



By-law 2016-84

A By-law to implement an Administrative Monetary Penalty System for Non-Parking Offences

Whereas paragraph 151(1)(g) of the Municipal Act authorizes the City to 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 any part of a system of licences established by the municipality; and,

Whereas section 391 of the Municipal Act enables the City to pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it; and,

Whereas section 391 of the Municipal Act provides that a by-law passed under this section may provide for fees and charges that vary on any basis the municipality considers appropriate and specifies in the by-law, and for different classes of persons and deal with each class in a different way; and,

Whereas sections 23.2, 23.3 and 23.5 of the Municipal Act authorize the City to delegate its administrative and hearing powers; and,

Whereas section 391 of the Municipal Act authorizes the City to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of the City; and,

Whereas the Council for the City considers it desirable and necessary to provide for a system of administrative penalties and administrative fees for the designated City by-laws, or portions of the designated City by-laws;

Now Therefore the Council of The Corporation of the City of Markham enacts as follows:

1. Definitions

1.0 In this By-law:

“**Administrative Fee**” means any fee specified in this By-law or set out in Schedule “B”;

“**Administrative Penalty**” means an administrative penalty established by this By-law or set out in the attached Schedule “A” for a contravention of a Designated By-law;

“**AMPS**” means Administrative Monetary Penalty System;

“**City**” means The Corporation of the City of Markham;

“**Clerk**” means the City Clerk, her or his delegate, or anyone designated by the Clerk to perform duties pursuant to the Administrative Monetary Penalty System;

“**Council**” means the Council of the **City**;

“**Day**” means any calendar day;

“Designated By-law” means a by-law, or a part or provision of a by-law, that is designated under this or any other by-law, and is listed in the attached Schedule “A” to which the **AMPS** applies;

“Hearing Non-appearance Fee” means an **Administrative Fee** established by **Council** from time to time in respect of a **Person’s** failure to appear at the time and place scheduled for a review before a **Hearing Officer** and listed in Schedule “B”;

“Hearing Decision” means a notice that contains a decision made by a **Hearing Officer**;

“Hearing Officer” means a person who performs the functions of a Hearing Officer in accordance with section 5 of this By-law, and pursuant to the **City’s** Screening and Hearing Officer By-law;

“Holiday” means a Saturday, Sunday, any statutory holiday in the Province of Ontario or any **Day** the offices of the **City** are officially closed for business;

“Late Payment Fee” means an **Administrative Fee** established by **Council** from time to time in respect of a **Person’s** failure to pay an **Administrative Penalty** within the time prescribed in this By-law and listed in Schedule “B”;

“NSF Fee” means an **Administrative Fee** established by **Council** from time to time in respect of payment by negotiable instrument received by the **City** from a **Person** for payment of any **Administrative Penalty** or **Administrative Fee**, for which there are insufficient funds available in the account on which the instrument was drawn, as listed in Schedule “B”;

“Officer” means:

- (i) a Provincial Offences Officer of the **City** or other person appointed by or under the authority of a **City** by-law to enforce **City** by-laws; or
- (ii) a police officer employed by York Regional Police, Ontario Provincial Police or the Royal Canadian Mounted Police;

“Penalty Notice” means a notice given to a **Person** pursuant to section 3.0 of this By-law;

“Penalty Notice Date” means the date of the contravention specified on the **Penalty Notice**, in accordance with section 3.2 of this By-law;

“Penalty Notice Number” means the reference number specified on the **Penalty Notice** that is unique to that **Penalty Notice**, in accordance with section 3.2 of this By-law;

“Person” includes an individual or a business name, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof;

“Request for Review by Hearing Officer” means the request which may be made in accordance with section 5 of this By-law for the review of a **Screening Decision**;

“Request for Review by Screening Officer” means the request made in accordance with section 4 of this By-law for the review of a **Penalty Notice**;

“Review by Hearing Officer” and **“Hearing”** mean the process set out in section 5 of this By-law;

“Review by Screening Officer” and **“Screening Review”** mean the process set out in section 4 of this By-law;

“Screening Decision” means a notice which contains the decision of a **Screening Officer**, delivered in accordance with Section 4.11 of this By-law;

“Screening Non-appearance Fee” means an **Administrative Fee** established by **Council** from time to time in respect of a **Person’s** failure to appear at the time and place scheduled for a review before a **Screening Officer** and listed in Schedule “B”; and,

“Screening Officer” means a person who performs the functions of a **Screening Officer** in accordance with section 4 of this By-law, and pursuant to the **City’s** Screening and Hearing Officer By-law.

