

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW NUMER 2021 – 71

Office Consolidation
(By-law 2022-50)

BEING A BY-LAW TO ESTABLISH A COMPREHENSIVE SYSTEM OF ADMINISTRATIVE MONETARY PENALTIES FOR THE TOWN OF THE BLUE MOUNTAINS

WHEREAS section 8(1) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended provides that the powers of a municipality shall be interpreted broadly as to confer broad authority on a municipality to enable it to govern its affairs as it considers appropriate, and enhance its ability to respond to municipal issues;

AND WHEREAS section 391(1) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended provides for a municipality to impose fees and charges on persons for services or activities it provides and for the use of its property;

AND WHEREAS section 23.1 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended authorizes a municipality to delegate its powers and duties;

AND WHEREAS section 434.1 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended provides that a municipality may require a person to pay an Administrative Monetary Penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under the *Municipal Act*;

AND WHEREAS section 434.2 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended provides that an Administrative Monetary Penalty imposed by the municipality on a person constitutes a debt of the person to the municipality;

AND WHEREAS the Province of Ontario adopted the “Administrative Penalties” regulation, O. Reg 333/07 pursuant to the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended;

AND WHEREAS the Council of the Corporation of the Town of The Blue Mountains considers it desirable to have an Administrative Monetary Penalty By-law that sets out a process for all regulatory by-laws to which administrative monetary penalties may apply;

NOW THEREFORE the Council of the Corporation of the Town of The Blue Mountains enacts as follows:

1. SHORT TITLE

1.1 This by-law shall be known and may be cited as the “Administrative Monetary Penalties By-law”.

2. APPLICABILITY AND SCOPE

2.1 This By-law applies to, and only to a **Designated By-law**.

2.2 This By-law shall apply to any contravention of a **Designated By-law** listed in Schedule “A” of this By-law. The short form wording to be used for a contravention of a **Designated By-law** and the **Administrative Monetary Penalty** imposed are as set out in Schedule “A” of this By-law.

2.3 The *Provincial Offences Act, R.S.O. 1990, c. P.33*, as amended, will continue to apply to contraventions of a **Designated By-law**, except that no **Person** that is issued a Penalty Notice under this By-law in respect of a contravention of a **Designated By-law** shall be charged with an offence in respect of the same contravention under the *Provincial Offences Act, R.S.O. 1990, c. P. 33*, as amended.

3. DEFINITIONS

3.1 In this By-law:

“**Administrative Monetary Penalty**” means a monetary penalty imposed and as set out in Schedule “A” of this By-law for a contravention of a **Designated By-law** and when imposed includes an administrative fee as set out in Schedule “B”;

“**Chief Administrative Officer**” means the Chief Administrative Officer for the Town or any Person designated by the Chief Administrative Officer;

“**Council**” means the Council of the **Town**;

“**Clerk**” means the Clerk for the **Town** or any **Person** designated by the Clerk;

“**Designated By-law**” means a by-law or provision of a by-law that is designated under this or any other by-law, as a by-law or provision of a by-law to which this By-law applies;

“**Director of Human Resources**” means the Director of Human Resources for the **Town** or any **Person** designated by the Director of Human Resources;

“**Hearing No Show Fee**” means an administrative fee as set out in Schedule “B” of this By-law in respect of a **Person’s** failure to appear at the time and place scheduled for a review before a **Hearings Officer**;

“**Hearings Officer**” means a **Person** appointed by **Council** to perform the duties of a Hearing Officer for the purposes of this By-law;

“**Hearing Officer’s Decision**” means a notice that contains the decision of a **Hearings Officer**;

“**Holiday**” means a Saturday, Sunday, any statutory holiday in the Province of Ontario or any day the offices for the **Town** are officially closed for business;

“**Late Payment Fee**” means an administrative fee as set out in Schedule “B” of this By-law in respect of a **Person’s** failure to pay an **Administrative Monetary Penalty** within the time prescribed in this By-law;

