

## BY-LAW NUMBER 2025-47

### THE CORPORATION OF THE TOWNSHIP OF RIDEAU LAKES

**BEING** a By-Law to impose Administrative Monetary Penalties (AMPs) on violations of Municipal By-Laws.

**WHEREAS** the Municipal Act, 2001, as amended, authorize municipalities to establish an administrative monetary penalty system requiring a person to pay an administrative penalty for contravention of any designated By-Law;

**AND WHEREAS** the Council of the Corporation of the Township of Rideau Lakes considers it desirable and necessary to provide for a system of administrative penalties and administrative fees for the designated Township By-Laws or portions of a designated Township By-Law;

**AND WHEREAS Section 434.1 (1)** of the Municipal Act, 2001, provides that without limiting Sections 9, 10 and 11, a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a By-Law of the municipality passed under this Act;

**NOW THEREFORE** the Council of the Corporation of the Township of Rideau Lakes enacts as follows:

1. For the purposes of this By-Law
  - a) "CAO" shall mean the Chief Administrative Officer or their designate.
  - b) "Screening Officer" shall mean the Municipal Clerk/designate.
  - c) "Hearing Officer" shall be an impartial person outside of the organization and shall be appointed by the CAO when required.
  - d) That the following along with Schedules "A" and "B" as attached hereto be approved and adopted.
  - e) That Schedules 'A' and 'B' to this By-Law may be updated from time to time as deemed desirable by Resolution of Council.
  - f) That any other By-Laws, Resolutions, Motions or Actions of Council that are in contravention of this By-Law are hereby repealed.

#### **1. By-Laws subject to Administrative Monetary Penalty (AMP)**

- 1.1. Any and all schedules attached and forming part of this By-Law shall be subject to penalties as outlined in Section 1.2 below.
- 1.2. Any person who contravenes this By-Law is liable to pay an Administrative Monetary Penalty (AMP) in an amount as outlined in the relevant schedule(s) to this By-Law, in accordance with this By-Law, provided that an offence notice under the *Provincial Offences Act* has not been issued for the same person for the same offence on the same day.

#### **2. Administrative Monetary Penalty Notice**

- 2.1. Subject to Section 3, each Person who contravenes this By-Law shall, if given an Administrative Monetary Penalty Notice (hereinafter referred to as "Penalty Notice"), be liable to pay to the Township of Rideau Lakes (hereinafter the



“Township”) an Administrative Monetary Penalty as outlined in the relevant schedule(s) to this By-Law.

- 2.2. Any person designated to enforce this By-Law (hereinafter an “Officer”) who has reasonable grounds to believe that a person has contravened any provision of this By-Law may give to the person a Penalty Notice.
- 2.3. The Penalty Notice shall be given to the person as soon as is reasonably practicable after the contravention has occurred and shall include the following information:
  - a. the date the Penalty Notice is given;
  - b. a reference number that is unique to that Penalty Notice;
  - c. particulars of the contravention, including the date and location of the contravention, and the person(s) to whom the Penalty Notice is being given;
  - d. the monetary amount of the Administrative Penalty;
  - e. such information as the CAO determines is appropriate respecting the process by which the Person may exercise the Person’s right to request a review of the Administrative Penalty; and
  - f. a statement advising that an Administrative Penalty will, unless cancelled or reduced pursuant to the review and appeal processes, constitute a debt of the Person to the Township.
- 2.4. A person who is given a Penalty Notice may request that the Administrative Penalty be reviewed by a Screening Officer pursuant to Section 3.

### **3. Review by Screening Officer**

- 3.1. Section 3 applies to reviews of an Administrative Penalty by a Screening Officer.
- 3.2. A person’s right to request a review expires if it has not been exercised in the manner prescribed in Section 3.4 before 4:30 p.m. on the fifteenth (15<sup>th</sup>) day after the Penalty Notice is deemed to have been received pursuant to Section 5.
- 3.3. A person’s right to request an extension of the time to request a review expires if it has not been exercised in the manner prescribed in Section 3.4 before 4:30 p.m on the tenth (10<sup>th</sup>) day after the date the Penalty Notice is deemed to have been received pursuant to Section 5, at which time:
  - a. the person shall be deemed to have waived the right to request a review;
  - b. the Administrative Penalty shall be deemed to be affirmed; and
  - c. the Administrative Penalty shall not be subject to review, including review by any Court.

