

# The Corporation of the Township of Huron-Kinloss



## BY-LAW No.

2024 - 113

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Being a By-Law to Amend various By-laws to permit the issuance of penalty notices in accordance with the Administrative Monetary Penalty System By-law No. 2024 – 40, as amended

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**WHEREAS** Section 8(1) and 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provide that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues and has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under this or any other Act;

**AND WHEREAS** The Corporation of the Township of Huron-Kinloss Council passed By-law No. 2024-40, creating an administrative monetary penalties system;

**AND WHEREAS** Section 15 of the Police Services Act, R.S.O. 1990, c. P.15, as amended permits council's to appoint Municipal Law Enforcement Officers to enforce municipal by-laws;

**AND WHEREAS** the Council of The Corporation of the Township of Huron-Kinloss deems it expedient to update various by-laws to incorporate administrative monetary penalties, to assist in the enforcement of by-laws;

**NOW THEREFORE** the Council of The Corporation of the Township of Huron-Kinloss **ENACTS** as follows;

1. That Section 14 of By-law No. 2017-116, the "Animal Control/Kennel Licensing By-law" be amended to include the following:

14.2 By-law 2024 - 40, as amended, the Administrative Monetary Penalties By-law applies to each administrative monetary penalty issued pursuant to this By-law.

14.3 Each person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative monetary penalty.

2. That Section 6 of By-law No. 2021-37, the "Beach Management By-law" be amended to include the following:

6.4 By-law 2024-40, as amended, the Administrative Monetary Penalties By-law applies to each administrative monetary penalty issued pursuant to this By-law.

6.5 Each person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative monetary penalty.

3. That Section 4 of By-law No. 2023-60, the “Clean & Clear Yards By-law” be amended to include the following:

4.10 By-law 2024-40, as amended, the Administrative Monetary Penalties By-law applies to each administrative monetary penalty issued pursuant to this By-law.

4.11 Each person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative monetary penalty.

4. That Section 4 of By-law No. 2021-93, the “Feeding of Wildlife and Feral Animals By-law” be amended to include the following:

4.2 By-law 2024-40, as amended, the Administrative Monetary Penalties By-law applies to each administrative monetary penalty issued pursuant to this By-law.

4.3 Each person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative monetary penalty.

5. That Section 5 of By-law No. 2021-90, the “Golf Car By-law” be amended to include the following:

5.2 By-law 2024-40, as amended, the Administrative Monetary Penalties By-law applies to each administrative monetary penalty issued pursuant to this By-law.

5.3 Each person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative monetary penalty.

6. That Section 10 of By-law No. 2010-46, the “Lawn Watering By-law” be amended to include the following:

10.1 By-law 2024-40, as amended, the Administrative Monetary Penalties By-law applies to each administrative monetary penalty issued pursuant to this By-law.

10.2 Each person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative monetary penalty.

7. That Section 8 of By-law No. 2005-101 the “Noise Control By-law” be repealed and replaced with the following:

### **8.0 Penalties**

8.1 A person who contravenes any provisions of this By-law is guilty of an offence, and on conviction, is liable to a fine pursuant to the provisions of the Provincial Offences Act, R.S.O. 1190,c. P. 33, as amended.

8.2 By-law 2024-40, as amended, the Administrative Monetary Penalties By-law applies to each administrative monetary penalty issued pursuant to this By-law.

8.3 Each person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative

monetary penalty.

8. That By-law No. 2016-139, the “Open Air Burning By-law” be amended to include the following as number 39 and number 40 and the remaining numbers be amended accordingly:

39. By-law 2024-40, as amended, the Administrative Monetary Penalties By-law applies to each administrative monetary penalty issued pursuant to this By-law.

40. Each person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative monetary penalty.

9. That By-law No. 2015-89, the “Off-Road Vehicle By-law” be amended to include the following as number 6.0 and 7.0 and the remaining numbers be amended accordingly:

6.0 By-law 2024-40, as amended, the Administrative Monetary Penalties By-law applies to each administrative monetary penalty issued pursuant to this By-law.

7.0 Each person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative monetary penalty.

10. That Section 15 of By-law No. 2019-140, the “Sign By-law” be amended to include the following:

15.2 By-law 2024-40, as amended, the Administrative Monetary Penalties By-law applies to each administrative monetary penalty issued pursuant to this By-law.

15.3 Each person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative monetary penalty.

11. That By-law No. 2011-136, the “Prohibition of Snow Piling on Highways By-law” be amended to include the following as number 4.0 and 5.0 and the remaining numbers be amended accordingly:

4.0 By-law 2024-40, as amended, the Administrative Monetary Penalties By-law applies to each administrative monetary penalty issued pursuant to this By-law.

5.0 Each person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative monetary penalty.

12. That Section 7.2 of By-law No. 2018-100, the “Property Standards By-law” be amended to include the following:

d) By-law 2024-40, as amended, the Administrative Monetary Penalties By-law applies to each administrative monetary penalty issued pursuant to this By-law.

e) Each person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative monetary penalty.

13. That Section 9 of By-law No. 2016-33, the “Public Nuisance By-law” be amended to include the following:

c) By-law 2024-40, as amended, the Administrative Monetary Penalties By-law applies to each administrative monetary penalty issued pursuant to this By-law.

d) Each person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative monetary penalty.

14. That Section 6 of By-law No. 2000-55, the “Swimming Pool Fences By-law” be amended to include the following:

6.4 By-law 2024-40, as amended, the Administrative Monetary Penalties By-law applies to each administrative monetary penalty issued pursuant to this By-law.

6.5 Each person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative monetary penalty.

15. That Section 18 of By-law No. 2011-85, the “Tree Preservation By-law” be amended to include the following:

18.5 By-law 2024-40, as amended, the Administrative Monetary Penalties By-law applies to each administrative monetary penalty issued pursuant to this By-law.

18.6 Each person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative monetary penalty

16. That this By-law shall come into full force and effect upon its final passage.

17. That this By-law may be cited as the “Amendments for AMPS Enforcement By-law”.

**READ a FIRST and SECOND TIME** this 18<sup>th</sup> day of November, 2024.

**READ a THIRD TIME and FINALLY PASSED** this 18<sup>th</sup> day of November, 2024.

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Mayor

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Clerk