“**Officer**” means a police officer, a Municipal Law Enforcement Officer or other person appointed by or under the authority of a **Town** by-law to enforce a **Designated By-law**;

“**Owner**” includes,

- (a) the **Person** for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the **Person’s** own account or as agent or trustee of any other **Person**, or who would receive the rent if the land and premises were let;
- (b) a lessee or occupant of the property;
- (c) a **Person** having care and control of the property;

“**Parent**” means a **Person** who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that **Person** is the natural parent of the child;

“**Person**” includes an individual, sole proprietorship, partnership, limited partnership, trust, corporation, and an individual in his or her capacity as a trustee, executor, administrator, or other legal representative;

“**Penalty Notice**” means a notice issued by an **Officer** for a contravention of a **Designated By-law**;

“**Penalty Notice Date**” means the date of the contravention specified on the **Penalty Notice**;

“Penalty Notice Number” means the number specified on the **Penalty Notice**;

“Power of Decision” means a power or right, conferred by or under this By-law, to make a decision deciding or prescribing, the legal rights, powers, privileges, immunities, duties or liabilities of a **Person**;

(a) in the case of a **Screening Officer**, in respect of a request to review an **Administrative Monetary Penalty**;

(b) in the case of a **Hearings Officer**, in respect of a request to review a **Screening Decision**;

“Relative” includes any of the following **persons**:

(a) **spouse**;

(b) **parent**, including step-child and grandchild;

(c) siblings and children of siblings;

(d) aunt, uncle, niece and nephew;

(e) in-laws, including mother, father, sister, brother, daughter, and son; or

(f) a **person** who lives with the **person** on a permanent basis;

“Regulation” means the Administrative Penalties, Ontario Regulation 333/07 under the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended;

“Request for Review By Hearings Officer” means a form provided by the **Town** to request a review of a **Screening Decision**;

“Screening Decision” means a notice which contains the decision of a **Screening Officer**;

“Screening Officer” means a **Person** appointed by **Council** to perform the duties of a Screening Officer for the purposes of this By-law;

“Screening No Show Fee” means an administrative fee as set out in Schedule “B” of this By-law in respect of a **Person’s** failure to appear at the time and place scheduled for a review by a **Screening Officer**;

“Spouse” means a **Person** to whom the **Person** is married or with whom the **Person** is living in a conjugal relationship outside marriage;

“Tax Roll Address” means the mailing address and contact information for the owner of property that appears in the **Town’s** municipal tax assessment records;

“Town” means the Corporation of the Town of The Blue Mountains or the land within the geographic limits of the Corporation of the Town of The Blue Mountains as the context requires.

4. GENERAL PROVISIONS

4.1. Where an **Administrative Monetary Penalty** is cancelled by a **Screening Officer** or a **Hearings Officer** any administrative fee is also cancelled.

4.2. Any time limit that would otherwise expire on a **Holiday** is extended to the next day that is not a **Holiday**.

4.3. Any Schedule attached to this By-law forms part of this By-law.

4.4. Sections 431 and 440 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, apply to this By-law, providing respectively, for a court of competent jurisdiction to prohibit the contravention or repetition of an offence, and, upon application of the **Town**, for a court to make orders to restrain a contravention, which remedies may be sought in addition to any remedy or penalty imposed under this By-law.

4.5. Nothing in this By-law limits the **Town's** right to enforce a **Designated By-law** by any other and all legal means.

5. PENALTY NOTICE

5.1 A **Penalty Notice** shall include the following information:

- (a) the name of the **Person(s)**;
- (b) the **Penalty Notice Date**;
- (c) a **Penalty Notice Number**;
- (d) the short form wording outlined in Schedule "A" of the By-law, which describes the particulars of the contravention;
- (e) the amount of the **Administrative Monetary Penalty** outlined in Schedule "A" of this By-law;
- (f) the name and identification number of the **Officer**;
- (g) such information as the **Director of Chief Administrative Officer** or designate determines is appropriate respecting the process by which the **Person** may exercise the **Person's** right to request a review of the **Administrative Monetary Penalty**;
- (h) a statement advising that an **Administrative Monetary Penalty**, including any administrative fee, will, unless cancelled or reduced pursuant to a review, constitute a debt of the **Person** to the **Town**.