No extension granted under this Section will extend beyond the thirtieth (30<sup>th</sup>) day after the date receipt of the Penalty Notice is deemed to have occurred pursuant to Section 5.



- 3.4. A person's rights to request a review and/or to request an extension of time to request a review are exercised by giving to the Township written notice of such request(s) that includes:
  - a. the Penalty Notice Number;
  - b. the person's mailing address and, if applicable, facsimile transmission number and/or e-mail address;
  - c. in the case of a request to extend the time to request a review, the reasons, if any, for having failed to exercise the right to request a review within the time limited by Section 3.2; and
  - d. in the case of a request to review, the particulars of all grounds upon which the request to review is based.
- 3.5. The Screening Officer shall undertake the review upon receipt of the request for review and may request further information from the person requesting the review as needed, and any time limit for the review may be adjusted in the Screening Officer's sole discretion.
- 3.6. The Screening Officer may
  - a. receive submissions from the Officer who issued the Penalty Notice under review; and
  - b. cancel, reduce or extend the time for payment of the Administrative Penalty where the Screening Officer is satisfied that doing so would maintain the general intent and purpose of this By-Law and that:
    - (i) there is reason to doubt that the person contravened this By-law; or that
    - (ii) the person took all reasonable steps to prevent the contravention; or that
    - (iii) the cancellation, reduction or extension of the time for payment is necessary to relieve undue financial hardship.
- 3.7. The Screening Decision shall be given to the person in writing as soon as is reasonably practicable.
- 3.8. The person may appeal to a Hearing Officer against the Screening Decision pursuant to Section 4.

#### **4. Appeal to Hearing Officer**

- 4.1. Section 4 applies to appeals to a Hearing Officer against Screening Decisions:
- 4.2. The right to appeal is limited to the following:
  - a. a person who has been given a Screening Decision; or
  - b. the CAO.
- 4.3. A Person's right to appeal expires if it has not been exercised in the manner prescribed in Section 4.5 before 4:30 p.m. on the fifteenth (15<sup>th</sup>) day after the Screening Decision Date.
- 4.4. A person's right to request an extension of the time to appeal expires if it has not been exercised in the manner prescribed in Section 4.5 before 4:30 p.m. on the tenth (10<sup>th</sup>) day after the Screening Decision Date at which time:



- a. the person shall be deemed to have waived the right to appeal;
- b. the Screening Decision and the Administrative Penalty as it may have been affected by the Screening Decision shall be deemed to be affirmed; and
- c. the Screening Decision and the Administrative Penalty as it may have been affected by the Screening Decision shall not be subject to review, including review by any Court.

No extension granted under this Section will extend beyond the Thirtieth (30<sup>th</sup>) day after the Screening date.

- 4.5. A right to appeal is exercised by giving to the Township written notice of the appeal that includes:
  - a. the Penalty Notice Number;
  - b. the person's mailing address and, if applicable, facsimile transmission number and/or e-mail address;
  - c. in the case of a request to extend the time to appeal, the reasons, if any, for having failed to exercise the right to appeal within the time limited by Section 4.3; and
  - d. particulars of all grounds upon which the appeal is made.
- 4.6. The person shall be given no fewer than seven (7) days' notice of the date, time and place of the hearing of the appeal.
- 4.7. Where the Person fails to appear at the time and place scheduled for a hearing of the appeal:
  - a. the Person shall be deemed to have abandoned the appeal;
  - b. the Screening Decision and the Administrative Penalty as it may have been affected by the Screening Decision shall be deemed to be affirmed;
  - c. the Screening Decision and the Administrative Penalty as it may have been affected by the Screening Decision shall not be subject to review, including review by any Court; and
  - d. the person shall pay to the Township an additional Fee for failure to appear in the amount of \$100.
- 4.8. Except in the case of a person who is deemed to have abandoned their appeal, a Hearing Officer shall not make any decision respecting an appeal unless the Hearing Officer has given each person, the CAO and the Officer who gave the Penalty Notice an opportunity to be heard at the time and place scheduled for the hearing of the appeal.
- 4.9. Subject to Sections 4.4, 4.7 and 4.8, a Hearing Officer may:
  - a. extend the time to request an appeal; and may
  - b. make any decision that the Screening Officer could have made pursuant to this By-Law.
- 4.10. The decision of a Hearing Officer is final and not subject to review including review by any Court.



