



VILLAGE OF BELCARRA
Regulatory Bylaw Enforcement and Penalty
Amending Bylaw No. 519, 2018



A bylaw to amend bylaw enforcement authority and penalties in order to improve bylaw enforcement within the Village of Belcarra

WHEREAS the Council of the Village of Belcarra deems it expedient to provide penalties and minimum fines in its regulatory bylaws;

NOW THEREFORE, the Council of the Village of Belcarra enacts as follows:

Part 1 Citation

This bylaw may be cited as "Village of Belcarra Regulatory Bylaw Enforcement and Penalty Amending Bylaw No. 519, 2018".

Part 2 Severability

If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsequent, paragraph, subparagraph, clause or phrase.

Part 3 Amendments

"Village of Belcarra Building and Plumbing Code Regulation Bylaw No. 355, 2003", as Consolidated

- 3.1 The "Village of Belcarra Building and Plumbing Code Regulation Bylaw No. 355, 2003" is hereby amended by deleting Sections 159 and 160 in their entirety and replacing with the following:
- "159 The Enforcement Officer may issue a Bylaw Notice to any person who has contravened this bylaw. Notwithstanding, nothing shall limit or remove the right of the Village to prosecute any offence by way of an information being laid and a summons issued in accordance with the procedures set out in the Offence Act.
- 160 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500, and is guilty of a separate offence each day that a violation continues or exists."

"Village of Belcarra Business License Bylaw No. 227, 1995", as Consolidated

- 3.2 The "Village of Belcarra Business License Bylaw No. 227, 1995" is hereby amended by deleting Section 14 in its entirety and replacing with the following:
- "14.1 The Enforcement Officer may issue a Bylaw Notice to any person who has contravened this bylaw. Notwithstanding, nothing shall limit or remove the right of the Village to prosecute any offence by way of an information

being laid and a summons issued in accordance with the procedures set out in the Offence Act.

- 14.2 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500, and is guilty of a separate offence each day that a violation continues or exists.
- 14.3 Any false declaration or concealment of material facts with respect to application for a business licence shall be deemed an infraction of this bylaw.
- 14.4 Anyone failing to post and keep posted the issued business licence shall be guilty of an infraction of this bylaw."

"Village of Belcarra Animal Control Bylaw No. 431, 2010"

- 3.3 The "Village of Belcarra Animal Control Bylaw No. 431, 2010" is hereby amended by deleting Section 22 in entirety and replacing with the following:

- "22.1 The Enforcement Officer may issue a Bylaw Notice to any person who has contravened this bylaw. Notwithstanding, nothing shall limit or remove the right of the Village to prosecute any offence by way of an information being laid and a summons issued in accordance with the procedures set out in the Offence Act.
- 22.2 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500, and is guilty of a separate offence each day that a violation continues or exists."

"Village of Belcarra Recycling and Refuse Collection and Removal Regulation Bylaw No. 422, 2010"

- 3.4 The "Village of Belcarra Recycling and Refuse Collection and Removal Regulation Bylaw No. 422, 2010" is hereby amended by deleting Section 44 in its entirety and replacing with the following:

- "44.1 The Enforcement Officer may issue a Bylaw Notice to any person who has contravened this bylaw. Notwithstanding, nothing shall limit or remove the right of the Village to prosecute any offence by way of an information being laid and a summons issued in accordance with the procedures set out in the Offence Act.
- 44.2 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500, and

is guilty of a separate offence each day that a violation continues or exists.”

“Village of Belcarra Waterworks Bylaw No. 456, 2012”, as Consolidated

- 3.5 The “Village of Belcarra Waterworks Bylaw No.346, 2012” is hereby amended by deleting Section 121 in entirety and replacing with the following:

“121.1 The Enforcement Officer may issue a Bylaw Notice to any person who has contravened this bylaw. Notwithstanding, nothing shall limit or remove the right of the Village to prosecute any offence by way of an information being laid and a summons issued in accordance with the procedures set out in the Offence Act.

121.2 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500, and is guilty of a separate offence each day that a violation continues or exists.”

“Village of Belcarra Well Regulation Bylaw No. 455, 2012”, as Consolidated

- 3.6 The “Village of Belcarra Well Regulation Bylaw No. 455, 2012” is hereby amended by deleting Section 5 (b) in entirety and replacing with new Section 5 (b) and by further adding a new Section 5 (c) as follows:

“5 (b) The Enforcement Officer may issue a Bylaw Notice to any person who has contravened this bylaw. Notwithstanding, nothing shall limit or remove the right of the Village to prosecute any offence by way of an information being laid and a summons issued in accordance with the procedures set out in the Offence Act.

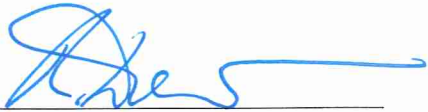
5 (c) Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500, and is guilty of a separate offence each day that a violation continues or exists.”

Read a First Time on May 7, 2018

Read a Second Time on May 7, 2018

Read a Third Time on May 7, 2018

ADOPTED by the Council on May 22, 2018



Ralph Drew
Mayor



Lorna Dysart
Chief Administrative Officer

This is a certified a true copy of Village of Belcarra
Regulatory Bylaw Enforcement and Penalties
Amendment Bylaw No. 519, 2018

Chief Administrative Officer