

THE CORPORATION OF THE VILLAGE OF BURK'S FALLS
BY-LAW NO. 09-2026

BEING A BYLAW TO IMPLEMENT AN ADMINISTRATIVE MONETARY PENALTY
SYSTEM IN THE MUNICIPALITY OF THE VILLAGE OF BURK'S FALLS

Whereas section 434.1 (1) of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, authorizes municipalities to establish a system of administrative penalties for contraventions of municipal bylaws;

And Whereas section 102.1 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may require a person to pay an Administrative Monetary Penalty if the municipality is satisfied that the person has failed to comply with any bylaws respecting the parking, standing or stopping of vehicles;

And Whereas section 391 of the *Municipal Act*, 2001 enables the Municipality to pass bylaws 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 434.2 of the *Municipal Act*, 2001, S.O. 2001, c. 25, provides that an Administrative Monetary Penalty imposed by the municipality on a person constitutes a debt of the person to the municipality;

And Whereas sections 23.2, 23.3 and 23.5 of the *Municipal Act*, 2001, S.O. 2001, C. 25, as amended authorizes the Municipality to delegate its administrative and hearing powers; and,

And Whereas section 15.4.1 (1) of the *Building Code Act*, 1992 S.O. 1992, c.23, as amended authorizes a municipality to pass a bylaw that may require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with, a bylaw of the municipality passed under section 15.1 of the *Building Code Act*, 1992, as amended, or an order of an officer made under subsection 15.2 (2) or 15.3 of the *Building Code Act*, 1992, as amended; and;

And Whereas the Council for the Corporation of the Municipality of the Village of Burk's Falls considers it desirable and necessary to provide for a system of administrative penalties and administrative fees for certain Municipal bylaws, or portions of certain Municipal bylaws;

Now Therefore The Council Of The Corporation Of The Municipality Of The Village of Burk's Falls Enacts As Follows:

Definitions

In this Bylaw:

"Administrative Fee" means any fee specified in this Bylaw or set out in Schedule 'C';

"Administrative Penalty" means an administrative penalty established by this Bylaw or set out in the attached Schedule(s) for a contravention of a Designated Bylaw;

"A.M.P.S." means Administrative Monetary Penalty System;

"Clerk" means the Municipal Clerk, their delegate, or anyone designated by the Clerk to perform duties pursuant to the Administrative Monetary Penalty System;

"Council" means the Council of the Municipality of The Village of Burk's Falls;

"Day" means any calendar day;

"Designated Bylaw" means a bylaw, or a part or provision of a bylaw, that is designated under this or any other bylaw, and is listed in the attached Schedule 'A' to which the AMPS applies;

"Hearing Non-Appearance Fee" means an Administrative Fee established by the Municipality 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 'C';

"Hearing Decision" means a notice that contains a decision made by a Hearing Officer, delivered in accordance with section 4.11 of this Bylaw;

"Hearing Officer" shall mean a person who performs the duties of Hearing Officer as set out in section 4 of this bylaw and meeting the requirements that a Hearing Officer cannot be a Member of Council or a Municipal Employee. The Hearing Officer shall have knowledge of and experience in administrative law including, but not limited to a lawyer, retired lawyer, para-legal, retired para-legal, retired police officer, retired municipal clerk or retired municipal deputy clerk;

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

“Late Payment Fee” means an Administrative Fee established by the Municipality from time to time in respect of a Person’s failure to pay an Administrative Penalty within the time prescribed in this Bylaw and listed in Schedule ‘C’;

“MTO Fee” means an Administrative Fee established by Council from time to time for any search of the records of, or any inquiry to, the Ontario Ministry of Transportation, or related authority, and listed in Schedule “C”;

“Municipality” means the Corporation of the Municipality of The Village of Burk’s Falls;

“NSF Fee” means an Administrative Fee established by the Municipality from time to time in respect of payment by negotiable instrument received by the Municipality 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 ‘C’;

“Officer” means a Municipal Law Enforcement Officer, Police Officer, Fire Chief, Fire Prevention Officer or a designate appointed by the municipality to enforce this bylaw;

“Penalty Notice” means a notice given to a Person pursuant to section 2 of this Bylaw;

“Penalty Notice Date” means the date of the contravention specified on the Penalty Notice, in accordance with section 2.3 of this Bylaw;

“Penalty Notice Number” means the reference number specified on the Penalty Notice that is unique to that Penalty Notice, in accordance with section 2.3 of this Bylaw;

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

“Plate Denial Fee” means an Administrative Fee established by Council from time to time in respect of a Person’s failure to pay within the time prescribed prior to a request for plate denial and listed in Schedule “C”;

“Request for Review by Hearing Officer” means the request which may be made in accordance with section 4 of this Bylaw for the review of a Screening Decision;

“Request for Review by Screening Officer” means the request made in accordance with section 3 of this Bylaw for the review of a Penalty Notice;

“Review by Hearing Officer” and **“Hearing”** means the process set out in section 4 of this Bylaw;

“Review by Screening Officer” and **“Screening Review”** means the process set out in section 3 of this Bylaw;

“Screening Decision” means a notice which contains the decision of a Screening Officer, delivered in accordance with Section 3.12 of this Bylaw;

“Screening Non-appearance Fee” means an Administrative Fee established by the Municipality 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 “C”;

“Screening Officer” means a person from time to time appointed pursuant to this Bylaw who performs the duties of Screening Officer as set out in section 3 and meeting the requirements established in the applicable polices. A screening officer cannot be a member of council or a municipal staff member involved in enforcement or the supervision of officers;

“Vehicle” includes a motor vehicle, automobile, bicycle, motorcycle, boat, motor vehicle trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled, or driven by any kind of power including muscular power and such additional definitions as set out in the *Highway Traffic Act*, R.S.O. 1990, as amended.

