

# A PRACTICAL GUIDE TO THE TFN ENFORCEMENT PROGRAM

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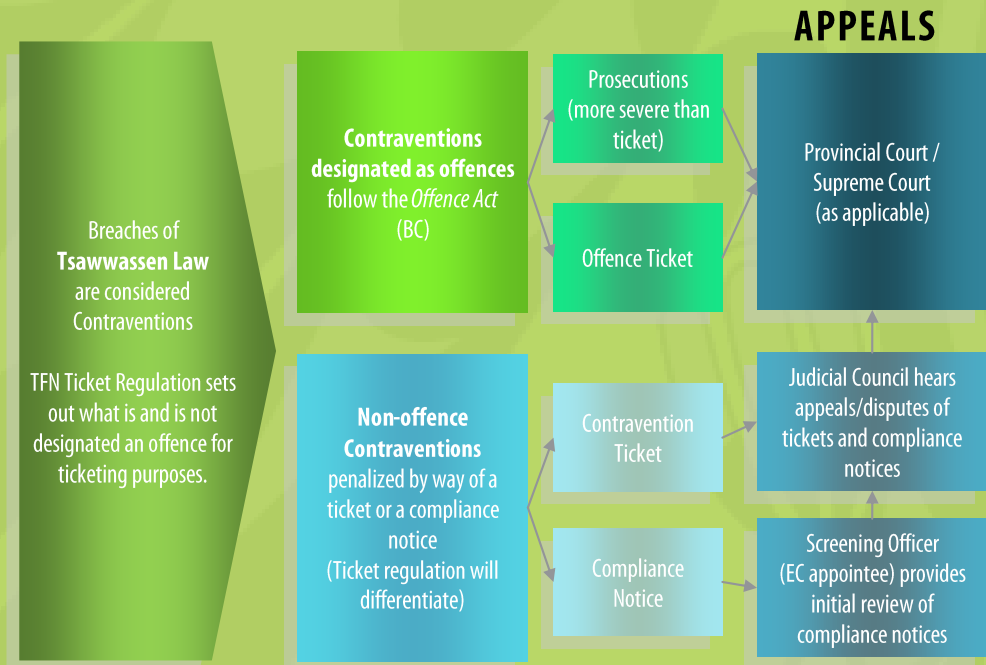
# INTRODUCTION – TSAWWASSEN ENFORCEMENT GUIDE

This guide is a road map that explains how Tsawwassen laws will be enforced. In this guide, you will find information on what types of activities are regulated by TFN Laws, how contraventions are enforced and penalized, how a penalty can be disputed, and who enforces Tsawwassen laws.

If you have questions that are not answered in this guide, please contact the TFN administration office at **(604) 943-2112** – we will do our best to answer any questions you may have!

If you have questions about the enforcement of criminal matters or want to report a criminal matter, please contact the Delta Police directly at **(604) 946-4411** or the Delta Police Aboriginal Liaison Officer at TFN at **(604) 948-5238**. **If you are in an emergency situation, always call 9-1-1.**

## SUMMARY CHART OF ENFORCEMENT STREAMS



# Frequently Asked Questions

## WHO CAN ENFORCE TSAWWASSEN LAWS?

The following chart lists the appointed enforcement officers for each ticketable Act and regulation.

| ENFORCEMENT OFFICER                | ENFORCEABLE LEGISLATION  |
|------------------------------------|--|
| Building Inspector                 | <ul style="list-style-type: none"> <li>• <i>Building Regulation</i></li> </ul>   |
| Election Officer                   | <ul style="list-style-type: none"> <li>• <i>Campaign Advertising Regulation</i></li> </ul>   |
| Designated TFN Enforcement Officer | <ul style="list-style-type: none"> <li>• All ticketable Acts and regulations except the <i>Fisheries, Wildlife, Migratory Birds, and Renewable Resources Act</i> and the <i>Fisheries Regulation</i></li> </ul>  |
| Delta Police                       | <ul style="list-style-type: none"> <li>• <i>Good Neighbour Regulation</i></li> <li>• <i>Traffic and Parking Regulation</i></li> <li>• <i>Land Act</i></li> </ul>   |
| Director of Lands                  | <ul style="list-style-type: none"> <li>• <i>Building Regulation</i></li> <li>• <i>Drainage and Sewer Regulation</i></li> <li>• <i>Local Water Works Regulation</i></li> <li>• <i>Soil, Transport, Deposit and Removal Regulation</i></li> <li>• <i>Tree Regulation</i></li> <li>• <i>Zoning Regulation</i></li> <li>• <i>Land Act</i></li> <li>• <i>Land Use Planning and Development Act</i></li> </ul> |
| Fishery Officer (Federal)          | <ul style="list-style-type: none"> <li>• <i>Fisheries, Wildlife, Migratory Birds, and Renewable Resources Act</i></li> <li>• <i>Fisheries Regulation</i></li> </ul>  |
| Resource Management Officer        | <ul style="list-style-type: none"> <li>• <i>Fisheries, Wildlife, Migratory Birds, and Renewable Resources Act</i></li> <li>• <i>Fisheries Regulation</i></li> </ul>  |
| Works Inspector                    | <ul style="list-style-type: none"> <li>• <i>Subdivision and Development Regulation</i></li> </ul>  |

## WHO IS THE DESIGNATED TFN ENFORCEMENT OFFICER?

The Designated TFN Enforcement Officer is a TFN employee whose primary role is to handle laws enforcement matters. If you have a problem relating to any TFN laws or regulations, the officer will do his or her best to address your concerns. The Designated Enforcement Officer will be working closely with the Delta Police Department to ensure that TFN Lands are as safe as welcoming as they can be. The officer will be wearing a recognizable uniform and will be operating in a vehicle clearly marked "Tsawwassen First Nation Peace Officer".

