



OAKVILLE

**CONSOLIDATED VERSION AS OF August 15, 2023 – AMENDED BY BY-LAW 2021-099, 2022-031, 2023-047, 2023-106**

**THE CORPORATION OF THE TOWN OF OAKVILLE  
BY-LAW NUMBER 2021-038**

A by-law to establish a comprehensive system of administrative penalties for non-parking violations, a comprehensive system of orders and to amend By-laws 2002-034, 2003-021, 2005-062, 2006-071, 2007-135, 2008-098, 2009-025, 2009-072, 2011-045, 2013-013, 2015-075, 2016-083, 2017-008, 2017-038, 2018-006, 2018-045, 2018-153 and 2019-060

**WHEREAS** section 391 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (“*Municipal Act*”) provides that a municipality may impose fees or charges on persons for services or activities provided or done by or on behalf of it;

**WHEREAS** subsection 434.1 of the *Municipal Act* provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that a person has failed to comply with a by-law of the municipality passed under the *Municipal Act*;

**WHEREAS** subsection 434.2(1) of the *Municipal Act* provides that an administrative penalty imposed by a municipality on a person constitutes a debt of the person to the municipality;

**WHEREAS** the *Statutory Powers and Procedure Act*, R.S.O. 1990, c. S.22, as amended, applies to all hearings held under this By-law;

**WHEREAS** on September 23, 2019, the Council of the Corporation of the Town of Oakville approved the use of escalating administrative penalties and order fees to encourage compliance with the regulatory by-laws that the Town enforces;

**THE COUNCIL ENACTS AS FOLLOWS:**

**1. DEFINITIONS**

In this By-law,

“**Administrative Penalty**” means an administrative penalty established by a Designated By-law;

“**Appear**” means to attend in-person or participate remotely by telephone, or by videoconference at the time, place, telephone number or videoconference link scheduled for review or by email for a review by a Screening Officer. The format will be determined by the Director in consultation with the Legal Department, and “Appearing” has a similar meaning; **(By-law 2022-031)**

“**Business Day**” means a day from Monday to Friday, other than a holiday as defined in section 87 of the *Legislation Act, 2006*, S.O. 2006, c. 21, Schedule F, as amended from time to time;

“**Council**” means the Council for The Corporation of the Town of Oakville;

“**Designated By-law**” means each by-law that is designated by the Town as a by-law to which this By-law applies;

“**Director**” means the Director of Municipal Enforcement Services, or designate;

“**Hearing Officer**” means a Hearing Officer appointed pursuant to Screening and Hearing Officer By-law 2015-091, as amended, or successor by-laws;

“**Notice of Penalty and Due Date**” means a letter sent by the Town to the Person to whom the Penalty Notice was issued that includes the Penalty Notice number, the amount of the outstanding Administrative Penalty, any administrative fees and the due date for payment;

“**Notice of Final Due Date**” means a letter sent by the Town to the Person to whom the Penalty Notice was issued that sets out the final date for payment of an Administrative Penalty and any administrative fees prior to these costs being recovered as set out in subsection 21(4) of this By-law;

“**Officer**” means any person authorized by the Corporation of the Town of Oakville to enforce by-laws and includes Municipal Law Enforcement Officers, provincial offences officers and Halton Regional Police Officers;

“**Order**” means a written Order issued by an Officer under a Designated By-law requiring a Person who has contravened a Designated By-law to do work to correct the contravention and includes a work order or an order to comply; **(By-law 2022-031)**

“**Penalty Notice**” means a notice issued pursuant to Section 2 of this By-law;

“**Person**” includes an individual, a corporation, a partnership, or an association;

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“**Rates and Fees Schedule**” means the then current Rates and Fees Schedule approved by Council as part of the annual budget approval process;

“**Screening Decision**” means a decision or disposition made by a Screening Officer;

“**Screening Officer**” means a Screening Officer appointed pursuant to Screening and Hearing Officer By-law 2015-091, as amended, or successor by-laws;

“**Town**” means The Corporation of the Town of Oakville in the Regional Municipality of Halton.

### **1.1 APPLICATION OF THIS BY-LAW (By-law 2022-031)**

- (1) The following by-laws, or successor by-laws thereto, are considered to be Designated By-laws:
  - (a) Fence By-law 2002-034
  - (b) Site Alteration By-law 2003-021
  - (c) Site Plan Control By-law 2005-062
  - (d) Pool Enclosure By-law 2006-071
  - (e) Temporary Road Closure By-law 2007-135
  - (f) Noise By-law 2008-098
  - (g) Municipal Tree By-law 2009-025
  - (h) Municipal Right of Way By-law 2009-072
  - (i) Litter By-law 2011-045
  - (j) Parks By-law 2013-013
  - (k) Licensing By-law 2015-075
  - (l) Transportation Network Companies By-law 2016-083
  - (m) Lot Maintenance By-law 2017-008
  - (n) Private Tree By-law 2017-038
  - (o) Animal Control By-law 2018-006
  - (p) Short-Term Accommodation By-law 2018-045
  - (q) Sign By-law 2018-153
  - (r) Tow Truck Licensing By-law 2019-060
  - (s) Public Nuisance By-law 2007-143
  - (t) Discharge of Fireworks By-law 2009-056
  - (u) Kite Fighting By-law 2023-105 (**By-law 2023-106**)
  
- (2) If a person is required by the Town to pay an administrative penalty under Section 2 of this By-law in respect of a contravention, the person shall not be charged with an offence in respect of the same contravention.

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## **2. PENALTY NOTICE AND ADMINISTRATIVE PENALTY**

- (1) An Officer who finds or has any reasonable cause to believe that a Person has contravened any provision of a Designated By-law may issue a Penalty Notice to that Person.
- (2) Each Person who contravenes any provision of a Designated By-law shall, when issued a Penalty Notice in accordance with subsection 2(1) of this By-law, be liable to pay to the Town an Administrative Penalty in the amount specified in the Designated By-law or as set out in the Town's Rates and Fees Schedule.
- (3) Where the same Person has contravened the same provision of a Designated By-law within a 24 month period, the Person shall be liable to pay an escalated Administrative Penalty in the amount set out in the Designated By-law or as updated in the Town's Rates and Fees Schedule.
- (4) If the contravention of the Designated By-law is related to a property, the Officer must ensure that the ownership of the property has not changed from the time of the previous contravention before applying an escalated Administrative Penalty.
- (5) Escalating penalties for the same contravention of a Designated By-law may be applied to a property provided that the owner of the property has not changed.
- (6) The Penalty Notice shall include the following information:
  - (a) the date of the Penalty Notice;
  - (b) the Penalty Notice number;
  - (c) particulars of the contravention;
  - (d) the amount of the Administrative Penalty;
  - (e) information respecting the process by which the Person may exercise the Person's right to request a review of the Administrative Penalty; and
  - (f) a statement advising that an Administrative Penalty will, unless cancelled or reduced pursuant to the review process, constitute a debt of the Person to the Town.