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Application of this Bylaw

- 1.1 The Municipal bylaws, or portions of Municipal bylaws, listed in the attached Schedule 'A' of this Bylaw shall be Designated Bylaws for the purposes of sections 102.1 and 151 of the *Municipal Act* and paragraph 3(1)(b) of O.Reg 333/07. The attached Schedule 'B' sets out the Administrative Penalty and may include short form language to be used on Penalty Notices, for the contraventions of Designated Bylaws.
- 1.2 Schedule 'C' of this Bylaw shall set out Administrative Fees imposed for the purposes of this Bylaw.
- 1.3 The *Provincial Offences Act*, R.S.O. 1990, as amended applies to all Designated Bylaws except to a Designated Bylaw respecting the parking, standing or stopping of vehicles.

Penalty Notices

- 2.1 Every Person in contravention of a Designated Bylaw shall upon issuance of a Penalty Notice be liable to pay the Municipality an Administrative Penalty in the amount specified in the attached Schedule 'B' to this Bylaw.
- 2.2 An Officer who has reason to believe that a Person has contravened any Designated Bylaw may issue a Penalty Notice upon notice thereof within thirty (30) days.
- 2.3 A Penalty Notice may include the following information:
 - (a) the Penalty Notice Date;
 - (b) a Penalty Notice Number;
 - (c) the date on which the Administrative Penalty is due and payable;
 - (d) the identification number and signature of the Officer;
 - (e) the name of the person penalized;
 - (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) the vehicle licence plate number or vehicle identification number
 - (i) 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
 - (j) a statement advising that an unpaid Administrative Penalty, including any applicable Administrative Fee(s), will constitute a debt of the Person to the Municipality unless cancelled pursuant to Screening Review or Hearing process.
- 2.4 In addition to the service methods provided in section 5 "Service of Documents" of this Bylaw, an Officer may serve the Penalty Notice on a Person by delivering it personally to the Person contravening the bylaw at the time of the offence.
- 2.5 No person issuing a penalty notice may accept payment of an Administrative Penalty or Administrative Fee.
- 2.6 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 Municipality any applicable Administrative Fee(s).

Review by Screening Officer

- 3.1 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 3.4.
- 3.2 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 Screening Officer extend the time to request a Screening Review to a date that is no later than thirty (30) days after the Penalty Notice Date, in accordance with the process set out in Section 3.4.
- 3.3 A Person's right to request an extension of time for a Screening Review expires, if it has not been exercised, on or before thirty (30) 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 as set out in the Penalty Notice shall be deemed to be confirmed; and,

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- (c) the Administrative Penalty shall not be subject to any further review, including a review by any Court.
- 3.4 A Person's Request for Review by a Screening Officer or request for an extension of time to request a Screening Review is exercised by:
 - (a) a submission in writing to the Clerk or Designate of a Request for Review by a 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 a Screening Officer or to request an extension of time to request a Screening Review.
- 3.5 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.
- 3.6 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 3.1 or 3.2 of this Bylaw.
- 3.7 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.
- 3.8 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.
- 3.9 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; and
 - (c) the Administrative Penalty shall not be subject to any further review, including a review by any Court; and
 - (d) the Person shall pay to the Municipality a Screening Non-Appearance Fee and any other applicable Administrative Fee(s).
- 3.10 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 Bylaw(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.
- 3.11 On a Screening Review of an Administrative Penalty, before making a decision, a Screening Officer shall conduct an interview with the Person.
- 3.12 After a Review by a Screening Officer, the Screening Officer shall deliver a Screening Decision to the Person, in accordance with Section 5 of this Bylaw.
- 3.13 A Screening Officer has no authority to consider questions relating to the validity of a statute, regulation or bylaw or the constitutional applicability or operability of any statute, regulation, or bylaw.

Review by Hearing Officer

- 4.1 A Person may Request a Review by Hearing Officer during the Screening Review.
- 4.2 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.
- 4.3 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

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- 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.
- 4.4 A Person's Request for Review by Hearing Officer is exercised by:
- (a) a submission in writing to the Village Clerk for a Request for Review by a 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 a 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.
- 4.5 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 4.2 or 4.3 of this Bylaw.
- 4.6 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 Municipality a Hearing Non-appearance Fee, Late Payment Fee and any other applicable Administrative Fee(s).
- 4.7 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 Bylaw(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.
- 4.8 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 Municipality an opportunity to be heard at the time and place scheduled for the Hearing.
- 4.9 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.
- 4.10 A Hearing Officer has no authority to consider questions relating to the validity of a statute, regulation or bylaw or the constitutional applicability or operability of any statute, regulation or bylaw.
- 4.11 After a Hearing is complete, the Hearing Officer shall deliver to the Person a Hearing Decision, in accordance with Section 5 of this Bylaw.
- 4.12 The decision of a Hearing Officer is final.

