

THE CORPORATION OF THE TOWN OF MIDLAND

BY-LAW 2025-35

A by-law to operate the Administrative Monetary Penalty System in the Town of Midland

WHEREAS Section 102.1 of the *Municipal Act*, S.O. 2001, c.25 as amended, (the *Municipal Act*) and Ontario Regulation 333/07 authorizes the Corporation of the Town of Midland (the Town) to require a person to pay an Administrative Penalty for a contravention of any By-law respecting parking, standing or stopping of vehicles;

AND WHEREAS Ontario Regulation 355/22 under the *Highway Traffic Act*, R.S.O. 190 c.H.8, as amended, (the *Highway Traffic Act*) authorizes the use of Administrative Penalties for vehicle-based contraventions captured by automated enforcement systems;

AND WHEREAS Section 434.1 of the *Municipal Act* authorizes the Town to require a Person subject to such conditions as the municipality considers appropriate, to pay an Administrative Penalty if the municipality is satisfied that the person has failed to comply with a By-law of the municipality;

AND WHEREAS Section 15.4.1 of the *Ontario Building Code Act*, 1992 as amended, authorizes the Town to require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a By-law of the municipality or an Order to Comply of an Officer.

AND WHEREAS Sections 23.1, 23.3 and 23.5 of the *Municipal Act* authorizes the Town to delegate its administrative and hearing powers;

AND WHEREAS Section 391 of the *Municipal Act* authorizes the Town to pass By-laws imposing fees or charges for services or activities provided or done by or on behalf of it;

AND WHEREAS Section 398 of the *Municipal Act* authorizes the Town to impose a fee or charge as a debt owing to the Town and can be added to the tax rolls and collected in the same manner as taxes;

AND WHEREAS the Council of the Town of Midland considers it desirable and necessary to provide for a system of Administrative Penalties and Administrative Fees for the designated Town By-laws;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MIDLAND HEREBY ENACTS AS FOLLOWS:

1) DEFINITIONS

For the purpose of this by-law, the following definitions shall apply:

“Administrative Fee” means any fee specified in the Ontario Regulation 355/22 under the *Highway Traffic Act*, or this By-law, as amended;

“Administrative Penalty” means a monetary penalty, issued by means of a Penalty Notice or Penalty Order, as set out in this By-law for a Contravention of a Designated By-law or the *Highway Traffic Act*;

“Administrative Penalty Number” means the identifying number specified on the Penalty Notice or Penalty Order that is unique to that Administrative Penalty;

“Appellant” means A Person that has received an Administrative Penalty imposed by the Town and chooses to Appeal the Administrative Penalty by having it reviewed by a Screening Officer or a Hearing Officer;

“Appeal” means either a screening review or hearing review of an Administrative Penalty requested within the prescribed period of time and issued in accordance with this By-law, the *Highway Traffic Act* or the *Fire Protection and Promotion Act*;

“Contravention” means the failure to comply with a provision listed in Schedule “A” or “Schedule “B” of this By-law, or the *Highway Traffic Act*;

“Designated By-Law” means a By-law, or a part or provision listed in Schedule “A” or Schedule “B” of this By-law;

“Manager” means Legal and Risk Program Manager;

“Failure to Attend Fee” means an Administrative Fee listed in Schedule “C” applied for the purpose of the Town recovering the administrative costs associated with a Person’s failure to attend a scheduled screening or hearing, electronically or by other means, at the date and time set by a Screening Officer or Hearing Officer;

“Hearing Officer” means a Person appointed by the Town who performs the duties of a Hearing Officer in accordance with this By-law, Ontario Regulation 355/22 under the *Highway Traffic Act*, and pursuant to the Town’s Hearing Officer policies;

“Issuing Officer” includes members of the Ontario Provincial Police, Municipal Enforcement Officers, Property Standards Officers, Provincial Offences Officers and any other Person authorized by the Town to enforce this By-law;

“Penalty Notice” means a ticket issued pursuant to Section 5. Of this By-law in relation to a Contravention of a designated By-law;

“Penalty Order” means a ticket issued pursuant to Section 6. Of this By-Law and the *Highway Traffic Act*, in relation to Contraventions detected using automated camera systems;

“Person” includes an individual or business name, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof, to whom the context can apply according to law;

“Plate Search Fee” means an Administrative Fee listed in Schedule “C” applied for the purpose of the Town recovering the costs associated with searching a license plate database to obtain the name and most recent address of the Person who is subject to an Administrative Penalty;