## **3. PAYMENT OF AN ADMINISTRATIVE PENALTY**

- (1) No Officer may accept payment of an Administrative Penalty.
- (2) A Person who has been issued a Penalty Notice shall:

- (a) pay the Administrative Penalty within 15 days after the date the Penalty Notice is deemed to be served; or
  - (b) request that the Administrative Penalty be reviewed by a Screening Officer in accordance with Section 5 of this By-law.
- (3) Payment of an Administrative Penalty or an administrative fee can be made through a Town approved payment system. Partial payments or payment plans will not be accepted.
- (4) Payment of an Administrative Penalty must be received by the due date and will not be credited until received by the Town.
- (5) Where a person has paid an Administrative Penalty or an administrative fee that is cancelled or reduced by a Screening Officer or Hearing Officer, the Town shall refund the amount cancelled or reduced.
- (6) Once an Administrative Penalty has been paid, it shall not be subject to a review by a Screening Officer or a Hearing Officer or to any further review.

#### **4. NON-PAYMENT OF AN ADMINISTRATIVE PENALTY**

- (1) Where a Penalty Notice is served and the Administrative Penalty is not paid within 15 days of the date the Penalty Notice is deemed to be served:
- (a) the Administrative Penalty shall be deemed to be affirmed;
  - (b) notwithstanding subsection 5(1) of this By-law, the Person shall pay a late payment administrative fee as set out in the Town's Rates and Fees Schedule; and
  - (c) a Notice of Penalty and Due Date shall be sent to the Person to whom the Penalty Notice was issued.
- (2) Where an Administrative Penalty and any applicable administrative fees are not paid within 30 days after the Notice of Penalty and Due Date is issued, a Notice of Final Due Date will be mailed to the Person to whom the Penalty Notice was issued.

#### **5. REVIEW OF AN ADMINISTRATIVE PENALTY BY SCREENING OFFICER**

- (1) A Person who is served with a Penalty Notice may request a review of the Administrative Penalty by a Screening Officer within 15 days after the date the Penalty Notice is deemed to be served.

- (2) If the Person does not request either a review of the Administrative Penalty by a Screening Officer within 15 days after the date the Penalty Notice is deemed to be served or an extension of time to request a review by a Screening Officer within 45 days after the date the Penalty Notice is deemed to be served:
  - (a) an administrative fee will be applied as set out in the Town's Rates and Fees Schedule; and
  - (b) the Administrative Penalty shall be deemed to be affirmed.
- (3) The Person requesting a review of the Administrative Penalty shall be notified:
  - (a) that their request for a review has been received;
  - (b) of the date and time of the review; and
  - (c) of the way in which the review will be conducted according to subsection 5(4) of this By-law.
- (4) Upon receipt of the request for review, the Screening Officer shall determine the format to be used for the review, including but not limited to in-person, over the telephone, by email, or remotely by videoconference.
- (5) Written submissions to a Screening Officer relating to a scheduled screening review shall be submitted to the Screening Officer by 12:00 noon, one business day prior to the review.

## **6. EXTENSION OF TIME TO REQUEST REVIEW**

- (1) A Person may request that the Screening Officer extend the time to request a review of the Administrative Penalty within 45 days after the date the Penalty Notice is deemed to be served, failing which, the Administrative Penalty shall be deemed to be affirmed.
- (2) The Screening Officer may:
  - (a) request such information from a Person as the Screening Officer considers relevant to a request to extend the time to request a review of the Administrative Penalty; and
  - (b) extend the time to request a review of the Administrative Penalty when the Person requesting the extension demonstrates extenuating circumstances for failing to take action that warrants the extension of time.

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- (3) Where an extension of time to request a review is not granted by the Screening Officer, the Administrative Penalty is deemed to be affirmed.
  - (4) A request for an extension of time to review an Administrative Penalty shall include the Penalty Notice number and the Person's contact information.
  - (5) The Screening Officer will consider the request for extension before reviewing the Administrative Penalty.

## **7. SCREENING DECISION**

- (1) On a review of the Administrative Penalty, the Screening Officer may affirm the Administrative Penalty, or may cancel, reduce or extend the time for payment of the Administrative Penalty, including any additional administrative fees, on the following grounds:
  - (a) where the Person establishes, on a balance of probabilities that the Person did not commit the act as described in the Penalty Notice; or
  - (b) the cancellation, reduction or extension of the time for payment of the Administrative Penalty, including any administrative fees, is necessary to reduce financial hardship.
- (2) The Screening Officer shall issue a decision to the Person orally at the time of the review or thereafter by telephone, mail, or email using the contact information provided by the Person. If applicable, the decision shall include the amount of the Administrative Penalty, any administrative fees to be paid and the final due date for payment.

## **8. FAIL TO REQUEST REVIEW OR EXTENSION OF TIME TO REQUEST A REVIEW**

- (1) Where a Person fails to request a review in accordance with subsection 5(1) of this By-law or an extension of time in accordance with subsection 6(1) of this By-law, the Person shall be deemed to have waived the right to a screening and hearing and the Administrative Penalty shall not be subject to review.

## **9. FAIL TO APPEAR FOR SCREENING REVIEW**

- (1) Where the Person fails to Appear at a review of an Administrative Penalty by the Screening Officer:
  - (a) the Person shall be deemed to have abandoned the review;

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- (b) the Administrative Penalty and any administrative fees shall be deemed to be affirmed;
  - (c) the Administrative Penalty and any administrative fees shall not be subject to review; and
  - (d) the Person shall pay the applicable fee as set out in the Town's Rates and Fees Schedule.

#### **10. REVIEW OF SCREENING DECISION BY HEARING OFFICER**

- (1) A Person who has received a Screening Decision may request a review of the Screening Decision by a Hearing Officer within 15 days after the date the Screening Decision is deemed to be served.
- (2) Where no request by mail or email for a review of the Screening Decision by a Hearing Officer is received within 15 days after the date the Screening Decision is deemed to be served, the Administrative Penalty shall be deemed to be affirmed.
- (3) The person requesting a review of the Screening Decision shall be notified:
  - (a) that their request for a review has been received;
  - (b) of the date and time of the review; and
  - (c) of the way in which the review will be conducted according to subsection 10(4) of this By-law.
- (4) Upon receipt of a request for review of the Screening Decision, the Director, in consultation with the Legal Department, shall determine the format to be used for the review, including but not limited to in-person, over the telephone, or remotely by videoconference.
- (5) A Person may request a postponement of a scheduled review upon application to the Director, who may approve the request based on extenuating circumstances. An administration fee may be charged as set out in the Town's Rates and Fees Schedule. At their discretion, the Hearing Officer may reschedule the review.
- (6) The Hearing Officer may request such information from a Person as the Hearing Officer considers relevant to the request to review the Screening Decision.
- (7) Written submissions to a Hearing Officer related to a scheduled review of a Screening Decision and requests to participate in the review concerned shall be



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submitted to the Hearing Officer by 12:00 noon, one business day prior to the review.

