

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2025-XX

A BY-LAW TO AMEND VARIOUS BY-LAWS DESIGNATED UNDER BY-LAW 2021-84, AS AMENDED, BEING A SYSTEM OF ADMINISTRATIVE PENALTIES FOR NON-PARKING OFFENCES WITHIN THE TOWNSHIP OF WEST LINCOLN

WHEREAS section 434.1(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, 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;

AND WHEREAS the Council of the Corporation of the Township of West Lincoln enacted By-law 2021-84, as amended which allows the Township to enforce and seek compliance with designated by-laws or portions thereof through an Administrative Monetary Penalty System (AMPS) in the Township of West Lincoln;

AND WHEREAS the Township of West Lincoln considers it desirable to amend various By-laws designated under By-law 2021-84, as amended, to enforce and seek compliance through an administrative monetary penalty system.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN ENACTS AS FOLLOWS:

1. That, By-law 2021-84, as amended, be further amended by adding Schedules "J", "K", "L", "M", and, "N" as outlined below:
 - Schedule "J" to By-law 2021-84
Property Standards By-law 98-105
 - Schedule "K" to By-law 2021-84
Fence By-law 2017-129
 - Schedule "L" to By-law 2021-84
Fouling of Township Roads, By-law 78-13
 - Schedule "M" to By-law 2021
Regulation of Parks and Facilities 2008-34
 - Schedule "N" to By-law 2021-84
Public Nuisance By-law 2013-51
2. That, Schedules "B", "C", "D", "E", "F", "H" included in By-law 2021-84, be amended and the following Schedules be inserted in lieu thereof:
 - Schedule "B" to By-law 2021-84
Site Alteration By-law 2016-41/2017-81/2018-80/2019-68/2020/80
 - Schedule "C" to By-law 2021-84
Boulevard By-law 2016-64
 - Schedule "D" to By-law 2021-84
Clean Yards By-law 2019-38
 - Schedule "E" to By-law 2021
Swimming Pool By-law 2017-48
 - Schedule "F" to By-law 2021-84
Sign By-law 2020-54
 - Schedule "H" to By-law 2021-84
Noise By-law 2013-50

3. That, section 8.0 Financial Administration within By-law 2021-84, be amended to include the following new section:
 - 8.6** Pursuant to Section 434.2(2) of the *Municipal Act*, where an administrative penalty is imposed under the *Municipal Act* remain unpaid after the day that it becomes due and payable, as specified in the Penalty Notice, the administrative penalty shall be added to the tax roll for any property in the local municipality for which all of the owners are responsible for paying the administrative penalty, and collected it in the same manner as municipal taxes.
4. This by-law shall come into force upon the date of passing.

**READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS
28 DAY OF APRIL, 2025.**

MAYOR CHERYL GANANN

JUSTIN PAYLOVE, CLERK

Schedule “J”
TO BY-LAW 2021-84

TOWNSHIP OF WEST LINCOLN ADMINSTRATIVE PENALTY (NON-PARKING)
BY-LAW- DESIGNATED BY-LAW PROVISIONS

PROPERTY STANDARDS BY-LAW 98-105

- 1. For the purposes of section 3.1 of this By-law, Column 1 in the following table lists the provisions in the Property Standards By-law 98-105, as amended, that are hereby designated for the purposes of this By-law.
- 2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1

Property Standards By-law 98-105 Table

Short Form Wording	Provision Creating / Defining Offence	Administrative Penalty Amount
Fail to maintain residential foundation walls in good repair / structurally sound condition	2.2.1	\$300
Fail to maintain residential dwelling in structurally sound condition	2.3.1	\$300
Fail to maintain / repair materials affected by dry rotting and / or deterioration	2.3.2	\$300
Fail to maintain floor / exterior wall / roof / porch of dwelling to prevent collapse or injury	2.4.1	\$300
Fail to maintain exterior surfaces	2.5.1	\$300
Fail to secure or replace improperly secured materials or objects	2.5.2	\$300
Fail to maintain roof in watertight condition	2.6.1	\$300
Fail to install and / or maintain eaves troughs and downspouts	2.6.2	\$300
Fail to maintain windows, exterior doors, basement or cellar hatchways	2.8.1	\$300
Fail to maintain every inside / outside stair, porch, balcony / landing	2.9.1	\$300
Fail to provide adequate supply of potable running water	2.16.1	\$300
Fail to supply hot running water to a temperature of 120 degrees Fahrenheit	2.16.3	\$300
Fail to maintain heating system in a good working condition	2.21.2	\$300
Fail to maintain front / side / rear yard from unsightly objects	2.27.3	\$300
Fail to discharge roof drainage / sump pump discharge to adequate outlet	2.28.3	\$300
Fail to maintain accessory building(s) / fences in good repair	2.30.1	\$300
Fail to keep vacant land free from rubbish / debris	4.1.1	\$300