5.2 An **Officer** who has reason to believe that a **Person** has contravened a provision of a **Designated By-law** may issue a **Penalty Notice** to that **Person**.

5.3 Every **Person** who contravenes a provision of a **Designated By-law** shall, when given a **Penalty Notice**, be liable to pay to the **Town** the **Administrative Monetary Penalty** set out in the **Penalty Notice** within 15 days of the **Penalty Notice Date**.

5.4 No **Officer** shall accept payment in respect of an **Administrative Monetary Penalty**.

5.5 Where a **Penalty Notice** is issued in respect of a contravention of a **Designated By-law** for which **Owners** of a property are responsible, the **Penalty Notice** shall include the name of all **Persons** who are the registered owners of such property, and such **Persons** shall be jointly and severally liable for the **Penalty Notice**.

6. SERVICE OF A PENALTY NOTICE

6.1 Service of any document or notice, including a **Penalty Notice**, respecting this By-law may be given in writing in any of the following ways and is effective:

- (a) when a copy is delivered to the **Person** to whom it is addressed;
- (b) on the 5th day after a copy is sent by registered mail or by regular letter mail to the **Person's** last known address;
- (c) upon the conclusion of the transmission of a copy by facsimile transmission to the **Person's** last known facsimile transmission number;
- (d) upon sending a copy by e-mail transmission to the **Person's** last known e-mail address; or
- (e) where a **Penalty Notice** is issued pursuant to By-law 2022-49, as amended by By-law 2022-49 or By-law 2001-88, as amended, service under this section shall be deemed effective upon the affixing of the **Penalty Notice** to a motor vehicle in a conspicuous manner (*By-law 2022-50*).

- 6.2 For the purposes of sections 6.1 (b), (c) and (d), a **Person's** last known address, facsimile number and e-mail address may include an address, facsimile number and e-mail address provided by the **Person** to the **Town**, including the **Tax Roll Address**, information provided in an application for a licence made by a **Person** under a **Town** Licensing By-law or as provided in writing or in a form supplied by the **Town** for the purposes of administration of this By-law.
- 6.3 In addition to the service methods in section 6.1, an **Officer** may serve the **Penalty Notice** on a **Person** who is the **Owner** of a property that is in contravention of a **Designated By-Law**, by delivering it personally to the **Person** having care and control of the property and then sending a copy by regular mail to the **Tax Roll Address**;
- 6.4 Service of a **Penalty Notice** under section 6.3 is effective on the 5th day after a copy is sent by regular letter mail to the **Tax Roll Address**.

7. SCREENING OFFICER REVIEW

- 7.1 A **Person** who is given a **Penalty Notice** may request that the **Administrative Monetary Penalty** be reviewed by a **Screening Officer** within 15 days after the **Penalty Notice Date**.
- 7.2 If a **Person** does not request a review within the time limit set out in section 7.1, a **Person** may request that the **Screening Officer** extend the time to request a review within 30 days after the **Penalty Notice Date**.
- 7.3 A **Person's** right to request a review or to request an extension of time to request a review are exercised by:
- (a) calling the telephone number listed on the **Penalty Notice**, providing the information required as set out in the **Penalty Notice** and scheduling the time and place for the review; or
 - (b) attending in person or by a representative at the place specified in the **Penalty Notice** to provide the information required in the **Penalty Notice** and scheduling the time and place for the review.
- 7.4 A **Person's** right to request an extension of time in section 7.2 expires if it has not been exercised within 30 days after the **Penalty Notice Date** at which time:
- (a) the **Person** shall be deemed to have waived the right to request a review;
 - (b) the **Administrative Monetary Penalty**, including any administrative fees, shall be deemed to be affirmed on the 16th day after the **Penalty Notice Date**; and
 - (c) the **Administrative Monetary Penalty**, including any administrative fees, is not subject to any further review, including review by any court.
- 7.5 A review or a request for an extension of time to request a review shall only be scheduled by the **Town** if the **Person** has exercised his or her right to request a review or an extension of time to request a review within the time limits set out in sections 7.1 or 7.2.

