

COMPLIANCE BY-LAW NO. 1735-2007

BEING A BY-LAW of The City of Thompson to provide a more effective means for ensuring compliance with City By-laws and is to be known as the "Compliance By-law".

WHEREAS The City of Thompson is empowered under The Summary Convictions Act, L.M. 1985-86, to prosecute by offence notice;

AND WHEREAS it is deemed expedient and in the public interest to provide legislation allowing a peace officer and/or by-law enforcement officer who believes that a person has committed an offence to commence prosecution for the offence by completing and delivering to the person alleged to have committed the offence the summons part of an offence notice;

NOW THEREFORE the Council of The City of Thompson, duly assembled, enacts as follows:

- 1. (a) Everyone who contravenes, or does not comply, or improperly complies, or only partly complies with any provision of an Act of the Legislature, a by-law of the municipality or a regulation commits an offence. Without restricting the generality of the foregoing, Schedule "A" hereto contains a listing of offences which qualify as compliance violations.**
- (b) Violations that fall under the "Other" category as listed on Schedule "A" hereto shall include but not be limited to the offences as set out in Schedule "C" hereto.**
- (c) Everyone who commits an offence under subsection (a) is guilty of a summary offence and liable to a fine as set out in the City's annual fee schedule.**
- (d) The following procedure shall apply for offences committed under subsection (a):**
 - (1) A peace officer or by-law enforcement officer may issue an Information and Summons Offence Notice of by-law violation, in a form as set out in Schedule "B" hereto, levying the applicable fine as set out in the City's annual fee schedule, to every person committing an offence under subsection (a).**
 - (2) Notwithstanding a minimum fine which may have been established in a by-law, the Information and Summons Offence Notice shall require the person to pay to the City the amount set out in subsection (b) as a fine within 15 days of the alleged offence and the method of payment shall be as set out on the Information and Summons Offence Notice.**

- (3) If payment of the fine is made as provided in this section prior to the date when the person contravening the by-law is required to appear in Court to answer a charge, the person shall not be liable for prosecution for that offence.
- (e) A peace officer or by-law enforcement officer may issue a warning ticket on the Information and Summons Offence Notice for which no prosecution will be carried out and no fine shall be levied, if the person has not previously been charged with an offence pursuant to the same provision.
2. (a) Any person in default of payment of the fine is guilty of an offence and is liable, on summary conviction, to imprisonment for a term not exceeding thirty (30) days or both such fine and imprisonment.
- (b) Any person who hinders or obstructs the Authority having jurisdiction, a peace officer or a by-law enforcement officer under this by-law in the exercise of their duty is guilty of an offence and liable on summary conviction to a fine of not less than \$100.00 or more than \$200.00, and in default of payment of the fine, to imprisonment for a term not exceeding fourteen (14) days or to both such fine and imprisonment.
3. Council may, by resolution, make such changes as it deems appropriate to the schedules of this by-law.
4. This by-law shall come into full force and take effect on the day following third reading.

READ A FIRST TIME THIS 15 DAY OF October A.D. 2007

READ A SECOND TIME THIS 22 DAY OF October A.D. 2007

READ A THIRD TIME THIS 22 DAY OF October A.D. 2007

DONE AND PASSED BY THE COUNCIL OF THE CITY OF THOMPSON
DULY

ASSEMBLED THIS 22 DAY OF October A.D. 2007.