2. Application of this By-Law

2.0 The **City** by-laws, or portions of **City** by-laws, listed in the attached Schedule “A” of this By-law shall be **Designated By-laws** for the purposes of sections 102.1 and 151 of the Municipal Act and paragraph 3(1)(b) of the Regulation. The attached Schedule “A” sets out the **Administrative Penalty**, and may include short form language to be used on **Penalty Notices**, for the contraventions of **Designated By-laws**.

2.1 Schedule “B” of this By-law shall set out **Administrative Fees** imposed for the purposes of this By-law.

3. Penalty Notice

3.0 Every **Person** in contravention of a **Designated By-law** shall upon issuance of a **Penalty Notice** be liable to pay the **City** an **Administrative Penalty** in the amount specified in the attached Schedule “A” to this By-law.

3.1 An **Officer** who has reason to believe that a **Person** has contravened any **Designated By-law** may issue a **Penalty Notice** as soon as reasonably practicable.

3.2 A **Penalty Notice** may include the following information:

- (a) the vehicle licence plate number or vehicle identification number;
- (b) the **Penalty Notice Date**;
- (c) a **Penalty Notice Number**;
- (d) the date on which the **Administrative Penalty** is due and payable;
- (e) the identification number and signature of the **Officer**;
- (f) the contravention wording as listed in the attached Schedules, or other particulars reasonably sufficient to indicate the contravention;

- (g) the amount of the **Administrative Penalty**;
 - (h) such additional information as the Clerk determines is appropriate, respecting the process by which a **Person** may exercise the right to request a **Screening Review** of the **Administrative Penalty**; and
 - (i) a statement advising that an unpaid **Administrative Penalty**, including any applicable **Administrative Fee(s)**, will constitute a debt of the **Person** to the **City** unless cancelled pursuant to **Screening Review** or **Hearing** process.
- 3.3 In addition to the service methods provided in section 6 "Service of Documents" of this By-law, an **Officer** may serve the **Penalty Notice** on a **Person** by delivering it personally to the **Person** contravening the by-law at the time of the offence.
- 3.4 No **Officer** may accept payment of an **Administrative Penalty** or **Administrative Fee**.
- 3.5 A **Person** who is served with a **Penalty Notice** and who does not pay the amount of the **Administrative Penalty** on or before the date on which the **Administrative Notice** is due and payable, shall also pay the **City** any applicable **Administrative Fee(s)**.
- 4. Review by Screening Officer**
- 4.0 A **Person** who is served with a **Penalty Notice** may request that the **Administrative Penalty** be reviewed by a **Screening Officer** and shall do so on or before the date on which the **Administrative Penalty** is due and payable, and in accordance with the process set out in Section 4.3.
- 4.1 If a **Person** has not requested a **Screening Review** on or before the date on which the **Administrative Penalty** is due and payable, the **Person** may request that the **Clerk** extend the time to request a **Screening Review** to a date that is no later than forty-five (45) days after the **Penalty Notice Date**, in accordance with the process set out in Section 4.3.
- 4.2 A **Person's** right to request an extension of time for a **Screening Review** expires, if it has not been exercised, on or before forty-five (45) days after the **Penalty Notice Date**, at which time:
- (a) the **Person** shall be deemed to have waived the right to request a **Screening Review** or request an extension of time for a **Screening Review**; and,
 - (b) the **Administrative Penalty** shall be deemed to be confirmed on the sixteenth (16th) day following the **Penalty Notice Date**; and,
 - (c) the **Administrative Penalty** shall not be subject to any further review, including a review by any Court.
- 4.3 A **Person's Request for Review by Screening Officer** or request for an extension of time to request a **Screening Review** are exercised by:
- (a) a submission in writing to the **Clerk** of a **Request for Review by Screening Officer** or request for an extension of time to request a **Screening Review**; or

