

DISTRICT OF KITIMAT BYLAW ENFORCEMENT COMPLAINT FORM



DISTRICT OF KITIMAT
BUILDING INSPECTION DEPARTMENT
Ph. 250-632-8900 Fax: 250-632-4995

Please **Print** information below – Please answer all questions to the best of your ability

Name of complainant: _____

Residential address: _____

Mailing address (if different): _____

Phone number (day): _____ (evening): _____

INCIDENT INFORMATION (Please be specific)
Location of incident or alleged offense:
Street address:
Other description (if needed, or include a sketch):
Name of registered owner (if known):
Address of owner (if different from location of alleged offense or incident):

DETAILED DESCRIPTION OF ALLEGED BYLAW VIOLATION (Please be as detailed as possible providing names of witnesses if available and of any attending authorities. <i>If more space is required, please use a separate sheet</i>):
Dates of Incidents

I CONFIRM THAT I HAVE READ THE REVERSE OF THIS FORM AND UNDERSTAND THAT THE DISTRICT OF KITIMAT WILL BE UNABLE TO GUARANTEE CONFIDENTIALITY OF THE ABOVE INFORMATION IF THIS MATTER RESULTS IN COURT ACTION OR ORDER FROM THE PROVINCIAL INFORMATION & PRIVACY COMMISSION.

Date _____ Signature of Complainant _____

**Forward to Bylaw Enforcement Officer when completed
TO BE COMPLETED BY DISTRICT STAFF**

Complaint received by: _____	Date: _____
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BYLAW ENFORCEMENT PROCEDURES

1. The District of Kitimat does not have the resources to formally review properties on a regular basis in order to determine whether or not its various bylaws are being complied with at all times. Therefore, except for called inspections arising from permit applications, it is the general practice of the District of Kitimat to rely on citizen complaints as a means of alerting Bylaw Enforcement to violations of its bylaws. The District of Kitimat has established the following policies and procedures in order to encourage a balance of accountability and confidentiality among the various parties to this process. This does not preclude staff of the District of Kitimat initiating investigations on their own initiative.
2. Bylaw enforcement investigation will be commenced on submission of written complaints. Complainants will be issued written confirmation of their complaint. If the preliminary investigation determines there is basis for enforcement action pursuant to the criteria set out in Section 4 below, the normal bylaw enforcement procedure will be followed. If the investigation finds there is no basis for enforcement, the complainant will be informed their complaint does not meet the criteria. Upon completion of the investigation of legitimate complaints, the complainant will be sent written notification that a resolution has been reached. Please keep in mind that certain bylaw enforcement investigations can take several months before reaching conclusion. It is not the practice of the District of Kitimat to necessarily seek a final legal remedy for all alleged infractions.
3. Please do not have several people sign the same complaint, rather, if a residence or individual is allegedly in violation of District bylaws and several neighbours consider it a nuisance, please fill out individual complaint forms. This assists in substantiating the alleged offenses.
4. As a matter of practice, the identity of the complainant and the written complaint itself shall not be disclosed to the alleged violator or any member of the public except for as outlined in Sections 5 and 6 below. In addition, the response of the alleged violator shall not be made public or disclosed to the complainant except as outlined in Sections 5 and 6 below.
5. Preliminary investigation will occur to determine if the activity or structure being complained is in contravention of the District Municipal Code.

CONFIDENTIALITY ISSUES

6. The anonymity and confidentiality given to complainants and alleged violators under this policy cannot be assured if the investigation results in court proceedings.
7. If persons request the District of Kitimat for disclosure of personal information about them in complaints and responses to the complaints under the *Freedom of Information and Protection of Privacy Act*, it shall be the policy of the District of Kitimat to refuse disclosure under Section 15 of the Act unless consent is obtained from the person who supplied the information and who would otherwise be assured of confidentiality under this policy. The District of Kitimat however, is subject to orders issued by the Information and Privacy Commissioner under the Act and will not necessarily appeal an order for disclosure.