Service of Documents

- 5.1 The service of any document, notice or decision, including a Penalty Notice, pursuant to this Bylaw, 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 to the Person's last known address;
 - (c) immediately upon the conclusion and sent confirmation of a copy by facsimile transmission to the Person's last known facsimile transmission number; or
- 5.2 For the purposes of subsections 5.1 (b) and (c) of this Bylaw, a Person's last known address or facsimile number includes an address or facsimile number provided by the Person to the Municipality as may be required by a form, practice or policy under this Bylaw.

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Administration

- 6.1 The Clerk, their delegate, or anyone designated by the Clerk shall administer this Bylaw and establish any additional practices, policies and procedures necessary to implement this Bylaw and may amend such practices, policies and procedures from time to time as they deem necessary, without amendment to this Bylaw.
- 6.2 The Clerk, their delegate, or anyone designated by the Clerk shall prescribe all forms and notices, including the Penalty Notice, necessary to implement this Bylaw and may amend such forms and notices from time to time as they deem necessary, without amendment to this Bylaw.
- 6.3 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 Municipality owed by the Person.
- (a) Pursuant to subsections 398 (1) and (2) of the *Municipal Act*, 2001, where an Administrative Penalty, including any Administrative Fee(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.
- (i) Where a penalty notice has been issued to a tenant or occupant of a property and is to be added to the tax roll under this section, notice shall be given to the property owner thirty (30) days prior to the amount being added to the tax roll.
- 6.4 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 Municipality a Late Payment Fee, in addition to the Administrative Penalty and any applicable Administrative Fee(s).
- 6.5 Where a Person makes payments to the Municipality 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 Municipality the NSF Fee set out in the Municipality's Fees Bylaw.
- 6.6 Where an Administrative Penalty is cancelled by a Screening Officer or Hearing Officer, any Administrative Fee(s) are also cancelled.
- 6.7 Any time limit that would otherwise expire on a Holiday is extended to the next day that is not a Holiday.
- 6.8 A Person claiming financial hardship under this Bylaw shall provide documented proof of the financial hardship to the Clerk, their delegate, or anyone designated by the Clerk, the Screening Officer or the Hearing Officer, as applicable.
- 6.9 Any schedule attached to this Bylaw forms part of this Bylaw.
- 6.10 Screening Officers shall be appointed by Council on the recommendation of the Clerk or their designate. Screening Officers shall be appointed by a bylaw passed by Council based on the provisions of all applicable polices established by the Village.
- 6.11 Hearing Officers shall be appointed by Council on the recommendation of the Clerk or their designate. Hearing Officers shall be appointed by a bylaw passed by Council based on the provisions of all applicable polices established by the Village and shall meet all conditions established therein.

Severability

- 7.1 Should any provision, or any part of a provision, of this Bylaw 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 Bylaw, and every other provision of this Bylaw shall be applied and enforced in accordance with its terms to the extent possible according to law.

Interpretation

- 8.1 The provisions in Part VI of the *Legislation Act*, 2006, S.O. 2006, c.21, Sched. F, shall apply to this Bylaw.

Short Title

- 9.1 This Bylaw may be referred to as the Administrative Monetary Penalty System Bylaw or as the AMPS Bylaw.

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Effective Date

10.1 That this Bylaw shall come into effect on the day it was passed.

10.2 Bylaw# 2022-24 is hereby repealed.

Read a first, second and third and finally passed this 17 day of February 2026.



Chris Hope, Mayor



Denis Duguay
CAO-CLERK

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Schedule "A" to Bylaw 2022-24

**Being A Bylaw to Implement an Administrative Monetary Penalty System in the
Municipality of The Village of Burk's Falls**

Designated Bylaws

- (a)** Bylaw No. 6-2017 (Provide for Maintaining Land in A Clean and Clear Condition)
- (b)** Bylaw No. 14-2017 (Regulate and Prescribe Outdoor Burning)
- (c)** Bylaw No. 8-2017 (Regulate the Care and Control of Animals)
- (d)** Bylaw No. 17-2017 (Regulate the Care and Control of Poultry, Livestock, And Exotic Animals)
- (e)** Bylaw No. 17-2021 (Establishing and Maintaining a System for The Collection, Removal, And Disposal of Garbage, Recyclable Materials, Yard Waste, And Refuse)
- (f)** Bylaw No. 16-2017 (Prohibit the Throwing, Placing, or Depositing of Refuse or Debris on Private Property or on Property of The Municipality Without Authority of The Owner or Occupant of Such Property)
- (g)** Bylaw No. 18-2006 (Prohibit Motorized Snow Vehicles from Municipal Sidewalks Within the Village of Burk's Falls)
- (h)** Bylaw No. 05-2018 (Prohibit and Regulate Noise)
- (i)** Bylaw No. 23-2018 (Regulate the Use of Dry Smoke Producing Products on Municipal Property)
- (j)** Bylaw No. 06-2001 (Prescribe Standards for The Maintenance of the Physical Condition and Occupancy of Buildings and Property in the Village of Burk's Falls)
- (k)** Bylaw No. 07-2017 (Regulate Traffic and to Govern and Control the Parking of Vehicles in the Village of Burk's Falls)

