

## Once More: All About Ticketing

Last month, the Denman Local Trust Committee (LTC) voted to enable ticketing for bylaw violations on Denman. I am aware that some islanders have questions and concerns about this. The issue was covered in-depth in the June 20<sup>th</sup> Grapevine (<https://visitdenmanisland.ca/listings/islands-grapevine/>), and I wrote about it in my April Trustee Notebook (<http://www.islandstrust.bc.ca/islands/local-trust-areas/denman/local-trustee-corner/>).

You can also read about bylaw enforcement generally, and about vacation rental enforcement in particular, in the June 2018 Trustee Notebook (use the link above).

If you'd like more detail, take a look at the staff report that the LTC requested before making the decision. It has the wording of the resolution, and quite a bit of background material. It also has the resolution the LTC made to protect housing from bylaw enforcement. You'll find it on page 40, here:

[http://www.islandstrust.bc.ca/media/347841/de\\_2019-06-06\\_ltc-agd\\_pkg\\_revised.pdf](http://www.islandstrust.bc.ca/media/347841/de_2019-06-06_ltc-agd_pkg_revised.pdf)

Since quite a few people have asked me to provide more (or perhaps clearer?) information, **here's a brief summary of how ticketing works:**

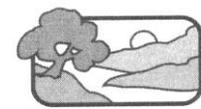
- tickets are used in some, but not all, bylaw enforcement situations
- before a ticket would be issued, the property owner is offered opportunities to make their property lawful
- the fines levied by tickets are reduced to zero once the property comes in line with the bylaws
- the ticketing system includes the opportunity to appeal via an independent tribunal

### **A bylaw violation can be remedied by:**

- changing what's happening on the land
- applying for any necessary permits
- convincing the Local Trust Committee to review the relevant bylaw
- creating a compliance plan with a reasonable timeline

### **Here's what ticketing DOESN'T do:**

- bring more enforcement staff to the Islands Trust Area or Denman



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- trigger proactive enforcement (in other words, the bylaw enforcement staff are not being asked to sniff around for infractions)
- trigger an increase in the amount of enforcement activity on the island

### **Denman now has two policies providing specific direction on bylaw enforcement:**

1. Protecting housing to "prevent unintended displacement of vulnerable individuals and households" (quoting a recent LTC staff report (see link, above))

This policy is new. It says enforcement should not happen unless:

- there are at least two separate complaints, one by an immediate neighbour; or
- there is more than one unlawful dwelling; or
- the unlawful dwelling is larger than 90 square metres; or
- the unlawful dwelling is in a development permit area (an area with special protection, usually because it is environmentally sensitive, such as a wetland).

### 2. Focusing on unlawful vacation rentals

This policy sets out priorities for enforcement. Priority number one is rentals that have triggered complaints. Number two is situations where the owner doesn't live on Denman. This policy has been in place since November 2018, and is a refined version of a June 2018 policy.

This is a "proactive enforcement policy." It directs the officer to act without a complaint. With vacation rentals, this process mostly relies on information from marketing sites such as AirBnB.

You can read more about this policy in my June 2018 Trustee Notebook (see link, above).

If anyone has further questions, I am happy to chat individually and/or set up an informal group info-session. As always, feel free to contact me about this, and any other Islands Trust issue at [lbushiekin@islandstrust.bc.ca](mailto:lbushiekin@islandstrust.bc.ca), 250-218-3216.