## SHOULD I CALL TFN ENFORCEMENT OR DELTA POLICE?

If you have a concern which has to do with violence, criminal activity, or safety you should always phone the Delta Police. **If this situation is an emergency, call 9-1-1.**

If you have a concern which is non-urgent in nature, such as a complaint about noise levels or an unsightly property, you should phone TFN Enforcement at **(604) 803-9527**.

The following chart lists who to call for some common complaints:

| Call TFN Enforcement for...   | Call Delta Police/ 9-1-1 for...   |
|---|---|
| <ul style="list-style-type: none"> <li>• Noise complaints</li> <li>• Graffiti/Petty vandalism</li> <li>• Soil dumping &amp; other dumping issues</li> <li>• Unsightly properties</li> <li>• Nuisance skateboarding</li> <li>• Unauthorized tree removal</li> <li>• Damage to TFN Lands</li> </ul> | <ul style="list-style-type: none"> <li>• Violence</li> <li>• Drug activity</li> <li>• Robbery</li> <li>• Trespass</li> <li>• Sexual harassment/assault</li> <li>• Drunk driving</li> <li>• Domestic disputes</li> </ul> |

## CAN I FILE A COMPLAINT ABOUT THE CONDUCT OF AN OFFICER?

Yes. If you wish to file a complaint about the conduct of a Designated TFN Enforcement Officer, you may do so by filing a written complaint with the Chief Administrative Officer (or his or her authorized designate) at the TFN administration office within 30 days of the incident in question. The

written complaint must include your name, the reason for the complaint and details of the incident in question.

If you wish to file a complaint about the conduct of a Delta Police Officer, you must contact the Delta Police Professional Standards office at **(604) 595-1181**, or complete the steps set out at <http://deltapolice.ca/professionalstandards/index.php>.

## HOW LONG DO I HAVE TO PAY OR DISPUTE A TICKET?

No matter what type of TFN ticket is issued, payment is due within 14 days of the day the ticket was issued.

It is important to note that if you wish to dispute any ticket, you must do so **within 14 days** of receipt of the ticket **or you will lose your right to dispute** the ticket and you will be required to pay the penalty stated on the ticket.

## CAN I GET A DISCOUNT?

Yes, if a ticket is paid early — before 14 days have passed — then the penalty owed will be discounted by up to 50%. However, if a ticket is paid late — after 29 days have passed — an additional late fee will be charged on top of the full ticket amount. The specific amounts of penalties, discounts, and late charges are listed for each ticketable contravention in the *Ticket Regulation, 2013*.

## WHERE DO I PAY A TICKET?

All ticket penalties can be paid directly to Tsawwassen First Nation by paying in cash or cheque payable to "Tsawwassen First Nation" in person at the administration building between 8:30a.m. — 4:30p.m. on normal business days, or by mailing a cheque to the TFN administration building at 1926 Tsawwassen Drive, Tsawwassen, BC, V4M 4G2. **Please do not send cash in the mail.**

Ticket payments must include a copy of the front page of the ticket or a note including the ticket number, the recipient's full name and address, the date of issue, and the regulation and section contravened.

## HOW CAN I DISPUTE A TICKET?

The appeal processes is different for different types of contraventions:

- 1) **Offence tickets** may be disputed within 14 days of receipt of the ticket to the B.C. Provincial Court in accordance with the procedures set out in the *Offence Act* (B.C.).
- 2) **Contravention tickets** may be disputed within 14 days of receipt of the ticket by filing a notice of the dispute in writing to the Judicial Council. The notice of dispute must provide an address for the person disputing the allegation and sufficient information to identify the ticket and the alleged contravention.
- 3) **Compliance notices** may be disputed within 14 days of receipt of the compliance notice by delivering a notice of dispute to the TFN administration office, or appearing in person at the TFN administration office to give notice of dispute. The notice of dispute must provide an address for the person disputing the allegation and sufficient information to identify the ticket and the alleged contravention.

## IS IT EXPENSIVE TO DISPUTE A TICKET?

There is no charge to file an initial compliance notice dispute at the TFN administration office. However, if the compliance notice is confirmed by the screening officer or a compliance agreement is entered into, there is a \$25 administrative fee.

For matters which are appealed to the Judicial Council, if the fine on the ticket is less than \$1,000, then there is no charge to file an appeal. For tickets over \$1,000, a \$100 filing fee will be required in order to file the appeal.

For matters which must be appealed to the BC Provincial Court, filing fees will be payable to that court in order to commence the appeal.



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**To Learn More,**

Contact Tsawwassen Administrator at:

(604) 943-2112

[info@tsawwassenfirstnation.com](mailto:info@tsawwassenfirstnation.com)

For detailed information regarding ticketing and the laws enforcement process, please see the *Laws Enforcement Act*, the *Ticket Regulation, 2013*, and the *Enforcement (Peace) Officer Regulation*, which are available at [www.tsawwassenfirstnation.com](http://www.tsawwassenfirstnation.com) under the "Law Registry" tab.



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