



## CITY OF DAUPHIN

### BYLAW NUMBER 12/2016

#### BEING A BYLAW OF THE CITY OF DAUPHIN TO PROVIDE FOR COMPLIANCE OF BYLAWS

---

**WHEREAS** Section 232(1)(o) of *The Municipal Act* allows municipalities to pass a bylaw to enforce bylaws of that municipality;

**AND WHEREAS** Section 236(1) of *The Municipal Act* allows for municipalities to include provisions in a bylaw to create fines for committing offences, which can be collected in any manner in which a tax may be collected or enforced under the *Act*;

**AND WHEREAS** it is deemed expedient and in the public interest to provide a bylaw allowing a designated officer who believes that a person has committed an offence to issue a fine;

**AND WHEREAS** Section 249(2) of *The Municipal Act* indicates that when a contravention continues for more than one day, the person is guilty of a separate offence each day it continues;

**NOW THEREFORE** the Council of the City of Dauphin, duly assembled, enacts as follows:

1. This bylaw is known as the **Compliance Bylaw**.
2. Anyone who contravenes, or does not comply, or improperly complies, or only partly complies with any provision of a bylaw of the City of Dauphin commits an offence. Without restricting the generality of the foregoing, Schedule A hereto contains the listing of offences which qualify as compliance violations. Violations that fall under the "other" category as listed in Schedule A hereto shall include but not be limited to the offences as set out in Schedule B hereto.
3. Anyone who commits an offence as indicated in Item 2 of this bylaw is guilty of that offence and is liable to a fine as set out in this bylaw, the City of Dauphin's Fees and Charges Bylaw, and/or any other bylaw of the City of Dauphin.
4. The following procedure shall apply for offences committed under Item 2 of this bylaw:
  - a. A designated officer may issue a Fine Notice of bylaw violation, in a form as set out in Schedule C hereto, levying the applicable fine as indicated, to any person committing an offence under Item 2 of this bylaw.
  - b. Notwithstanding a minimum fine which may have been established in a bylaw, the Fine Notice shall require the person to pay to the City of Dauphin the amount set out in Item 3 of this

Bylaw as a fine within 30 days of the alleged offence and the method of payment shall be as set out on the Fine Notice.

- c. If payment of the fine is not made within 30 days of issuance, the outstanding debt may be added to the property taxes. In addition to all other rights of collection that the City may have at law, such amounts may be collected by the City in the same manner as a tax may be collected or enforced under *The Municipal Act*.
5. A designated officer may issue a warning on the Fine Notice, for which no prosecution will be carried out and no fine will be levied.
6. Where a contravention, non-compliance, improper compliance, or partial compliance continues for more than one day, the person is guilty of a separate offence for each day it continues.
7. This bylaw shall be in force starting January 1, 2017.

**DONE AND PASSED** by the Council of the City of Dauphin duly assembled this 12<sup>th</sup> day of December, 2016.



Eric Irwin, Mayor



Brad D. Collett, Chief Administrative Officer

READ A FIRST TIME this 28<sup>th</sup> day of November, 2016.  
READ A SECOND TIME this 12<sup>th</sup> day of December, 2016.  
READ A THIRD TIME this 12<sup>th</sup> day of December, 2016.

**CITY OF DAUPHIN  
Schedule "A"**

<b>Ticket Code</b>	<b>Offence</b>	<b>Bylaw Reference</b>
<b>10</b>	Unacceptable Material Placed in Container for Disposal/Removal	Waste and Recycling Management Bylaw
<b>20</b>	Amount of Waste Exceeds the Volume Capacity of the Rolling Waste Container (lid cannot close)	Waste and Recycling Management Bylaw
<b>30</b>	Amount of Waste Exceeds the Weight Capacity of the Rolling Waste Container (greater than 100 kg/220 lbs)	Waste and Recycling Management Bylaw
<b>40</b>	Material Placed Outside of the Container	Waste and Recycling Management Bylaw
<b>50</b>	Container not Stored Properly Between Collection Days	Waste and Recycling Management Bylaw
<b>60</b>	Civic Address not Displayed on Property	Zoning Bylaw
	Other (specify):	

**CITY OF DAUPHIN  
Schedule "B"**

Violations that may be included in the Other Category

<b>Ticket Code</b>	<b>Offence</b>	<b>Bylaw Reference</b>
100	Litter blowing onto Public Property from Private Property	Property Standards Bylaw
110	Depositing Snow/Leaves/Debris from Private Property onto Public Property	Property Standards Bylaw
120	Failure to Remove Snow/Ice from Sidewalk Adjacent to Private Property	Property Standards Bylaw
130	Failure to Remove Maintain Boulevard Adjacent to Private Property	Property Standards Bylaw
140	Untidy Property	Property Standards Bylaw
150	Derelict Vehicle	Property Standards Bylaw
160	Trees/Shrubs Obstructing Sidewalk/Street/Lane	Property Standards Bylaw
170	Storage Container/Semi-Trailer Used for Storage in Residential Zone	Zoning Bylaw

CITY OF DAUPHIN  
Schedule "C"



**FINE NOTICE**

The undersigned, being a Designated Officer, says that (s)he has reasonable and probably grounds to believe, and does believe, that at Dauphin, Manitoba, on the:

			Ticket #
Day	Month	Year	Time
Name			Date of Issue
Address			
Plate #	Prov	Make	Colour
Location & Details of Offence			

did unlawfully commit the offence indicated below:

Ticket Code	Offence	Fine
10	Unauthorized Material Placed in the Recycling/Waste Container for Removal/Disposal	\$50.00
20	Amount of Waste Exceeds the Volume Capacity of the Waste Container (lid cannot close)	\$50.00
30	Amount of Waste Exceeds the Weight Capacity of the Waste Container (greater than 100 kg/220 lbs)	\$50.00
40	Material Placed Outside of the Recycling/Waste Container	\$50.00
50	Recycling/Waste Container not Stored Properly Between Collection Days	\$50.00
60	Civic Address not Displayed on Property	\$25.00
	Other (specify)	

contrary to City of Dauphin bylaws. Signed on the date of the violation at Dauphin, Manitoba.

Designated Officer Signature	<b>FINE PAYABLE WITHIN 30 DAYS OF DATE OF ISSUE</b>
Payable by mail, in person, or by after-hours drop box Cash, Debit, Cheque, or Money Order Monday - Friday 9:00 am to 4:30 pm	Payable to: City of Dauphin 100 Main Street South Dauphin, MB R7N 1K3 204-622-3200
In addition to all other rights of collection that the City may have at law, such amounts may be collected by the City in the same manner as a tax may be collected or enforced under <i>The Municipal Act</i> and added to the owner's taxes.	