



CORPORATE POLICY MANUAL

Section:	Legislative & Regulatory Affairs	9
Sub-Section:	Bylaw Enforcement – General	4000
Title:	SCREENING OFFICER BYLAW NOTICE	2

POLICY

The District of North Vancouver authorizes the Screening Officer to cancel Bylaw Notices in the described circumstances.

The Screening Officer is authorized to cancel a Bylaw Notice where he or she is satisfied that one or more of the following reasons exist and a compliance agreement is not appropriate or available:

- (a) Identity cannot be proven. For example:**
 - (i) The Bylaw Notice was issued to the wrong person; or**
 - (ii) The vehicle involved in the contravention had been stolen.**
- (b) An exception specified in the Bylaw or a related enactment is made out;**
- (c) There is a poor likelihood of success at adjudication for the District. For example:**
 - (i) The evidence is inadequate to show a contravention;**
 - (ii) The Officer relied on incorrect information in issuing the Notice;**
 - (iii) The Notice was not completed properly; or**
 - (iv) The Bylaw provision is unenforceable or poorly worded.**
- (d) The contravention was necessary for the preservation of health and safety. For example:**
 - (i) The contravention was the result of a medical emergency.**
- (e) It is not in the public interest to proceed to adjudication for one of the following reasons:**
 - (i) The person who received the Notice was permitted or entitled to take the action, but the issuing officer was not aware of this entitlement or permit; or**
 - (ii) The Bylaw has changed since the Notice was issued, and now authorizes the contravention.**
- (f) The person exercised due diligence in their efforts to comply with the Bylaw. For example:**
 - (i) As a result of mechanical problems the person could not comply with the Bylaw.**

REASON FOR POLICY

Whereas

1. the District of North Vancouver has passed a Bylaw designating certain Bylaw contraventions that may be dealt with by Bylaw Notice; and
2. the District of North Vancouver has established a position of Screening Officer who must review all disputed Bylaw Notices before dispute adjudication in respect of the Bylaw Notice may be scheduled; and
3. the Screening Officer has the power to cancel a Bylaw Notice on a ground of cancellation authorized by the District pursuant to s. 10(2)(a)(iii) of the *Local Government Bylaw Notice Enforcement Act*.

the District of North Vancouver finds it expedient to provide for grounds of cancellation of a Bylaw Notice in certain circumstances.

AUTHORITY TO ACT

Delegated to Staff.

Approval Date:	April 5, 2004	Approved by:	Regular Council
1. Amendment Date:		Approved by:	
2. Amendment Date:		Approved by:	
3. Amendment Date:		Approved by:	