## **5. Notice**

- 5.1. Subject to Section 5.3, any notice or document respecting this By-Law, including the Penalty Notice, may be given in writing in any of the following ways and is effective:
  - a. when a copy is placed on or affixed in any manner to a Person's vehicle;
  - b. when a copy is delivered to the person to whom it is addressed;
  - c. on the third (3<sup>rd</sup>) day after a copy is sent by registered mail or by regular lettermail to the person's last known address;
  - d. upon the conclusion of the transmission of a copy by facsimile transmission to the person's last known facsimile transmission number; or
  - e. upon the sending of the notice or document or a copy thereof by e-mail transmission to the person's last known e-mail address.
- 5.2. For the purpose of Section 5.1, a person's last known address, last known facsimile transmission number and last known e-mail address are deemed to include those provided by the person pursuant to paragraphs 3.4(b) and 4.5(b).
- 5.3. Any notice or document respecting this By-Law to be given to the Township shall be in writing, shall be given in any of the following ways, and is effective:
  - a. when a copy is delivered to the Clerk of the Township during regular business hours at its reception area, at 1439 County Road 8, Delta, Ontario
  - b. on the third (3<sup>rd</sup>) day after a copy is sent by registered mail or by regular lettermail to "Administrative Penalties, Township of Rideau Lakes , c/o Township Clerk, 1439 County Road 8, Delta, ON, K0E 1G0"; or
  - c. upon the conclusion of the transmission of a copy by facsimile transmission to 613-928-3097.

## **6. Financial Administration**

- 6.1. No Officer who gives a Penalty Notice may accept payment of the Administrative Penalty respecting that Penalty Notice.
- 6.2. An Administrative Penalty that is affirmed or reduced or in respect of which the time for payment has been extended pursuant to this By-Law is due and payable and constitutes a debt to the Township of each person to whom or to which the Penalty Notice was given.
- 6.3. The Township may add to the Tax roll of any person who fails to pay an Administrative Penalty the amount of the Administrative Penalty, including any additional penalties imposed under this By-Law, and collect all amounts in the same manner as municipal taxes.
- 6.4. Where a person has paid an Administrative Penalty or an administrative fee that is then cancelled or reduced pursuant to this By-Law, the Township shall refund the amount cancelled or reduced.
- 6.5. Where an Administrative Penalty or any administrative fees respecting that Administrative Penalty are not paid within fifteen (15) days after the date that they become due and payable, each person to whom the Penalty Notice was



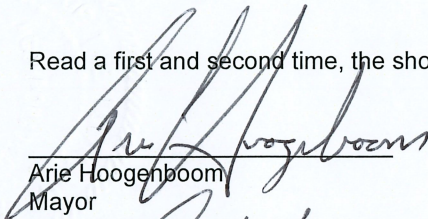
given shall pay to the Township an additional Fee for late payment in an amount of \$50.

**7. General**

- 7.1. The CAO may appoint a Screening Officer and Hearing Officer such individuals and on such terms as the CAO considers appropriate.
- 7.2. Nothing in this By-Law limits the Township's right to enforce this By-Law by any other legal means or to use any other process of enforcement available under law.

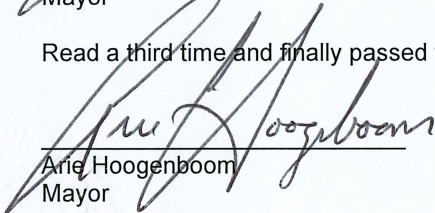
**AND FURTHER** that this By-Law shall come into force and take effect on the date of passing.