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Schedule "B" to Bylaw 2022-24

**Being A Bylaw to Implement an Administrative Monetary Penalty System in the Municipality
of The Village of Burk's Falls**

Administrative Monetary Penalties

| Bylaw No. 6-2017 Provide For Maintaining Land in A Clean and Clear Condition | | |
|---|--|-----------------------|
| Bylaw Section | Short Form Wording | Penalty Amount |
| 2.1 | Fail to keep front yard clean of refuse and debris | \$200.00 |
| 2.2 | Fail to keep yard and property clean and free from refuse and debris | \$200.00 |
| 2.3 | Fail to keep yard and property in an orderly, tidy, and litter free manner | \$200.00 |
| 2.4 | Improperly dispose of refuse and debris | \$200.00 |
| 2.4 | Use land or structure for dumping, burying, disposing, or storing of refuse | \$250.00 |
| 2.5 | Fail to ensure property is free from dead, diseased, decaying, or damaged tree or other natural growth | \$200.00 |
| 2.6 | Fail to ensure grass other vegetation is cut and trimmed | \$200.00 |
| 2.7 | Failure to keep yard and property free of stagnant water | \$200.00 |
| 2.8 | Fail to keep hedges, shrubs, and trees adjacent to walkway or roadway cut and trimmed | \$200.00 |
| 3.1 | Failure to fill excavation – barrier not provided | \$400.00 |
| 3.2 | Fail to maintain swimming pool, hot tub, wading pool, or artificial pond | \$400.00 |
| 3.3 | Fail to ensure that structure or improvement to land remains in safe condition | \$400.00 |
| 3.4 | Fail to keep yard and property clear of insects, termites, rodents, vermin, or other pests | \$300.00 |
| 4.1.a. | Improper parking or storage of unfit motor vehicle | \$200.00 |
| 4.1.b. | Improper wrecking, dismantling, or salvaging of motor vehicle parts | \$200.00 |

| Bylaw No. 14-2017 Regulating and Prescribe Open Air Burning | | |
|--|---|-----------------------|
| Bylaw Section | Short Form Wording | Penalty Amount |
| 2.1 | Set or permit open air fire during prohibited hours | \$300.00 |
| 2.2 | Set or permit open air fire contrary to general prohibition | \$300.00 |
| 2.4 | Set or permit a flying lantern | \$300.00 |
| 4.2 | Failure to comply with permit conditions | \$300.00 |
| 4.5 | Failure to extinguish fire otherwise allowed under permit when ordered to do so | \$300.00 |
| 5.1 | Fail to confine Recreational Fire to approved burn area | \$300.00 |
| 5.2 | Recreational Fire with prohibited materials | \$300.00 |

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| Bylaw No. 14-2017 | | |
|--|--|-----------------------|
| Regulating and Prescribe Open Air Burning | | |
| Bylaw Section | Short Form Wording | Penalty Amount |
| 5.3 | Recreational Fire adversely affecting other person(s) | \$300.00 |
| 5.4 | Recreational Fire of oversized wood | \$300.00 |
| 5.5 | Recreational Fire within 6 meters (19.5 ft) of adjacent property | \$300.00 |
| 5.6 | Recreational Fire within 6 meters (19.5 ft) of combustible structure | \$300.00 |
| 5.7 | Recreational Fire without extinguishing provisions and devices | \$300.00 |
| 5.8 | Failure to supervise Recreational Fire | \$300.00 |
| 5.9 | Recreational Fire during high winds or smog alert | \$300.00 |
| 5.10 | Failure to take reasonable precautions during Recreational Fire | \$300.00 |
| 5.11 | Failure to extinguish fire or comply when ordered during Recreational Fire. | \$300.00 |
| 5.12 | Failure by owner to ensure compliance during Recreational Fire. | \$300.00 |
| 6.1 | Non Recreational Fire pile larger then permitted | \$300.00 |
| 6.2 | Non Recreational Fire of material not permitted | \$300.00 |
| 6.3 | Non Recreational Fire of material other then wood or permitted yard waste | \$300.00 |
| 6.5 | Non Recreational Fire adversely affecting other persons | \$300.00 |
| 6.6 | Failure to supervise non Recreational Fire | \$300.00 |
| 6.8 | Non Recreational Fire during high winds or smog alert | \$300.00 |
| 6.9 | Failure to take reasonable precautions during non Recreational Fire. | \$300.00 |
| 6.10 | Failure to extinguish Fire or comply when ordered during no Recreational Fire ban | \$500.00 |
| 6.11 | Failure by owner to ensure compliance during non Recreational Fire ban | \$300.00 |
| 7.3 | Failure to extinguish Fire creating hazard when ordered to do so | \$500.00 |
| 11.1 | Hinder or obstruct any person exercising a power or performing duty under this Bylaw | \$500.00 |

| Bylaw No. 8-2017 | | |
|---|--|-----------------------|
| Regulate the Care and Control of Animals | | |
| Bylaw Section | Short Form Wording | Penalty Amount |
| 2.1 (a) | Fail to provide dog or cat with clean and sanitary environment | \$300.00 |
| 2.1 (b) | Fail to provide essentials for dog or cat | \$300.00 |
| 3.1 | Fail to purchase dog license | \$75.00 |
| 3.4 (a) | Keep or permit more than 3 dogs in a dwelling | \$125.00 |

