



THE RESORT MUNICIPALITY OF WHISTLER

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Lower Mainland LGA
60-10551 Shellbridge Way
Richmond, BC V6X 2W9

File: 4700.50

Sent via email

March 23, 2018

Re: 2018 Resolution – Collection of Unpaid Bylaw Fines

Please be advised that the Resort Municipality of Whistler submits the following resolution for the 2018 LMLGA Annual General Meeting:

**Collection of unpaid bylaw fines
Resort Municipality of Whistler**

WHEREAS municipalities loses a significant amount of non-tax revenue annually because of unpaid bylaw fines;

AND WHEREAS non-tax revenue sources such as a bylaw fines help offset costs to municipal services and reduce the property tax burden on residents.

AND WHEREAS the current methods available to Municipalities for the collection of bylaw fines are slow, expensive and labor intensive;

AND WHEREAS the collection of bylaw fines with the cooperation of the Province and the Insurance Corporation of BC will ensure prompt payment of any unpaid bylaw fines;

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the Province and the Insurance Corporation of BC collect outstanding bylaw fines on behalf of municipalities at the time of auto insurance and/or driver's licence renewal.

The background report: Collection of unpaid bylaw fines is included for your information.

Thank you.

Original Signed on file

Kevin Creery
Protective Services Planning Analyst

Under Sections 260 to 262 of the *Community Charter*, municipalities have broad authority to recover unpaid amounts, including prosecution and enforcement by civil court proceedings. Small claims court is an option as well and a payment hearing through the courts can be arranged to require a debtor to repay any unpaid bylaw fines. Staff can file payment hearing requests online but they still have to serve the debtor in person which adds to costs. These payment hearings have to be filed individually and this process takes 2-3 days of staff time to complete including attending the payments at the North Vancouver courts.

If a person has multiple parking tickets and does not pay their fines, bylaw staff can request that the vehicle is towed if the vehicle is parked on public property. The person would then owe the tow fee to recover their vehicle.

Staff would like to request that ICBC collect any unpaid bylaw fines on behalf of municipalities at the time of auto insurance or driver's licence renewal. This would lead to more bylaw fines being collected and would increase the non-tax revenue for the municipalities. A revenue sharing agreement with ICBC could be entered into where the revenue from collected unpaid bylaw fines would be shared between ICBC and the municipalities. This would ensure that there is some revenue generation for ICBC and also there would be no additional financial burden on ICBC with the proposed changes. Another option would be that ICBC charge an administration fee to cover costs that the debtor would pay at the time of insurance or driver's licence renewal.

ICBC currently has a "Rate Fairness" survey that the RMOW can provide comments regarding our above request. Staff has drafted a letter in Appendix B to suggest the above request as an official comment from the RMOW in the "Rate Fairness" survey.

The purpose of submitting this resolution to LMLGA and letter to ICBC is to collect any unpaid bylaw fines. The LMLGA conference is May 9-11, 2018 in Whistler. Deadlines for resolutions to LMLGA is March 23, 2018.

Based on the above, and in accordance with the LMLGA's submission requirements for resolutions, Staff have prepared a draft resolution for Council's consideration attached in Appendix A. A draft letter to ICBC from the Mayor is attached in Appendix B.

WHISTLER 2020 ANALYSIS

W2020 Strategy	TOWARD Descriptions of success that resolution moves us toward	Comments
Finance	Resort community partners work together to identify shared spending priorities, share resources, and leverage funds and financing opportunities.	There is an opportunity for an increase in non-tax revenue in collecting unpaid bylaw fines.

The draft resolution and letter to ICBC does not move our community away from any of the adopted Whistler2020 Descriptions of Success.

OTHER POLICY CONSIDERATIONS

None.

BUDGET CONSIDERATIONS

There are no budget considerations.

SUMMARY

Collecting unpaid bylaw fines through ICBC would help improve bylaw compliance and increase non-tax revenue. The purpose of submitting the LMLGA resolution and letter to ICBC is to collect unpaid bylaw fines owed to BC municipalities including the RMOW.

Respectfully submitted,

Kevin Creery

PLANNING ANALYST

PROTECTIVE SERVICES

For

Norm McPhail

GENERAL MANAGER OF CORPORATE AND COMMUNITY SERVICES

COLLECTION OF UNPAID BYLAW FINES

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AND WHEREAS non-tax revenue sources such as a bylaw fines help offset costs to municipal services and reduce the property tax burden on residents;

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THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the Province and the Insurance Corporation of BC collect outstanding bylaw fines on behalf of municipalities at the time of auto insurance and/or driver's licence renewal.



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ICBC Rate Fairness Survey

Sent via email:

citizenengagement@gov.bc.ca

March 20, 2018

David Eby
Attorney General of BC

Dear Minister Eby,

Thank you for the opportunity to comment on the ICBC Rate Fairness Survey.

The Resort Municipality of Whistler (RMOW) would like to offer a solution to generate some additional revenue for the Insurance Corporation of BC (ICBC). Municipalities lose a significant amount of non-tax revenue annually because of unpaid bylaw fines. Non-tax revenue sources such as bylaw fines help offset costs to municipal services and reduce the property tax burden on residents. The collection of bylaw fines with the cooperation of the Province and the Insurance Corporation of BC will ensure prompt payment of any unpaid bylaw fines. We request that the Province and the Insurance Corporation of BC change legislation to allow ICBC to collect outstanding bylaw fines at the time of auto insurance or driver's licence renewal.

A revenue sharing agreement with ICBC where the collected unpaid bylaw fines would be shared between ICBC and the municipalities would be beneficial to each organization. In addition, ICBC could charge an administration fee to debtors to recover any costs associated with collecting unpaid bylaw fines.

Partnering with the Province and ICBC to recover unpaid bylaw fines would help generate some additional non-tax revenue for both ICBC and Municipalities to ensure rate fairness. We would be happy to discuss our request further with the Province and ICBC at your convenience.

Sincerely,

Mayor
Nancy Wilhelm-Morden
Resort Municipality of Whistler