



**THE CORPORATION OF THE TOWN OF OAKVILLE**

**BY-LAW NUMBER 2022-031**

A by-law to amend Administrative Penalties for Non-Parking Violations and Orders By-law 2021-038 and to amend By-laws 2002-034, 2003-021, 2005,062, 2006-071, 2007-135, 2007-143, 2008-098, 2009-025, 2009-056, 2009-072, 2011-045, 2013-013, 2015-075, 2016-083, 2017-008, 2017-038, 2018-006, 2018-045, 2018-153 and 2019-060

**WHEREAS** section 391 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (“*Municipal Act*”) provides that a municipality may impose fees or charges on persons for services or activities provided or done by or on behalf of it;

**WHEREAS** subsection 434.1 of the *Municipal Act* provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that a person has failed to comply with a by-law of the municipality passed under the *Municipal Act*;

**WHEREAS** the Administrative Penalties for Non-Parking Violations and Orders By-law 2021-038 was approved by Council on February 22, 2021;

**WHEREAS** Council is desirous of amending the Administrative Penalties for Non-Parking Violations and Orders By-law 2021-038 as set forth in this by-law.

**COUNCIL ENACTS AS FOLLOWS:**

1. The definition of “Order” in Section 1 of By-law 2021-038 be amended by the addition of the phrase “, and includes a work order or an order to comply” after the word “contravention” at the end of the definition.
2. The definition of “Appear” in Section 1 of By-law 2021-038 be deleted and the following substituted therefor:

“**Appear**” means to attend in-person or participate remotely by telephone or by videoconference at the time, place, telephone number or videoconference link scheduled for review or by email for a review by a Screening Officer. The format will be determined by the Director in consultation with the Legal Department and “Appearing” has a similar meaning;

3. The following new heading and subsection 1.1 be added to By-law 2021-038 following Section 1 Definitions:

**1.1 APPLICATION OF THIS BY-LAW**

- (1) The following by-laws, or successor by-laws thereto, are considered to be Designated By-laws:
- (a) Fence By-law 2002-034
  - (b) Site Alteration By-law 2003-021
  - (c) Site Plan Control By-law 2005-062
  - (d) Pool Enclosure By-law 2006-071
  - (e) Temporary Road Closure By-law 2007-135
  - (f) Noise By-law 2008-098
  - (g) Municipal Tree By-law 2009-025
  - (h) Municipal Right of Way By-law 2009-072
  - (i) Litter By-law 2011-045
  - (j) Parks By-law 2013-013
  - (k) Licensing By-law 2015-075
  - (l) Transportation Network Companies By-law 2016-083
  - (m) Lot Maintenance By-law 2017-008
  - (n) Private Tree By-law 2017-038
  - (o) Animal Control By-law 2018-006
  - (p) Short-Term Accommodation By-law 2018-045
  - (q) Sign By-law 2018-153
  - (r) Tow Truck Licensing By-law 2019-060
  - (s) Public Nuisance By-law 2007-143
  - (t) Discharge of Fireworks By-law 2009-056
- (2) If a person is required by the Town to pay an administrative penalty under Section 2 of this By-law in respect of a contravention, the person shall not be charged with an offence in respect of the same contravention.
4. Clause 20(1)(b) and subsection 20(3) of By-law 2021-038 be amended by deleting the phrase “place of abode” at the end of each and substituting “place of residence or abode” therefor.
5. Subsection 20(1) of By-law 2021-038 be amended by the addition of new clause (c.1) as follows:
- (c.1) on the seventh calendar day after a copy is picked-up by a courier for delivery to the Person’s last known address or usual place of residence or abode;

