter will, as applicable:
 - identify the contravention and the relevant bylaw provision or provisions;
 - outline the facts and evidence supporting the apparent contravention;
 - state the corrective action required;
 - provide a deadline for compliance;
 - describe the potential consequences of non-compliance; and,
 - provide contact information for questions and further information.
- c. In the case of Priority 1 matters, the Bylaw Enforcement Officer may proceed with enforcement actions at this time.
- d. Where a compliance deadline is set out in an Enforcement Letter, the Bylaw Enforcement Officer will not ordinarily take further enforcement action before

the deadline expires unless the BEO determines that it is required to address a Priority 1 matter or the scale of the contravention increases.

2.6 COMPLIANCE & ENFORCEMENT ACTIONS

- a. As shown below, compliance and enforcement actions ordinarily proceed on a graduated basis aimed first at voluntary compliance and progressing to enforcement, FVRD Board Action, or in selected circumstances, Legal Action through the courts to address a bylaw contravention and achieve compliance.



- b.

- c. Considering this Policy, the priority assigned to the matter, the concept of progressive enforcement set out above that the following table, the Bylaw Enforcement Officer and/or the Manager of Inspection Services will identify appropriate compliance and enforcement actions and timelines for achieving compliance.

	Priority 1–High Risk	Priority 2–Medium Risk	Priority 3–Low Risk
Description	bylaw contraventions that present immediate or significant risk of harm to public health, safety, or the environment	bylaw contraventions that may impact the surrounding community in a negative manner but do not pose an immediate or significant risk to the environment, health, or public safety	bylaw contraventions that are low-impact, minor contraventions, or temporary; or, which present low-level, localized nuisance; they do not pose a risk to the environment, health, or public safety
Resource Allocation	High, Priority	Medium, Routine	Low, As-available
Objective	Quickly end the contravention, minimize harm to public health, safety and environment, remediate damage (where applicable)	End the contravention in a reasonable timeframe while balancing various interests	Provide education and guidance leading to compliance while managing resource allocation
Timeline	Accelerated	Routine	Extended
Methods	Enforcement FVRD Board Action Legal Action (as appropriate)	Voluntary Compliance Enforcement FVRD Board Action	Voluntary Compliance Enforcement Private civil action

- d. Having regard to this Policy, and considering the authority to act, adequacy of notice, proportionality, the circumstances of affected persons, the Bylaw Enforcement Officer and/or the Manager of Inspection Services will determine:
- the methods of voluntary compliance and enforcement
 - timing, frequency and type of ticketing; and,
 - compliance timelines or deadlines;
- e. Nothing in this section prevents the use of warnings, tickets, compliance agreements, stop work orders, do-not-occupy notices, remedial action, direct enforcement, notice on title, judgment registration, or court proceedings where authorized and appropriate.
- f. Where deemed appropriate by the Bylaw Enforcement Officer, the owner of a property subject to bylaw compliance and enforcement actions may enter into a formal written Compliance Agreement in which the owner commits to completing identified steps to achieve compliance within the timelines specified in the agreement. In that case, the BEO may cease BCE actions unless the agreement is not fulfilled or the extent of the contravention is increased.

- g. Bylaw Enforcement Officers may provide time extensions to compliance deadlines where, in the opinion of the BEO, the owner has made reasonable attempts to gain compliance but has not been able to due to factors outside of the control of the owner.
- h. In the case of Priority 1 and 2 matters, and having regard to this policy, where Voluntary Compliance and Enforcement actions do not result in compliance, the Bylaw Enforcement Officer and/or Manager of Inspection services may recommend that the FVRD Board:
 - authorize the placement of a not against the land title indicating that building regulation have been contravened; and/or,
 - consider direct action to achieve compliance or remediate damage where it is consistent with the applicable legislation.
- i. In the case of a Priority 1 matter, and having regard to this Policy, where Voluntary Compliance, Enforcement actions and/or Board Action do not result in compliance the Manager of Inspection services may recommend that the FVRD Board commence legal action to achieve compliance and/or remediate damage.