- (8) A Hearing Officer shall not make any decision respecting a review of the Screening Decision unless the Hearing Officer has given the Person and the Town an opportunity to be heard.
- (9) The Hearing Officer may amend the Penalty Notice as may be necessary if it appears that it fails to state or states defectively anything that is requisite to the violation. In considering whether or not an amendment should be made, the Hearing Officer shall consider whether the Person has been misled or prejudiced by the error or omission and whether the proposed amendment can be made without injustice being done.

#### **11. EXTENSION OF TIME TO REQUEST REVIEW**

- (1) A Person may request that the Hearing Officer extend the time to request a review of the Screening Decision. The request must be received within 45 days after the date the Screening Decision is deemed to be served, failing which, the Screening Decision shall be deemed to be affirmed.
- (2) The Hearing Officer may:
  - (a) request such information from a Person as the Hearing Officer considers relevant to a request to extend the time to request a review of the Screening Decision; and
  - (b) extend the time to request a review of the Screening Decision when the Person requesting the extension demonstrates extenuating circumstances that warrant the extension of time.
- (3) Where an extension of time to request a review is not granted by the Hearing Officer, the Screening Decision shall be deemed to be affirmed.
- (4) A request for an extension of time to review by the Hearing Officer shall include the Penalty Notice number, the Person's contact information and the reason the Person requires an extension of time to request a review of the Screening Decision.
- (5) The Hearing Officer will consider the request for extension before reviewing the decision of the Screening Officer.

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**12. DECISION OF THE HEARING OFFICER**

- (1) On a review of the Screening Decision, the Hearing Officer may affirm the Screening Decision, or may cancel, reduce or extend the time for payment of the Administrative Penalty, including any administrative fees, on the following grounds:
  - (a) where the Person establishes, on a balance of probabilities that the Person did not commit the act as described in the Penalty Notice; or
  - (b) the cancellation, reduction or extension of the time for payment of the Administrative Penalty, including any administrative fees, is necessary to reduce financial hardship.
- (2) The Hearing Officer's decision shall be issued to the person orally at the time of the review or thereafter by telephone, mail, or email using the contact information provided by the Person.
- (3) The decision of the Hearing Officer is final.

**13. FAIL TO REQUEST REVIEW OR EXTENSION OF TIME TO REQUEST A REVIEW**

- (1) Where a Person fails to request a review of the Screening Decision or extension of time before the Hearing Officer in accordance with this By-law:
  - (a) the Person shall be deemed to have waived the right to a hearing;
  - (b) the Screening Decision, the Administrative Penalty and any administration fees shall be deemed to be affirmed; and
  - (c) the Screening Decision, the Administrative Penalty and any administrative fees shall not be subject to any further review.

**14. FAIL TO APPEAR FOR REVIEW OF SCREENING DECISION**

- (1) Where a Person fails to Appear for a review of a Screening Decision by the Hearing Officer:
  - (a) the Person shall be deemed to have abandoned the hearing;
  - (b) the Screening Decision, Administrative Penalty and any administration fees shall be deemed to be affirmed;

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- (c) the Screening Decision, Administrative Penalty any administration fees shall not be the subject of any further review; and
  - (d) the Person shall pay the applicable fee as set out in the Town's Rates and Fees Schedule.
- (2) Should a person fail to Appear at the review by the Hearing Officer, the Person shall be sent a notice setting out the Administrative Penalty, any administrative fees to be paid and the final due date for payment.

**15. EXTENSION OF TIME TO PAY**

- (1) A Person who receives a Penalty Notice and is Appearing before the Screening Officer or Hearing Officer may request an extension of time to pay the Administrative Penalty.
- (2) The Screening Officer or Hearing Officer may extend the time for payment of an Administrative Penalty taking into consideration such factors as:
  - (a) the amount of the Administrative Penalty and any administrative fees; and
  - (b) whether the Person is employed, a student, retired or other circumstances that would render the payment an undue financial hardship; as outlined in section 16 of this By-law.
- (3) The extension of time should not exceed 60 days from the date of the Screening or Hearing Officer's review, as the case may be.
- (4) If a Person is granted an extension of time to pay, the Screening or Hearing Officer shall record the extension so that the Town's records can be updated accordingly.

**16. UNDUE FINANCIAL HARDSHIP**

- (1) The Screening Officer or Hearing Officer may excuse a Person from paying all or part of the Administrative Penalty, including any administrative fees, if requiring the Person to do so would cause undue financial hardship.
- (2) Any Person claiming undue financial hardship must provide documented proof substantiating financial hardship, for example: Old Age Security, Canada Pension, Guaranteed Income Supplement, Disability Pension, student loans, Ontario Works, etc. All information and documentation shall be treated in a confidential manner.



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**17. JURISDICTION OF SCREENING AND HEARING OFFICER**

- (1) The Screening Officer or Hearing Officer has no 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.

**18. ORDERS**

- (1) Where a Designated By-law provides for the issuance of an Order by an Officer and where the Officer has reasonable grounds to believe that a contravention of a Designated By-law has occurred, the Officer may issue an Order under the Designated By-law to the Person contravening the Designated By-law, setting out the reasonable particulars of the contravention, including the location of the contravention, where applicable, and directing:
- (a) compliance within a specified timeframe;
  - (b) any work that is required to be done, and in default of such work being done, that the work may be done at the Person's expense and the Town may recover the expense by or in the same manner as municipal taxes; or
  - (c) that the activity be discontinued.
- (2) Any Person who contravenes an Order issued under a Designated By-law is guilty of a violation.
- (3) An Order under the Designated By-law may require work to be done even though the facts which constitute the contravention of the Designated By-law were present before the Designated By-law came into force.
- (4) Where a Person has failed to correct any contravention to the satisfaction of the Officer within the time specified in an Order issued pursuant to the Designated By-law, the Town, in addition to all other remedies it may have, may take all necessary steps to bring the lands into compliance with the By-law and may enter upon land at any reasonable time for the purpose of doing such work.
- (5) Any costs associated with any remedial action taken by the Town to bring the lands into compliance with a Designated By-law shall be subject to payment by the Person where costs may be recovered as outlined in section 21 (4) of this By-law.
- (6) There is no opportunity for a Person to appeal an Order unless such appeal is provided for in the applicable Designated By-law.

