

RURAL MUNICIPALITY OF SHERWOOD NO. 159

BYLAW NO. 29/15

GENERAL OFFENCE AND PENALTY BYLAW

Whereas, pursuant to subsection 8(2) of *The Municipalities Act*, a council of a rural municipality is authorized to make bylaws creating offences and providing for the imposition of penalties for their commission; and

Whereas it is necessary and advisable to provide generally for offences and penalties for the contravention of any bylaws of the rural municipality and to provide for the use of summary offence tickets;

NOW THEREFORE, the Council of the Rural Municipality of Sherwood No. 159, in the Province of Saskatchewan, enacts as follows:

Title

1. This Bylaw may be referred to as the *General Offence and Penalty Bylaw*.

General offence and penalty

2. Any person who contravenes any provision of any bylaw of the municipality for which no other penalty is specifically provided is guilty of an offence and liable on summary conviction:
 - (a) in the case of an individual who is convicted of:
 - (i) a first offence, to a fine of not more than \$1,000;
 - (ii) a second offence, to a fine of not more than \$5,000, to imprisonment for a term of not more than six months, or to both such fine and imprisonment;
 - (iii) a third or subsequent offence, to a fine of not more than \$10,000, to imprisonment for a term of not more than one year, or to both such fine and imprisonment;
 - (b) in the case of a corporation that is convicted of:
 - (i) a first offence, to a fine of not more than \$5,000;
 - (ii) a second offence, to a fine of not more than \$10,000;
 - (iii) a third or subsequent offence, to a fine of not more than \$25,000.

Liability of directors and officers of corporations

3. Where an offence is committed by a corporation, the directors or officers of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence are guilty of the offence and liable on summary conviction to the penalties mentioned in clause 3(a) whether or not the corporation has been prosecuted or convicted.

Continuing offences

4. Where an offence is a continuing offence, the maximum daily fine is \$2,500.

Amendments to other bylaws

5. The Bylaws of the municipality listed in the first column of the following table are amended in the manner set out opposite each Bylaw in the second column:

Bylaw #, Title and section number	Description of Amendment
122 A Bylaw of the Rural Municipality of Sherwood No. 159 relating to the planting of trees or shrubs or the placing of stone, earth or gravel piles and other objects adjacent to certain highways, s. 8	s. 8 is repealed
3-73-3 A Bylaw of the Rural Municipality of Sherwood No. 159 to Prohibit the Discharge of Firearms, s. 6	s. 6 is repealed
6-73-6 A Bylaw respecting the Restraining of Animals from Running at Large, s. 4	s. 4 is repealed
04/90 A Bylaw of the Rural Municipality of Sherwood No. 159 to Enforce the Use of Covers on Trucks etc. under <i>The Noxious Weeds Act</i> , s. 4	s. 4 is repealed
03/91 A Bylaw of the Rural Municipality of	s. 3 is repealed

Sherwood No. 159 to Establish a Haying Policy, s. 3	
2/00 A Bylaw to Control Dangerous Dogs, s. 5	s. 5 is repealed
3/00 A Bylaw to Regulate the Running at Large of Animals, ss. 5 to 7	ss. 5, 6 and 7 are repealed
1/04 A Bylaw of the Rural Municipality of Sherwood No. 159 to provide for the Licensing of Operators of Mobile Home Parks or Courts, Trailer Parks or Courts pursuant to clause 213(1)(e) of <i>The Rural Municipality Act, 1989</i> , s. 9	s. 9 is repealed
03/05 A Bylaw of the Rural Municipality of Sherwood No. 159 to Prohibit the Use of Engine Retarder Brakes, s. 2	s. 2 is repealed
04/05 A Bylaw of the Rural Municipality of Sherwood No. 159 to Prohibit the Raising or Harboring of Rats as a Commercial Enterprise, s. 2	s. 2 is repealed
06/09 A Bylaw to Licence the Extraction of Gravel from Gravel Pits, s. 8	s. 8 is repealed
13/12 <i>Waterworks Bylaw</i> , s. 7	s. 6(b) is amended by striking out “Anyone caught doing so will be fined as set out in the amount in Section 7”. s. 6(c) is amended by striking out “Anyone who tampers with bypass valve or locks on the metering system will be subject to the fine set out in Section 7 of this bylaw”. s. 6(d) is amended by striking out “Every person found guilty of an infraction of any restriction imposed by authority of this Section, shall be subject to the penalty and/or fine imposed by this Bylaw as set out in Section 7”. s. 7(a)(i) and (ii) and 7(d) are repealed
28/12 A Bylaw of the Rural Municipality of Sherwood No. 159 to Provide for the Licensing of Occupants of Mobile Dwellings, s. 9	s. 9 is repealed

Coming into force

6. This Bylaw comes into force on the day on which it is passed.

READ A FIRST TIME this 17 day of December, 2015

READ A SECOND TIME this _____ day of _____, 2016

READ A THIRD TIME AND ADOPTED this _____ day of _____, 2016

Reeve

[SEAL]

Administrator