



# BOARD Policy

Section:	Planning and Development	BRD-0340-50
Title:	Screening Officer Bylaw Notice	023

## 1. PURPOSE

To identify grounds for cancelling a Bylaw Notice.

## 2. SCOPE

This policy applies to the review of Bylaw Notices by a designated Screening Officer.

## 3. DEFINITIONS

## 4. POLICY

- 4.1** The Sunshine Coast Regional District (SCRD) authorizes the Screening Officer to cancel a Bylaw Notice where they are satisfied that one or more of the following reasons exist, and a compliance agreement is not appropriate or available:
- Identity cannot be proven, for example:
    - The Bylaw Notice was issued to the wrong person; or
    - The boat involved in the contravention had been stolen.
  - An exception as specified in the Bylaw being enforced or a related enactment is proven.
  - There is an unlikelihood of success for the SCRD at adjudication, for example:
    - The evidence is inadequate to show a contravention.
    - The Bylaw Officer relied on incorrect information when issuing the Bylaw Notice.
    - The Bylaw Notice was not completed properly.
    - The Bylaw provision is unenforceable or poorly worded.
  - The contravention was necessary for the preservation of health and/or safety, for example:
    - The contravention was the result of a medical emergency.
  - The Bylaw Notice is one of several Bylaw Notices arising out of the same incident, in which case the Screening Officer may cancel all but the most appropriate Bylaw Notice(s).
  - It is not in the public interest to proceed to adjudication for one of the following reasons:
    - The person who received the Bylaw Notice was permitted or entitled to take the action, but the Bylaw Officer was not aware of this entitlement or permit.
    - The person receiving the Bylaw Notice was undergoing a personal tragedy or crisis at the time of the contravention such that it is not in the public interest to proceed.
    - The Bylaw has changed since the Bylaw Notice was issued, and now authorizes the contravention.
  - The person exercised due diligence in their efforts to comply with the Bylaw, for example:
    - As a result of mechanical problems, the person could not comply with the Bylaw; or
    - The sign indicating the Bylaw requirement was not visible.

## 5. EXCEPTIONS

## 6. AUTHORITY TO ACT

Delegated to staff.



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### 7. REFERENCES (Bylaws, Procedures, Guiding documents)

Approval Date:	June 23, 2011	Resolution No.	264/11
Review Date:	July 28, 2022	Resolution No.	192/22 Rec. No. 5
Amendment Date:	June 8, 2023	Resolution No.	141/23 Rec. No. 14
Review Date:	July 11, 2024	Resolution No.	209/24 Rec. No. 10
Review Date:	June 26, 2025	Resolution No.	178/25 Rec. No. 2