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| Bylaw No. 8-2017 Regulate the Care and Control of Animals | | |
|--|--|----------------------|
| Bylaw Section | Bylaw Section | Bylaw Section |
| 3.4 (b) | Keep or permit more than 2 dogs in a dwelling unit | \$125.00 |
| 4.1 | Allow dog or cat to run at large | \$175.00 |
| 4.2 | Allow dog or cat to trespass on private property | \$250.00 |
| 4.3 | Fail to leash dog or cat on road or public place | \$175.00 |
| 4.4 | Allow dog or cat to run at large in public park or trail | \$175.00 |
| 4.5 | Fail to clean up excrement | \$175.00 |
| 4.6 | Permit excessive barking or unnecessary noise | \$175.00 |

| Bylaw No. 17-2017 Regulate the Care and Control of Poultry, Livestock, and Exotic Animals | | |
|--|--|-----------------------|
| Bylaw Section | Short Form Wording | Penalty Amount |
| 2.1 (a) | Fail to provide clean and sanitary environment for animal | \$300.00 |
| 2.1 (b) | Failure to provide essentials for animal | \$300.00 |
| 3.2 | Fail to purchase animal licence | \$125.00 |
| 3.5 | Keep or permit to be kept an animal in a manner that contravenes bylaw | \$175.00 |
| 4.1 | Permit animal to be at large | \$175.00 |
| 4.2 | Permit animal to trespass on private property | \$250.00 |
| 4.3 | Allow animal to be on public road or public park without being leashed | \$175.00 |
| 4.4 | Allow animal to be at large in public park or trail | \$175.00 |
| 4.5 | Fail to clean up excrement | \$175.00 |
| 4.6 | Permit animal to make excessive noise | \$175.00 |
| 6.1 | Hinder or obstruct any person exercising a power or performing a duty under this bylaw | \$300.00 |

| Bylaw No. 17-2021 Establishing And Maintaining a System For The Collection, Removal And Disposal Of Garbage, Recyclable Materials, Yard Waste And Refuse | | |
|---|--|-----------------------|
| Bylaw Section | Short Form Wording | Penalty Amount |
| 4.1 | Store waste on property in non-animal resistant container | \$175.00 |
| 4.6 | Placing waste in position that impedes or interferes with traffic or maintenance | \$175.00 |
| 4.8 | Fail to appropriately tag waste | \$75.00 |
| 4.9 | Place waste in non-clear bag | \$100.00 |

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| 4.11 | Excess number of privacy bags in clear bag | \$100.00 |
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| Bylaw No. 16-2017 Prohibit The Throwing, Placing or Depositing of Refuse or Debris on Private Property or on Property of the Municipality Without Authority from the Owner or Occupant of Such Property. | | |
|---|---|----------------|
| Bylaw Section | Short Form Wording | Penalty Amount |
| Paragraph 1 | Throwing or placing of refuse, debris on private property | \$200.00 |
| Paragraph 1 | Throwing or placing of refuse, debris on municipal property | \$200.00 |

| Bylaw No. 18-2006 Prohibit Motorized Snow Vehicles from Municipal Sidewalks within the Village of Burk's Falls | | |
|---|--|----------------|
| Bylaw Section | Short Form Wording | Penalty Amount |
| 2 (a) | Drive or operate motorized snow vehicle along sidewalk or pedestrian foot bridge | \$175.00 |
| 2 (d) | Drive motorized snow vehicle across sidewalk at angle other than 90 degrees | \$75.00 |

| Bylaw No. 05-2018 Prohibit and Regulate Noise | | |
|--|--|----------------|
| Bylaw Section | Short Form Wording | Penalty Amount |
| 3.1 a) | Emit, or cause noise by racing motorized conveyance outside of organized event | \$150.00 |
| 3.1 b) | Emit or cause noise from combustion engine or pneumatic device without permitted exhaust or intake muffling device | \$150.00 |
| 3.1 c) | Emit or cause noise by persistent ringing bell, or blowing or sounding horn in residential area | \$150.00 |
| 3.1 e) | Emit or cause noise from the discharge of a firearm | \$400.00 |
| 4.1 | Emit or cause noise contrary to "Schedule A" | \$250.00 |
| 6.5 | Contravene order to discontinue activity | \$350.00 |
| 6.8 | Hinder or obstruct person exercising a power or performing a duty under bylaw | \$350.00 |

| Bylaw No. 23-2018 Regulate The Use of Dry Smoke Producing Products on Municipal Property | | |
|---|--|----------------|
| Bylaw Section | Short Form Wording | Penalty Amount |
| 3.1.0 | Use tobacco product or apparatus in smoke-free area | \$200.00 |
| 3.2.0 (a) | Employer or proprietor fail to ensure compliance with bylaw | \$300.00 |
| 3.2.0 (b) | Employer or proprietor fail to prohibit tobacco use in area designated as tobacco free | \$300.00 |
| 3.2.0 (c) | Employer or proprietor fail to post no smoking signage | \$300.00 |
| 3.2.0 (d) | Employer or proprietor fail to ensure no ashtrays are placed or permitted to remain in smoke-free area | \$300.00 |
| 4.1.0 | Employer or proprietor fail to ensure sufficient number of prescribed signs posted | \$300.00 |