Mayor



City Manager

SCHEDULE "A"
to Compliance By-law No. 1735-2007

TICKET COMPLIANCE BY-LAW CODE VIOLATION REFERENCE

<u>TICKET CODE</u>	<u>COMPLIANCE VIOLATION</u>	<u>BY-LAW REFERENCE</u>
25 Carry More	Passengers than the Designed Seating Capacity (Taxi)	1720-2006
26 Operating a Taxi with a Defective Top Light		1720-2006
27 Operating a Cell Phone with Passenger(s) in Taxicab		1720-2006
28 Smoking in a Prohibited Area (individual)		1691-2004
29 Spitting in a Public Place		(Proposed)
30 Urinating/Defecating in a Public Place		(Proposed)
31 Drunk and Disorderly		(Proposed)
32 Improper Posting/Placement of Sign(s)		1539-95
33 Sign(s) Placed in Excess of Permitted Time		1539-95
34 Transporting Unsecured Loads		1714-2006
35 Snow/Sand/Gravel Placed on Street or Public Property		1714-2006
36 Fail to Use Appropriate Refuse Containers		1714-2006
37 Littering		1714-2006
38 Failure to Obtain a Business License		1720-2006
39 Park, Leave or Store a Vehicle on a Front Yard		1733-2007
40 Perform Vehicle Maintenance on City Property/Street		1733-2007
41 Derelict Vehicles		1732-2007
42 Vehicle Plugged in on Street		1733-2007
43 Vehicle Parked on Street in Excess of 24 Hours		1733-2007
44 Other: (specify)		Schedule "C"
45 No stopping – bus stop		1733-2007
46 No stopping anytime		1733-2007
47 No parking anytime		1733-2007
48 No parking – loading zone		1733-2007
49 No parking – taxi stand		1733-2007
50 Improperly parked		1733-2007
51 Parking on sidewalk		1733-2007

SCHEDULE "A"
to Compliance By-law No. 1735-2007 (Cont.)

TICKET COMPLIANCE BY-LAW CODE VIOLATION REFERENCE

<u>TICKET CODE</u>	<u>COMPLIANCE VIOLATION</u>	<u>BY-LAW REFERENCE</u>
52	Parking on boulevard	1733-2007
53	Within 9 metres of traffic control device	1733-2007
54	Within an intersection	1733-2007
55	Within 3 metres of a fire hydrant	1733-2007
56	Double parked	1733-2007
57	In front of driveway	1733-2007
58	Obstruct traffic	1733-2007
59	On a crosswalk	1733-2007
60	No truck route	1733-2007
61	Handicap parking	1733-2007
62	Fire Lane	1733-2007
63	Bring vehicle within 30 metres of Fire Apparatus	1733-2007

SCHEDULE "B"
to Compliance By-law No. 1735-2007
C.O.N.