- (b) calling the telephone number listed on the **Penalty Notice** to make a **Request for Review by Screening Officer** or to request an extension of time to request a **Screening Review**.
- 4.4 A **Request for Review by Screening Officer** of an **Administrative Penalty** or a request for an extension of time to request a **Screening Review** shall include the **Penalty Notice Number** and the **Person's** contact information.
- 4.5 A **Request for Review by Screening Officer** or a request for an extension of time to request a **Screening Review** shall only be scheduled by the **Clerk** if the **Person** makes the request on or before the dates established by Sections 4.0 or 4.1 of this By-law.
- 4.6 On a request for an extension of time to request a **Screening Review**, the **Clerk** may only extend the time to request a **Screening Review** where the **Person** demonstrates, on a balance of probabilities, the existence of extenuating circumstances that warrant the extension of time.
- 4.7 Where an extension of time to request a **Screening Review** is not granted by the **Clerk**, the **Administrative Penalty** and any applicable **Administrative Fee(s)** are deemed to be confirmed.
- 4.8 Where a **Person** fails to attend at the time and place scheduled for a **Screening Review** of an **Administrative Penalty**:
- (a) the **Person** shall be deemed to have abandoned the request for a **Screening Review** of the **Administrative Penalty**;
 - (b) the **Administrative Penalty** as set out in the **Penalty Notice** shall be deemed to be confirmed on the sixteenth (16th) day following the **Penalty Notice Date**;
 - (c) the **Administrative Penalty** shall not be subject to any further review, including a review by any Court; and
 - (c) the **Person** shall pay to the **City** a **Screening Non-appearance Fee** and any other applicable **Administrative Fee(s)**.
- 4.9 On a review of an **Administrative Penalty**, the **Screening Officer** may:
- (a) affirm the **Administrative Penalty**; or
 - (b) cancel, reduce or extend the time for payment of the **Administrative Penalty**, including any **Administrative Fee(s)**, on the following grounds:
 - (i) where the **Person** establishes on the balance of probabilities that they did not contravene the **Designated By-law(s)** as described in the **Penalty Notice**; or
 - (ii) where the **Person** establishes on a balance of probabilities that the cancellation, reduction or extension of time for payment of the **Administrative Penalty**, including any **Administrative Fee(s)**, is necessary to relieve any undue hardship.

- 4.10 On a **Screening Review** of an **Administrative Penalty**, before making a decision, a **Screening Officer** shall conduct an interview with the **Person**.
- 4.11 After a **Review by Screening Officer**, the **Screening Officer** shall deliver a **Screening Decision** to the **Person**, in accordance with Section 6 of this By-law.
- 4.12 A **Screening Officer** has no authority 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.

5. Review by Hearing Officer

- 5.0 A **Person** may **Request a Review by Hearing Officer** during the **Screening Review**.
- 5.1 If a **Person** has not made a **Request for Review by Hearing Officer** at the time of the **Screening Review**, the **Person** may make a **Request for Review by Hearing Officer** before the due and payable date for the **Administrative Penalty** listed on the **Screening Decision**.
- 5.2 The **Person's** right to **Request for Review by Hearing Officer** expires if it has not been exercised on or before the due and payable date for the **Administrative Penalty** listed on the **Screening Decision**, at which time:
- (a) the **Person** shall be deemed to have waived the right to **Request for Review by Hearing Officer**;
 - (b) the **Screening Decision** and the **Administrative Penalty** and any **Administrative Fee(s)**, if applicable, as modified in the **Screening Decision**, shall be deemed to be confirmed; and
 - (c) the **Screening Decision** and **Administrative Penalty** shall not be subject to any further review, including a review by any Court.
- 5.3 A **Person's Request for Review by Hearing Officer** is exercised by:
- (a) a submission in writing to the **Clerk** for a **Request for Review by Hearing Officer** or request for an extension of time to request a **Hearing**; or
 - (b) attending in person at the location listed on the **Screening Decision** to make **Request for Review by Hearing Officer** or request an extension of time to request a **Hearing**; or
 - (c) calling the telephone number listed on the **Screening Decision** to make a **Request for Review by Hearing Officer** or request an extension of time to request a **Hearing**.
- 5.4 A **Request for Review by Hearing Officer** shall only be scheduled by the **Clerk** if the **Person** makes the request within the time limits set out in sections 5.0 or 5.1 of this By-law.
- 5.5 Where a **Person** fails to appear at the time and place scheduled for a **Hearing**:
- (a) the **Person** shall be deemed to have abandoned the **Hearing** for review of a **Screening Decision**;

- (b) the **Screening Decision** and the **Administrative Penalty** and any **Administrative Fee(s)** shall be deemed to be confirmed;
- (c) the **Screening Decision** and the **Administrative Penalty** and any **Administrative Fee(s)** shall not be subject to any further review, including a review by any Court; and
- (d) the **Person** shall pay to the **City** a **Hearing Non-appearance Fee**, **Late Payment Fee** and any other applicable **Administrative Fee(s)**.

