

THE CORPORATION OF THE TOWN OF GRIMSBY

BY-LAW NO. 26-31

A BY-LAW TO AMEND BY-LAW 2025-53, BEING A BY-LAW TO ESTABLISH A
SYSTEM FOR ADMINISTRATIVE PENALTIES

WHEREAS sections 8, 9, and 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25 authorize the Corporation of the Town of Grimsby to pass by-laws necessary or desirable for municipal purposes;

AND WHEREAS section 434.1 of the *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;

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

NOW THEREFORE the Council of the Corporation of the Town of Grimsby hereby enacts as follows:

1. AMENDMENTS

- 1.1. By-law 2025-23, being a By-law to Establish a System for Administrative Penalties, is hereby amended to include the following new Section 15.0 in Schedule "A" "Designated By-law Provisions":

15.0 DESIGNATED BY-LAW PROVISIONS – RIGHT OF WAY BY-LAW NO. 26-30

15.0 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.

15.1 Column 2 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 1.

15.2 Column 3 ("Administrative Penalty Tier 1") sets out the Administrative Monetary Penalty amounts that are payable for a first (1st) contravention of the designated provision listed in Column 1 by a person(s).

15.3 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) or contravention of the same designated provision listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1st) contravention of the designated provision in Column 1.

15.4 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd) and each subsequent contravention of the same designated provision listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2nd) contravention of the designated provision in Column 1.

<u>COLUMN 1</u> Designated Provisions	<u>COLUMN 2</u> Short Form Wording	<u>COLUMN 3</u> Administrative Penalty Tier 1	<u>COLUMN 4</u> Administrative Penalty Tier 2	<u>COLUMN 5</u> Administrative Penalty Tier 3
4.1	Obstruct right of way	\$1000	\$2000	\$4000
4.2 A)	Place equipment or materials in right of way	\$350	\$700	\$1400
4.2 B)	Close right of way	\$750	\$1500	\$3000
4.2 C)	Negatively impact right of way	\$500	\$1000	\$2000
4.2 D)	Deface structure within right of way	\$500	\$1000	\$2000
4.2D)	Place graffiti within right of way	\$250	\$500	\$1000
4.2 E)	Deposit substances within right of way	\$400	\$800	\$1600

4.2 F)	Damage right of way	\$750	\$1500	\$3000
4.2 G)	Permit materials onto or over right of way	\$500	\$1000	\$2000
4.2 H)	Obstruct culvert or any other designs to carry liquids	\$750	\$1500	\$3000
4.2 I)	Busker in right of way	\$250	\$500	\$1000
4.2 J)	Display merchandise or articles in right of way	\$250	\$500	\$1000
4.2 K)	Sell items or services within right of way	\$250	\$500	\$1000
4.2 L)	Solicit within right of way	\$250	\$500	\$1000
4.2 M)	Remove/alter items or equipment in right of way	\$500	\$1000	\$2000
4.2 N)	Move or construct structure within right of way	\$750	\$1500	\$3000
4.2 O)	Place newspaper box in right of way	\$250	\$500	\$1000
4.2 P)	Install or construct culvert in right of way	\$400	\$800	\$1600
4.2 Q)	Alter curb without permit	\$600	\$1200	\$2400
4.2 R)	Excavate within right of way	\$600	\$1200	\$2400
4.2 S)	Allow plant or tree to extend into right of way	\$250	\$500	\$1000
4.2 T)	Discharge water onto right of way	\$300	\$600	\$1200
4.2 U)	Obstruct passage of vehicles/persons in right of way	\$1000	\$2000	\$4000
4.2 V)	Destroy/deface/interfere with municipal infrastructure	\$1000	\$2000	\$4000
4.2 W)	Illuminate right of way	\$250	\$500	\$1000
4.2 X)	Bring vehicle onto roadway that has not been cleaned	\$600	\$1200	\$2400
4.23 Y)	Cause or permit load from vehicle to damage right of way	\$750	\$1500	\$3000
4.2 Z)	Import or disturb fill/soil within right of way	\$400	\$800	\$1600

4.2 AA)	Erect/move a seating area within right of way	\$500	\$1000	\$2000
4.2 BB) i)	Obstruct access to fire hydrant	\$1500	\$3000	\$6000
4.2 BB) ii)	Interfere with safe passage within right of way	\$1000	\$2000	\$3000
4.2 BB) iii)	Deposit snow or ice on roadway	\$1000	\$2000	\$4000
4.3	Fail to clear sidewalk from snow or ice	\$750	\$1500	\$3000
5.4	Fail to maintain apron	\$500	\$1000	\$2000
6.2	Fail comply with terms/condition of permit	\$750	\$1500	\$3000
6.5	Fail to display or provide permit	\$250	\$500	\$1000
7.4	Obstruct person exercising authority	\$1000	\$2000	\$4000
8.2	Fail to comply with order	\$750	\$1500	\$3000