


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 1219 , Approved and Ordered DEC 11 2004

  
Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the Violation Ticket Administration and Fines Regulation, B.C. Reg. 89/97, is amended as set out in the attached Appendix.

  
Attorney General and Minister Responsible for  
Treaty Negotiations  
Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section:- Offence Act, R.S.B.C. 1996, c. 338, section 132

Other (specify):- oic 262/97

September 1, 2004

11/8/2004/13

## APPENDIX

**1**     *Section 3 of the Violation Ticket Administration and Fines Regulation, B.C. Reg. 89/97, is amended by striking out “Schedule 2 or Schedule 3” and substituting “Schedule 2, Schedule 3 or Schedule 4”.*

**2**     *The following section is added:*

### **Transitional fines**

- 6**     (1) For the purposes of Part 11 of the *Forest and Range Practices Act*, the fines for offences against the *Forest Practices Code of British Columbia Act* and its regulations are those set out in Schedule 4.
- (2) For the contravention of an enactment listed in column 1 of Schedule 4,
- (a) Column 2 sets out the description of the offence for the purposes of section 3,
- (b) Column 3 prescribes, for the purposes of sections 14 and 16 (1) of the *Offence Act*, the fine for the contravention,
- (c) Column 4 sets out the victim surcharge levy that must be paid with the fine for that contravention, and
- (d) Column 5 sets out the ticketed amount for that contravention.

**3**     *Schedule 1 is amended*

*(a) in item 1 by adding the following paragraph after the heading “The provisions, referred to in Column 1 of Schedule 2, of the following enactments:”:*

*(f.1) Forest and Range Practices Act  
and regulations*

*(b) in item 10 by adding the following paragraph:*

*(a.1) Forest and Range Practices Act  
and the regulations made under the  
Forest and Range Practices Act*

*and*

**(c) by striking out item 18 and substituting the following:**

18	A person designated as an official under section 1 of the <i>Forest Practices Code of British Columbia Act</i> or as an official under section 1 of the <i>Forest and Range Practices Act</i>	Sections 12 (2) and 13 of the <i>Environmental Management Act</i> The provisions, referred to in Column 1 of Schedule 2, of the following enactments: (a) the <i>Forest Practices Code of British Columbia Act</i> (b) the <i>Forest and Range Practices Act</i> (c) Forest Fire Prevention and Suppression Regulation, B.C. Reg. 169/95 (d) Forest Recreation Regulation, B.C. Reg. 16/2004 (e) Forest Service Road Use Regulation, B.C. Reg. 173/95 (f) Forest Service Road Use Regulation, B.C. Reg. 70/2004 (g) Range Practices Regulation, B.C. Reg. 177/95 (h) Range Planning and Practices Regulation, B.C. Reg. 19/2004 (i) Silviculture Practices Regulation, B.C. Reg. 108/98 (j) Timber Harvesting and Silviculture Practices Regulation, B.C. Reg. 352/2002
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**4 Schedule 2 is amended**

**(a) under the heading “Forest Act”, by striking out the items for sections 139 and 163 and substituting the following:**

section 89 (1) (b)	Brand timber which is not marked and scaled	\$150	\$23	\$173
section 93.1	Misrepresent as an authorized scaler	\$150	\$23	\$173
section 127	Unauthorized export of timber	\$150	\$23	\$173

**(b) by adding the following before the heading for “Forest Practices Code of British Columbia Act”:**

*Forest Planning and Practices Regulation, B.C. Reg. 14/2004*

section 63 (1)	Fertilizer within 100 m of licensed waterworks	\$150	\$23	\$173
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*Range Planning and Practices Regulation, B.C. Reg. 19/2004*

section 33 (1)	Livestock in riparian area	\$150	\$23	\$173
section 35	Fail to remove dead livestock	\$150	\$23	\$173
section 40 (1)	Fail to maintain range development	\$100	\$15	\$115
section 42 (2) (a)	Fail to tag livestock	\$100	\$15	\$115
section 42 (2) (b)	Fail to report loss of tags	\$100	\$15	\$115

*Woodlot Licence Planning and Practices Regulation, B.C. Reg. 21/2004*

section 51 (1)	Fertilizer within 100 m of licensed waterworks	\$150	\$23	\$173
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(c) *by striking out the heading “Forest Recreation Regulation, B.C. Reg. 58/99” and the items under it and substituting the following:*