- 7.6 Where a **Person** fails to attend at the time and place scheduled for a review by the **Screening Officer**:
- (a) the **Person** shall be deemed to have abandoned the request for a review of the **Administrative Monetary Penalty**;
 - (b) the **Person** shall pay to the **Town** a **Screening No Show Fee**;
 - (c) the **Administrative Monetary Penalty**, including any administrative fees, shall be deemed to be affirmed on the date that was scheduled for the review; and
 - (d) the **Administrative Monetary Penalty**, including any administrative fees, is not subject to any further review, including review by any court.
- 7.7 For the purposes of section 7.2, the **Screening Officer** may only extend the time to request a review of an **Administrative Monetary Penalty** where the **Person** demonstrates, on a balance of probabilities, the existence of extenuating circumstances that prevented the **Person** from exercising the right to request a review in the timeframe set out in section 7.1.
- 7.8 Where an extension of time is not granted by the **Screening Officer** the **Administrative Monetary Penalty**, including any administrative fees, is deemed to be affirmed on the 16th day after the **Penalty Notice Date**.
- 7.9 After a review of the **Administrative Monetary Penalty** has been held, the **Screening Officer** shall deliver a **Screening Decision** to the **Person**.
- 8.0 HEARING OFFICER REVIEW**
- 8.1 A **Person** may request a review of a **Screening Decision** by a **Hearings Officer** within 15 days after the **Screening Decision** has been delivered to the **Person**.
- 8.2 If a **Person** has not requested a review within the time limit set out in section 8.1, a **Person** may request that the **Hearings Officer** extend the time to request a review within 30 days after the **Screening Decision** has been delivered to the **Person**.
- 8.3 A **Person's** right to request an extension of time in section 8.2 expires if it has not been exercised within 30 days after the **Screening Decision** has been delivered at which time:
- (a) the **Person** shall be deemed to have waived the right to request a hearing;
 - (b) the **Screening Decision**, which includes the **Administrative Monetary Penalty** and any administrative fees, shall be deemed to be affirmed; and
 - (c) the **Screening Decision**, which includes the **Administrative Monetary Penalty** and any administrative fees, is not subject to any further review, including review by any court.
- 8.4 A **Person's** right to request a review of a **Screening Decision** or to request an extension of time to request the review are exercised by:
- (a) attending in person or by representative at the place specified in the **Request for Review by Hearings Officer**; and
 - (b) filing a completed **Request for Review by Hearings Officer** form.
- 8.5 A review or a request for an extension of time to request a review shall only be scheduled by the **Town** if the **Person** has exercised his or her right to request a review or an extension of time to request a review within the time limits set out in sections 8.1 and 8.2.

