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**REPORT TO CAPITAL REGIONAL DISTRICT BOARD  
MEETING OF WEDNESDAY, JULY 13, 2022**

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**SUBJECT**     **Bylaw No. 1857, Capital Regional District Ticket Information Authorization Bylaw, 1990, Schedule 18 Amendment**

**ISSUE SUMMARY**

The Capital Regional District (CRD) Bylaw No. 1857, “Capital Regional District Ticket Information Authorization Bylaw, 1990”, requires an amendment to correct an administrative error in Schedule 18.

**BACKGROUND**

On July 14, 2021, the CRD Board adopted an amendment to Bylaw No. 4225, “Capital Regional District Parks Regulation Bylaw No. 1, 2018”. At this time, the CRD Board also adopted an amendment to Schedule 18 of Bylaw No. 1857, Capital Regional District Ticket Information Authorization Bylaw, 1990. During this process, an administrative error occurred.

Item 47 of Bylaw No. 1857, Capital Regional District Ticket Information Authorization Bylaw, 1990, Schedule 18 “Breach of Park Use Permit” refers to Section 12(1)(c) instead of Section 12(9). This section is used to manage commercial use activities and special event use permits throughout the regional parks system. The intention is to ensure permit holders are operating within the confines of the terms and conditions outlined in their permit.

As it currently stands, staff are unable to enforce Section 12(9) under Bylaw No. 4225, “Capital Regional District Parks Regulation Bylaw No. 1, 2018”, as it does not align with the current iteration of Schedule 18 of Bylaw No. 1857, “Capital Regional District Ticket Information Authorization Bylaw, 1990”.

Bylaw No. 1857, “Capital Regional District Ticket Information Authorization Bylaw, 1990”, Schedule 18 requires an amendment to change Section 12(1)(c) to 12(9) so that this section can be effectively enforced going forward.

**ALTERNATIVES**

*Alternative 1*

1. That Bylaw No. 4443, “Capital Regional District Ticket Information Authorization Bylaw 1990, Amendment Bylaw No. 73, 2021”, be introduced, and read a first, second and third time; and
2. That Bylaw No. 4443 be adopted.

*Alternative 2*

That this report be referred back to staff for additional information.

**IMPLICATIONS**

*Service Delivery Implications*

Staff are unable to enforce the current Section 12(9) of the “Capital Regional District Parks Regulation Bylaw No. 1, 2018”. As a result, there are currently no financial penalties for permit holders failing to comply with the terms and conditions of a permit. Permit holders who operate outside of the confines of the terms and conditions of their permit can have a negative impact on other park users, contribute to safety issues within the park, and create a potential harm to the environment. The only remaining financial enforcement option for Section 12(9) of the “Capital Regional District Parks Regulation Bylaw No. 1, 2018” would be utilizing long-form prosecution, which is costly and time consuming.

**CONCLUSION**

For staff to effectively manage permit holders, Bylaw No. 1857, “Capital Regional District Ticket Information Authorization Bylaw, 1990”, Schedule 18 requires an amendment to correct an administrative error in Item 47. The section is required to read as Section 12(9) so that it is aligned with Bylaw 4225, “Capital Regional District Parks Regulation Bylaw No. 1, 2018”.

**RECOMMENDATION**

1. That Bylaw No. 4443, “Capital Regional District Ticket Information Authorization Bylaw 1990, Amendment Bylaw No. 73, 2021”, be introduced, and read a first, second and third time; and
2. That Bylaw No. 4443 be adopted.

Submitted by:	Jeff Leahy, RPF, Senior Manager, Regional Parks
Concurrence:	Larisa Hutcheson, P.Eng., General Manager, Parks & Environmental Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

**ATTACHMENT**

Appendix A: Bylaw No. 4443 “Capital Regional District Ticket Information Authorization Bylaw 1990, Amendment Bylaw No. 73, 2021”