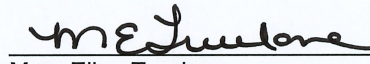
Read a first and second time, the short way, this 7<sup>th</sup> day of April, 2025

  
Arie Hoogenboom  
Mayor

  
Mary Ellen Truelove  
Clerk

Read a third time and finally passed this 7<sup>th</sup> day of APRIL, 2025.

  
Arie Hoogenboom  
Mayor

  
Mary Ellen Truelove  
Clerk



## **Schedule A**

1. Township of Rideau Lakes, By-Law Number 2006-85, A By-Law to Provide For The Safety Of Properties In The Municipality, as amended from time to time.
3. Township of Rideau Lakes, By-Law 2019-60, A By-Law To Regulate Backyard Chickens In Residential Areas, as amended from time to time.
4. Township of Rideau Lakes, By-Law 2012-03, A By-Law To Provide For Prohibiting Or Regulating The Keeping Of Animals Within The Corporation Of The Municipality, As amended from time to time.
5. Township of Rideau Lakes, By-Law 2003-108, A By-Law To Prohibit The Being At Large Or Trespassing Of Any Animal Excluding Dogs and Cats, Within The Corporation Of The Municipality, As amended from time to time.
6. Township of Rideau Lakes, By-Law 2002-07, A By-Law To Prohibit And To Regulate Noise Within The Township Of Rideau Lakes, As amended from time to time.
7. Township of Rideau Lakes, By-Law 2019-16, A By-Law To Prescribe The Precautions And Conditions Under Which Fires May Be Set In Open Air, Within The Corporation Of The Municipality, As amended from time to time.
8. Township of Rideau Lakes, By-Law 2007-46, A By-Law To Prohibit The Throwing, Placing, or Depositing Of Refuse Or Debris On Lands Within The Township Of Rideau Lakes, As amended from time to time.



**Schedule B**

<b>By-Law Number 2006-85, A By-Law to Provide For The Safety Of Properties In The Municipality</b>		
<b>By-Law Section</b>	<b>Short Wording</b>	<b>Penalty Amount</b>
2 (a)	Permit Rubbish, garbage, waste and other debris on the property, or which may blow or drift or otherwise be transported onto neighbouring properties	\$50,00
2 (b)	Permit Long grass, discarded brush and clippings, excessive weed growth, or any other condition that may promote or be susceptible to fire or infestation by weeds, rodents or other noxious conditions;	\$50,00
2 (c)	Permit Timber, lumber, building materials or any other type of product or material stored or kept under conditions that are unsafe from fire or other dangerous risk or accident	\$50,00
2 (d)	Permit Scrap and junk material including without limiting its generality, wrecked, dismantled, unused, unlicensed or non-restorable vehicles, trailers, machinery, tools, tires, appliances, equipment or any part thereof, except in an established licensed or permitted to conduct and operate such a business, and only then under circumstances that prevent unsafe or unsightly conditions	\$50,00
2 (e)	Permit Any pit, precipice, excavation or deep waters that are unfenced or unprotected against dangerous risk or accident	\$50,00
2 (f)	Permit Buildings, fences, scaffolding, retaining walls or any other erection that, by reason to its ruinous or dilapidated state, faulty construction or otherwise, is in an unsafe condition as regards danger from fire or risk of accident	\$50,00
2 (g)	Permit Any combustible, flammable, volatile, caustic or explosive substance unless stored under conditions that are safe and free from risk of fire or accident	\$50,00
	Obstruct an Officer	\$500.00
	Continued failure to remedy an order. (AMP may be issued once in every seven-day period when compliance is not achieved by prescribed date)	\$500.00
	Administrative Penalty Fee – Failing to pay the AMP by the date on which it is due.	\$50.00
	Administrative Penalty Fee – Failing to appear for a hearing before the Hearings Officer.	\$100.00
	Screening Officer Appeal Fee	\$50.00
	Hearing Officer Appeal Fee	\$200.00



