

Roberts Creek Official Community Plan Committee (RCOCPC) Meeting

Meeting Minutes: November 11, 2015

Roberts Creek Community Hall

Present: Dianne Sanford (Chair), Scott Avery, Sheila Wilson, Dana Wilson, Heather Gatz, Graham Starsage, John Gibbs, Mark Lebbell (Director)

Absent: Nicola Kozakiewica, Mike Allen

Agenda:

- 1. Adopt minutes of Oct 14, 2015 Meeting**
- Referral from SCRD on BEN (bylaw enforcement ticketing system) for comment.
- 3. Knotweed** – next steps.
- 4. Beach Access Update** – John Gibbs; Correspondence with Carolyn Mortensen. Questions about types of signage and where.
- 5. Director's Report** - Mark Lebbell
- 6. Upcoming OCPC Election November 25th at the RC Hall.** Please bring along any people who might be interested in joining the OCPC.

1. Adopt minutes of October 14, 2015 Meeting

Scott moved to adopt minutes. Dianne seconded the motion.

2. Referral from SCRD on Bylaw Enforcement Ticketing System (BEN)

Recommendation: The Roberts Creek OCPC unanimously recommend that the SCRD join Gibsons and Sechelt in adopting the new BEN (Bylaw Enforcement Notice) System.

Background:

This report is to provide an overview of the process of bylaw compliance, a comparison between the Bylaw Notice Enforcement Ticketing System (BEN) and the Municipal Ticketing Information System (MTI). The SCRD Board has established a policy to achieve voluntary compliance to the Regional District's bylaws. The policy is to outline a fair and consistent approach for dealing with bylaw complaints.

The process is a progressive enforcement approach that is initiated by a written complaint with the goal to achieve voluntary compliance. If voluntary compliance is not achieved the following process is utilized.

A series of standardized letters are sent to the alleged offender:

- First letter sent detailing the alleged offence with the requirements for voluntary compliance.
- Second letter sent requesting compliance to alleged offence, outlines consequences of inaction and the opportunity to discuss issue with staff.
- Third letter sent outlining alleged offence, requesting compliance and stating MTI or BEN ticket will be issued if corrective action is not taken. The process up to and including the third letter usually takes place over a period of 3 months.

<i>Municipal Ticketing Information System (MTI)</i>	<i>Bylaw Enforcement Notice System (BEN)</i>
<ul style="list-style-type: none"> • The ticket can only be served in person • 14 Days to dispute <p><u>BC Provincial Court</u></p> <ul style="list-style-type: none"> • Rules of Court apply • Often legal counsel services are required • Costs of resolution are generally much higher, • Witnesses need to appear, • Evidence requires presentation before a judge 	<ul style="list-style-type: none"> • Ticket can be served in person, mailed or left on site • 14 Days to dispute <p><u>Review by screening officer</u></p> <ul style="list-style-type: none"> • Informal hearing • Compliance agreement • Officer can cancel bylaw notice <p><u>Adjudication hearing</u></p> <ul style="list-style-type: none"> • Not required to be held at a court house • Disputant may appear in person, writing, telephone or other electronic means, such as video conferencing • Informal, no requirement for legal counsel

The purpose of both systems is to encourage compliance and to issue a set fine for a particular offence if compliance is not achieved. The differences in the tables show that the BEN system provides greater flexibility for an individual to dispute a ticket without the need to attend court, but allows the Regional District the ability to issue a ticket particularly to off coast residents.

The goal of the new adjudication model is to create simple, fair, and cost-effective system for dealing with minor bylaw infractions. To meet this goal the adjudication model:

- eliminates the requirement for personal service;
- establishes a dedicated forum for resolving local bylaw enforcement disputes;
- uses a dispute resolution-based approach to obtaining independently adjudicated decisions;
- avoids the unnecessary attendance of witnesses;
- avoids the need to hire legal counsel; and
- promotes the timely resolution of bylaw enforcement disputes.