“Screening Decision” means a notice that contains the decision made by a Screening Officer and delivered in accordance with Section 11. of this By-law;

“Screening Officer” means a Person who performs the functions of a Screening Officer in accordance with this By-law, Ontario Regulation 355/22 under the *Highway Traffic Act*, and Ontario Regulation 333/07 under the *Municipal Act*;

“Set Penalty Amount” means the amount that is payable in respect of a Contravention of a By-law as identified in Schedule “A” or Schedule “B” of this By-law, or a Contravention of the *Highway Traffic Act*;

“Town” means the Corporation of the Town of Midland;

“Vary” means the reduction of an Administrative Penalty amount or extension of time for payment of an Administrative Penalty amount;

“Victim Component Fee” means a fee collected under Ontario’s Victims’ Bill of Rights to help support victims of criminal offences and is required to be collected on behalf of the Province to Victims’ Justice Fund Account, pursuant to Ontario Regulation 355/22 under the *Highway Traffic Act*.

2) **APPLICATION**

- a) This By-law establishes a framework for the issuance of Administrative Monetary Penalties for Contravention of any provision of this By-law, a Designated By-Law, an Order, a Work Order, or any other Order issued pursuant to a Designated Order.
- b) This By-law applies to those Contraventions included within Schedule “A” and Schedule “B”, attached hereto and forming part of this By-law to impose Administrative Penalties for Contraventions of Town By-laws.
- c) This By-law applies to those Contraventions under the *Highway Traffic Act*, to impose Administrative Penalties for Contraventions detected using camera systems.
- d) An Officer has the discretion to issue an Administrative Penalty or proceed with the laying of a charge under the Provincial Offences Act in respect of a Contravention. Where an Officer issues an Administrative Penalty for a Contravention, no charge shall be laid for the same Contravention under the *Provincial Offences Act*.

3) **PROCEDURAL REQUIREMENTS**

- a) The Administrative Penalties designated in Schedule “A” and Schedule “B”, as attached, and forming part of this By-law, shall be dealt with by Penalty Notice and the Administrative Monetary Penalty System.
- b) The Administrative Penalties issued under the *Highway Traffic Act*, shall be dealt with by Penalty Order and the Administrative Monetary Penalty System.
- c) The Administrative Penalty shall be served to the Person in accordance with Section 10(a) and shall include:
 - i) the Administrative Penalty Number;
 - ii) The date, time and location of the Contravention;
 - iii) The provision of the *Highway Traffic Act* or Designated By-Law contravened;
 - iv) An identification of the motor vehicle that is involved in the contravention, as required under O.Reg 355/22 only
 - v) The amount of the Administrative Penalty and the associated Administrative Fees;
 - vi) A signature of the Issuing Officer;
 - vii) Information respecting the process by which the Person may exercise their right to request an Appeal of the Administrative Penalty; and
 - viii) A statement advising the person must, no later than 30 days after the day the Administrative Penalty is deemed served on them, pay the Administrative Penalty unless they commence an Appeal in accordance with this By-law;
 - ix) A statement advising the Person may, no later than 30 days after the day the Administrative Penalty is served on them, commence an Appeal in accordance with the By-law.
- d) Every Persons that receives an Administrative Penalty must be provided with reasonable notice that an Administrative Penalty is payable under this By-law.
- e) The Issuing Officer responsible for serving an Administrative Penalty is prohibited from accepting payment for the Administrative Penalty.
- f) A Person who receives an Administrative Penalty shall be given the right to request an Appeal of the Administrative Penalty by a Screening Officer.
- g) A Person who receives a Screening Decision shall be given the right to request an Appeal of the Administrative Penalty by a Hearing Officer appointed by the Town for that purpose.

4) **PENALTY NOTICE**

- a) An Issuing Officer who has reason to believe that a Person has contravened any provision of a Designated By-law may issue a Penalty Notice, in accordance with this By-law.
- b) Where a Person is served a Penalty Notice, the Person shall be liable to pay to the Town an Administrative Penalty in the amount set out in Schedule “A”, Schedule “B” and any related Administrative Fees.