5.6 On a review of a **Screening Decision**, the **Hearing Officer** may:

- (a) confirm the **Screening Decision**; or
- (b) cancel, reduce or extend the time for payment of the **Administrative Penalty**, including any **Administrative Fee(s)**, on the following grounds:
 - (i) where the **Person** establishes on a balance of probabilities that they did not contravene the **Designated By-law(s)** as described in the **Penalty Notice**; or
 - (ii) where the **Person** establishes on a balance of probabilities that the cancellation, reduction or extension of time for payment of the **Administrative Penalty**, including any **Administrative Fee(s)**, is necessary to relieve any undue hardship.

5.7 A **Hearing Officer** shall not make any decision respecting a review of a **Screening Decision** unless the **Hearing Officer** has given the **Person** and a representative of the **City** an opportunity to be heard at the time and place scheduled for the **Hearing**.

5.8 All **Hearings** by a **Hearing Officer** shall be conducted in accordance with the Statutory Powers and Procedures Act, R.S.O. 1990, c. S.22, as amended.

5.9 A **Hearing Officer** has no authority 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.

5.10 After a **Hearing** is complete, the **Hearing Officer** shall deliver to the **Person** a **Hearing Decision**, in accordance with Section 6 of this By-law.

5.11 The decision of a **Hearing Officer** is final.

6. Service of Documents

6.0 The service of any document, notice or decision, including a **Penalty Notice**, pursuant to this By-law, when served in any of the following ways, is deemed effective:

- (a) immediately, when a copy is delivered to the **Person** to whom it is addressed;

- (b) on the seventh (7th) **Day** following the date a copy is sent by registered mail or by regular mail to the **Person's** last known address;
 - (c) immediately upon the conclusion of a copy by facsimile transmission to the **Person's** last known facsimile transmission number; or
 - (d) immediately upon sending a copy by electronic mail (i.e. email) to the **Person's** last known electronic mail address.
- 6.1 For the purposes of subsections 6.0 (b), (c) and (d) of this By-law, a **Person's** last known address, facsimile number, and electronic mail address includes an address, facsimile number and electronic mail address provided by the **Person** to the **City** as may be required by a form, practice or policy under this By-law.

7. Administration

- 7.0 The **Clerk** 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 **Clerk** deems necessary, without amendment to this By-law.
- 7.1 The **Clerk** 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 **Clerk** deems necessary, without amendment to this By-law.
- 7.2 An **Administrative Penalty**, including any **Administrative Fee(s)**, that is confirmed or reduced, or in respect of which the time for payment has been extended, remaining unpaid after the date when it is due and payable, constitutes a debt to the **City** owed by the **Person**.
- (a) Pursuant to subsections 398 (1) and (2) of the Municipal Act, where an **Administrative Penalty**, including any **Administrative Fees(s)** remain unpaid after the final date on which it is payable as specified in the **Penalty Notice**, the **Administrative Penalty**, including any **Administrative Fees(s)** shall be deemed to be unpaid taxes and the outstanding amount shall be added to the tax roll and collected in the same manner as municipal taxes.
- 7.3 Where an **Administrative Penalty** is not paid by the date on which the **Administrative Penalty** is due and payable, the **Person** shall pay to the City a **Late Payment Fee**, in addition to the **Administrative Penalty** and any applicable **Administrative Fee(s)**.
- 7.4 Where a **Person** makes payments to the **City** of any **Administrative Penalty**, **Administrative Fee(s)** or **Late Payment Fee(s)**, by negotiable instrument, for which there are insufficient funds available in the account on which the instrument was drawn, the **Person** shall pay to the **City** the **NSF Fee** set out in the **City's** Fee By-law.
- 7.5 Where an **Administrative Penalty** is cancelled by a **Screening Officer** or **Hearing Officer**, any **Administrative Fee(s)** are also cancelled.
- 7.6 Any time limit that would otherwise expire on a **Holiday** is extended to the next day that is not a **Holiday**.

7.7 A **Person** claiming financial hardship under this By-law shall provide documented proof of the financial hardship to the **Clerk**, the **Screening Officer** or the **Hearing Officer**, as applicable.