6. Subsection 21(4) of By-law 2021-038 be amended by adding “invoicing the Person for the amount of unpaid Administrative Penalties or costs, by” after the words “from the Person by” in line 3 of the subsection.
7. New subsection 21(4.1) be added to By-law 2021-038 as follows:
  - (4.1) The amount of the costs referred to in subsection 21(4), including interest, constitutes a lien on the land upon the registration of a notice of lien in the proper land registry office. The lien is in respect of all costs that are payable at the time the notice is registered plus interest accrued to the date the payment is made. Upon receiving payment of all costs payable plus interest accrued to the date of payment, the Town shall register a discharge of the lien in the proper land registry office.
8. The following consequential amendments be made to the Designated By-laws:
  - (i) Fence By-law 2002-034 is hereby amended as set out in Schedule “A” to this By-law.
  - (ii) Site Alteration By-law 2003-021 is hereby amended as set out in Schedule “B” to this By-law.
  - (iii) Site Plan Control By-law 2005-062 is hereby amended as set out in Schedule “C” to this By-law.
  - (iv) Pool Enclosure By-law 2006-071 is hereby amended as set out in Schedule “D” to this By-law.
  - (v) Temporary Road Closure By-law 2007-135 is hereby amended as set out in Schedule “E” to this By-law.
  - (vi) Noise By-law 2008-098 is hereby amended as set out in Schedule “F” to this By-law;
  - (vii) Municipal Tree By-law 2009-025 is hereby amended as set out in Schedule “G” to this By-law.
  - (viii) Municipal Right-of-Way By-law 2009-072 is hereby amended as set out in Schedule “H” to this By-law.

- (ix) Litter By-law 2011-045 is hereby amended as set out in Schedule “I” to this By-law;
  - (x) Parks By-law 2013-013 is hereby amended as set out in Schedule “J” to this By-law;
  - (xi) Licensing By-law 2015-075 is hereby amended as set out in Schedule “K” to this By-law.
  - (xii) Transportation Network Companies By-law 2016-083 is hereby amended as set out in Schedule “L” to this By-law.
  - (xiii) Lot Maintenance By-law 2017-008 is hereby amended as set out in Schedule “M” to this By-law.
  - (xiv) Private Tree By-law 2017-038 is hereby amended as set out in Schedule “N” to this By-law.
  - (xv) Animal Control By-law 2018-006 be hereby amended as set out in Schedule “O” to this By-law.
  - (xvi) Short-Term Accommodation Licensing By-law 2018-045 be hereby amended as set out in Schedule “P” to this By-law.
  - (xvii) Sign By-law 2018-153 is hereby amended as set out in Schedule “Q” to this By-law.
  - (xviii) Tow Truck By-law 2019-060 is hereby amended as set out in Schedule “R” to this By-law.
  - (xix) Public Nuisance By-law 2007-143 is hereby amended as set out in Schedule “S” to this By-law.
  - (xx) Discharge of Fireworks By-law 2009-056 is hereby amended as set out in Schedule “T” to this By-law.
9. All other provisions of By-laws 2021-038, 2002-034, 2003-021, 2005,062, 2006-071, 2007-135, 2008-098, 2009-025, 2009-072, 2011-045, 2013-013, 2015-075, 2016-083, 2017-008, 2017-038, 2018-006, 2018-045, 2018-153 2019-060, 2007-143 and 2009-056 hereby remain in force and effect.

PASSED this 28th day of March, 2022

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MAYOR

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CLERK

**Schedule A to By-law 2022-0031**

Fence By-law 2002-034

1. By-law 2002-034 is hereby amended by adding the following new subsection 18.1(7):
  - 18.1(7) A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.

## **Schedule B to By-law 2022-0031**

### Site Alteration By-law 2003-021

1. By-law 2003-021 is hereby amended by adding the following new subsection 11.1.6.1:

11.1.6.1 A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.

**Schedule C to By-law 2022-0031**

Site Plan Control By-law 2005-062

1. By-law 2005-062 is hereby amended by adding the following new subsection 18.8.1:
  - 18.8.1 A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.

## **Schedule D to By-law 2022-0031**

### **Pool Enclosure By-law 2006-071**

1. Part 6.2 of By-law 2006-071 is hereby amended by adding the following new subsection 30.8.1:

30.8.1 A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.

### **Schedule E to By-law 2022-0031**

#### Temporary Road Closure By-law 2007-135

1. By-law 2007-135 is hereby amended by adding the following new subsection 6.9.1:

6.9.1 A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.

**Schedule F to By-law 2022-0031**

Noise By-law 2008-098

1. Section 8.1 of By-law 2008-098 is hereby amended by adding the following new subsection 8.1(7):
  - (7) A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.