- c) Where the Contravention of a Designated By-law is continuous, each day the Contravention continues shall constitute a new and separate offence.
- d) The amount due for a Penalty Notice is:
 - i) The Set Penalty Amount set out in Schedule “A” and Schedule “B” of this By-law for the related Contravention if payment is received by the Town on and following sixteen (16) calendar days from the date of the Penalty Notice being deemed served in accordance with Section 10(a); or
 - ii) The Late Payment for the related Contravention as set out in Schedule “A” and Schedule “B”, if payment is received by the Town on and following thirty-one (31) calendar days from the date of the Penalty Notice being deemed served in accordance with Section 10(a); or
 - iii) The Second Offence Set Penalty set out in Schedule “B” for the related Contravention if the same violation is repeated by the same Person within three-hundred and sixty-five (365) days of the previous Penalty Notice being deemed served in accordance with Section 10(a); or
 - iv) The Third Offence Set Penalty set out in Schedule “B” for the related Contravention if the same violation is repeated by the same Person, three (3) or more times, within three-hundred and sixty-five (365) days of the previous Penalty Notices being deemed served in accordance with Section 10(a).

5) PENALTY ORDER

- a) An Issuing Officer who has reason to believe that a Person has contravened the *Highway Traffic Act*, may issue a Penalty Order in accordance with O.Reg. 355/22.
- b) Where a Person is served a Penalty Order, the Person shall be liable to pay the Town an Administrative Penalty as set out in O.Reg. 355/22 under the *Highway Traffic Act* and any related Administrative Fees.

6) APPEAL PROCESS OF ADMINISTRATIVE PENALTIES

- a) An Appeal of an Administrative Penalty shall be conducted as follows:
 - i) A Person who is subject to an Administrative Penalty may commence the first stage of an Appeal by requesting, in the manner set out in the penalty, an Appeal of the Administrative Penalty by a Screening Officer.
 - ii) A request under Section 6(a)(i) shall be made within 30 days after the date on which the Administrative Penalty is deemed served.
 - iii) The Screening Officer may confirm, vary, or cancel the Administrative Penalty and shall do so as soon as practicable after the Appeal is complete.
 - iv) The Screening Officer shall send a copy of the decision to the Appellant by hand-delivery, mail, courier, or electronic means as soon as practical after the decision is made.
 - v) An Appellant may commence the second stage of an Appeal by requesting a review of the Screening Officer’s decision by a Hearing Officer.

- vi) A request under Section 6(a)(v) shall be made within 30 days after the date of the decision of the Screening Officer.
- vii) The Hearing Officer may confirm, vary, or cancel the decision of the Screening Officer and shall do so as soon as practical after the Appeal is complete.
- viii) The Hearing Officer shall send a copy of the decision to the Appellant by mail, courier, or electronic means as soon as practical after the decision is made.
- ix) If a Screening Officer or Hearing Officer considers it fair and appropriate in the circumstances, the Screening Officer or Hearing Officer may extend the 30 day period to commence an Appeal and the extension may be made even after the 30-day period has expired.

7) CONDUCT OF APPEAL

- a) A screening review is to be conducted by phone or email and a Screening Officer shall ensure that the Appellant is informed on determination.
- b) A hearing review is to be conducted virtually, or by phone and a Hearing Officer shall ensure that the Appellant is informed of the determination.
- c) The method to conduct an Appeal shall be determined by a Screening Officer or Hearing Officer.
- d) An Appellant shall be given no fewer than seven (7) calendar days notice by the Town of the date, time, and place of an Appeal by the Hearing Officer.
- e) If a date and time is set out for an Appellant to make submissions in respect of any stage of an Appeal, the Appellant shall attend at the set date and time.
 - i) If the Appellant fails to attend any stage of an Appeal, a Fail to Attend Fee shall be added to the Administrative Penalty amount. The Appellant shall be considered to have abandoned the Appeal, the Administrative Penalty shall be confirmed, and the Appeal shall be deemed final.
- f) A Screening Officer or Hearing Officer shall not decide whether to confirm, vary or cancel an Administrative Penalty unless the Appellant has been given an opportunity to make submissions in the same manner in which the Appeal is to be conducted.
- g) A Hearing Officer shall not decide whether to confirm, vary or cancel an Administrative Penalty unless a representative of the Town has been given an opportunity to make submissions in the same manner in which a review is to be conducted.

8) DETERMINATION OF AN APPEAL

- a) In deciding whether to confirm, vary or cancel an Administrative Penalty, a Screening Officer shall determine whether it was reasonable for the Issuing Officer to impose the Administrative Penalty.