7.8 Any schedule attached to this By-law forms part of this By-law.

8. Severability

8.0 Should any provision, or any part of a provision, of this By-law be declared invalid, or to be of no force and effect, by a court of competent jurisdiction, it is the intent of **Council** that such a provision, or part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

9. Interpretation

9.0 The provisions in Part VI of the Legislation Act, 2006, S.O. 2006, c.21, Sched. F, shall apply to this By-law.

10. Short Title

10.0 This By-law may be referred to as the AMPS By-law for Non-Parking Offences.

11. Effective Date

11.0 This By-law shall come into force and effect on September 1, 2016.

Read a first, second, and third time and passed on June 28, 2016.



Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

Schedule "A"

Administrative Monetary Penalty By-law for Non-Parking Offences

1. For the purposes of section 2 of this By-law, Column 2 in the following Table lists the provisions in the Designated By-law identified in the Schedule, as amended.
2. Column 3 in the following Table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 2.
3. Column 4 in the following Table sets out the Administrative Penalty amount that is payable for contraventions of the designated provisions listed in Column 2.

Animal Control By-law 2005-254

| Designated Provisions for Animal Control By-law 2005-254 | | | |
|--|-----------------------------------|--|---|
| Column 1 Item | Column 2 Designated Provisions | Column 3 Short Form Wording | Column 4 Administrative Penalty Amount |
| 1. | 2.2(1) | Fail to keep animal under sanitary conditions | \$250.00 |
| 2. | 2.3(1) | Inappropriate tether | \$250.00 |
| 3. | 3.1(1)(a) | Fail to license dog | \$250.00 |
| 4. | 3.1(1)(b) | Fail to renew dog licence | \$250.00 |
| 5. | 3.1(1)(b) | Fail to have a dog tag affixed to dog | \$150.00 |
| 6. | 3.2(1) | Permit dog running at large | \$250.00 |
| 7. | 3.2(3) | Fail to keep dog under control on a leash | \$250.00 |
| 8. | 3.5(2)(a) | Fail to comply with Notice to Muzzle; fail to tether or confine dog on owner's property | \$250.00 |
| 9. | 3.5(2)(b) | Fail to comply with Notice to Muzzle; fail to tether or confine dog on when off owner's property | \$250.00 |
| 10. | 3.5(2)(c) | Fail to comply with Notice to Muzzle; fail to microchip dog within 14 days of a Notice to Muzzle | \$250.00 |
| 11. | 3.6(1) | Fail to poop and scoop | \$250.00 |
| 12. | 3.7(1) | Have dog in prohibited park or public area | \$250.00 |

| Designated Provisions for Animal Control By-law 2005-254 | | | |
|---|---|---|---|
| Column 1 Item | Column 2 Designated Provisions | Column 3 Short Form Wording | Column 4 Administrative Penalty Amount |
| 13. | 3.7(2) | Have dog within 5 m of designated park area | \$250.00 |
| 14. | 3.7(3) | Fail to control dog in off-leash park area | \$250.00 |
| 15. | 3.8(1) | Keep more than maximum permitted dogs | \$250.00 |
| 16. | 4.1(1)(a) | Fail to license cat | \$250.00 |
| 17. | 4.1(1)(b) | Fail to renew cat licence | \$250.00 |
| 18. | 4.1(1)(c) | Fail to have cat tag affixed to cat | \$150.00 |
| 19. | 4.2(1) | Permit cat running at large | \$250.00 |
| 20. | 4.4(1) | Keep more than maximum permitted cats | \$250.00 |
| 22. | 6.1(1) | Keep livestock where not permitted | \$250.00 |
| 23. | 7.1(1) | Keep domestic pigeons contrary to regulations | \$250.00 |
| 24. | 8.1(1) | Keep rabbits contrary to regulations | \$250.00 |
| 25. | 9.1(1) | Keep indigenous wildlife within the City | \$250.00 |
| 26. | 11.1(1) | Remove wildlife from public lands | \$250.00 |
| 27. | 12.1(1) | Keep wild, exotic or prohibited animal | \$250.00 |
| 28. | 14.1(1) | Keep animal that causes noise | \$250.00 |
| 29. | 15.1(1) (a) | Operate kennel without a licence | \$250.00 |