City of Thompson		SCHEDULE "B" to Compliance By-law No. 1735-2007	
INFORMATION OFFENCE NOTICE The undersigned, being an Officer says that he (she) has reasonable and probable grounds to believe and does believe that at Thompson, Manitoba on the		DENONCIATION AVIS D'INFRACTION Le (la) soussigné(e) en qualité d'agent(e), déclare qu'il(elle) a des motifs raisonnables et probables de croire et il(elle) croit qu'à Thompson, Province du Manitoba, le	
DAY - JOUR	MONTH - MOIS	YEAR - ANNEE	TIME - HEURE
NAME - NOM		DATE OF ISSUE - DATE DE NAISSANCE	
ADDRESS - ADRESSEE			
VEHICLE NO. - DE PLAQUE	PROV	MAKE - MARK	COLOUR - COULEUR
LOCATION OF OFFENCE - EMPLACEMENT			
did unlawfully commit an offence to wit a commis une infraction:		MAXIMUM FINE AMENDE MAXIMUM \$	
25	Carry more Passengers than the Designed Seating Capacity (Taxi) Transportez plus de passagers que le taxi de places assises conçu de capacité	\$50.00	45 No stopping - bus stop Un arrêt d'autobus
26	Operating a Taxi with a Defective Top Light Fonctionnement d'un taxi avec une lumière supérieure défectueuse	\$50.00	46 No stopping anytime Arrêt interdit
27	Operating a Cellular Phone with Passenger(s) in Taxicab Fonctionnement d'un téléphone cellulaire avec des passagers dans le taxi	\$50.00	47 No parking anytime Stationnement interdit dans la rue
28	Smoking in a Prohibited Area (Individual) 1st Offence Tabagisme dans un individu interdit de secteur 2nd Offence	\$100.00 \$200.00	48 No parking - loading zone Stationnement interdit - zone de charg
29	Spitting in a Public Place Cracher dans un endroit public	\$100.00	49 No parking - taxi stand Stationnement interdit - station de taxis
30	Urinating/Defecating in a Public Place Uriner la défécation dans un endroit public	\$100.00	50 Improperly parked Mal gare'
31	Drunk and Disorderly Ivre et/ou désordonné	\$100.00	51 Parking on sidewalk Gare' sur le trottoir
32	Improper Posting/Placement of Sign(s) Posting/Placement inexact de signe	\$50.00	52 Parking on boulevard Gare' sur un terre-plein
33	Sign(s) placed in excess of permitted Time Signe placé au-dessus du temps autorisé	\$50.00	53 Within 9 metres of traffic control device Gare' a moins de mètres d'un signal routier
34	Transporting Unsecured Loads Transport Des Charges Délicates	\$100.00	54 Within an intersection Gare' dans les limites d'un carrefour
35	Snow/Sand/Gravel placed on Street gravier de sable de neige placé sur la rue	\$50.00	55 Within 3 metres of a fire hydrant Gare' a' moins de 3 mètres d'une bouche d'incendie
36	Fail to Use Appropriate Refuse Containers Échouer pour utiliser les récipients appropriés d'ordures	\$50.00	56 Double parked Gare' en double file
37	Littering Salir	\$100.00	57 In front of driveway Gare' devant une aile'e
38	Failure to Obtain Business License Faute de ne pas obtenir un permis commercial	\$300.00	58 Obstruct traffic Encombre la circulation
39	Park, Leave or Store a Vehicle on a Front Yard Garez, laissez ou stockez un véhicule sur une cour	\$100.00	59 On a crosswalk Gare' sur un passage pour piétons
40	Perform Vehicle Maintenance on City Property Exécutez l'entretien de véhicule sur la propriété de rue de ville	\$100.00	60 No truck route Passage interdit aux camions
41	Derelect Vehicle Véhicule abandonné	\$50.00	61 Handicap parking Stationnement re'serve' aux handicapés
42	Vehicle Plugged in on street Le véhicule a branché sur la rue	\$100.00	62 Fire Lane Voie re'serve'e aux véhicules a' incendie
43	Vehicle Parked on Street in Excess of 24 Hours Le véhicule s'est garé sur la rue au-dessus de 24 heures	\$100.00	63 Bring Vehicle Within 30 Metres of Fire Apparatus Apportez le véhicule a moins de 30 mètres d'appareillages du feu
44	Other (specify): Autre (specifiez):		
contrary to City of Thompson By-laws. Signed on the date of the violation at Thompson, Manitoba. contrairement aux règlements de la ville de Thompson. Signé a la date de l'infraction a Thompson, au Manitoba			
INFORMANT - DENONCIATEUR		No. - N	WARNING
* REDUCED FINE FOR EARLY PAYMENT Note there is no reduction for handicap violation. Aucune réduction d'amende n'est accordée en cas de stationnement dans une aire réservée aux handicapés physiques.			
MAXIMUM FINE		\$500.00	\$300.00
PAYMENT RECEIVED WITHIN 15 DAYS		\$250.00	\$150.00
PAYMENT RECEIVED AFTER 15 DAYS		\$500.00	\$300.00
WARNING ONLY		\$0.00	\$0.00
*VTR AU VERSO POUR REDUCTION D'AMENDE EN RAISON DE PAIEMENT RAPIDE		INCLUDE THIS NOTICE WITH YOUR PAYMENT JOINDRE LE PRESENT AVIS AU PAIEMENT	

SCHEDULE "C"
to Compliance By-law No. 1735-2007

Compliance Ticket Violations that fall under the Other category:

66 Failure to Yield to an Emergency Vehicle	1733-2007
67 Drive a vehicle through barricade	1733-2007
68 Parked within 9 meters of an intersection	1733-2007
69 Failure to park within marked parking stalls	1733-2007
70 Perform vehicle maintenance on City Property/Street	1733-2007
71 Driving a vehicle on, across, or along the boulevard, sidewalk or curb	1733-2007
72 Obstruct traffic control device	1733-2007
73 Park vehicle with a rated capacity greater than 1 ton on street for more than 2 hours	1733-2007
74 Failure to supply a building location certificate	1644-98
75 Failure to obtain an occupancy permit	1644-98
76 Failure to obtain a building permit	1644-98
77 Failure to cover adult magazines/Videos	1238-87
78 Failure to have a house number	1681-2003
79 Excessive Noise	1666-2001
80 Smoking in a Prohibited Area (corporation/partnership)	1691-2004
81 Unauthorized Disposal of Waste into Public or Private Containers	1714-2006
82 Any other infraction of a City of Thompson By-law	

DISCLAIMER: **Reference must be made to the City's annual fee schedule
To determine the fine to be levied in relation to the offense
committed.**