

The Corporation of the City of Port Colborne

By-law No. _____

Being a By-law to Amend By-law No. 6902/50/21, Being a By-law to Establish a System for Administrative Penalties for Non-Parking Offences within The City of Port Colborne

Whereas the City of Port Colborne has adopted By-law No. 6902/50/21 Being a By-law to Establish a System for Administrative Penalties for Non- Parking Offences within the City of Port Colborne; and

Whereas at its meeting of June 25, 2024, the Council of The Corporation of the City of Port Colborne approved the recommendations of the Community Safety and Enforcement Department, By-law Services Report 2024-48, Subject: Fouling of Roads Draft By-law; and

Whereas The City of Port Colborne considers it desirable to add the Fouling of Roads to the Administrative Monetary Penalty, tier penalty system; and

Whereas the City of Port Colborne considers it desirable and necessary to amend By- law No. 6902/50/21 Being a By-law to Establish a System for Administrative Penalties for Non-Parking Offences within the City of Port Colborne;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That Schedule "B" is hereby amended to include administrative penalties for the Fouling of Roads By-law No. _____ as amended.
2. That Schedule "B" is hereby amended to include tier penalty system.

Enacted and passed this _____ day of _____, 2024.

William C. Steele
Mayor

Scott Luey
Acting City Clerk

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -
FOULING OF ROADS BY- LAW NO. _____**

- 1.1 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.
- 1.2 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.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions 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.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions 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) or greater, contravention of the of the designated provision in Column 1.

Section	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
4.1 (a)	Cause or permit the Fouling, obstructing, encumbering or injuring any City Road or drain, ditch or culvert.	\$500	\$1000	\$2000
4.1 (b)	Cause or permit the erecting, installing, placing or maintaining any item wholly or partly upon, in, under or over a City Road.	\$500	\$1000	\$2000

4.1 (c)	Cause or permit the hanging or maintaining of any gate, door, or other thing in such a manner as to allow it to swing over any part of a City Road	\$500	\$1000	\$2000
4.1 (d)	Place or expose, or cause or permit to be placed or exposed, any merchandise or articles of any kind upon a City road	\$500	\$1000	\$2000
4.2 (a)	Owner of Property transport, drive, guide or operate any animal, any type of Vehicle or equipment in a manner that Fouls, obstructs, encumbers or otherwise injures a City Road	\$500	\$1000	\$2000
4.2 (b)	Owner of Property cause or permit any animal, any type of Vehicle or equipment to Foul, obstruct, encumber or otherwise injure a City Road	\$500	\$1000	\$2000
5.2	Fail to comply with an Order	\$500	\$1000	\$2000
5.4	Fail to forthwith remove or cause to be removed any Deposit from a City Road and remedy Fouling	\$500	\$1000	\$2000
5.5	Fail to forthwith remedy injury to a City Road	\$500	\$1000	\$2000
5.7	Hinder or obstruct, or attempt to hinder or obstruct, any authorized employee or agent authorized to enforce this By-law	\$500	\$1000	\$2000