## **Schedule G to By-law 2022-0031**

### Municipal Tree By-law 2009-025

1. Part 4.1 of By-law 2009-025 is hereby amended by adding the following new subsection 4.1.6.1:
  - 4.1.6.1 A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.

**Schedule H to By-law 2022-0031**

Municipal Right of Way By-law 2009-072

1. By-law 2009-072 is hereby amended by adding the following new subsection 11.6.1:
  - 11.6.1 A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.

## **Schedule I to By-law 2022-0031**

### Litter By-law 2011-045

1. Part 2 of By-law 2011-045 is hereby amended by adding the following new subsection 2.6.1:
  - 2.6.1 A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.

**Schedule J to By-law 2022-0031**

Parks By-law 2013-013

1. By-law 2013-013 is hereby amended by adding the following new subsection 19.6.1:
  - 19.6.1 A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.

## Schedule K to By-law 2022-0031

### Licensing By-law 2015-075

1. Section 9 of By-law 2015-075 is hereby amended by adding the following new subsection 9(6.1):
  - (6.1) A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.
  
2. By-law 2015-075 is hereby amended by adding the following new heading and subsection 14(1):
  - 14. COLLECTION OF UNPAID FINES**
  - (1) Pursuant to Section 441 of the Municipal Act, if any part of a fine for a contravention of a business licensing by-law remains unpaid after the fine becomes due and payable under Section 66 of the Provincial Offences Act, R.S.O. 1990, c. P.33, including any extension of time for payment ordered under that Section, the Licensing Commissioner may give the person against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than 21 days after the date of the notice. If the fine remains unpaid after the final date specified in the notice, the fine is deemed to be unpaid taxes pursuant to Section 351 of the Municipal Act and may be added to the person's tax roll and collected in the same manner as property taxes.

## Schedule L to By-law 2022-0031

### Transportation Network Companies By-law 2016-083

1. Section 10 of By-law 2016-083 is hereby amended by adding the following new subsection 10(6.1):
  - (6.1) A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.
  
2. By-law 2016-083 is hereby amended by adding the following new heading and subsection 15(1):
  - 15. COLLECTION OF UNPAID FINES**
  
  - (1) Pursuant to Section 441 of the Municipal Act, if any part of a fine for a contravention of a business licensing by-law remains unpaid after the fine becomes due and payable under Section 66 of the Provincial Offences Act, R.S.O. 1990, c. P.33, including any extension of time for payment ordered under that Section, the Licensing Commissioner may give the person against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than 21 days after the date of the notice. If the fine remains unpaid after the final date specified in the notice, the fine is deemed to be unpaid taxes pursuant to Section 351 of the Municipal Act and may be added to the person's tax roll and collected in the same manner as property taxes.

## **Schedule M to By-law 2022-0031**

### **Lot Maintenance By-law 2017-008**

1. By-law 2017-008 is hereby amended by adding the following new heading and subsection 13(1):

#### **13. Remedial Action**

- (1) The Town may take remedial action as set out in the Administrative Penalties for Non-Parking Violations and Orders By-law if a person fails to do a matter or thing as directed or required by this by-law, including complying with an order issued under this by-law.
2. Section 15 of By-law 2017-008 is hereby amended by adding the following new subsection (6.1):
    - (6.1) A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.

**Schedule N to By-law 2022-0031**

Private Tree By-law 2017-038

1. By-law 2017-038 is hereby amended by adding the following new subsection 9.6.1:
  - 9.6.1 A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.

**Schedule O to By-law 2022-0031**

Animal Control By-law 2018-006

1. Section 16 of By-law 2018-006 is hereby amended by adding the following new subsection (6.1):
  - (6.1) A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.

## Schedule P to By-law 2022-0031

### Short-Term Accommodation By-law 2018-045

1. Section 9 of By-law 2018-045 is hereby amended by adding the following new subsection (6.1):
  - (6.1) A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.
  
2. By-law 2018-045 is hereby amended by adding the following new heading and subsection 14(1):
  - 14. COLLECTION OF UNPAID FINES**
    - (1) Pursuant to Section 441 of the Municipal Act, if any part of a fine for a contravention of a business licensing by-law remains unpaid after the fine becomes due and payable under Section 66 of the Provincial Offences Act, R.S.O. 1990, c. P.33, including any extension of time for payment ordered under that Section, the Licensing Commissioner may give the person against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than 21 days after the date of the notice. If the fine remains unpaid after the final date specified in the notice, the fine is deemed to be unpaid taxes pursuant to Section 351 of the Municipal Act and may be added to the person's tax roll and collected in the same manner as property taxes.