- 8.6 Where a **Person** fails to attend at the time and place scheduled for a review by a **Hearings Officer**:
- (a) the **Person** shall be deemed to have abandoned the request for a review of the **Screening Decision**;
 - (b) the **Person** shall pay to the **Town** a **Hearing No Show Fee**;
 - (c) the **Screening Decision**, which includes the **Administrative Monetary Penalty** and any administrative fees, shall be deemed to be affirmed on the date that was scheduled for the Hearing; and
 - (d) the **Screening Decision**, which includes the **Administrative Monetary Penalty** and any administrative fees, is not subject to any further review, including review by any court.
- 8.7 For the purposes of section 8.2, a **Hearings Officer** may only extend the time to request a review of a **Screening Decision** where the **Person** demonstrates, on a balance of probabilities, the existence of extenuating circumstances that prevented the **Person** from exercising the right to request a review in the timeframe set out in section 8.1.
- 8.8 Where an extension of time is not granted by a **Hearings Officer** the **Screening Decision**, which includes the **Administrative Monetary Penalty** and any administrative fees, is deemed to be affirmed and shall not be subject to any further review, including review by any court.
- 8.9 A **Hearings Officer** shall not make any decision respecting a review of a **Screening Decision** unless the **Hearings Officer** has given the **Person** and the **Town** an opportunity to be heard at the time and place scheduled for the hearing of the review.
- 8.10 All hearings conducted by a **Hearings Officer** shall be in accordance with the *Statutory Powers and Procedures Act, R.S.O. 1990, c. S. 22*, as amended.
- 8.11 After a hearing is complete the **Hearings Officer** shall issue to the **Person** a **Hearing Officer's Decision**.

9. ESTABLISHMENT AND APPOINTMENT OF SCREENING AND HEARING OFFICERS

- 9.1 The position of **Screening Officer** is established for the purpose of exercising the **Power of Decision** in the review of an **Administrative Monetary Penalty** in accordance with this By-law and the **Regulation**.
- 9.2 The following are not eligible for appointment as a **Screening Officer**:
- (a) a member of **Council**;
 - (b) an **Officer**;
 - (c) a **relative** of a **person** referenced in section 9.2(a) and 9.2(b).
- 9.3 The position of **Hearings Officer** is established for the purpose of exercising the **Power of Decision** in the review of a **Screening Decision** in accordance with this By-law and the **Regulation**.
- 9.4 The following are not eligible for appointment as a **Hearing Officer**:
- (a) a member of **Council**;
 - (b) an employee of the **Town**;
 - (c) an **Officer**;
 - (d) a **relative** or a **person** referenced in section 9.4(a), 9.4(b) and 9.4(c);
 - (e) a **person** indebted to the **Town** other than:
 - (i) in respect of current real property taxes; or
 - (ii) pursuant to an agreement with the **Town**, the terms with which the **person** is in compliance.

- 9.4 A **Screening Officer** and a **Hearings Officer** shall be appointed by **Council** on the recommendation of the **Director of Human Resources** which recommendation shall give preference to an eligible candidate:
- (a) with knowledge of and experience in administrative law; and
 - (b) of good character.
- 9.5 A **Screening Officer** and a **Hearings Officer** shall hold office for the term or remainder of the term of **Council** that appointed the **Screening Officer** and **Hearings Officer** and thereafter until a successor is appointed.
- 9.6 A **Screening Officer** and a **Hearings Officer** shall be remunerated at the rate from time to time established by **Council**.
- 9.7 No **person** shall attempt, directly or indirectly, to communicate with or influence a **Screening Officer** or a **Hearings Officer** respecting the determination of an issue respecting a **Power of Decision** in a proceeding that is or will be pending before the **Screening Officer** or **Hearings Officer** except a **Person** who is entitled to be heard in the proceeding or the **Person's** lawyer, licensed representative or authorized agent and only by that **Person** or the **Person's** lawyer, licensed representative or authorized agent during the screening or hearing of the proceeding in which the issue arises.
- 9.8 Section 9.7 does not prevent a **Screening Officer** or **Hearings Officer** from seeking and receiving legal advice.
- 9.9 Sections 9.5 and 9.6, do not apply to a **Screening Officer** that is an employee of the **Town**.

