

BY-LAW No. 433/82
General Penalty By-law

A By-law to Provide for the Imposition of
Penalties for Infractions of Municipal
District of Sturgeon No. 90 By-laws

WHEREAS Section 110 of The Municipal Government Act, R.S.A. 1980, C. M-26 as amended, provides that Council may enact a general penalty by-law for the contravention of any by-law or any number of specified by-laws and may impose a fine and costs and imprisonment in the case of non-payment of the fine and costs as provided for in the said Section; and

WHEREAS the said Section in the said Act further provides that Council may enact procedures for the payment to the Municipal Treasurer or other person designated by Council of an amount fixed by by-law to be accepted by the Municipal District in lieu of prosecution; and

WHEREAS Council is desirous of enacting a general penalty by-law to provide a penalty or penalties for the contravention of any by-law of the Municipal District which does not provide for a penalty or penalties for its contravention and a procedure for the payment to the Municipal District where permitted by by-law of a fixed amount in lieu of prosecution;

NOW, THEREFORE, the Council of The Municipal District of Sturgeon No. 90 duly assembled, enacts as follows:

1. Any person who contravenes any by-law of The Municipal District of Sturgeon No. 90 now in force or which may at any time hereafter come into force and so remain and which does not provide for a penalty or penalties for its contravention shall be liable upon conviction of a contravention thereof to a minimum penalty of ONE HUNDRED DOLLARS (\$ 100.00) and a maximum penalty of TWO THOUSAND, FIVE HUNDRED DOLLARS (\$2,500.00), exclusive of costs, and in case of non-payment of the fine and costs imposed for any such contravention to punishment by imprisonment in the nearest common jail for any period not exceeding six (6) months unless the penalty and costs including costs of committal are sooner paid.
2. Where any person is convicted of an offence under any Municipal District by-law, the Provincial Judge or Justice, as the case may be, in addition to any penalty provided for in Section 1 of this by-law, may impose a daily fine not exceeding TWO THOUSAND, FIVE HUNDRED DOLLARS (\$2,500.00) for every day that the offence continues after conviction.
3. In any case where a person is convicted under any by-law of The Municipal District of Sturgeon No. 90 for the non-payment of any licence fee or permit fee payable to the Municipal District, then, in addition to any of the penalties set forth in paragraphs 1 and 2 of this by-law, the Provincial Judge or Justice, as the case may be, may order payment of the said licence fee or permit fee to the Municipal District under the provisions of the Municipal District by-law in addition to the said penalties.
4. In any case where a person is convicted of a contravention of a Municipal District by-law that has involved the moving or storage of a vehicle or the moving to storage or otherwise of an obstruction on a highway, public place, civic or private parking lot or private property, then, any expense that has been incurred by the Municipal District in connection with such moving or storage, shall be added to the amount of any fine or penalty imposed for such breach or non-observance of the by-law and such expenses may be added to any amount that is fixed under any Municipal District by-law as a payment to be made in lieu of prosecution as provided in Section 6 of this by-law.

- Moved by Councillor Schoenberger that By-law 433/82 be given first reading this 24th day of June, 1982.

Moved by Councillor Remillard that By-law 433/82 be given second reading this 24th day of June, 1982.

Moved by Councillor Bochanesky that By-law 433/82 be submitted for third and final reading this 24th day of June, 1982.

MOTION CARRIED

Moved by Councillor Lamoureux that By-law 433/82 be
given third and final reading this 24th day of June, 1982.

Clayton Crozier
RECEIVED: Grace Kay
MUNICIPAL ADMINISTRATOR