Mobile Business Licensing By-law 2012-92

| Designated Provisions for Mobile Business Licensing By-law 2012-92 | | | |
|--|-----------------------------------|---|---|
| Column 1 Item | Column 2 Designated Provisions | Column 3 Short Form Wording | Column 4 Administrative Penalty Amount |
| 1. | 4.1 | Limousine Owner – fail to obtain licence | \$300.00 |
| 2. | 4.1 | Limousine Driver – fail to obtain licence | \$300.00 |
| 3. | 6.1(a) (schedule 4) | Limousine Owner – permit unlicensed driver to operate a limousine | \$300.00 |
| 4. | 7.1(b) (schedule 4) | Limousine Driver – operate unlicensed limousine | \$300.00 |
| 5. | 8.1(a) (schedule 4) | Limousine Owner/Driver – operate limousine without licence plate affixed | \$300.00 |
| 6. | 4.1 | Refreshment Vehicle owner – fail to obtain licence | \$300.00 |
| 7. | 4.1 | Refreshment Vehicle operator – fail to obtain licence | \$300.00 |
| 8. | 5.1(a) (schedule 5) | Refreshment Vehicle owner/operator park within 100 feet of a park | \$300.00 |
| 9. | 510(a) (schedule 5) | Refreshment Vehicle owner/operator park within 1500 feet of a school | \$300.00 |
| 10. | 5.2(a) (schedule 5) | Refreshment Vehicle owner – permit unlicensed operator to operate a refreshment vehicle | \$300.00 |
| 11. | 9.3 (schedule 3) | Operator of a Driving School – employ Instructor not licensed pursuant to the By-law | \$300.00 |
| 12. | 9.1(a) (schedule 3) | Operator of Driving School – fail to permit access to premises/vehicles/records | \$300.00 |

Mobile Business Licensing By-law 2012-92

| Designated Provisions for Mobile Business Licensing By-law 2012-92 | | | |
|---|---|---|---|
| Column 1 Item | Column 2 Designated Provisions | Column 3 Short Form Wording | Column 4 Administrative Penalty Amount |
| 13. | 9.1(b) (schedule 3) | Operator of Driving School fail to advise Licensing Officer of Instructors employed by him | \$300.00 |
| 14. | 9.1(d) (schedule 3) | Operator of Driving School – Fail to furnish rates and charges to student before instruction commences | \$300.00 |
| 15. | 6.1(d) (schedule 3) | Driving School Operator/Driving Instructor – instruction given in vehicle without dual brake for operator in place | \$300.00 |
| 16. | 10.1(b) (schedule 3) | Driving Instructor – permit/give instruction on a street designated as a restricted area | \$300.00 |
| 17. | 8.1(f) (schedule 3) | Driving Instructor permit/give instruction to student driver when student is not in possession of the required licence to operate a vehicle | \$300.00 |
| 18. | 6.1(f) (schedule 3) | Driving School Operator/Driving Instructor permit/give instruction in a vehicle that does not have a sign with the driving school information | \$300.00 |
| 19. | 4.1 | Taxicab driver – drive or act as the driver without a licence | \$300.00 |
| 20. | 4.1 | Taxicab owner – act or be the owner of a taxicab without a licence | \$300.00 |
| 21. | 4.1 | Taxicab broker – act or be the broker of a taxicab without a licence | \$300.00 |
| 22. | 22.2 (schedule 6) | Taxicab driver – fail to submit vehicle for inspection when required to do so | \$300.00 |

Mobile Business Licensing By-law 2012-92

| Designated Provisions for Mobile Business Licensing By-law 2012-92 | | | |
|--|-----------------------------------|---|---|
| Column 1 Item | Column 2 Designated Provisions | Column 3 Short Form Wording | Column 4 Administrative Penalty Amount |
| 23. | 22.2 (schedule 6) | Taxicab owner – fail to submit vehicle for inspection when required to do so | \$300.00 |
| 24. | 22.2 (schedule 6) | Taxicab lessee – fail to submit vehicle for inspection when required to do so | \$300.00 |
| 25. | 34.1 | Fail to produce licence | \$300.00 |
| 26. | 25.1(d) (i)(schedule 6) | Taxicab driver – fail to have a current tariff card available | \$150.00 |
| 27. | 25.1(g) (schedule 6) | Taxicab driver – fail to keep daily trip sheets | \$150.00 |
| 28. | 26.1(a) (schedule 6) | Taxicab driver – carry too many passengers in taxicab | \$300.00 |
| 29. | 26.1(b) (schedule 6) | Taxicab driver – operate taxicab while view is obstructed | \$300.00 |
| 30. | 26.1(f) (schedule 6) | Taxicab driver – drive a taxicab without owner's plate affixed | \$150.00 |
| 31. | 26.1(n) (schedule 6) | Taxicab driver – operate a taxicab with meter seal not properly affixed | \$150.00 |
| 32. | 26.1(o) (schedule 6) | Taxicab driver operate a taxicab without a side number | \$150.00 |
| 33. | 26.1(o) (schedule 6) | Taxicab driver – operate a taxicab without a roof light | \$150.00 |
| 34. | 26.1(p) (iii) (schedule 6) | Taxicab driver – operate a taxicab which interior is not clean | \$150.00 |
| 35. | 26.1(p) (iii) (schedule 6) | Taxicab driver – operate a taxicab which interior is not in good repair | \$150.00 |

