

BYLAW NO. 1729

A BYLAW OF THE CITY OF NORTH BATTLEFORD TO
ESTABLISH PENALTIES AND ENFORCEMENT
PROCEDURES FOR CONTRAVENTION OF BYLAWS AND
ORDERS OF THE CITY OF NORTH BATTLEFORD.

WHEREAS Sections 8 and 338 of *The Cities Act* provide for creating offences and penalties pertaining to the enforcement of bylaws and compliance of orders;

NOW THEREFORE the Council of the City of North Battleford, in the Province of Saskatchewan enacts as follows:

1. This bylaw shall be cited as the “General Penalty Bylaw”.
2. The penalties and enforcement procedures in this Bylaw shall apply with respect to contraventions of any bylaw of the City of North Battleford, unless a different penalty or procedure is otherwise specified in another bylaw.

General Penalty

3. a) Every person who contravenes any provision of a bylaw of the City of North Battleford is guilty of an offence and liable on summary conviction:
 - i) in the case of an individual to a fine not exceeding \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,500 for each day during which the offence continues;
 - ii) in the case of a corporation to a fine not exceeding \$25,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,500 for each day during which the offence continues.
- b) The court may, in default of payment of a fine imposed under this or any other bylaw of the City of North Battleford, order imprisonment of an individual for a term not exceeding one year.

Penalties in Addition to Fines

4. If a person is found guilty of an offence against any bylaw of the City of North Battleford, the court may, in addition to a fine, impose an additional penalty so long as the penalty relates to a fee, cost, rate, toll or charge that is associated with the conduct that gives rise to the offence.

Order for Compliance

5. a) If a person is found guilty of an offence against any bylaw of the City of North Battleford, the court may, in addition to any other penalty imposed, order the person to comply with the bylaw or a licence, permit or other authorization issued under the bylaw, or a term or condition of any of them.
- b) A person to whom an order is made pursuant to subsection a) who fails to comply with that order within the time specified by the court is guilty of an offence and liable on summary conviction:
 - i) in the case of an individual to a fine not exceeding \$10,000 and, in the case of a continuing offence to a further fine not exceeding \$2,500 for each day during which the non-compliance continues;
 - ii) in the case of a corporation, to a fine not exceeding \$25,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,500 for each day during which the non-compliance continues.

Inspections

6. a) The inspection of property by a bylaw inspector or designated officer to determine if a bylaw is being complied with is hereby authorized for all bylaws of the City of North Battleford.
- b) Every inspection shall be carried out in accordance with the provisions of *The Cities Act*.

Obstruction, Tampering Prohibited

7. a) No person shall obstruct a bylaw inspector or a designated officer who is authorized to conduct an inspection pursuant to Section 6 or a person who is assisting a bylaw inspector or designated officer.
 - b) Every person who contravenes subsection a) is guilty of an offence and liable on summary conviction to the penalties prescribed in this bylaw.
8. Bylaw No. 1651 is hereby repealed.
 9. This bylaw shall come into force and take effect on the day of the final passing thereof.

INTRODUCED AND READ A FIRST TIME THIS 25th DAY OF MAY , A.D. 2004.
READ A SECOND TIME THIS 25th DAY OF MAY, A.D. 2004.
READ A THIRD TIME AND ADOPTED THIS 14th DAY OF JUNE, A.D. 2004.

Julian Sadlowski
MAYOR

Elaine Kostiuk
CITY CLERK