<b>By-Law 2019-60, A By-Law To Regulate Backyard Chickens In Residential Areas</b>		
<b>By-Law Section</b>	<b>Short Wording</b>	<b>Penalty Amount</b>
Sec.2, 1 (b)	Permit more than maximum allowable chickens	\$50.00
Sec.2, 1 (c)	Coop larger than maximum size, 10sqm.	\$50.00
Sec.2, 1 (h)	Manure not stored in enclosed structure	\$50.00
	Obstruct an Officer	\$500.00
	Continued failure to remedy an order. (AMP may be issued once in every seven-day period when compliance is not achieved by prescribed date)	\$500.00
	Administrative Penalty Fee – Failing to pay the AMP by the date on which it is due.	\$50.00
	Administrative Penalty Fee – Failing to appear for a hearing before the Hearings Officer.	\$100.00
	Screening Officer Appeal Fee	\$50.00
	Hearing Officer Appeal Fee	\$200.00



**By-Law 2012-3, A By-Law To Provide For Prohibiting Or Regulating The Keeping Of Animals Within The Corporation Of The Municipality**

<b>By-Law Section</b>	<b>Short Wording</b>	<b>Penalty Amount</b>
Section #2 (b)	Fail to register dog.	\$75.00
Section #2 (g)	Fail to affix tag to dog	\$75.00
Section # 3 (a)	Operate kennel without licence	\$250.00
Section #5 (a)	Permit dog to become a public nuisance	\$125.00
Section # 6 (c)	Allow dog to run at large	\$95.00
Section # 8 (d)	Permit dog to attack or bite any person, dog or domestic animal.	\$250.00
Section # 9 (a)	Fail to remove dog excrement	\$50.00
Section # 8 (a)	Fail to secure vicious dog	\$250.00
	Obstruct an Officer	\$500.00
	Continued failure to remedy an order. (AMP may be issued once in every seven-day period when compliance is not achieved by prescribed date)	\$500.00
	Administrative Penalty Fee – Failing to pay the AMP by the date on which it is due.	\$50.00
	Administrative Penalty Fee – Failing to appear for a hearing before the Hearing Officer.	\$100.00
	Screening Officer Appeal Fee	\$50.00
	Hearing Officer Appeal Fee	\$200.00



**By-Law 2003-108, A By-Law To Prohibit The Being At Large Or Trespassing Of Any Animal Excluding Dogs and Cats, Within The Corporation Of The Municipality**

<b>By-Law Section</b>	<b>Short Wording</b>	<b>Penalty Amount</b>
Section 1	Cause or permit animal to be at large or trespass in the municipality	\$250.00
	Obstruct an Officer	\$500.00
	Continued failure to remedy an order.  (AMP may be issued once in every seven-day period when compliance is not achieved by prescribed date)	\$500.00
	Administrative Penalty Fee – Failing to pay the AMP by the date on which it is due.	\$50.00
	Administrative Penalty Fee – Failing to appear for a hearing before the Hearings Officer.	\$100.00
	Screening Officer Appeal Fee	\$50.00
	Hearing Officer Appeal Fee	\$200.00



**By-Law 2002-07, A By-Law To Prohibit And To Regulate Noise Within The Township Of Rideau Lakes**

<b>By-Law Section</b>	<b>Short Wording</b>	<b>Penalty Amount</b>
Sec. 2	Emit, cause or permit the emission of noise resulting from an act listed herein, and which noise is clearly audible at a point of reception.	\$50.00
Sec. 3	Emit, cause or permit the emission of noise resulting from any act listed in schedule 1	\$200.00
	Obstruct an Officer	\$500.00
	Continued failure to remedy an order.  (AMP may be issued once in every seven-day period when compliance is not achieved by prescribed date)	\$500.00
	Administrative Penalty Fee – Failing to pay the AMP by the date on which it is due.	\$50.00
	Administrative Penalty Fee – Failing to appear for a hearing before the Hearings Officer.	\$100.00
	Screening Officer Appeal Fee	\$50.00
	Hearing Officer Appeal Fee	\$200.00