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## 19. ORDER FEES

- (1) If an Officer has issued an Order under subsection 18(1) of this By-law and is satisfied that the same Person has contravened the same provision of a Designated By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first Order is deemed to be served, the Officer may issue a second Order to the Person contravening the Designated By-law.
- (2) Upon issuance of a second Order in accordance with subsection 19(1) of this By-law, the Person shall be liable to pay an Order fee to the Town in the amount of \$100 or as revised in the Town's Rates and Fees Schedule.
- (3) If an Officer has issued an Order under subsection 19(1) of this By-law and is satisfied that the same Person has contravened the same provision of the Designated By-law, including any Schedules, for a third time within twenty-four (24) months of the date the second Order is deemed to be served, the Officer may issue a third Order to the Person contravening the Designated By-law.
- (4) Upon issuance of a third Order in accordance with subsection 19(3) of this By-law, the Person shall be liable to pay an Order fee to the Town in the amount of \$250 or as revised in the Town's Rates and Fees Schedule.
- (5) If an Officer has issued an Order under subsection 19(3) of this By-law and is satisfied that the same Person has contravened the same provision of the Designated By-law, including any Schedules, for a fourth or subsequent time within twenty-four (24) months of the date the third Order is deemed to be served, the Officer may issue a fourth or subsequent Order to the Person contravening the Designated By-law.
- (6) Upon issuance of a fourth or subsequent Order in accordance with subsection 19(5) of this By-law, the Person shall be liable to pay an Order fee to the Town in the amount of \$500 or as revised in the Town's Rates and Fees Schedule.

## 20. SERVICE OF PENALTY NOTICES, ORDERS, OTHER NOTICES

- (1) Any Penalty Notice, Order or any other notice may be given in writing in any of the following ways and is effective and considered to be served:
  - (a) on the date on which a copy is delivered to the Person to whom it is addressed;
  - (b) on the seventh calendar day after a copy is sent by mail to the Person's last known address or usual place of residence or abode; **(By-law 2022-031)**

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- (b.1) upon the posting of a copy in a conspicuous place at the person's last known address; **(By-law 2021-099)**
  - (c) upon the conclusion of the transmission of a copy by facsimile transmission to the Person's last known facsimile transmission number; or
  - (c.1) on the seventh calendar day after a copy is picked-up by a courier for delivery to the Person's last known address or usual place of residence or abode; **(By-law 2022-031)**
  - (d) subject to subsection 20(3) of this By-law, upon the sending of a copy by email transmission to the Person's last known email address, unless the document was sent after 5 p.m., in which case service shall be deemed to have been made by 9:00 am on the following business day.
- (2) For the purpose of subsection 20(1) of this By-law, the Person's last known address, last known facsimile transmission number and last known email address shall be deemed to include those provided by the Person pursuant to the Designated By-law.
  - (3) Promptly after the sending of a copy a Penalty Notice, Order or other notice by email transmission in accordance with subsection 20(1)(d) of this By-law, the Penalty Notice, Order or other notice shall be sent by mail to the Person's last known address or usual place residence or abode. **(By-law 2022-031)**

## 21. ADMINISTRATION

- (1) The Director 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 Director deems necessary, without amendment to this By-law.
- (2) The Director shall prescribe all forms and notices, including the Penalty Notice, necessary to implement this By-law and may amend such forms and notices from time to time as the Director deems necessary, without amendment to this By-law.
- (3) An Administrative Penalty that is deemed to be affirmed is due and payable and constitutes a debt to the Town.
- (4) The Town may recover the amount of unpaid Administrative Penalties, including administration fees, and those costs incurred by it under subsection 18(4) or Section 19 of this By-law, plus any applicable interest, from the Person by invoicing the Person for the amount of unpaid Administrative Penalties or costs,

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by action, by collection or by adding the amount to the tax roll. The costs may include the total amount associated with any completed remedial work plus any associated fees as set out in the Town's Rates and Fees Schedule and may be recovered by collections or by adding the amount to the tax roll and collecting it in the same manner as taxes. **(By-law 2022-031)**

- (4.1) The amount of the costs referred to in subsection 21(4), including interest, constitutes a lien on the land upon the registration of a notice of lien in the proper land registry office. The lien is in respect of all costs that are payable at the time the notice is registered plus interest accrued to the date the payment is made. Upon receiving payment of all costs payable plus interest accrued to the date of payment, the Town shall register a discharge of the lien in the proper land registry office. **(By-law 2022-031)**
- (5) Should the Town's costs be added to the tax roll, all costs payable plus interest accrued to the date of payment will be required to clear the charge from the tax account associated with the property.
- (6) If an extension of time to request a review of the Screening Decision is granted by the Hearing Officer, the collection process available to the Town in relation to the Administrative Penalty shall be suspended until the extension of time has expired.
- (7) Where an Administrative Penalty and any applicable administrative fees are not paid by the final due date, renewal of a business licence will be denied until payment is received by the Town.
- (8) Where an Administrative Penalty is cancelled by a Screening Officer or Hearing Officer, any administrative fees are also cancelled.

## **22. REFERENCES**

- (1) References in this By-law to any legislation or by-law means as may be amended or replaced from time to time, and include any regulations thereunder.

## **23. TRANSITION**

- (1) Any Administrative Penalty or Order processes commenced under a Designated By-law prior to this By-law coming into force are hereby continued under this By-law.



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**24. SEVERABILITY**

- (1) In the event any provisions of this By-law are deemed invalid or void, in whole or in part, by any court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

**25. TITLE**

- (1) This By-law may be known as the “Administrative Penalties for Non-Parking Violations and Orders By-law.”

**26. CONSEQUENTIAL AMENDMENTS**

- (1) Fence By-law 2002-034 is hereby amended as set out in Schedule “A” to this By-law.
- (2) Site Alteration By-law 2003-021 is hereby amended as set out in Schedule “B” to this By-law.
- (3) Site Plan Control By-law 2005-062 is hereby amended as set out in Schedule “C” to this By-law.
- (4) Pool Enclosure By-law 2006-071 is hereby amended as set out in Schedule “D” to this By-law.
- (5) Temporary Road Closure By-law 2007-135 is hereby amended as set out in Schedule “E” to this By-law.
- (6) Noise By-law 2008-098 is hereby amended as set out in Schedule “F” to this By-law;
- (7) Municipal Tree By-law 2009-025 is hereby amended as set out in Schedule “G” to this By-law.
- (8) Municipal Right-of-Way By-law 2009-072 is hereby amended as set out in Schedule “H” to this By-law.
- (9) Litter By-law 2011-045 is hereby amended as set out in Schedule “I” to this By-law;
- (10) Parks By-law 2013-013 is hereby amended as set out in Schedule “J” to this By-law;
- (11) Licensing By-law 2015-075 is hereby amended as set out in Schedule “K” to this By-law.



- (12) Transportation Network Companies By-law 2016-083 is hereby amended as set out in Schedule “L” to this By-law.
- (13) Lot Maintenance By-law 2017-008 is hereby amended as set out in Schedule “M” to this By-law.
- (14) Private Tree By-law 2017-038 is hereby amended as set out in Schedule “N” to this By-law.
- (15) Animal Control By-law 2018-006 be hereby amended as set out in Schedule “O” to this By-law.
- (16) Short-Term Accommodation Licensing By-law 2018-045 be hereby amended as set out in Schedule “P” to this By-law.
- (17) Sign By-law 2018-153 is hereby amended as set out in Schedule “Q” to this By-law.
- (18) Tow Truck By-law 2019-060 is hereby amended as set out in Schedule “R” to this By-law.
- (19) All other provisions of By-laws 2002-034, 2003-021, 2005,062, 2006-071, 2007-135, 2008-098, 2009-025, 2009-072, 2011-045, 2013-013, 2015-075, 2016-083, 2017-008, 2017-038, 2018-006, 2018-045, 2018-153 and 2019-060 hereby remain in force and effect.