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*Forest Recreation Regulation, B.C. Reg. 16/2004*

section 6 (1)	Illegal use of vehicle or equipment on recreation site	\$100	\$15	\$115
section 6 (2)	Exceed 20 km/h	\$100	\$15	\$115
section 6 (3)	Illegal parking	\$50	\$8	\$58
section 7 (1) (a)	Fail to wear bicycle safety helmet	\$25	\$4	\$29
section 7 (1) (b)	Fail to wear motorcycle safety helmet	\$100	\$15	\$115
section 8	Illegal discharge of holding tank	\$100	\$15	\$115
section 9	Illegal disposal of litter	\$75	\$11	\$86
section 10	Illegal disposal of game residue	\$75	\$11	\$86
section 11	Illegal use of traps, firearms, bows or crossbows	\$100	\$15	\$115
section 12 (1) (a)	Pet threatening life, safety or property	\$100	\$15	\$115
section 12 (1) (b)	Pet causing disturbance	\$50	\$8	\$58
section 13 (1)	Unauthorized stay exceeding 14 days	\$50	\$8	\$58
section 14	Unauthorized removal of firewood	\$50	\$8	\$58
section 15 (1)	Unauthorized construction of structure	\$100	\$15	\$115
section 16	Unauthorized use of site, trail or area	\$50	\$8	\$58
section 17 (a)	Damage to facilities, structures or natural resources	\$100	\$15	\$115
section 17 (b)	Unauthorized moving of a structure	\$50	\$8	\$58
section 18 (1)	Deliberate or unnecessary disturbance	\$100	\$15	\$115
section 18 (2)	Disturbance between 11:00 p.m. and 7:00 a.m.	\$100	\$15	\$115
section 20 (6)	Fail to comply with limitation on occupancy and use	\$50	\$8	\$58
section 23 (2)	Fail to vacate site, trail or area upon lawful order	\$100	\$15	\$115
section 23 (2)	Unauthorized entry to site, trail or area	\$100	\$15	\$115

(d) *by striking out the heading “Forest Service Road Use Regulation, B.C. Reg. 173/95” and substituting “Forest Service Road Use Regulation, B.C. Reg. 70/2004”.*

(e) *by striking out the heading “Range Practices Regulation, B.C. Reg. 177/95” and the items under it, and*

(f) *by striking out the heading “Silviculture Practices Regulation, B.C. Reg. 179/95” and the items under it, and*

5     *The following Schedule 4 is added:*

## SCHEDULE 4

1	2	3	4	5
Provision	Contravention	Fine	Victim Surcharge Levy	Ticketed Amount
<i>Forest Service Road Use Regulation, B.C. Reg. 173/95</i>				
section 3 (3)	Snowmobile illegally on forest service road	\$50	\$8	\$58
section 4	Speed on forest service road	\$75	\$11	\$86
section 5 (1)	Fail to properly transmit location	\$75	\$11	\$86
section 6 (3)	Erect traffic control device without authority	\$75	\$11	\$86
section 6 (4)	Damage or remove traffic control device	\$75	\$11	\$86
section 6 (5)	Disobey traffic control device	\$75	\$11	\$86
section 7	Vehicle not maintained to standards	\$100	\$15	\$115
section 8	Unlicensed industrial vehicle not properly marked	\$75	\$11	\$86
section 10 (1)	Damage forest service road	\$150	\$23	\$173
section 11 (1)	Construct works without permit	\$150	\$23	\$173
section 12 (1)	Use forest service road without required insurance	\$300	\$45	\$345
<i>Range Practices Regulation, B.C. Reg. 177/95</i>				
section 5 (1)	Fail to maintain range development	\$100	\$15	\$115
section 6 (1)	Tracks or wheels within 5 m of stream bank	\$100	\$15	\$115
section 6 (3)	Fuel machinery in riparian area	\$150	\$23	\$173
section 7 (1)	Fail to remove livestock	\$150	\$23	\$173
section 7 (3)	Livestock in riparian area	\$150	\$23	\$173
section 7 (4)	Fail to remove dead livestock	\$150	\$23	\$173
section 8 (2)	Fail to tag livestock	\$100	\$15	\$115
section 8 (3)	Fail to report loss of tags	\$100	\$15	\$115
section 8 (4)	Fail to transfer tags	\$100	\$15	\$115
<i>Silviculture Practices Regulation, B.C. Reg. 179/95</i>				
section 8	Pesticide within 100 m of domestic water intake	\$150	\$23	\$173
section 10	Fail to maintain 10 m pesticide free zone around streams	\$150	\$23	\$173
section 11	Fail to halt application in community watershed	\$150	\$23	\$173
section 15	Fertilizer within 100 m of domestic water intake	\$150	\$23	\$173
section 28 (1)	Tracks or wheels within 5 m of stream bank	\$100	\$15	\$115
section 28 (3)	Fuel machinery in riparian area	\$150	\$23	\$173
<i>Timber Harvesting and Silviculture Practices Regulation, B.C. Reg. 352/2002</i>				
section 11 (1)	Tracks or wheels within 5 m of stream bank	\$100	\$15	\$115
section 11 (3)	Fuel machinery in riparian area	\$150	\$23	\$173
section 43 (2)	Fertilizer within 100 m of domestic water intake	\$150	\$23	\$173