

Ticketing on Denman: Zombie, Vampire, or Avenging Angel?

The Denman Island Local Trust Committee (DILTC) is considering authorizing the use of tickets for bylaw enforcement. This means that if you, or your neighbour, is found to be violating a local bylaw, you or they could be served with a ticket, which would levy a fine.

This ticketing system is part of bylaw enforcement for many local governments, in cities and rural areas, including parts of the Islands Trust. The system includes an option to contest the ticket via an adjudication process, at a \$25 cost. The ticketing idea has a history on Denman. About eight years ago, the DILTC of the time considered it, and met with strong opposition from a sizable group. People were concerned that renters would be evicted from housing, that huge daily fines could be used to suck money out of islanders, and that ticketing would lead to harsher and more widespread bylaw enforcement generally. The idea was discussed again two years later, but it didn't gain traction. Given this history, it makes sense to ask why the Denman LTC would bother raising this idea from the dead. Here is my answer. Keep in mind that this is my individual interpretation. It's a short version of what went through my mind when I voted in favour of asking staff to bring forward a draft ticketing bylaw.

Also, keep in mind the word *draft* in the previous sentence. The DILTC is interested in ticketing but hasn't made a decision yet. If you'd like to give us input, see below for info on how. We want to hear from you.

Why is ticketing being considered?

- We now have experience to learn from. Six other Local Trust areas have had a ticketing regime in place for as long as eight years. The potential problems raised by opponents have not materialized. Bylaw enforcement has not intensified, people haven't been kicked out of housing, and huge fines haven't been levied.
- With a changing world, there are new challenges for bylaw enforcement, such as a proliferation of illegal short-term vacation rentals, easily advertised using the Internet, and the need to address climate change. This might be good reason to introduce new tools.
- Based on experience, the Islands Trust now offers the opportunity to reduce fines to zero when the landowner and the Islands Trust agree to a compliance plan. This has been working well on other islands.



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- Denman housing regulations now offer more options, compared to when ticketing was first discussed. Most zones now allow secondary suites outright, and you can apply for a temporary use permit for secondary cabins and cottages.
- The DILTC has the option of adopting a draft enforcement policy which could accompany the ticketing bylaw (if it goes forward) that will put limits on bylaw enforcement where housing is involved. This approach is intended to prevent human hardship.
- Bylaw enforcement staff now receive training in mediation and conflict resolution, which supports a communications-based approach to bylaw enforcement, rather than a punitive or authoritarian one, in most situations. This would influence the way the ticketing option is used.

This doesn't necessarily mean ticketing is a shoo-in on Denman. It does mean that the trustees, in the interests of having an open mind and responding to changing realities, want to reconsider the topic. It also means that some of the arguments heard in the past might not be persuasive today.

Learn more about ticketing:

DILTC staff report at

<http://www.islandstrust.bc.ca/islands/local-trust-areas/denman/meeting-calendar-agendas-minutes/> (page 20)

Report on Adjudication System from the Union of BC Municipalities:

<https://www.ubcm.ca/assets/library/Policy~Topics/Governance/Bylaw~Dispute~Adjudication/Bylaw%20Adjudication%20Toolkit%202005.pdf>

More on bylaw enforcement: see the June 2018 Trustee Notebook (on the Islands Trust website under "Trustee Corner" on the Denman Page)

Also, our Bylaw Enforcement Manager will be setting up a time on Denman for "coffee and conversation" about ticketing. This will be a drop-in event open to everyone. Watch local media for more information.

Contact the DILTC with your questions, conversation, and input:

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