## Schedule Q to By-law 2022-0031

### Sign By-law 2018-153

1. Part 16 of By-law 2018-153 is hereby amended by adding the following new subsection (6.1):
  - (6.1) A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.
2. Part 16 of By-law 2018-153 be amended by deleting subsection 22.
3. By-law 2018-153 is hereby amended by adding the following new heading and subsection 18(1):

**18. Remedial Action**

  1. The Town may take remedial action as set out in the Administrative Penalties for Non-Parking Violations and Orders By-law if a person fails to do a matter or thing as directed or required by this by-law, including complying with an order issued under this by-law.

## Schedule R to By-law 2022-0031

### Tow Truck Licensing By-law 2019-060

1. Section 10 of By-law 2019-060 is hereby amended by adding the following new subsection (6.1):
  - (6.1) A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.
  
2. By-law 2019-060 is hereby amended by adding the following new heading and subsection 15(1):
  - 15. COLLECTION OF UNPAID FINES**
  
  - (1) Pursuant to Section 441 of the Municipal Act, if any part of a fine for a contravention of a business licensing by-law remains unpaid after the fine becomes due and payable under Section 66 of the Provincial Offences Act, R.S.O. 1990, c. P.33, including any extension of time for payment ordered under that Section, the Licensing Commissioner may give the person against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than 21 days after the date of the notice. If the fine remains unpaid after the final date specified in the notice, the fine is deemed to be unpaid taxes pursuant to Section 351 of the Municipal Act and may be added to the person's tax roll and collected in the same manner as property taxes.

## Schedule S to By-law 2022-0031

### Public Nuisance By-law 2007-143

1. Section 1 of By-law 2007-143 is hereby amended as set out as follows:
  - (a) the following definitions are added to section 1:

**“Administrative Penalties for Non-Parking Violations and Orders By-law”** means By-law 2021-038, or successor by-laws;

**“Appeals Committee”** means a Committee or Tribunal duly appointed by by-law to conduct hearings under this by-law;

**“Officer”** means any person authorized by the Corporation of the Town of Oakville to enforce by-laws and includes Municipal Law Enforcement Officers, provincial offences officers and Halton Regional Police Officers;

**“Penalty Notice”** means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;

**“Rates and Fees Schedule”** means the Town’s then current Rates and Fees Schedule approved by Council as part of the annual budget approval process;
  - (b) the definition of “Designated Official” be deleted and the following substituted therefor:

**“Designated Official”** means the Director of Municipal Enforcement Services, or designate.
2. By-law 2007-143 is hereby amended by deleting section 2 and substituting the following therefor:
  2. This By-law shall apply to all Properties within the Town and is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
3. By-law 2007-143 is hereby amended by adding the following new heading and subsections 2.1 a) and 2.1 b):

## **2.1 GENERAL**

- a) Pursuant to section 23.2 of the Municipal Act, Council hereby delegates:
    - i. to the Designated Official, the power to issue a permit granting an exemption from the provisions of this By-law in accordance with Section 5; and
    - ii. to the Appeals Committee, the power to grant an exemption from the provisions of this By-law in accordance with Section 5.1.
  - b) Where the Appeals Committee conducts a hearing, the rules set out in the Statutory Powers Procedure Act, R.S.O. 1990, c. S.22 shall apply.
4. Section 5 Permits of By-law 2007-143 is hereby amended as follows:
- (a) delete “Town Clerk’s Department” in subsection 5 b) and substitute “Designated Official” therefor;
  - (b) delete subsection 5 b)(vi) and substitute “the permit fee as set out in the rates and fees schedule” therefor;
  - (c) delete the first sentence of subsection 5 c); and
  - (d) delete “4 b)” in subsection 5 d)(iii) and substitute “5 b)” therefor.
5. Section 5 Appeals to Council of By-law 2007-143 is hereby deleted and the following new Section 5.1 be substituted therefor:

### **5.1 APPEALS COMMITTEE**

- a) Where the Designated Official refuses to grant a Permit under this By-law, the Designated Official shall inform the applicant, in writing, setting out the grounds for the decision with reasonable particulars and advise the applicant that they may appeal such decision to the Appeals Committee.
- b) The request for an appeal referred to in subsection 5.1 a) shall be submitted in writing to the Designated Official within 21 days of the date of the notice provided in accordance with subsection 5.1 a).