Mobile Business Licensing By-law 2012-92

| Designated Provisions for Mobile Business Licensing By-law 2012-92 | | | |
|--|-----------------------------------|---|---|
| Column 1 Item | Column 2 Designated Provisions | Column 3 Short Form Wording | Column 4 Administrative Penalty Amount |
| 36. | 26.1(p) (iv) (schedule 6) | Taxicab driver operate a taxicab which exterior is not free from exterior body damage | \$300.00 |
| 37. | 34.1(b) (i) (Schedule 6) | Taxicab owner – fail to affix plate in a location approved by Licensing Officer | \$150.00 |
| 40. | 34.1(b) (ii) (Schedule 6) | Taxicab owner/lessee – fail to have on the taxicab owner's plate numbers on front fenders of the taxicab | \$150.00 |
| 41. | 34.1(b) (iii) (Schedule 6) | Taxicab owner/lessee fail to have current taxi tariff card in the taxicab | \$150.00 |
| 42. | 34.1(c) (Schedule 6) | Taxicab owner – employ or use person other than licensed taxicab driver to drive taxicab | \$300.00 |
| 43. | 34.1(b)(v) (Schedule 6) | Taxicab owner – fail to attach illuminated roof sign | \$150.00 |
| 44. | 35.19(f) (Schedule 6) | Taxicab owner/lessee allow vehicle to be operated with exterior body damage/rust | \$300.00 |
| 45. | 35.1(m) (Schedule 6) | Taxicab owner/lessee permit taxicab to be operated without a sealed meter | \$150.00 |
| 46. | 4.1 | Tow Truck Owner – operate a tow truck without a licence | \$300.00 |
| 47. | 4.1 | Tow Truck Driver – operate a tow truck without a licence | \$300.00 |
| 48. | 34.1 | Tow Truck Driver – fail to produce tow truck owner's licence | \$300.00 |
| 49. | 34.1 | Tow Truck Owner – fail to produce tow truck driver's licence | \$300.00 |
| 50. | 10.1(i) (Schedule 7) | Tow Truck Owner – fail to have a visible sign on both side of vehicle indicating tow truck brokerage name | \$300.00 |
| 51. | 10.1(j) (Schedule 7) | Tow Truck Owner – fail to have visible sign painted in numbers and contrasting colour | \$300.00 |

Mobile Business Licensing By-law 2012-92

| Designated Provisions for Mobile Business Licensing By-law 2012-92 | | | |
|--|-----------------------------------|--|---|
| Column 1 Item | Column 2 Designated Provisions | Column 3 Short Form Wording | Column 4 Administrative Penalty Amount |
| 52. | 10.1(k) (Schedule 7) | Tow Truck Owner – fail to have tow truck licence affixed to rear portion of tow truck | \$300.00 |
| 53. | 10.1(p) (Schedule 7) | Tow Truck owner – fail to ensure equipment is clean and in good repair | \$300.00 |
| 54. | 10.1(m) (Schedule 7) | Tow Truck Owner permit unlicensed driver to operate a tow truck | \$300.00 |
| 55. | 23.1(d) (Schedule 7) | Tow Truck Owner – fail to equip at least one fire extinguisher in tow truck | \$300.00 |
| 56. | 23.1(e) (Schedule 7) | Tow Truck Owner – fail to equip at least two safety chains with required length and links | \$300.00 |
| 57. | 13.1 (f) (Schedule 7) | Tow Truck Driver solicit services within 200 meters of accident | \$300.00 |
| 58. | 12.(b) (Schedule 7) | Tow Truck Driver – fail to dress in uniform shirt displaying company business name | \$300.00 |
| 59. | 13.1(h) (Schedule 7) | Tow Truck Driver – remove vehicle from the scene of accident before police investigation completed | \$300.00 |