- b) In deciding whether to confirm Vary or cancel an Administrative Penalty, a Hearing Officer shall determine whether the decision of the Screening Officer was reasonable.
- c) In making a determination mentioned in 8(a) or 8(b), the Screening Officer or Hearing Officer may consider the following information, if available;
 - i) Photographs or images taken, as applicable;
 - ii) Statements made by the Officer who imposed the Administrative Penalty;
 - iii) Documents setting out the name and address of the Person who is subject to the Administrative Penalty;
 - iv) Statements by the Appellant made either in writing or in the manner in which the review is conducted;
 - v) Statements by or on behalf of the municipality where the contravention occurred, made either in writing or in the manner in which the review is conducted;
 - vi) Any other submissions that the Screening Officer or Hearing Officer considers to be credible or trustworthy in the circumstances.

9) **DECISION**

- a) A Screening Officer or Hearing Officer does not have 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.
- b) If a Screening Officer or Hearing Officer decides to cancel or vary the amount of a Penalty Notice, they shall do so in accordance with the following rules:
 - i) The Appellant establishes, on a balance of probabilities, that the offence did not occur as alleged on the Administrative Penalty;
 - ii) The cancellation, reduction, or extension of time for payment of an Administrative Penalty, including any Administrative Fees, is necessary to reduce undue hardship.
 - iii) When considering undue financial hardship, the Appellant shall provide documented proof of financial assistance such as;
 - (1) Old Age Security;
 - (2) Canada Pension;
 - (3) Guaranteed Income Supplement;
 - (4) Disability Pension;
 - (5) Ontario Student Assistance Program; or
 - (6) Any other form of social assistance.
 - iv) A reduction of an Administrative Penalty amount by a Screening Officer or Hearing Officer shall be limited to 25% of the Administrative Penalty, except when unique or exceptional circumstances exist as determined by the Screening Officer or Hearing Officer.
 - v) The amount of the Penalty Notice shall not be increased other than in accordance with this By-law.

- c) If a Screening Officer or Hearing Officer decides to cancel or vary the amount of a Penalty Order, they shall do so in accordance with the following rules:
 - i) The Appellant establishes, on a balance of probabilities, that the offence did not occur as alleged on the Penalty Order;
 - ii) The cancellation, reduction, or extension of time for payment of an Administrative Penalty, including any Administrative Fees, is necessary to reduce undue hardship.
 - iii) When considering undue financial hardship, the Appellant shall provide documented proof of financial assistance such as;
 - (1) Old Age Security;
 - (2) Canada Pension;
 - (3) Guaranteed Income Supplement;
 - (4) Disability Pension;
 - (5) Ontario Student Assistance Program; or
 - (6) Any other form of social assistance.
 - iv) If the total amount of a Penalty Order is decreased, the Victim Component Fee shall be reduced proportionally to the decrease in the Set Penalty Amount.
 - v) The amount of the Penalty Order shall not be increased other than in accordance with O.Reg. 322/22 under the *Highway Traffic Act*.
- d) The decision of a Hearing Officer is final.

10) SERVICE OF DOCUMENTS

- a) The service on a Person of any document, notice, or decision, including but not limited to an Administrative Penalty pursuant to this By-law, is deemed to have been served on the earliest of any of the following dates:
 - i) When a copy is placed or affixed in any manner to the Person's vehicle;
 - ii) When a copy is hand-delivered to the Person to whom it is addressed;
 - iii) When a copy is delivered by regular mail to the Person to whom it is addressed:
 - (1) On the seventh (7th) calendar day following the date a copy is sent by regular mail to the Person's last known address; or
 - (2) Immediately upon sending a copy by electronic mail (email) to the Person's last known electronic mail address.
- b) Any notice of document to be given to the Town in respect of this By-law shall be in writing and delivered in any of the following manners:
 - i) Personally delivered a copy to the Town during its regular business hours to the Legal & Risk Program Manager – Town of Midland, 575 Dominion Avenue, Midland, Ontario, L4R 1R2, or
 - ii) Email to the Town at the address provided in the Penalty Notice or Penalty Order;
 - iii) Online through the Town's dispute webpage.