10. JURISDICTION OF SCREENING AND HEARINGS OFFICER

- 10.1 Neither a **Screening Officer** nor a **Hearings Officer** has jurisdiction to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.
- 10.2 On a review of the **Administrative Monetary Penalty**, the **Screening Officer** may affirm the **Administrative Monetary Penalty**, including any administrative fee, or the **Screening Officer** may cancel, reduce, or extend the time for payment of the **Administrative Monetary Penalty**, including any administrative fee, on the following grounds:
- (a) where the **Person** establishes on a balance of probabilities, that he or she did not contravene the **Designated By-law** as described in the **Penalty Notice**;
 - (b) where the **Person** provides clear and sufficient evidence to establish that the cancellation, reduction or extension of time for payment of the **Administrative Monetary Penalty**, including any administrative fees, is necessary to relieve any undue hardship;
 - (c) where the **Person** took all reasonable steps to prevent or avoid the contravention; or (*By-law 2022-50*); and
 - (d) where the **Screening Officer** deems it in the interest of justice to do so (*By-law 2022-50*).
- 10.3 On a review of a **Screening Decision**, a **Hearings Officer** may affirm the **Screening Decision**, or the **Hearings Officer** may cancel, reduce or extend the time for payment of the **Administrative Monetary Penalty**, including any administrative fee, on the following grounds:
- (a) where the **Person** establishes on a balance of probabilities, that he or she did not contravene the **Designated By-law** as described in the **Penalty Notice**;
 - (b) where the **Person** provides clear and sufficient evidence to establish that the cancellation, reduction or extension of time for payment of the **Administrative Monetary Penalty**, including any administrative fee, is necessary to relieve any undue hardship;

- (c) where the **Person** took all reasonable steps to prevent or avoid the contravention; or (*By-law 2022-50*); and
- (d) where the **Hearings Officer** deems it in the interest of justice to do so (*By-law 2022-50*).

10.4 Any decision by a **Hearings Officer** is final and is not subject to any further review, including review by any court.

11. ADMINISTRATION OF THE BY-LAW

11.1 The **Chief Administrative Officer** or designate shall administer the By-law and establish any practices, policies and procedures necessary to implement the By-law.

11.2 The **Chief Administrative Officer** or designate shall prescribe all forms and notices, including the **Penalty Notice**, necessary to implement the By-law and may amend such forms and notices from time to time as the **Chief Administrative Officer** or designate deems necessary.

11.3 The **Chief Administrative Officer** or designate may cancel an **Administrative Monetary Penalty**, including any administrative fee, where the **Penalty Notice** was issued to a **Person** due to an error made by the **Town**.

11.4 The **Chief Administrative Officer** or designate may cancel any administrative fee, without cancelling the **Administrative Monetary Penalty**, where the fee was imposed as the result of an error made by the **Town**.

12. FINANCIAL ADMINISTRATION

12.1 The **Administrative Monetary Penalty** is due and payable on the **Penalty Notice Date** and within 15 days of the **Penalty Notice Date**.

12.2 A **Person** who is given a **Penalty Notice** and who does not pay the amount of the **Administrative Monetary Penalty** within 15 days of the **Penalty Notice Date** shall pay to the **Town** the **Late Payment Fee** and any other administrative fees in Schedule "B" of this By-Law which may be applicable.

12.3 An **Administrative Monetary Penalty**, including any administrative fees, that is deemed affirmed is automatically affirmed under this By-law and does not require a **Power of Decision** provided to the **Screening Officer** or the **Hearings Officer**.

12.4 Where a **Person** has paid an **Administrative Monetary Penalty** that is then cancelled or reduced pursuant to this By-law, the **Town** shall refund the amount cancelled or reduced including any administrative fees imposed.

13. CONSEQUENCES OF NON-PAYMENT

13.1 An **Administrative Monetary Penalty**, including any administrative fees, that is affirmed or reduced or in respect of which the time for payment has been extended is due and payable and constitutes a debt to the **Town** owed by the **Person** to whom the **Penalty Notice** was given.

13.2 An **Administrative Monetary Penalty**, including any administrative fees, that is not paid within 15 days after it becomes due and payable shall be deemed to be unpaid taxes and may be collected in the same manner as taxes in accordance with section 434.2 *Municipal Act, 2001, S.O. 2001, c. 25*, as amended.