Schedule “K”
TO BY-LAW 2021-84

TOWNSHIP OF WEST LINCOLN ADMINSTRATIVE PENALTY (NON-PARKING) BY-LAW- DESIGNATED BY-LAW PROVISIONS

FENCE BY-LAW 2017-129

- 1. For the purposes of section 3.1 of this By-law, Column 1 in the following table lists the provisions in the Fence By-law 2017-129, as amended, that are hereby designated for the purposes of this By-law.
- 2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1

Short form wording	Provisions for offence	Administrative penalty amount
Erect fence on municipal road allowance of Township property	4.1.1	\$200
Erect prohibited fence or privacy screen	4.1.2	\$200
Erect fence or privacy screen using sheet metal- residential zone	4.1.3	\$200
Erect/keep fence not in good repair	4.1.4	\$200
Erect electric fence	4.2.1	\$200
Erect barbed wire fence	4.3.1	\$200
Erect fence or privacy screen made of vehicle tires	4.4.1	\$200
Maintain a fence or privacy screen made of vehicle tires	4.4.2	\$200
Hinder an officer	5.1.4	\$200
Failure to comply with an order	5.2.1	\$200

Schedule “L”
TO BY-LAW 2021-84

TOWNSHIP OF WEST LINCOLN ADMINSTRATIVE PENALTY (NON-PARKING)
BY-LAW- DESIGNATED BY-LAW PROVISIONS
PROHIBITING THE OBSTRUCTION, ENCUMBERING, INJURING OR FOULING OF
TOWNSHIP ROADS BY-LAW 78-13

- 1. For the purposes of section 3.1 of this By-law, Column 1 in the following table lists the provisions in the Prohibiting the Obstruction, Encumbering, Injuring or Fouling of Township Roads By-law 78-13, as amended that are hereby designated for the purposes of this By-law.
- 2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1

Short form wording	Provision creating offence	Administrative penalty amount
Obstruct, encumber, injure or foul any township road, drain, ditch or culvert.	2. (a)	\$400

Schedule “M”
TO BY-LAW 2021-84

TOWNSHIP OF WEST LINCOLN ADMINSTRATIVE PENALTY (NON-PARKING)
BY-LAW- DESIGNATED BY-LAW PROVISIONS

REGULATION OF PARKS AND FACILITIES BY-LAW 2008-34

- 1. For the purposes of section 3.1 of this By-law, Column 1 in the following table lists the provisions in the Regulation of Parks and facilities Bylaw 2008-34, as amended that are hereby designated for the purposes of this By-law.
- 2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1

Short form wording	Provision creating offence	Administrative penalty amount
Race animal in a park	3 (a)	\$300
Ride a horse in a park	3 (a)	\$300
Have bows and arrows in a park	4 (a)	\$300
Discharge arrows in a park	4 (a)	\$300
Operate motorized vehicle in a park	4 (b)	\$300
Operate model (airplane/helicopter/rocket/boat) in undesignated place	4 (c)	\$300
Have a firearm, fireworks, axes or air guns (including bb guns and paint ball guns) in a park	4 (d)	\$300
Discharge firearms, fireworks, or air guns in a park	4 (d)	\$300
Play golf, drive a golf ball, use golf clubs or other equipment or drive a golf cart in a park	4 (e)	\$300
(remain/enter) park between dusk and dawn	5 (a)(i)	\$300
Enter (prohibited/restricted) place	5 (a)(iii)	\$300
(sell/offer for sale/expose for sale/advertise for sale) in a park (food/drink) without permit/written approval	6(a)(i)(a)	\$300
(sell/offer for sale/expose for sale/advertise for sale) in a park (good/wares/merchandise) without permit/written approval	6(a)(i)(b)	\$300
(sell/offer for sale/expose for sale/advertise for sale) in a park (art/skill/services) without permit/written approval	6(a)(i)(c)	\$300
(practice/carry on/conduct/solicit) for any (trade/calling/business/occupation) without permit/written approval	6(a)(ii)	\$300
(Convene/conduct) a (parade/procession) without permit/written approval	6(a)(iii)	\$300
(Convene/conduct/hold) a public meeting without permit/written approval	6(a)(iv)	\$300
(organize/arrange) (event/gathering) of more than 100 persons without permit/written approval	6(a)(vi)	\$300
Light an open fire in a park without permit/ written approval	6(a)(vii)	\$300