11) ADMINISTRATION

- a) The Manager shall administer this By-law and establish any additional practices, policies, and procedures necessary to implement this By-law and may amend such practices, policies and procedures from time to time, as the Manager deems necessary without amendment to this By-law.
- b) The Manager shall prescribe all forms and notices, including the Administrative Penalties, necessary to implement this By-law and may amend such forms and notices from time to time, as the Manager deems necessary, without amendment to this By-law.
- c) The positions of Screening Officer and Hearing Officer are established through delegated authority and shall be appointed by the Manager.
- d) Where an Administrative Penalty and any applicable Administrative Fees are not paid by the date on which they are due and payable, the Town;
 - i) May notify the Ontario Ministry of Transportation or the Ministry of the Attorney General (the Ministry) of the default after thirty (30) days, at which time the Ministry shall not validate the permit of the Person named in the notice of default nor issue a new permit to the Person until the Administrative Penalty and any applicable Administrative Fees are paid to the Town; or
 - ii) Where applicable, shall deem the outstanding amount to be unpaid taxes and shall be added to the tax roll and collected in the same manner as municipal taxes.
- e) Where the Town notifies a Ministry of a default under this By-law, the Person shall pay any applicable administration fees imposed by the Ministry.
- f) Where Town staff are required to access a license plate database to obtain the name and most recent address of the Person who is subject to an Administrative Penalty, the Person to whom the Administrative Penalty was issued, shall pay a Plate Search Fee.
- g) Where an Administrative Penalty is cancelled, any Administrative Fees are also cancelled.
- h) Once an Administrative Penalty has been paid there is no further option for Appeal.

12) SEVERABILITY

- a) Should any provision, or any part of a provision, of this By-law be declared invalid, or to be of no force and effect by a Court of competent jurisdiction, it is the intent of Council that such a provision, or part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

13) INTERPRETATION

- a) The provisions in Part VI of the Legislation Act, 2006, S.O. 2006, c.21, Sched. F, shall apply to this By-law.
- b) Where words and phrases used in this By-law are defined in the *Highway Traffic Act*, but not defined in this By-law, the definitions in the *Highway Traffic Act* shall apply to such words and phrases.

14) SHORT TITLE

- a) This By-law may be referred to as the AMPS By-law.

15) EFFECTIVE DATE

- a) This By-law shall come into force and effect on June 11, 2025

BY-LAW PASSED AND ENACTED THIS 11th day OF June, 2025.

THE CORPORATION OF THE TOWN OF MIDLAND

BILL GORDON - MAYOR

SHERRI EDGAR - CLERK

SCHEDULE “A”**Administrative Monetary Penalty System
Designated Parking By-law Provisions**

1. For the purposes of Section 2(a) of this By-law, Column 3 in the following table lists the provisions in the Designated By-law identified in the Schedule, as amended.
2. Column A4 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 3.
3. Column 6 in the following table sets out the Administrative Penalties for the Set Penalty Amount in accordance with Section 4(d)(ii) of this By-law that is payable for Contraventions of the designated provisions listed in Column 3.

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SCHEDULE “B”**Administrative Monetary Penalty System
Designated Municipal By-law Provisions**

1. Column 1 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 2.
2. For the purposes of Section 2.(a) of this By-law, Column 2 in the following table lists the provisions in the Designated By-law identified in the Schedule, as amended.
3. Column 3, 4 and 5 in the following table set out the Administrative Penalties for the Set Penalty Amounts in accordance with Section 4(d)(ii), (iv) and (v) of this By-law that is payable for Contraventions of the designated provisions listed in Column A3.

Penalty Schedule for Clean Yards By-law 2025-23

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Designated Provision	COLUMN 3 Administrative Penalty	COLUMN 4 2nd Offence Administrative Penalty	COLUMN 5 Subsequent Offences (3rd and beyond)
1	Fail to keep property free from unsafe condition	2.1	\$300.00	\$600.00	\$1800.00
2	Fail to keep property adequately drained	2.1	\$300.00	\$600.00	\$1800.00
3	Fail to keep property graded	2.1	\$300.00	\$600.00	\$1800.00
4	Fail to keep property clean and cleared up	2.1	\$300.00	\$600.00	\$1800.00
5	Use property or structure to dump or dispose or store or keep garbage or refuse or domestic waste or industrial waste	2.3	\$300.00	\$600.00	\$1800.00
6	Use property or structure to store motor vehicle for the purpose of wrecking or dismantling	2.4	\$300.00	\$600.00	\$1800.00
7	Use property or structure to store motor vehicle for the purpose of salvaging parts for the use or sale or disposal	2.4	\$300.00	\$600.00	\$1800.00
8	Set out waste not in approved container	3.1(a)	\$300.00	\$600.00	\$1800.00
9	Set out waste not properly sorted	3.1(a)	\$300.00	\$600.00	\$1800.00
10	Allow liquid matter to drain/flow off property	3.1(b)	\$300.00	\$600.00	\$1800.00
11	Fail to clean up liquid matter	3.1(b)	\$300.00	\$600.00	\$1800.00
12	Permit animal to pick over, interfere or scatter waste	3.1(c)	\$300.00	\$600.00	\$1800.00