Stationary Business Licensing By-law 2012-158

| Designated Provisions for Stationary Business Licensing By-law 2012-158 | | | |
|---|--------------------------------------|--|---|
| Column 1 Item | Column 2 Designated Provisions | Column 3 Short Form Wording | Column 4 Administrative Penalty Amount |
| 1. | 4.2 | Adult Entertainment Parlour Operator – fail to obtain licence | \$300.00 |
| 2. | 4.2 | Adult Entertainment Parlour Attendant – fail to obtain licence | \$300.00 |
| 3. | 4.2 | Adult Entertainment Parlour Owner (goods) – fail to obtain licence | \$300.00 |
| 4. | 4.2 | Adult Entertainment Parlour Attendant (goods) – fail to obtain licence | \$300.00 |
| 5. | 4.2 | Place of Amusement Owner – fail to obtain licence | \$300.00 |
| 6. | 4.2 | Place of Amusement Operator – fail to obtain licence | \$300.00 |
| 7. | 4.2 | Place of Amusement Owner (Video Arcade) – fail to obtain licence | \$300.00 |
| 8. | 4.2 | Place of Amusement Operator (Video Arcade) – fail to obtain licence | \$300.00 |
| 9. | 4.2 | Auctioneer – fail to obtain licence | \$300.00 |
| 10. | 4.2 | Barbershop / Hair Salon Owner – fail to obtain licence | \$300.00 |
| 11. | 4.2 | Billiards Hall Owner – fail to obtain licence | \$300.00 |
| 12. | 4.2 | Bowling Alley Owner – fail to obtain licence | \$300.00 |
| 13. | 4.2 | Body Rub Parlour Operator – fail to obtain a licence | \$300.00 |

Stationary Business Licensing By-law 2012-158

| Designated Provisions for Stationary Business Licensing By-law 2012-158 | | | |
|---|--------------------------------------|--|---|
| Column 1 Item | Column 2 Designated Provisions | Column 3 Short Form Wording | Column 4 Administrative Penalty Amount |
| 14. | 4.2 | Charity Clothing Donation Bin Owner – fail to obtain a licence | \$300.00 |
| 15. | 4.2 | Dry Cleaner Owner – fail to obtain a licence | \$300.00 |
| 16. | 4.2 | Eating Establishment – fail to obtain a licence | \$300.00 |
| 17. | 4.2 | Sell Fireworks without a licence | \$300.00 |
| 18. | 4.2 | Public Garage Owner – fail to obtain a licence | \$300.00 |
| 19. | 4.2 | Golf Driving Range Owner – fail to obtain a licence | \$300.00 |
| 20. | 4.2 | Horse Riding Establishment Owner – fail to obtain a licence | \$300.00 |
| 21. | 4.2 | Public Hall Owner – fail to obtain a licence | \$300.00 |
| 22. | 4.2 | Salvage Yard Owner – fail to obtain a licence | \$300.00 |
| 23. | 4.2 | Pawnbroker – fail to obtain a licence | \$300.00 |
| 24. | 4.2 | Second Hand Vendor – fail to obtain a licence | \$300.00 |
| 25. | 4.2 | Sign Installer – fail to obtain a licence | \$300.00 |
| 26. | 4.2 | Special Sales Event – fail to obtain a licence | \$300.00 |
| 27. | 4.2 | Temporary Vendor – fail to obtain a licence | \$300.00 |
| 28. | 4.2 | Tobacco Shop Owner – fail to obtain a licence | \$300.00 |
| 29. | 33.1 | Fail to Post Licence | \$300.00 |
| 30. | 34.1 | Fail to Produce Licence | \$300.00 |
| 31. | 40.1 | Obstruct / Hinder an Inspection | \$300.00 |

Schedule "B"
Administrative Monetary Penalty System By-Law
Administrative Fees

The Table below lists the Administrative Fees as defined in Section 1.0 of this By-law.

| Administrative Fee Description | Fee Amount |
|---|-------------------|
| Late Payment Fee | \$25.00 |
| Screening Non-appearance Fee | \$50.00 |
| Hearing Non-appearance Fee | \$100.00 |
| Note: Fees listed in Schedule "B" to this By-law will be subject to Harmonized Sales Tax (H.S.T.) where applicable. | |