**27. EFFECTIVE DATE**

- (1) This By-law comes into force and effect on the day it is passed.

PASSED this 22nd day of February, 2021

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MAYOR

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CLERK

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**Schedule “A” to By-law 2021-038**

Fence By-law 2002-034

1. Section 1 of By-law 2002-034 is hereby amended as set out as follows:
  - (a) the following definitions are added to section 1:
    - (1.i) “Administrative Penalties for Non-Parking Violations and Orders By-law” means By-law 2021-038, or successor by-laws;
    - (7.1) “Officer” means any person authorized by the Corporation of the Town of Oakville to enforce by-laws and includes Municipal Law Enforcement Officers, provincial offences officers and Halton Regional Police Officers;
    - (7.2) “penalty notice” means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;
    - (7.3) “person” includes an individual, a corporation, a partnership, and an association, and includes a licensee or an authorized representative thereof;
2. By-law 2002-034 is hereby amended by adding the following new subsection 2.1:
  - 2.1 This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
3. By-law 2002-034 is hereby amended by adding the following new heading and subsections 18.1(1), 18.1(2), 18.1(3), 18.1(4), 18.1(5) and 18.1(6):
  - 18.1 Administrative Penalties
    - (1) An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
    - (2) Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the Town’s rates and fees schedule.
    - (3) If an Officer has issued a penalty notice under subsection 18.1(1) of this By-law and has reasonable cause to believe that the same

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person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.

- (4) Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
- (5) If an Officer has issued a penalty notice under subsection 18.1(3) of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
- (6) Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.

4. By-law 2002-034 is hereby amended by adding the following new heading and subsections 18.2(1) and 18.2(2):

18.2 Orders

- (1) Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
- (2) Any person who contravenes an order under this By-law is guilty of an offence.

5. By-law 2002-034 is hereby amended by adding the following new heading and subsection 18.3(1):

18.3 Service and Notice

- (1) Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.

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**Schedule "B" to By-law 2021-038**

Deleted by By-law 2023-047

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**Schedule “C” to By-law 2021-038**

Site Plan Control By-law 2005-062

1. Section 1 of By-law 2005-062 is hereby amended as follows:
  - (a) the definitions of “Hearing Officer”, “screening decision” and “Screening Officer” are hereby deleted; and
  - (b) the following definition is added to section 1:
    - (a.i) **“Administrative Penalties for Non-Parking Violations and Orders By-law”** means By-law 2021-038, or successor by-laws;
  - (c) the definition for “penalty notice” be amended to read:
    - (c.3) **“penalty notice”** means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;
2. By-law 2005-062 is hereby amended by adding the following subsection 2.1:
  - 2.1 This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
3. By-law 2005-062 is hereby amended by deleting subsections 18.1 and 18.3 and adding the following new subsection 18.1:
  - 18.1 Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
4. By-law 2005-062 is hereby amended by deleting subsections 18.4 to 18.24, inclusive, and substituting the following new subsections 18.3, 18.4, 18.5, 18.6, 18.7 and 18.8:
  - 18.3 An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
  - 18.4 Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the Town’s rates and fees schedule.

- 18.5 If an Officer has issued a penalty notice under subsection 18.2 of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
- 18.6 Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
- 18.7 If an Officer has issued a penalty notice under subsection 18.4 of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
- 18.8 Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.
5. Subsection 18.26 of By-law 2005-062 is hereby deleted and subsection 18.25 re-numbered to 18.9 and amended to read as follows:
- 18.9 Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.
6. Subsection 18.27 and 18.28 of By-law 2005-062 be re-numbered to 18.10 and 18.11.

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**Schedule “D” to By-law 2021-038**

Pool Enclosure By-law 2006-071

1. Section 1 of By-law 2006-071 is hereby amended as follows:
  - (a) the definitions of “Hearing Officer”, “Screening Decision” and “Screening Officer” are hereby deleted; and
  - (b) the following definition is added to the section:
    - (a.i) **“Administrative Penalties for Non-Parking Violations and Orders By-law”** means By-law 2021-038, or successor by-laws;
  - (c) the definition for “penalty notice” be amended to read:
    - (e.1) **“penalty notice”** means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;
2. By-law 2006-071 is hereby amended by adding the following subsection 2.1:
  - 2.1 This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
3. By-law 2006-071 is hereby amended by deleting subsections 30.1 and 30.3 and substituting the following new subsection 30.1:
  - 30.1 Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
4. By-law 2006-071 is hereby amended by deleting subsections 30.4 to 30.24, inclusive, and substituting the following new subsections 30.3, 30.4, 30.5, 30.6, 30.7 and 30.8:
  - 30.3 An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
  - 30.4 Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the Town’s rates and fees schedule.

- 30.5 If an Officer has issued a penalty notice under subsection 30.4 of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
- 30.6 Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
- 30.7 If an Officer has issued a penalty notice under subsection 30.6 of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
- 30.8 Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.
5. Subsections 30.26 of By-law 2006-071 is hereby deleted and subsection 30.25 re-numbered to 30.9 and amended to read as follows:
- 30.9 Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.
6. Subsection 30.27 and 30.28 of By-law 2006-071 be re-numbered to 30.10 and 30.11.



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**Schedule “E” to By-law 2021-038**

Temporary Road Closure By-law 2007-135

1. Section 1 of By-law 2007-135 is hereby amended as set out as follows:
  - (a) the definitions of “Hearing Officer”, “Screening Decision” and “Screening Officer” are hereby deleted; and
  - (b) the following definition is added to section 1:

**“Administrative Penalties for Non-Parking Violations and Orders By-law”** means By-law 2021-038, or successor by-laws;
  - (c) the definition of “Penalty Notice” be amended to read:

**“Penalty Notice”** means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;
2. By-law 2007-135 is hereby amended by adding the following new subsection 1(a):
  - 1(a) This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
3. By-law 2007-135 is hereby amended by deleting subsections 6.2 and 6.4 and substituting the following new subsection 6.2:

6.2 Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
4. By-law 2007-135 is hereby amended by deleting subsections 6.5 to 6.25, inclusive, and substituting the following new subsections 6.4, 6.5, 6.6, 6.7, 6.8 and 6.9:
  - 6.4 An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
  - 6.5 Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the Town’s rates and fees schedule.

- 6.6 If an Officer has issued a penalty notice under subsection 6.5 of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
- 6.7 Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
- 6.8 If an Officer has issued a penalty notice under subsection 6.7 of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
- 6.9 Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.
5. Subsection 6.26 of By-law 2007-135 is hereby deleted and new subsection 6.10 be substituted as follows:
  - 6.10 Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.
6. Subsections 6.27 to 6.31, inclusive, of By-law 2007-135 be re-numbered to 6.11 to 6.15 respectively.