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| 7.1.0 | Hinder, obstruct, or interfere with inspector | \$400.00 |
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| Bylaw No. 06-2001 Prescribe Standards for The Maintenance of the Physical Condition and Occupancy of Buildings and Property | | |
|--|---|---------------------------|
| Bylaw Section | Short Form Wording | Penalty Amount |
| 3.1.1 (i) | Fail to keep yard free of rubbish, debris and objects, or conditions that may create a health, fire, or accident hazard | \$300.00 |
| 3.1.1 (ii) | Fail to keep yard free of excise growth of grass, brush, undergrowth, or noxious weeds. | \$300.00 |
| 3.1.1 (iii) | Fail to keep yard free of dilapidated, collapsed, or partially constructed structures | \$400.00 |
| 3.1.1 (iv) | Fail to keep yard free from injurious insects, termites, vermin, or other pests | \$300.00 |
| 3.1.1. (v) | Fail to keep yard free from dead, or damaged trees or other natural growth | \$300.00 |
| 3.1.2 | Park vehicle or trailer on lot not in running condition and without valid licence | \$300.00 |
| 3.2 | Fail to maintain surface conditions as prescribed | \$300.00 |
| 3.2 (i) | Fail to maintain surface conditions so as to prevent ponding of storm water | \$300.00 |
| 3.2 (ii) | Fail to maintain surface conditions so as to prevent instability or erosion of soil | \$300.00 |
| 3.2 (iii) | Fail to maintain surface conditions so as to prevent runoff from entering buildings | \$300.00 |
| 3.2 (iv) | Fail to maintain surface conditions so as to not exhibit an unsightly appearance | \$300.00 |
| 3.2 (v) | Fail to maintain surface conditions so as to be kept free of garbage and refuse | \$300.00 |
| 3.2 (vi) | Fail to maintain surface conditions so as to be kept free of ruts, holes, and excavations | \$400.00 |
| 3.2 (vii) | Fail to maintain surface conditions so as to provide safe passage | \$400.00 |
| 3.2 (viii) | Fail to maintain surface conditions so as to not create a nuisance to other property | \$300.00 |
| 3.3.1 | Fail to properly discharge or dispose of sewage or organic waste | \$400.00 |
| 3.3.2 | Fail to properly drain storm water | \$300.00 |
| 3.3.4 | Fail to properly grade and maintain property to prevent ponding of water. | \$300.00 |
| 3.4.1 | Use material other than indicated for vehicular traffic and parking areas | \$300.00 |
| 3.4.1 | Fail to properly maintain vehicular traffic and parking areas | \$300.00 |
| 3.4.2 | Fail to maintain steps, walks, driveways, parking spaces or similar areas so as to afford safe passage. | \$400.00 |
| 3.5.1 | Fail to properly maintain exterior walls | \$400.00 |
| 3.5.2 | Fail to keep exterior walls free from unauthorized signs or defacements | \$250.00 |
| 3.6.1 | Fail to maintain building or structural member in structurally sound condition. | \$500.00 |
| 3.6.2 | Fail to maintain exterior portion of building so as to prevent collapse or injury | \$500.00 |