13	Fail to prevent animal from picking over, interfering or scattering waste	3.1(c)	\$300.00	\$600.00	\$1800.00
14	Leave waste out beyond 24 hours after collection	3.1(d)	\$300.00	\$600.00	\$1800.00
15	Scavenge waste set out for collection services	3.1(e)	\$300.00	\$600.00	\$1800.00
16	Fail to comply with a notice	5.8	\$300.00	\$600.00	\$1800.00
17	Fail to comply with an order	5.8	\$500.00	\$1000.00	\$3000.00
18	Hinder or obstruct an Officer	7.2	\$300.00	\$600.00	\$1800.00

Penalty Schedule for Property Standards By-law 2025-24

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Designated Provision	COLUMN 3 Administrative Penalty	COLUMN 4 2 nd Offence Administrative Penalty	COLUMN 5 Subsequent Offences (3 rd and beyond)
1	Occupy property which poses or constitutes unsafe condition	2.2	\$300.00	\$600.00	\$1800.00
2	Fail to comply with an Order	39.1	\$500.00	\$1000.00	\$3000.00

Penalty Schedule for Animal Control By-law 2024-36

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Designated Provision	COLUMN 3 Administrative Penalty	COLUMN 4 2 nd Offence Administrative Penalty	COLUMN 5 Subsequent Offences (3 rd and beyond)
1	Harbour more than 2 cats in a dwelling unit	2.1	\$150.00	\$300.00	\$900.00
2	Keep, possess or harbour prohibited animal	2.2	\$150.00	\$300.00	\$900.00
3	Keep, possess or harbour farm animal	2.3	\$150.00	\$300.00	\$900.00
4	Keep, possess or harbour more than 2 rabbits	2.4	\$150.00	\$300.00	\$900.00
5	Keep, possess or harbour more than 2 pigeons	2.5	\$150.00	\$300.00	\$900.00
6	Intentionally feed a wild animal	3.1	\$150.00	\$300.00	\$900.00
7	Leave food or attractants out of doors	3.1	\$150.00	\$300.00	\$900.00

8	Hinder or Obstruct officer	5.6	\$500.00	\$1000.00	\$3000.00
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Penalty Schedule for Fireworks By-law 2024-33

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Designated Provision	COLUMN 3 Administrative Penalty	COLUMN 4 2 nd Offence Administrative Penalty	COLUMN 5 Subsequent Offences (3 rd and beyond)
1	Sell or offer for sale fireworks contrary to By-law	2(a)	\$200.00	\$400.00	\$1200.00
2	Buy or offer to buy fireworks contrary to By-law	2(a)	\$200.00	\$400.00	\$1200.00
3	Discharge of fireworks contrary to By-law	2(b)	\$200.00	\$400.00	\$1200.00
4	Sell Consumer Fireworks without permit	4(e)	\$200.00	\$400.00	\$1200.00
5	Discharge of prohibited fireworks within Town limits	5	\$200.00	\$400.00	\$1200.00
6	Discharge of Consumer Fireworks except during permitted hours	6(b)	\$200.00	\$400.00	\$1200.00
7	Discharge of Consumer Fireworks except on permitted days	6(b)	\$200.00	\$400.00	\$1200.00
8	Discharge of Display Fireworks without permit	6(c)	\$200.00	\$400.00	\$1200.00
9	Discharge of Display Fireworks contrary to conditions of permit	6(d)	\$200.00	\$400.00	\$1200.00
10	Create a danger or nuisance by setting off Consumer Fireworks	6(g)	\$200.00	\$400.00	\$1200.00
11	Discharge Consumer Fireworks in prohibited location without permit	6(l)	\$300.00	\$600.00	\$1800.00
12	Failure to produce permit for Consumer Fireworks as directed	6(p)	\$200.00	\$400.00	\$1200.00
13	Discharge Display Fireworks without permit	7(b)	\$500.00	\$1000.00	\$3000.00
14	Discharge Display Fireworks contrary to permit conditions	7(c)	\$500.00	\$1000.00	\$3000.00
15	Failure to remove debris	7(f)	\$200.00	\$400.00	\$1200.00
16	Failure to produce permit for Display Fireworks as directed	7(k)	\$200.00	\$400.00	\$1200.00
17	Hold a display of Pyrotechnic Special Effects no permit	8(b)	\$500.00	\$1000.00	\$3000.00
18	Discharge Pyrotechnic Special Effects contrary to permit	8(c)	\$500.00	\$1000.00	\$3000.00
19	Failure to properly display or produce permit	8(j)	\$200.00	\$400.00	\$1200.00
20	Failure to allow entry of Officer	9	\$200.00	\$400.00	\$1200.00