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**Schedule “F” to By-law 2021-038**

Noise By-law 2008-098

1. Section 1 of By-law 2008-098 is hereby amended as set out as follows:
  - (a) the following definitions are added to section 1:
    - (a.i) “Administrative Penalties for Non-Parking Violations and Orders By-law” means By-law 2021-038, or successor by-laws;
    - (o.1) “Officer” means any person authorized by the Corporation of the Town of Oakville to enforce by-laws and includes Municipal Law Enforcement Officers, provincial offences officers and Halton Regional Police Officers;
    - (o.2) “Penalty Notice” means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;
    - (o.3) “Person” includes an individual, a corporation, a partnership, and an association, and includes a licensee or an authorized representative thereof;
2. By-law 2008-098 is hereby amended by adding the following new subsection 1.1:
  - 1.1 This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
3. By-law 2008-098 is hereby amended by adding the following new heading and subsections 8.1(1), 8.1(2), 8.1(3), 8.1(4), 8.1(5) and 8.1(6):
  - 8.1 Administrative Penalties
    - (1) An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
    - (2) Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the Town’s rates and fees schedule.

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- (3) If an Officer has issued a penalty notice under subsection 8.1(1) of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
  - (4) Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
  - (5) If an Officer has issued a penalty notice under subsection 8.1(3) of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
  - (6) Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.
4. By-law 2008-098 is hereby amended by adding the following new heading and subsections 8.2(1) and 8.2(2):
    - 8.2 Orders
      - (1) Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
      - (2) Any person who contravenes an order under this By-law is guilty of an offence.
  5. By-law 2008-098 is hereby amended by adding the following new heading and subsection 8.3(1):
    - 8.3 Service and Notice
      - (1) Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.
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**Schedule “G” to By-law 2021-038**

Municipal Tree By-law 2009-025

1. Section 1 of By-law 2009-025 is hereby amended as follows:
  - (a) the definitions of “Hearing Officer”, “Screening Decision” and “Screening Officer” are hereby deleted; and
  - (b) the following definition is added to section 1:
    - (a.i) “Administrative Penalties for Non-Parking Violations and Orders By-law” means By-law 2021-038, or successor by-laws;
  - (c) the definition of “penalty notice” be amended to read:
    - (h.1) “penalty notice” means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;
2. By-law 2009-025 is hereby amended by adding the following new heading and subsection 1.1(1):

**1.1 Interpretation**

  - (1) This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
3. Subsection 3(f) of By-law 2009-025 be amended to read as follows:

3(f) fail to comply with an order issued by an Officer; or
4. By-law 2009-025 is hereby amended by deleting subsections 4(2) and 4(3) substituting the following new subsection 4(2):

4(2) Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
5. Subsection 4(4) of By-law 2009-025 is hereby deleted and new subsection 4(3) be substituted as follows:

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- 4(3) Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.
6. Subsection 4(5) of By-law 2009-025 re-numbered to subsection 4(4) and the words “under subsection (4)” be deleted from line 2.
7. Subsections 4(6) and 4(7) are hereby deleted.
8. By-law 2009-025 is hereby amended by deleting subsections 4.1.1 to 4.1.21, inclusive, and substituting the following new subsections 4.1.1, 4.1.2, 4.1.3 4.1.4, 4.1.5 and 4.1.6:
- 4.1.1 An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
- 4.1.2 Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the Town’s rates and fees schedule.
- 4.1.3 If an Officer has issued a penalty notice under subsection 4.1.1 of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
- 4.1.4 Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town’s rates and fees schedule.
- 4.1.5 If an Officer has issued a penalty notice under subsection 4.1.3 of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
- 4.1.6 Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town’s rates and fees schedule.
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**Schedule “H” to By-law 2021-038**

Municipal Right-of-Way By-law 2009-072

1. By-law 2009-072 is hereby amended as set as follows:
  - (a) the definitions of “Hearing Officer”, “Screening Decision” and “Screening Officer” are hereby deleted; and
  - (b) the following definition is added to section 1 of By-law 2009-072:

“Administrative Penalties for Non-Parking Violations and Orders By-law” means By-law 2021-038, or successor by-laws;
  - (c) the definition of “penalty notice” be amended to read:

“penalty notice” means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;
2. By-law 2009-072 is hereby amended by adding the following new subsection 1(i):
  - 1(i) This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
3. By-law 2009-072 is hereby amended by deleting subsections 8 and 9.1 and adding new subsection 8:
  8. Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
4. Reference to section 11.22 in line two of subsection 10 of By-law 2009-072 be amended to read “subsection 11.7”.
5. By-law 2009-072 is hereby amended by deleting subsections 11.1 to 11.21, inclusive, and substituting the following new subsections 11.1, 11.2, 11.3, 11.4, 11.5 and 11.6:
  - 11.1 An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
  - 11.2 Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the

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Town in the amount of \$300 or as revised in the Town's rates and fees schedule.

- 11.3 If an Officer has issued a penalty notice under subsection 11.1 of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
  - 11.4 Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
  - 11.5 If an Officer has issued a penalty notice under subsection 11.3 of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
  - 11.6 Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.
6. Subsection 11.22 of By-law 2009-072 be deleted and the following new subsection 11.7 substituted as follows:
    - 11.7 Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.
  7. Subsection 11.23 and 11.24 of By-law 2009-072 be re-numbered to 11.8 and 11.9.



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**Schedule “I” to By-law 2021-038**

Litter By-law 2011-045

1. By-law 2011-045 is hereby amended as set as follows:
  - (a) the definitions of “Hearing Officer” and “Screening Officer” are hereby deleted; and
  - (b) the following definitions are added to section 1 of By-law 2011-045:

“Administrative Penalties for Non-Parking Violations and Orders By-law” means By-law 2021-038, or successor by-laws;

“Officer” means any person authorized by the Corporation of the Town of Oakville to enforce by-laws and includes Municipal Law Enforcement Officers, provincial offences officers and Halton Regional Police Officers;

“penalty notice” means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;
2. By-law 2011-045 is hereby amended by adding the following new headings and subsections 1.1(a), 1.2(a) and 1.2(b):
  - 1.1 Interpretation:
    - (a) This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
  - 1.2 Orders:
    - (a) Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
    - (b) Any person who contravenes an order under this By-law is guilty of an offence.
3. By-law 2011-045 is hereby amended by deleting subsections 2.1 to 2.23, inclusive, and substituting the following new subsections 2.1, 2.2, 2.3, 2.4, 2.5, 2.6 and 2.7:

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- 2.1 An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
  - 2.2 Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the Town's rates and fees schedule.
  - 2.3 If an Officer has issued a penalty notice under subsection 2.1 of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
  - 2.4 Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
  - 2.5 If an Officer has issued a penalty notice under subsection 2.3 of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
  - 2.6 Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.
  - 2.7 Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.