**By-Law 2019-16, A By-Law To Prescribe The Precautions And Conditions Under Which Fires May Be Set In Open Air, Within The Corporation Of The Municipality**

<b>By-Law Section</b>	<b>Short Wording</b>	<b>Penalty Amount</b>
Sec. 2.3(b)	Burn prohibited material(s).	\$ 200.00
Sec. 2.3(c)	Burn material(s) in a Municipal Park.	\$125.00
Sec. 2.3(i)	Burn material(s) without an activated permit for an Open-Air Burn.	\$200.00
Sec. 2.3(i)	Set out a "Campfire" or "Cooking Fire" that does not meet the defined description.	\$125.00
Sec. 2.6	Burn material(s) with a size greater than 3 metres x 3 metres x 3 metres (10' wide x 10' long x 10' high).	\$200.00
Sec. 2.7	Burn more than one pile at the same time.	\$125.00
Sec. 2.7	Burn in more than one incinerator at the same time.	\$125.00
Sec. 2.3 (e)	Burn material(s) closer than 15 metres (49.5 feet) to a fence.	\$125.00
Sec. 2.3 (e)	Burn material(s) closer than 15 metres (49.5 feet) to a hedge.	\$125.00
Sec. 2.3 (e)	Burn material(s) closer than 15 metres (49.5 feet) to a building.	\$125.00
Sec. 2.3 (e)	Burn material(s) closer than 15 metres (49.5 feet) to a structure.	\$125.00
Sec. 2.3 (e)	Burn material(s) closer than 15 metres (49.5 feet) to a roadway.	\$125.00
Sec. 2.3 (f)	Burn material(s) closer than 15 metres (49.5 feet) from combustible material(s).	\$125.00
Sec. 2.3 (e)	Burn material(s) closer than 15 metres (49.5 feet) to overhead wiring.	\$125.00
Sec. 2.3 (g)	Permit holder failed to supervise an open fire.	\$100.00
Sec. 2.3 (d)	Set or maintain a fire in side yard of commercial property.	\$125.00
Sec. 2.3 (d)	Set or maintain a fire in front yard of commercial property.	\$125.00
Sec. 2.3 (d)	Set or maintain a fire in side yard of industrial property.	\$125.00
Sec. 2.3 (d)	Set or maintain a fire in front yard of industrial property.	\$125.00
Sec. 2.3 (g)	Fail to supervise a fire.	\$200.00
Sec. 2.3 (j)	Set or maintain a fire when a fire ban is in place.	\$500.00
	Obstruct an Officer	\$500.00



	Continued failure to remedy an order. (AMP may be issued once in every seven-day period when compliance is not achieved by prescribed date)	\$500.00
	Administrative Penalty Fee – Failing to pay the AMP by the date on which it is due.	\$50.00
	Administrative Penalty Fee – Failing to appear for a hearing before the Hearing Officer.	\$100.00
	Screening Officer Appeal Fee	\$50.00
	Hearing Officer Appeal Fee	\$200.00



**By-Law 2007-46, A By-Law To Prohibit The Throwing, Placing, or Depositing Of Refuse Or Debris On Lands Within The Township Of Rideau Lakes**

<b>By-Law Section</b>	<b>Short Wording</b>	<b>Penalty Amount</b>
Section 2	Throw debris on property within the municipality	\$500.00
Section 2	Place debris on property within the municipality	\$500.00
Section 2	Deposit debris on property within the municipality	\$500.00
Section 2	Throw refuse on property within the municipality	\$500.00
Section 2	Place refuse on property within the municipality	\$500.00
Section 2	Deposit refuse on property within the municipality	\$500.00
	Obstruct an Officer	\$500.00
	Continued failure to remedy an order. (AMP may be issued once in every seven-day period when compliance is not achieved by prescribed date)	\$500.00
	Administrative Penalty Fee – Failing to pay the AMP by the date on which it is due.	\$50.00
	Administrative Penalty Fee – Failing to appear for a hearing before the Hearings Officer.	\$100.00
	Screening Officer Appeal Fee	\$50.00
	Hearing Officer Appeal Fee	\$200.00