

Village Of Cache Creek

Policy No. F-3

Complaints and Bylaw Enforcement

Date Approved by Council:

July 7, 1998

Effective:

July 7, 1998

Date Amended by Council:

Effective:

Policy Statement:

The Village of Cache Creek shall implement appropriate procedures to govern the actions of Village representatives in the response to observations, complaints or allegations of Bylaw infractions.

Purpose:

The purpose of this policy is to ensure that the Village of Cache Creek Bylaws are enforced in an equitable, efficient and effective manner.

Definitions:

“Chief Bylaw Enforcement Officer” shall mean the person appointed by resolution of the Council of the Village of Cache Creek for the purpose of enforcing Village Bylaws. If no formal resolution is passed by Council, this duty shall fall to the Chief Appointed Officer.

“Animal Control Officer” shall mean the person(s) appointed by resolution of Council to enforce the Animal Control Bylaw.

Procedures:

1. The Village of Cache Creek will enforce Bylaws on a complaint basis only. An exception to this would be enforcement of the Animal Control Bylaw, where enforcement will take place on a complaint basis as well as on the observations of the Animal Control Officer.
2. Despite the above noted procedures, the Village of Cache Creek reserves the right to act on its own initiative without complaint, where the Village in its sole and absolute discretion determines that there are safety or other considerations, such as, but not limited to, enforcement of the Bylaws relating to building and/or Building Code, that warrant bylaw enforcement without a complaint.
3. All allegations of a contravention of any Village of Cache Creek Bylaw must be in writing, with the signature of the complainant. Complaints can be in letter form or on the form approved as part of this policy (see Schedule “A”).
4. Complaints received without a signature, or made with the complainant refusing to sign the form will not be investigated. Verbal complaints will not be investigated.

5. All complaints, properly filed and received by the Village, will be investigated by, or under the direction, of the Chief Bylaw Enforcement Officer. The activities related to the investigation of the complaint shall be recorded on the form approved as part of this policy (see Schedule "B").
6. The Chief Bylaw Enforcement Officer, or his/her designate, will investigate each complaint in an expedient, efficient, and responsible manner based on available resources. Should the investigation indicate that enforcement measures are required, such measures as the Village determines appropriate based on available resources and other factors it deems appropriate, may be taken as per the requirements of the particular Bylaw in question. Should the merits of the investigation indicate that no measures are warranted, the complainant shall be informed, in writing, of this decision.
7. Should the matter proceed to court the Chief Bylaw Enforcement Officer shall be authorized to employ the services of qualified legal assistance to conduct all court proceedings. Before the matter proceeds to Court, and prior to approving any expenditure for legal assistance, the Chief Bylaw Enforcement Officer must inform Council, during an in-camera meeting, of the case, and the facts surrounding it.
8. All complaints will remain confidential unless the investigation leads to the issue proceeding to Court. Copies of the complaint will be released only on application of a discovery order filed pursuant to the rules of evidence that may be in effect at that time, or as otherwise required by law.

Policy F-3 Complaints and Bylaw Enforcement, Schedule "A"

Village Of Cache Creek
Problem and Complaint Record

1. Name of Person Taking Report: _____
2. Name of Complainant: _____
3. Street Address: _____
4. Mailing Address: _____
5. Phone Number(during working hours): _____
6. Date of Report: _____
7. Date of Problem/Complaint: _____
8. Description of Complaint: _____

I, the undersigned, file this report/complaint with the Village of Cache Creek with the understanding that the Village will keep all information provided on a confidential basis. However, should the problem require interaction in the Court system I understand that I may/will be required to testify and that this complaint may in fact become part of the public record.

Date

Signature of Complainant