- c) Upon receipt of a request for an appeal, the Designated Official shall refer the request to the Town Clerk who will schedule a hearing of the Appeals Committee.
  - d) In deciding whether to grant the exemption, the Appeals Committee shall consider the application, the Designated Official's decision and any written submission made by the applicant and the Appeals Committee may consider such other matters as it sees fit.
  - e) The decision of the Appeals Committee to issue a Permit, to refuse to issue a Permit or to set terms and conditions for holding a Permit is final.
  - f) Where no request for an appeal is received in accordance with subsection 5.1 b), the Designated Official's decision shall be final and binding.
6. By-law 2007-143 is hereby amended by adding the following new heading and subsections 5.2(a), 5.2(b), 5.2(c), 5.2(d), 5.2(e), 5.2(f) and 5.2(g):

## **5.2 ADMINISTRATIVE PENALTIES**

- a) An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
- b) Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the rates and fees schedule.
- c) If an Officer has issued a penalty notice under subsection 5.2 a) of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
- d) Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the rates and fees schedule.
- e) If an Officer has issued a penalty notice under subsection 5.2 c) of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules,

for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.

- f) Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the rates and fees schedule.
  - g) A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.
7. By-law 2007-143 is hereby amended by adding the following new heading and subsection 5.3 a) and 5.3 b):

**5.3 ORDERS**

- a) Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.
  - b) Any person who contravenes an order under this By-law is guilty of an offence.
8. By-law 2007-143 is hereby amended by adding the following new heading and subsection 5.4:

**5.4 SERVICE AND NOTICE**

Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.

## Schedule T to By-law 2022-0031

### Discharge of Fireworks By-law 2009-056

1. Section 1 of By-law 2009-056 is hereby amended as set out as follows:

- (a) the following definitions are added to section 1:

**“Administrative Penalties for Non-Parking Violations and Orders By-law”** means By-law 2021-038, or successor by-laws;

**“Officer”** means any person authorized by the Corporation of the Town of Oakville to enforce by-laws and includes Municipal Law Enforcement Officers, provincial offences officers and Halton Regional Police Officers;

**“Penalty Notice”** means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law;

**“Rates and Fees Schedule”** means the Town’s then current Rates and Fees Schedule approved by Council as part of the annual budget approval process;

2. By-law 2009-056 is hereby amended by adding the following new subsection 1.1:

#### 1.1 INTERPRETATION

This By-law is a Designated By-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.

3. By-law 2009-056 is hereby amended by adding the following new heading and subsections 4.1 a) and 4.1 b):

#### 4.1 ORDERS

- a) Where an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Officer may issue an order to the person contravening this By-law in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.

- b) Any person who contravenes an order under this By-law is guilty of an offence.

- 4. By-law 2009-056 is hereby amended by adding the following new heading and subsections 4.2(a), 4.2(b), 4.2(c), 4.2(d), 4.2(e), 4.2(f) and 4.2(g):

#### **4.2 ADMINISTRATIVE PENALTIES**

- a) An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, including any Schedules, may issue a penalty notice to the person.
- b) Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the rates and fees schedule.
- c) If an Officer has issued a penalty notice under subsection 4.2 a) of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law, including any Schedules, for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
- d) Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the rates and fees schedule.
- e) If an Officer has issued a penalty notice under subsection 4.2 c) of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law, including any Schedules, for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
- f) Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the rates and fees schedule.
- g) A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the

Administrative Penalties for Non-Parking Violations and Orders By-law.

5. By-law 2009-056 is hereby amended by adding the following new heading and subsection 4.3:

**4.3 SERVICE AND NOTICE**

Service of any penalty notice, order, or any other notice may be given as specified in the Administrative Penalties for Non-Parking Violations and Orders By-law.