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**Schedule “J” to By-law 2021-038**

Parks By-law 2013-013

1. By-law 2013-013 is hereby amended as set as follows:
  - (a) the definitions of “Hearing Officer” and “Screening Officer” are hereby deleted; and
  - (b) the following definitions are added to section 1 of By-law 2011-045:
    - (a.i) “Administrative Penalties for Non-Parking Violations and Orders By-law” means By-law 2021-038, or successor by-laws;
    - (h.1) “penalty notice” means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;
    - (i.1) “person” includes an individual, a corporation, a partnership, and an association, and includes a licensee or an authorized representative thereof;
2. By-law 2013-013 is hereby amended by adding the following new subsection 2.1:
  - 2.1 This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
3. By-law 2013-013 is hereby amended by adding the following heading and new subsection 16.1(a) and 16.1(b):
  - 16.1 **Orders:**
    - (a) Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
    - (b) Any person who contravenes an order under this By-law is guilty of an offence.
4. By-law 2013-013 is hereby amended by deleting subsections 19.1 to 19.23, inclusive, and substituting the following new subsections 19.1, 19.2, 19.3, 19.4, 19.5, 19.6 and 19.7:

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- 19.1 An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
  - 19.2 Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the Town's rates and fees schedule.
  - 19.3 If an Officer has issued a penalty notice under subsection 19.1 of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
  - 19.4 Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
  - 19.5 If an Officer has issued a penalty notice under subsection 19.3 of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
  - 19.6 Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.
  - 19.7 Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.

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**Schedule “K” to By-law 2021-038**

Licensing By-law 2015-075

1. Section 2 of Schedule 1 of By-law 2015-075 is hereby amended as follows:
  - (a) the definitions of “Hearings Officer”, “Screening Decision” and “Screening Officer” are hereby deleted; and
  - (b) the following definition is added to section 2 of Schedule 1:  
**“Administrative Penalties for Non-Parking Violations and Orders By-law”** means By-law 2021-038, or successor by-laws;
  - (c) the definition of “penalty notice” be amended to read:  
**“Penalty Notice”** means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;
2. By-law 2015-075 is hereby amended by adding the following new heading and subsection 1.1(1):
  - 1.1 Interpretation:**
    - (1) This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
3. By-law 2015-075 is hereby amended by deleting subsections 8(1) and 8(3) substituting the following new subsection 8(1):
  - 8(1) Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
4. By-law 2015-075 is hereby amended by deleting subsections 9(1) to 9(21), inclusive, and substituting the following new subsections 9(1), 9(2), 9(3), 9(4), 9(5) and 9(6):
  - 9(1) An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
  - 9(2) Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the

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Town in the amount of \$300 or as revised in the Town's rates and fees schedule.

- 9(3) If an Officer has issued a penalty notice under subsection 9(1) of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
  - 9(4) Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
  - 9(5) If an Officer has issued a penalty notice under subsection 9(3) of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
  - 9(6) Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.
- 5. Subsection 10(1) and 10(2) of By-law 2015-075 be deleted and the following new subsection 10(1) be substituted as follows:
    - 10(1) Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.
  - 6. Section 14 of By-law 2015-075 is hereby deleted and the following is inserted in its place:
    - 14) INTENTIONALLY OMITTED

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**Schedule “L” to By-law 2021-038**

Transportation Network Companies By-law 2016-083

1. Section 1 of By-law 2016-083 is hereby amended as follows:
  - (a) the definitions of “Hearings Officer” “Screening Decision” and “Screening Officer” are hereby deleted; and
  - (b) the following definition is added to section 1:

**“Administrative Penalties for Non-Parking Violations and Orders By-law”** means By-law 2021-038, or successor by-laws;
  - (c) the definition of “penalty notice” be amended to read:

**“Penalty Notice”** means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;
2. By-law 2016-083 is hereby amended by adding the following new heading and subsections 1.1(1):

**1.1 INTERPRETATION:**

  - (1) This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
3. By-law 2016-083 is hereby amended by deleting subsections 9(1) and 9(3) and substituting the following new subsection 9(1):

9(1) Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
4. By-law 2016-083 is hereby amended by deleting subsections 10(1) to 10(21), inclusive, and substituting the following new subsections 10(1), 10(2), 10(3), 10(4), 10(5) and 10(6):
  - 10(1) An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
  - 10(2) Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the

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Town in the amount of \$300 or as revised in the Town's rates and fees schedule.

- 10(3) If an Officer has issued a penalty notice under subsection 10(1) of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
  - 10(4) Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
  - 10(5) If an Officer has issued a penalty notice under subsection 10(3) of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
  - 10(6) Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.
- 5. Subsection 11(1) and 11(2) of By-law 2016-083 be deleted and the following new subsection 11(1) be substituted as follows:
    - 11(1) Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.
  - 6. Section 15 of By-law 2016-083 is hereby deleted and the following is inserted in its place:
    - 15. INTENTIONALLY OMITTED



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**Schedule “M” to By-law 2021-038**

Lot Maintenance By-law 2017-008

1. Section 1 of By-law 2017-008 is hereby amended by the addition of the following definitions:

**“Administrative Penalties for Non-Parking Violations and Orders By-law”** means By-law 2021-038, or successor by-laws;

**“Penalty Notice”** means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;

2. By-law 2017-008 is hereby amended by adding the following new heading and subsection 1.1(1):

**1.1 Interpretation**

(1) This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.

3. By-law 2017-008 is hereby amended by deleting subsections 11(1), 11(2) and 11(3) and the following inserted in their place:

11. INTENTIONALLY OMITTED

4. By-law 2017-008 is hereby amended by deleting subsections 12(1), 12(2), 12(3) and 12(4) and substituting the following new subsections 12(1) and 12(2):

12(1) Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.

12(2) Any person who contravenes an order under this By-law is guilty of an offence.

5. Section 13 of By-law 2017-008 is hereby deleted.
6. By-law 2017-008 is hereby amended by deleting subsections 15(1) to 15(21), inclusive, and substituting the following new subsections 15(1), 15(2), 15(3), 15(4), 15(5) and 15(6):

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- 15(1) An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
- 15(2) Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the Town's rates and fees schedule.
- 15(3) If an Officer has issued a penalty notice under subsection 15(1) of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
- 15(4) Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
- 15(5) If an Officer has issued a penalty notice under subsection 15(3) of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
- 15(6) Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.
7. Subsection 16(1) of By-law 2017-008 be deleted and the following new subsection 16(1) be substituted as follows:
- 16(1) Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.

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**Schedule “N” to By-law 2021-038**

Private Tree By-law 2017-038

1. Section 1 of By-law 2017-038 is hereby amended as follows:
  - (a) the definitions of “Hearing Officer”, “Screening Decision” and “Screening Officer” are hereby deleted; and
  - (b) the following definitions are added to section 1:

“Administrative Penalties for Non-Parking Violations and Orders By-law” means By-law 2021-038, or successor by-laws;

“Officer” means any person authorized by the Corporation of the Town of Oakville to enforce by-laws and includes Municipal Law Enforcement Officers, provincial offences officers and Halton Regional Police Officers;
  - (c) the definition for “penalty notice” be amended to read:

“penalty notice” means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;
2. By-law 2017-038 is hereby amended by adding the new subsection 2.1 as follows:
  - 2.1 This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
3. By-law 2017-038 is hereby amended by deleting subsections 9(1), 9(2), 9(3), 9(3.1) and 9(5), substituting the following new subsections 9(1) and 9(2) and re-numbering subsection 9(4) to 9(3):
  - 9(1) Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
  - 9(2) Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.
4. By-law 2017-038 is hereby amended by deleting subsections 9.1 to 9.21, inclusive, and substituting the following subsections 9.1, 9.2, 9.3, 9.4, 9.5 and 9.6:

- 9.1 An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
- 9.2 Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the Town's rates and fees schedule.
- 9.3 If an Officer has issued a penalty notice under subsection 9.1 of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
- 9.4 Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
- 9.5 If an Officer has issued a penalty notice under subsection 9.3 of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
- 9.6 Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.