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| 3.7 | Fail to install or maintain guardrail where required | \$500.00 |
| 3.8.1 | Fail to properly maintain accessory structure | \$300.00 |
| Bylaw No. 06-2001 | | |
| Prescribe Standards for The Maintenance of the Physical Condition and Occupancy of Buildings and Property | | |
| Bylaw Section | Short Form Wording | Penalty Amount |
| 3.8.2 | Fail to protect accessory structure surface from deterioration | \$300.00 |
| 3.9.1 | Fail to provide sufficient number of receptacles for recycling, garbage, and other refuse | \$300.00 |
| 3.9.2 | Fail to screen garbage areas | \$300.00 |
| 4.1.1 | Fail to maintain property in a clean, sanitary, and safe condition | \$300.00 |
| 4.1.2 | Fail to maintain floors, walls, ceilings, and fixtures in a clean, sanitary, and safe condition | \$400.00 |
| 4.3.1 | Fail to keep dwellings free of rodents, vermin, and insects | \$400.00 |
| 4.3.2 | Fail to keep walls, roofs, and other exterior parts of building free from improperly secured objects or materials | \$400.00 |
| 4.4.1 | Fail to properly maintain foundation walls | \$300.00 |
| 4.4.2 | Fail to properly support dwelling with foundation walls or piers | \$500.00 |
| 4.5.1 | Fail to properly maintain windows, doors, skylights, and basement or cellar hatchways | \$300.00 |
| 4.5.2 | Fail to provide suitable locking or securing hardware | \$300.00 |
| 4.5.3 | Fail to maintain voice communication unit | \$300.00 |
| 4.5.4 | Fail to provide safety devices on windows where required | \$500.00 |
| 4.6.1 | Fail to properly maintain roof | \$500.00 |
| 4.6.3 | Fail to properly maintain eavestroughs or roof gutters | \$300.00 |
| 4.7.1 | Fail to properly maintain wall, ceiling, and floor surfaces | \$500.00 |
| 4.7.2 | Fail to ensure floor is properly maintained | \$500.00 |
| 4.7.3 | Fail to ensure floors are maintained so as to be impervious to water and readily clean | \$300.00 |
| 4.8 | Fail to properly maintain stairs, porches, balconies, and landings | \$500.00 |
| 4.9 (i) | Fail to equip kitchen area with a proper sink | \$300.00 |
| 4.9 (ii) | Fail to equip kitchen with suitable storage area | \$300.00 |
| 4.9 (iii) | Fail to equip kitchen with counter or work area of required size | \$300.00 |
| 4.9 (iv) | Fail to equip kitchen with space for cooking and refrigeration appliances | \$300.00 |
| 4.10.1 | Fail to equip dwelling unit with proper bathroom | \$500.00 |
| 4.10.2 | Fail to ensure bathroom accessible, enclosed, and provided with lockable door | \$500.00 |

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| 4.10.3 | Fail to provide proper entrance for shared bathroom | \$300.00 |
| 4.11.1 | Fail to supply fixtures with appropriate water supply | \$300.00 |
| Bylaw No. 06-2001 | | |
| Prescribe Standards for The Maintenance of the Physical Condition and Occupancy of Buildings and Property | | |
| Bylaw Section | Bylaw Section | Bylaw Section |
| 4.11.2 | Fail to provide dwelling with potable water | \$500.00 |
| 4.11.3 | Fail to properly maintain plumbing | \$300.00 |
| 4.11.4 | Fail to connect fixtures to sewage system in prescribed manner | \$500.00 |
| 4.11.5 | Fail to provide and maintain proper fixtures as required by bylaw | \$300.00 |
| 4.12.1 | Fail to wire dwelling or dwelling unit for electricity | \$500.00 |
| 4.12.1 | Fail to ensure dwelling or dwelling unit is connected to approved electrical supply system | \$500.00 |
| 4.12.2 | Fail to properly install and maintain electrical components | \$500.00 |
| 4.12.3 | Fail to provide electrical outlets | \$500.00 |
| 4.12.3 | Use extension cords on permanent basis | \$500.00 |
| 4.12.4 | Fail to provide permanent light fixture where required | \$300.00 |
| 4.12.5 | Fail to ensure light fixtures provide sufficient illumination | \$300.00 |
| 4.13.1 | Fail to provide suitable heating facilities | \$500.00 |
| 4.13.2 | Fail install and maintain fuel burning appliances, equipment, and accessories to CSA standards | \$500.00 |
| 4.13.3 | Fail to provide and maintain fuel receptacle to CSA standards | \$500.00 |
| 4.13.4 | Fail to provide adequate separation to prevent the passage of smoke, fumes, and gasses | \$500.00 |
| 4.13.5 | Fail to properly vent fuel burning appliance, equipment, and accessories | \$500.00 |
| 4.13.6 | Fail to properly install and maintain chimney, smoke pipe, flue, and vent | \$500.00 |
| 4.14.1 | Fail to provide approved fire alarm and fire detection system where required. | \$500.00 |
| 4.14.2 | Fail to provide approved smoke alarm | \$500.00 |
| 4.14.3 | Fail to ensure fire escape is maintained and free from obstructions | \$500.00 |
| 4.15.1 | Fail to provide continuous unobstructed passage to outside at street or grade level | \$500.00 |
| 4.15.2 | Fail to provide required exits | \$500.00 |
| 4.16 | Fail to provide window, skylight, or translucent panels admitting natural light where required | \$300.00 |
| 4.17.1 | Fail to provide adequate ventilation | \$400.00 |
| 4.17.2 | Fail to maintain mechanical ventilation system | \$400.00 |