21	Hinder or obstruct member of Fire Department from performing duties	10(d)	\$200.00	\$400.00	\$1200.00
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Penalty Schedule for Noise Control By-law 2009-104

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Designated Provision	COLUMN 3 Administrative Penalty	COLUMN 4 2 nd Offence Administrative Penalty	COLUMN 5 Subsequent Offences (3 rd and beyond)
1	Cause or permit sound from any motorized conveyance by racing	2(a)	\$200.00	\$400.00	\$1200.00
2	Cause or permit sound by the squealing of tires	2(b)	\$200.00	\$400.00	\$1200.00
3	Cause or permit sound from a combustion engine or pneumatic device without an effective exhaust or intake muffling device	2(c)	\$200.00	\$400.00	\$1200.00
4	Cause or permit sound from a motor vehicle or a motor vehicle with a trailer improperly secured load, equipment or inadequate maintenance	2(d)	\$200.00	\$400.00	\$1200.00
5	Cause or permit sound from an engine or motor in or on any motor vehicle while stationary in a residential area for a period exceeding five minutes	2(e)	\$200.00	\$400.00	\$1200.00
6	Cause or permit sound from a motor vehicle horn or other warning device	2(f)	\$200.00	\$400.00	\$1200.00
7	Cause or permit sound from construction equipment without an effective muffling device in good working order and in constant operation	2(g)	\$200.00	\$400.00	\$1200.00
8	Cause or permit sound likely to disturb inhabitants	2(h)	\$200.00	\$400.00	\$1200.00
9	Cause or permit sound through the detonation of fireworks or explosive devices	S. 3 Sch. A(1)	\$200.00	\$400.00	\$1200.00
10	Cause or permit sound through the discharge of a firearm	S. 3, Sch. A(2)	\$200.00	\$400.00	\$1200.00
11	Cause or permit sound from a combustion engine in use or intended for use in a toy or model	S. 3, Sch. A(3)	\$300.00	\$600.00	\$1800.00

12	Cause or permit sound from any electronic device or musical instrument	S. 3, Sch. A (4)	\$200.00	\$400.00	\$1200.00
13	Cause or permit sound from any auditory signaling device	S. 3, Sch. A (5)	\$500.00	\$1000.00	\$3000.00
14	Cause or permit sound by the venting, releasing or pressure relief of air, steam or other material	S. 3, Sch. A (6)	\$500.00	\$1000.00	\$3000.00
15	Cause or permit sound of a domestic pet or animal to bark, call or whine	S. 3, Sch. A (7)	\$200.00	\$400.00	\$1200.00
16	Cause or permit sound by operating a commercial car wash without air drying equipment	S. 3, Sch. A (8)	\$200.00	\$400.00	\$1200.00
17	Cause or permit sound by yelling, shouting or hooting or other boisterous activity	S. 3, Sch. A (9)	\$500.00	\$1000.00	\$3000.00
18	Cause or permit sound in selling or advertising by shouting or outcry or amplified sound	S. 3, Sch. A (10)	\$500.00	\$1000.00	\$3000.00
19	Cause or permit sound by operating construction equipment without effective muffling devices in good working order and in constant operation	S. 3, Sch. A (11)	\$200.00	\$400.00	\$1200.00

SCHEDULE “C”**Administrative Monetary Penalty System
Administrative Fees**

The table below lists the Administrative Fees as defined in Section 1 of this By-law.

Administrative Fee Description	Fee Amount
Fail to Attend Fee	\$60.00
Plate Search Fee (ASE)	\$8.25
Plate Search Fee (Parking)	\$11.00
Plate Denial Fee	\$16.00