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**Schedule “O” to By-law 2021-038**

Animal Control By-law 2018-006

1. Section 1 of By-law 2018-006 is hereby amended as follows:
  - (a) the definitions of “Hearing Officer” and “Screening Officer” are hereby deleted; and
  - (b) the following definitions are added to section 1:

**“Administrative Penalties for Non-Parking Violations and Orders By-law”** means By-law 2021-038, or successor by-laws;

**“Penalty Notice”** means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;

**“Person”** includes an individual, a corporation, a partnership, and an association, and includes a licensee or an authorized representative thereof;
2. By-law 2018-006 is hereby amended by adding the following new heading and subsection 1.1(1):

**1.1 INTERPRETATION**

  - (1) This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
3. By-law 2018-006 is hereby amended by deleting subsections 15(1) and 15(3) and substituting the following new subsection 15(1):

15(1) Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
4. By-law 2018-006 is hereby amended by deleting subsections 16(1) to 16(21), inclusive, and substituting the following subsections 16(1), 16(2), 16(3), 16(4), 16(5) and 16(6):

16(1) An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.

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- 16(2) Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the Town's rates and fees schedule.
- 16(3) If an Officer has issued a penalty notice under subsection 16(1) of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
- 16(4) Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
- 16(5) If an Officer has issued a penalty notice under subsection 16(3) of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
- 16(6) Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.
5. Subsection 17(1) and 17(2) of By-law 2018-006 be deleted and the following new subsection 17(1) be substituted as follows:
- 17(1) Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.

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**Schedule “P” to By-law 2021-038**

Short-Term Accommodation Licensing By-law 2018-045

1. Section 1.0 of By-law 2018-045 is hereby amended as follows:
  - (a) the definitions of “Hearings Officer” “Screening Decision” and “Screening Officer” are hereby deleted; and
  - (c) the following definitions are added to section 1.0:

**“Administrative Penalties for Non-Parking Violations and Orders By-law”** means By-law 2021-038, or successor by-laws;

**“Penalty Notice”** means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;
2. By-law 2018-045 is hereby amended by adding the following new heading and subsection 1.1(1):

**1.1            INTERPRETATION**

  - (1) This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
3. By-law 2018-045 is hereby amended by deleting subsections 8(1) and 8(3) and substituting the following new subsection 8(1):

8(1) Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
4. By-law 2018-045 is hereby amended by deleting subsections 9(1) to 9(21), inclusive, and substituting the following new subsections 9(1), 9(2), 9(3), 9(4), 9(5) and 9(6):
  - 9(1) An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
  - 9(2) Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the Town’s rates and fees schedule.

- 9(3) If an Officer has issued a penalty notice under subsection 9(1) of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
  - 9(4) Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
  - 9(5) If an Officer has issued a penalty notice under subsection 9(3) of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
  - 9(6) Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.
5. Subsection 10(1) and 10(2) of By-law 2018-045 be deleted and the following new subsection 10(1) be substituted as follows:
- 10(1) Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.
6. Section 14 of By-law 2018-045 is hereby deleted and the following inserted in its place:
- 14. INTENTIONALLY OMITTED



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**Schedule “Q” to By-law 2021-038**

Sign By-law 2018-153

1. Part 1 of By-law 2018-153 is hereby amended as follows:
  - (a) the definitions of “Hearing Officer” and “Screening Officer” are hereby deleted; and
  - (b) the following definition is added to section 1:
    - 2.1 “Administrative Penalties for Non-Parking Violations and Orders By-law” means By-law 2021-038, or successor by-laws;
  - (c) the definition for “penalty notice” be amended to read:
    76. “penalty notice” means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;
2. By-law 2018-153 is hereby amended by adding the new subsection 1.1 as follows:
  - 1.1 This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
3. By-law 2018-153 is hereby amended by deleting Part 16 subsections 1. to 21., inclusive, and substituting the following new Part 16 subsections 1., 2., 3., 4., 5., and 6.:
  1. An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
  2. Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the Town’s rates and fees schedule.
  3. If an Officer has issued a penalty notice under Part 16 subsection 1. of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.

4. Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
  5. If an Officer has issued a penalty notice under Part 16 subsection 3. of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
  6. Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.
4. By-law 2018-153 is hereby amended by deleting Part 17 subsections 1., 2. and 3., substituting the following new subsection 1. and re-numbering subsection 4. to 2.:
    1. Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
  5. Part 18 of By-law 2018-153 is hereby deleted and the following inserted in its place:

PART 18 INTENTIONALLY OMITTED
  6. Part 19 subsection 1. and 2. of By-law 2018-153 be deleted and the following new subsection 1. be substituted as follows:
    1. Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.

## Schedule “R” to By-law 2021-038

### Tow Truck By-law 2019-060

1. Section 1 of By-law 2019-060 is hereby amended as follows:
    - (a) the definitions of “Hearing Officer”, “Screening Decision” and “Screening Officer” are hereby deleted; and
    - (b) the following definition is added to section 1:  
  
**“Administrative Penalties for Non-Parking Violations and Orders By-law”** means By-law 2021-038, or successor by-laws;
    - (c) the definition for “penalty notice” be amended to read:  
  
**“Penalty Notice”** means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;
  2. By-law 2019-060 is hereby amended by adding the following new heading and subsection 1.1(1):  
  
**1.1 INTERPRETATION**
    - (1) This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
  3. By-law 2019-060 is hereby amended by deleting subsections 9(1) and 9(3) and substituting the following new subsections 9(1):  
  
9(1) Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
  4. By-law 2019-060 is hereby amended by deleting subsections 10(1) to 10(21), inclusive, and substituting the following new subsections 10(1), 10(2), 10(3), 10(4), 10(5) and 10(6):  
  
10(1) An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
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- 10(2) Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the Town's rates and fees schedule.
- 10(3) If an Officer has issued a penalty notice under subsection 10(1) of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
- 10(4) Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
- 10(5) If an Officer has issued a penalty notice under subsection 10(3) of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
- 10(6) Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.
5. Subsection 11(1) and 11(2) of By-law 2019-060 be deleted and the following new subsection 11(1) be substituted as follows:
- 11(1) Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.
6. Section 15 of By-law 2019-060 is hereby deleted and the following inserted in its place:
15. INTENTIONALLY OMITTED