There are currently 10 out of the 29 Regional Districts in BC that use BEN, including the District of Sechelt, Area B (Halfmoon Bay) and the Town of Gibsons.

Discussion

- Less right to go to court
- Perhaps a greater chance of losing anonymity in the MTI system
- Greater latitude for resolution between people before court
- Who bears the cost for this? It is cost-saving?
- Still a complaint-driven system

3. Knotweed

- Doug, Nicky, Mike, Dianne and Dana are willing to organize and work on the Henderson pilot project. Marina at the SCRCD and Dr. Singh from UBC ready to support us.
- There is a meeting on December 2nd at the RD Office with Crystal Chadburn (MOTI) of the Invasive Species Council Technical Working Group.
- The RD has some spare split level fence that we can use.

- This is actually MOTI land, so it is hard to go renegade. It might be prudent to wait until after the December 2nd meeting. (Mark)
- This is a great opportunity for public education. (Mark, Dianne)

Action: Mark can put notices/info about project in Boot Tales.

Action: Target the Christmas season, when temporary residents are here, as a good time to try to get people to move their boats.

Action: Mark will let the RD know that this is our plan and will notify Dianne and Dana of the meeting time.

4. Beach Access Update (John)

Recommendations:

1. *Park Avenue beach access is a priority in our opinion due to easy access and its proximity to RC Provincial Campground.*
2. *The committee feels strongly about using natural materials (wood, steel, or stone) to construct the signs to support local businesses in keeping with the rustic feel of the west coast.*

Action: John will forward these recommendations to Carolyn.

Background

- Carolyn Mortenson said that the RD is seeking greater clarity. The RD is unsure as to whether they still have jurisdiction over areas that they previously had – perhaps no longer current.
- High density polyurethane is the material that the RC is considering.
- This is a coast-wide decision that they are hoping to standardize.
- Carolyn wants to be kept in the loop and she wants assistance with committee – working with neighboring property owners. John is willing to work with the property owners.
- 6-8 of the 14 signs that will be installed this year will be in Roberts Creek: Henderson Beach, Marlene, Metcalfe, Geddes, Edmonds, Margaret. 4 currently have no signs; 1 has a visible sign; 1 has a hidden sign.
- 2 maybes: 1 has a sign on Lower Road and 1 has a visible sign. (Beeman, Clough)
- The SCR D might apply for a permit to take over Park Avenue from MOTI.

5. Director's Report

- Mark recently attended a meeting with the Squamish Council - Mark shared some parts of our OCP at the meeting; There are 1500 hectares proposed as a provincial park on Mt. Elphinstone; There are hopes for a three council solution (Sechelt, Squamish, SCR D) regarding conservation.
- Ag Plan – most of the OCPC recommendations have been adopted at some level. We might want to push a little harder in regards to chemical storage. (10 meters was accepted).
- Shooting: Somebody raised concerns about shooting regulations/boundaries. This issue may come before our committee but there is no referral yet. The OCPC does feel that current shooting boundaries should be re-evaluated.

6. OCPC Election November 25 @ RC Hall 8 pm – there are 4 openings.

Elected in November 2014

John Gibbs	1 st term
Scott Avery	3 rd term
Sheila Wilson	3 rd term
<i>Leslie Roberts - resigned</i>	<i>2nd term</i>

Elected in November 2013 – standing for re-election in November 2015

Nicola Kozakiewica	No
Heather Gatz	No
Graham Starsage	Yes
Mike Allen	Maybe?
Dana Wilson	Yes
Dianne Sanford	Yes
<i>Amanda-Rae Hergesheimer - resigned</i>	

Recycling at the Gazebo

\$5000 grant from SCRD application deadline this Friday. There might be \$1000 that eventually comes to Roberts Creek. Heather would like to see recycling bins that separate out items installed at the gazebo – would not be community-wide.

Next meeting January 13, 2015 at RCCES