

RURAL MUNICIPALITY OF BEAVER RIVER NO. 622
BYLAW NO. 10-19

**A BYLAW TO ESTABLISH GENERAL BYLAW
ENFORCEMENT AND PENALTY BYLAW**

The Council of The Rural Municipality of Beaver River No. 622 in the Province of Saskatchewan enacts as follows

1. Title

This Bylaw may be cited as The General Penalty & Enforcement Bylaw.

2. Purpose and Application

2.1 The purpose of this Bylaw is to establish general penalties and enforcement procedures for contravention of bylaws in the Rural Municipality of Beaver River No. 622.

2.2 The enforcement procedures and penalties set forth in this Bylaw shall apply with respect to contraventions of any bylaw of Municipality, except to the extent that a different fine, penalty or procedure is otherwise specified in another bylaw.

3. Definitions and Interpretation

3.1 The following terms are defined as set forth below:

- (a) “Act” means *The Municipalities Act*.
- (b) “Inspector” means a Designated Officer, Bylaw Enforcement Officer or Bylaw Inspector, as the case may be;
- (c) “Municipality” means the Rural Municipality of Beaver River No. 622;

3.2 The headings set forth in this bylaw are for the purposes of convenience only and are not to be used for the interpretation hereof.

4. Inspection for the Purposes of Enforcement

4.1 Except where otherwise appointed by Council, the Administrator is appointed as the Designated Officer and/or Bylaw Enforcement Officer and/or Bylaw Inspector of the Municipality as the case may be, for the purposes of inspection and bylaw enforcement.

4.2 The Administrator may delegate in writing the authority granted by section 3.1 to any other person for such general or limited purpose as may be set forth therein.

4.3 The inspection of a business, vehicle or property by an Inspector to determine compliance is hereby authorized for all bylaws of the Municipality.

4.4 Every inspection made pursuant to section 3.3 shall be carried out in accordance with the provisions of Part XII Division 4 of the Act.

5. Obstruction and Tampering Prohibited

5.1 No person shall obstruct:

- (a) an Inspector who is authorized to conduct an inspection pursuant this or any other bylaw of the Municipality or pursuant to the Act; or
- (b) any other person who is assisting an Inspector.

5.2 Every person who contravenes section 5.1 is guilty of an offence and liable on summary conviction to the penalties prescribed in this Bylaw.

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6. General Penalties

- 6.1 Every person who contravenes any provision of a bylaw of the Municipality is guilty of an offence and liable on summary conviction:
- (a) in the case of an individual:
 - (i) to a fine not exceeding \$10,000 and;
 - (ii) in the case of a continuing offence, to a further fine not exceeding \$5,000 for each day during which the offence continues the total accumulation of which is not limited;
 - (b) in the case of a corporation:
 - (i) to a fine not exceeding \$25,000 and;
 - (ii) in the case of a continuing offence, to a further fine not exceeding \$10,000 for each day during which the offence continues, the total accumulation of which is not limited;
 - (c) The Court may, in default of payment of a fine imposed under this or any other Bylaw of the Municipality, order imprisonment of an individual for a term not exceeding one year.

7. Penalties and other Amounts Payable in addition to Fines

- 7.1 Every person who contravenes any provision of a bylaw of the Municipality shall, pursuant to the provisions of section 8(2)(e) of the Act, be liable to an additional penalty equal to the total of all fees, costs, rates, tolls and charges incurred by the Municipality in inspecting, investigating enforcing and prosecuting the conduct that gives rise to the offence.
- 7.2 Every person who contravenes any provision of a bylaw of the Municipality shall be liable pursuant to the procedures set forth in Part XII Division 4 to pay to the Municipality all costs associated with remedying the contravention.

8. Order for Compliance

- 8.1 If a person is found guilty of an offence against any bylaw of the Municipality, the court may, in addition to any other penalty imposed, order the person to comply with the bylaw or a license, permit or other authorization issued under the bylaw, or a term or condition of any of them.
- 8.2 A person to whom an order is made pursuant to section 8.1 who fails to comply with that order within the time specified by the court is guilty of an offence and liable on summary conviction to a fine and a penalty as provided for herein.

9. Recovery of Fines and Penalties

- 9.1 Pursuant to the powers granted to the Municipality by s. 8(2) and Part XII Division 4 of the Act, any fine and any penalty assessed against a person may, if unpaid 60 days after the time for payment has passed, be added to and form part of the taxes owing on lands owned by the person liable to pay.
- 9.2 Notwithstanding the provisions of section 9.1, the Municipality may employ any other means authorized by law to recover unpaid fines and penalties.

10. Repeal and Coming into Force

- 10.1 Bylaw No. 1-12 is repealed.
- 10.2 This Bylaw shall come into force on the day it passes third reading.

Kevin Taylor
Reeve

[Signature]
Administrator



Read a first time this 21 day of November, 2019

Read a second time this 18 day of December, 2019

Read a third time this 18 day of December, 2019 and adopted

Certified a True Copy of Bylaw # 10-19
Passed this 18 day of December, 2019

[Signature]
Administrator
Rural Municipality of Beaver River No. 622