

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW NO. 4232(2020)

Being a by-law to amend by-law No. 4223(2020) known as the Town of Pelham Open Air Burning By-law to incorporate an Administrative Municipal Penalty System (AMPS) in regard to Offences and Penalties

WHEREAS section 434.1(1) of the *Municipal Act*, 2001, S.O. 2001, c.25 as amended (*Municipal Act*, 2001) provides that, a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under this Act; and

WHEREAS section 434.1(2) of the *Municipal Act*, 2001 provides that the purpose of a system of administrative penalties established by a municipality under this section shall be to assist the municipality in promoting compliance with its by-laws; and

WHEREAS section 434.2(1) of the *Municipal Act*, 2001 provides that an administrative penalty imposed by a municipality on a person under section 434.1 constitutes a debt of the person to the municipality; and

WHEREAS the Council of the Corporation of the Town of Pelham considers it desirable to enforce and seek compliance of the Town of Pelham Dog Control By-law No. 97-2010 through an administrative municipal penalty system;

NOW THEREFORE the Council of the Corporation of the Town of Pelham enacts as follows:

- (1) THAT the following be inserted into By-law No. 4223(2020) immediately after Section 4.4:

“4.5 ADMINISTRATIVE PENALTY

- (a) Administrative Penalty Process By-law No. 4221(2020) applies to each administrative penalty issued pursuant to this by-law.
- (b) Each person who contravenes any provision of this by-law shall, upon issuance of a penalty notice in accordance with Administrative Penalty Process By-law No. 4221(2020), be liable to pay to the Town an administrative penalty in the amount of \$250.00 for each day on which the contravention occurs or continues.”

COMMENCEMENT

- (2) This By-law shall be effective as of the date it is passed by Council.

READ, ENACTED, SIGNED AND SEALED THIS 4th DAY of MAY, 2020

Mayor, Marvin Junkin

Nancy J. Bozzato, Town Clerk