13.3 In the event of extenuating circumstances, a **Person** subject to a **Hearing No Show Fee**

may request in writing to the **Chief Administrative Officer** or designate that the matter be reviewed, and upon providing any and all evidence satisfactory to the **Chief Administrative Officer** or designate, the said administrative fee may be cancelled, and an opportunity for another hearing granted, with the decision by the **Chief Administrative Officer** or designate being final.

14. SEVERABILITY

14.1 If a court of competent jurisdiction declares any section or part of this By-law invalid, it is the intention of **Council** of the **Town** that the remainder of this By-law shall continue in force unless the court makes an order to the contrary.

READ A FIRST, SECOND, THIRD TIME AND FINALLY PASSED THIS 23RD DAY OF AUGUST, 2021.

**THE CORPORATION OF THE
TOWN OF THE BLUE MOUNTAINS**

MAYOR – ALAR SOEVER

CLERK – CORRINA GILES

SCHEDULE A TO BY-LAW 2021-71
DESIGNATED BY-LAW PROVISIONS

LICENSING BY-LAW

3. For the purpose of section 2.1 of this By-law:

- (a) Column 1 in the following table lists the provisions in the Licensing By-law No. 2021-XX, as amended, that are hereby designated for the purposes of section 434.1 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended;
- (b) Column 2 in the following table sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
- (c) Column 3 in the following table sets out the **Administrative Monetary Penalty** amounts that are payable for contraventions of the designated provisions listed in Column 1.

Item	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Monetary Penalty
1	Schedule C,D,E - Section 2.4	Exceeding Maximum Permitted Occupancy	\$500.00
2	Schedule C,D,E - Section 2.9	Non-availability of Responsible Person	\$500.00
3	Schedule C,D,E - Section 2.9	Non-availability of Rental or Lease Management Program Representative	\$500.00
4	Schedule C,D,E - Section 2.6	Fail to post Licence	\$500.00
5	Section 2.3	Operate without a Licence	\$2500.00
6	Section 2.4	Advertise without a Licence – Short Term Rental Property Unit	\$500.00
7	Section 2.4	Advertise without a Licence – Bed and Breakfast Establishment	\$500.00
8	Schedule F – Section 2.5	Failure of the Licensee to be on site at the Premises between the hours of 2300 and 0700.	\$500.00
9	Section 2.12	Permit an activity that causes a nuisance	\$250.00
10	Schedule C,D,E - Section 2.7; Schedule F – Section 2.5	Use premises contrary to Parking Management Plan	\$500.00
11	Schedule C,D,E - Section 2.7	Operating without functioning noise notification system where required	\$500.00
12	Schedule C,D,E - Section 2.10	Use or permit the use of an outdoor hot tub or pool between 2300 and 0700 hours	\$500.00
13	Schedule C,D,E - Section 2.11	Failure to properly secure or cover a Pool or Hot Tub	\$500.00
14	Schedule C,D,E - Section 2.12	Use or permit the use or ignition of an outdoor fire or fire pit without a permit	\$500.00
15	Section 13	Failure to Comply with an Order	\$500.00

PARKING BY-LAW

For the purposes of section 2.1 of this By-law:

- a. The Parking By-law 2022-49 is a Designated By-law;
- b. The penalties for a contravention of the Parking By-law 2044-49 are set out in Schedule 3 of the Parking By-law (*By-law 2022-50*).

SCHEDULE B TO BY-LAW NO. 2021-

ADMINISTRATIVE FEES

Item No.	COLUMN 1 Administrative Fee	COLUMN 2 Amount
1	Late Payment Fee	\$25.00
2	Screening No Show Fee	\$125.00
3	Hearing No Show Fee	\$350.00
4	Land Title Search Fee	\$25.00
5	Title Deed Fee	\$15.00