2.7 APPEALS

- a. Bylaw notices issued under Fraser Valley Regional District Bylaw Offence Notice Enforcement Bylaw No. 1415, 2017 remain subject to the bylaw notice adjudication system established by the Local Government Bylaw Notice Enforcement Act.
- b. Municipal Tickets issued under the Local Government Act and Community Charter may be disputed within fourteen (14) days of the date of issuance by notice to FVRD and referral to the provincial court in accordance with the instructions on the back of the ticket.
- c. A person directly affected by a decision under this Policy to not accept a complaint may request an internal review of the decision. A request for review must be made in writing within twenty [20] business days of the decision, and the requester will have a meaningful opportunity to provide written submissions and, where fairness requires, oral submissions. The review will be conducted by the Director of Planning and Development, or their designate, who may confirm, vary, cancel, or return the matter for reconsideration, and must provide written reasons.

2.8 CONCLUDING & REFERRING BYLAW COMPLIANCE & ENFORCEMENT ACTIONS

- a. A Bylaw Enforcement Officer (BEO) may conclude bylaw compliance and enforcement (BCE) actions and close the file where the BEO is satisfied that, having regard to this policy:
 - i. in relation to the complaint made no contravention is established;
 - ii. the contravention has been resolved;
 - iii. the matter is outside FVRD jurisdiction or authority;
 - iv. the matter is more appropriately dealt with by another agency or another legal process; or

- v. the matter is a private civil matter or is best resolved through civil resolution processes.
- b. The Manager of Inspection Services may conclude bylaw compliance and enforcement (BCE) actions and close the file where the manager is satisfied that, having regard to this policy:
 - i. BCE action is not in the public interest;
 - ii. further enforcement is not warranted;
 - iii. a Priority 3 matter is not likely to be resolved, or the level of effort required to resolve it requires an allocation of resources disproportionate to its level of risk; or,
 - iv. the matter concerns a shared-interest, strata, or similar development where the owners or occupants have the authority to make and enforce regulations themselves and where there is no significant broader public interest in the matter.
- c. Where a matter is primarily the jurisdiction of another agency, a Bylaw Enforcement Officer may refer that matter to the agency responsible, conclude BCE action, and close the file.

2.9 STANDARD OF CONDUCT

- a. Bylaw enforcement staff will act professionally, impartially, respectfully, and in good faith; will not use enforcement powers for an improper purpose; will communicate clearly and courteously; and will avoid bias and the perception of bias.
- b. Bylaw enforcement staff will not enforce bylaws in a manner that is arbitrary or retaliatory.
- c. Bylaw enforcement staff will conduct themselves in accordance with FVRD's Code of Conduct Policy, Anti-Racial Discrimination and Anti-Racism Policy, Confidentiality Policy, Privacy and Accountability Policy.

3.0 DEFINITIONS

For the purposes of this Policy and Procedures:

Bylaw Compliance and Enforcement (BCE) means any aspect of the investigation of potential bylaw contraventions, efforts to achieve compliance with bylaws, and actions to enforce bylaws.

Bylaw Enforcement Officer (BEO) means Bylaw Enforcement Officers, Building Inspectors, or other persons acting in another capacity on behalf of the Regional District for the purpose of enforcement of one or more of its bylaws.

Frivolous or Vexatious Complaint means a complaint made in bad faith, for a retaliatory or improper purpose, or as part of a pattern of conduct that abuses the complaint process.

Procedural fairness means administrative decision-making that is fair, transparent, impartial, and reasonably explained. It includes notice, an opportunity to respond where required, consistent and unbiased decision-making, reasonable reliance on facts and law, and information about any available review or appeal process.

Not in the Public Interest means, after a case-specific assessment, that investigation or enforcement would not reasonably advance the purposes of this Policy having regard to community impact, risk, jurisdiction, available resources, and the nature of the alleged contravention. These are matters that do not negatively affect the safety, health, comfort, property, or overall well-being of the community or neighbourhood; for example, trivial or technical contraventions, private disputes, a one-time or rare occurrences.

Valid Complaint means a complaint that falls within the jurisdiction of FVRD; contains sufficient particulars to identify the location, nature, and apparent impact of an alleged bylaw contravention, together with the complainant's name and contact information; and, is not a frivolous or vexatious complaint.

Previous Amendments

May 28, 2026	Policy Created, Owner: Bill Ozeroff, Manager of Inspection Services
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