

RURAL MUNICIPALITY OF WINSLOW NO. 319

BYLAW NO. 6-2020

**A BYLAW OF THE R.M OF WINSLOW #319 TO PROVIDE FOR PENALTIES FOR
CONTRAVENTION OF BYLAWS**

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The Council of the Rural Municipality of Winslow #319, of the Province of Saskatchewan (the R.M.), enacts as follows:

1. CITATION

This Bylaw may be cited as the "General Penalties Bylaw".

2. GOVERNING LEGISLATION

- (1) This bylaw is enacted pursuant to *The Municipalities Act*, S.S. 2005, c. M-36.1 (The Act).
- (2) Should a conflict arise between the General Penalties Bylaw and The Act, The Act shall prevail.

3. PURPOSE

- (1) Any police officer, peace officer, an employee or an agent of the R.M. engaged in exercising on behalf of the R.M. any of the powers conferred by The Act, or by a bylaw of the R.M. passed pursuant to The Act, or any person duly authorized by Council, is hereby designated authority to enforce all bylaws of the R.M.

4. GENERAL PENALTY

- (1) No person shall:
 - (a) contravene or fail to comply with a provision of any bylaw of the R.M.;
 - (b) obstruct or interfere with a police officer, a peace officer, an employee or an agent of the R.M. engaged in exercising on behalf of the R.M. any of the powers conferred by The Act, or by a bylaw of the R.M. passed pursuant to The Act; or

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- (c) destroy, pull down, alter, or interfere with any work carried out, thing done by or for the R.M., or any product thereof pursuant to any bylaw of the R.M.
- (2) Every person who contravenes a provision of a bylaw of the R.M. is guilty of an offence and is liable on summary conviction to the penalty specified within the bylaw.
- (3) Every person who contravenes any provision of any bylaw of the R.M. where a bylaw does not specify a penalty is guilty of an offence and is liable on summary conviction:
 - (a) in the case of an individual, to a fine not exceeding \$10,000;
 - (b) in the case of a corporation, to a fine not exceeding \$25,000;
 - (c) in the case of a continuing offence, to a maximum daily fine not exceeding \$2,500 for each day or part of a day during which the offence continues; and
- (4) If a corporation commits an offence described in this section, any officer or director of the corporation who directed, authorized, assented to, acquiesced in, or participated in the commission of the offence is guilty of the offence and liable on summary conviction to the penalties mentioned in this section.

5. PENALTIES IN ADDITION TO FINES

- (1) Where a person is found guilty of an offence against any bylaw of the R.M., the court may, in addition to a fine, impose an additional penalty so long as the penalty relates to a fee, cost, rate, toll or charge associated with the conduct giving rise to the offence.

6. ORDER FOR COMPLIANCE

- (1) Where a person is found guilty of an offence against any bylaw of the R.M., the court may, in addition to any other penalty imposed, order the person to comply with the bylaw, licence, permit, or other authorization issued under the bylaw, or a term thereof.
- (2) A person against whom an order is made pursuant to s. 6(1) who fails to comply with said order within the time specified by the court is guilty of an offence and liable on summary conviction:
 - (a) in the case of an individual, to a fine not exceeding \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,500 for each day or part of a day during which the non-compliance continues;
 - (b) in the case of a corporation, to a fine not exceeding \$25,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,500 for each day or part of a day during which the non-compliance continues

7. PAYMENT

- (1) Such person served with a notice of violation, ticket, or summons may pay the same at the office of the R.M. of Winslow No. 319, located at 135 2nd Avenue, Dodsland, Saskatchewan, between the hours of 8:30 AM and 12:00 PM, and 1:00 PM and 4:30 PM, excepting Saturdays, Sundays, and public holidays.

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- (2) Payment must be made within a period of fourteen (14) days from the service of a notice of violation, ticket, or summons. If payment is made and accepted within such time, that person shall not be liable to prosecution for the offense.
- (3) Where any violation that is prosecuted and the offender is subsequently convicted, payment of any fine, penalty, or other amount found owing shall be paid within fifteen days of the date of judgment. Any person who fails to resolve outstanding payment fifteen days after judgment is rendered by a court of competent jurisdiction shall pay an additional penalty of fifty dollars, to be added to the total outstanding amount.

8. DEFAULT OF PAYMENT

- (1) The court may, in default of payment of a fine imposed under this or any other bylaw of the R.M., order imprisonment of an individual for a term not exceeding one year.

9. REPEAL

- (1) R. M. of Winslow Bylaw No. 4-91 is hereby repealed.

10. COMING INTO FORCE

- (1) This Bylaw, and all attachments thereto, and as shall be amended from time to time, shall come into force and be in effect on the final passing thereof.





Reeve



Administrator



*Certified a true copy of
Bylaw No. 6-2020 passed
by resolution of Council
on August 12, 2020.*

*Regan MacDonald
Administrator*