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| 4.17.3 | Fail to provide adequate ventilation to enclosed areas | \$500.00 |
| 4.18 | Disconnect or cause to be disconnected a service or utility | \$300.00 |
| Bylaw No. 06-2001 Prescribe Standards for The Maintenance of the Physical Condition and Occupancy of Buildings and Property | | |
| Bylaw Section | Short Form Wording | Penalty Amount |
| 4.19.1 | Use or permit use of non-habitable room for habitable purpose | \$500.00 |
| 4.19.2 (i) | Fail to ensure habitable room complies with bylaw requirements | \$400.00 |
| 4.19.2 (ii) | Fail to ensure walls and floors are damp proof and impervious to water leakage | \$300.00 |
| 4.19.2 (iii) | Fail to provide suitable fire separation | \$500.00 |
| 4.19.2 (iv) | Fail to provide suitable access | \$300.00 |
| 4.19.2 (v) | Fail to provide adequate drainage and ventilation | \$500.00 |
| 5.1.1 | Fail to maintain non-residential yard to bylaw standards. | \$300.00 |
| 5.1.2 | Fail to maintain neat and orderly organization of materials and equipment | \$300.00 |
| 5.2.1 | Fail to provide proper surface covering for vehicular traffic and parking areas | \$300.00 |
| 5.2.1 | Fail to properly maintain vehicular traffic and parking areas | \$300.00 |
| 5.2.2 | Fail to maintain vehicular traffic, parking space, and similar areas in condition to afford safe passage | \$400.00 |
| 5.3 | Fail to provide sufficient lighting to premises | \$300.00 |
| 6.1.1 | Fail to maintain vacant land to bylaw standards | \$300.00 |
| 6.1.2 | Fail to adequately grade, fill, or otherwise drain vacant land so as to prevent ponding of water | \$300.00 |
| 6.2.1 | Fail to ensure vacant building is kept clear of garbage, rubbish, and debris. | \$300.00 |
| 6.2.1 | Fail to ensure utilities to vacant building are turned off | \$300.00 |
| 6.2.2 | Fail to properly board up vacant building | \$500.00 |
| 7.3.1 | Occupy, use, or permit usage of property that does not conform to prescribed standards | \$500.00 |
| 7.3.4 | Remove posted sign, notice, or placard without permission | \$500.00 |

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| Bylaw No. 07-2017 Regulate Traffic and to Govern and Control the Parking of Vehicles | | |
| Bylaw Section | Short Form Wording | Penalty Amount |
| 3.1.1 (a) | Improper parallel parking or stopping | \$50.00 |
| 3.2.1 (a) | Park or stop within 6 meters of intersection | \$50.00 |
| 3.2.1 (b) | Park or stop in front of public lane or driveway | \$100.00 |
| 3.2.1 (c) | Park or stop within 3 meters of fire hydrant | \$50.00 |

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|---|--|-----------------------|
| 3.2.1 (d) | Park or stop – double parked | \$50.00 |
| 3.2.1 (e) | Park or stop in direction opposite traffic flow | \$50.00 |
| Bylaw No. 07-2017 | | |
| Regulate Traffic and to Govern and Control the Parking of Vehicles | | |
| Bylaw Section | Short Form Wording | Penalty Amount |
| 3.2.1 (f) | Park or stop within 152 meters of in-use firefighting apparatus | \$300.00 |
| 3.2.1 (g) | Park or stop within 15 meters of railway level crossing | \$50.00 |
| 3.2.1 (h) | Park or stop alongside railway tracks | \$50.00 |
| 3.2.1 (i) | Park or stop for purposes of displaying vehicle for sale | \$100.00 |
| 3.2.1 (j) | Park or stop for purpose of washing, greasing, or repairing vehicle | \$50.00 |
| 3.2.1 (k) | Park or stop in position to prevent removal of other vehicle | \$100.00 |
| 3.2.1 (l) | Park or stop obstructing crosswalk | \$50.00 |
| 3.2.1 (m) | Park or stop impeding movement of traffic | \$100.00 |
| 3.2.1 (n) | Park or stop on bridge | \$50.00 |
| 3.2.1 (n) | Park or stop within 9 meters of approach to bridge | \$50.00 |
| 3.2.1 (o) | Park or stop – exceeding 2 hours – Ontario Street | \$50.00 |
| 3.3 (a) | Park in prohibited area – signs displayed | \$50.00 |
| 3.4.1 (a) | Stop vehicle on or over sidewalk or footpath | \$50.00 |
| 3.4.1 (b) | Stop on highway | \$50.00 |
| 3.4.1 (c) | Stop alongside or across from excavation or obstruction – impede flow of traffic | \$100.00 |
| 3.4.1 (d) | Stop on roadway side of stopped vehicle | \$50.00 |
| 3.4.1 (e) | Stop on bridge or elevated structure or within tunnel or overpass | \$50.00 |
| 4.2 (a) | Park in fire route | \$175.00 |
| 4.3 (a) (i) | Park on municipal property – no consent | \$50.00 |
| 4.3 (a) (viii) | Park on municipal property – commuting | \$50.00 |
| 4.4 (a) | Park on untravelled portion of highway – over 48 hours | \$75.00 |
| 5.0 (a) | Park, stand, or stop in handicapped parking space – no permit displayed | \$300.00 |
| 6.0 (a) | Park on highway – designated snow removal period | \$150.00 |
| 6.0 (b) | Park so as to obstruct snow removal | \$150.00 |

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SCHEDULE "C" to Bylaw 2022-24

Being A Bylaw to Implement an Administrative Monetary Penalty
System in the Municipality of The Village of Burk's Falls

Administrative Fees

| ITEM | Administrative Fee | Amount |
|------|------------------------------|----------|
| 1 | Late Payment Fee | \$25.00 |
| 2 | MTO Plate Denial Fee | \$20.00 |
| 3 | MTO Search Fee | \$10.00 |
| 4 | Screening Non-appearance Fee | \$50.00 |
| 5 | Hearing Non-appearance Fee | \$150.00 |