Camp in a park without permit/written approval	6(a)(viii)	\$300
Construct (tent/shelter) in a park without permit/written approval	6(a)(viii)	\$300
Play team sport without written approval/permit	6(a)(ix)	\$300
(cause/permit) planting a (tree/hedge/shrub/garden) on township property	7(a)(i)	\$300
(cause/permit) construction of a (fence/shed/retaining wall/structure) on township property	7(a)(i)	\$300
(cause/permit) keeping of compost heap on township property	7(a)(i)	\$300
(cause/permit) placing of (string/wire/chain/rope) on township property	7(a)(i)	\$300
Cut/break/injure/deface/disturb a (tree/shrub/bush/flower/plant/grass/wood/s oil/sand rock/gravel)	8(a)(i)	\$300
Climb on any (tree/bush/rock/structure/building/cage/pen /monument/equipment)	8(b)	\$100
Build a structure	8(c)	\$300
(disturb/molest/injure/wound/attempt to kill/hunt/trap/kill an (animal/bird) in a park	8(e)(i)	\$300
(touch/interfere with/remove/injure) a (birds nest/egg/young birds)	8(e)(ii)	\$300
(leave/deposit) (paper/bottles/broken glass/cans/rags/garbage/refuse/debris) in a park	8(f)(i)	\$300
(deposit/leave) (paint/grease/oil/offal/dangerous matter) in a park	8(f)(ii)	\$300
(swim/bathe/wade/enter) waters of a (fountain/pond/lake/stream) in a park	9(a)(i)	\$300
Use (bridge/walk bridge) as a diving platform in a park	9(a)(ii)	\$300

Schedule “N”
TO BY-LAW 2021-84

TOWNSHIP OF WEST LINCOLN ADMINSTRATIVE PENALTY (NON-PARKING)
BY-LAW- DESIGNATED BY-LAW PROVISIONS

PUBLIC NUISANCE BY-LAW 2013-51

- 1. For the purposes of section 3.1 of this By-law, Column 1 in the following table lists the provisions in the Public Nuisance Bylaw 2013-51, as amended, that are hereby designated for the purposes of this By-law.
- 2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1

Short form wording	Provision creating offence	Administrative penalty amount
Urinate, defecate, vomit or spit in a public place	2.1	\$300
Knock over or attempt to knock over a Canada Post mailbox, Canada Post relay box, newspaper box, or garbage container lawfully located on a highway	2.2	\$300
Loiter in a public place	2.3	\$250
Participate in a fight in any public place	2.4	\$300
Mark or apply graffiti on any public place, including signs or private property	2.5	\$300
Leave, throw or deposit any bottles, glasses, or material on public or private property	2.6	\$300
Refuse to identify themselves when requested to do so by a police officer or municipal by-law enforcement officer	2.8	\$350

SCHEDULE “B”
TO BY-LAW 2021-84

TOWNSHIP OF WEST LINCOLN ADMINISTRATIVE PENALTY
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS

SITE ALTERATION BY-LAW 2016-41/2017-81/2018-80/2019-68/2020-80

- 1. For the purposes of section 3.1 of this By-law, Column 1 in the following table lists the provisions in the Site Alteration By-law 2016-41/2017-81/2018-80/2019-68/2020-80, as amended, that are hereby designated for the purposes of this By-law.
- 2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.

ITEM	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Penalty
1	Part IV, Section 4.	Cause, permit, perform or carry out Site Alteration without permit	\$275.00
2	Part IV, Section 5.	Fail to comply with plans, conditions or provisions of Site Alteration permit	\$200.00
3	Part IV, Section 6.	Modify Site Alteration permit without approval	\$200.00
4	Part IV, Section 7.	Operate a Commercial Fill Operation within the Township	\$400.00
5	Part IV, Section 10	Interfere with / obstruct an Officer in performance of their duty	\$500.00

SCHEDULE “C”
TO BY-LAW 2021-84

TOWNSHIP OF WEST LINCOLN ADMINISTRATIVE PENALTY
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS

BOULEVARD BY-LAW 2016-64

- 1. For the purposes of section 3.1 of this By-law, Column 1 in the following table lists the provisions in the Boulevard By-law 2016-64, as amended, that are hereby designated for the purposes of this By-law.
- 2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.

ITEM	Designated Provision	Short Form Wording	Administrative Penalty
5	Part 5, Section C	Interfere with / obstruct an Officer in performance of their duty	\$300

SCHEDULE “D”
TO BY-LAW 2021-84

TOWNSHIP OF WEST LINCOLN ADMINISTRATIVE PENALTY
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS

CLEAN YARDS BY-LAW 2019-38

- 1. For the purposes of section 3.1 of this By-law, Column 1 in the following table lists the provisions in the Clean Yards By-law 2019-38, as amended, that are hereby designated for the purposes of this By-law.
- 2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.

ITEM	Column 1 Designated Provision	Column 2 Short form wording	Column 3 Administrative penalty
1	2.1.1	Fail to maintain vegetation- exceed size allowance	\$200
2	2.1.2	Fail to maintain vegetation – create hazard	\$200
3	2.1.2	Fail to maintain vegetation – obstruct view	\$200
4	2.1.2	Fail to maintain vegetation – impact traffic	\$200
5	2.1.2	Fail to maintain vegetation – interfere with sign	\$200
6	2.1.2	Fail to maintain vegetation – interfere with utility	\$200
7	2.1.2	Fail to maintain vegetation – encroach on public property	\$200
8	2.1.2	Fail to maintain vegetation – overhang public property	\$200
9	2.1.3	Fail to remove weeds	\$200
10	2.2.1	Fail to maintain property free of standing water	\$200
11	2.2.2	Fail to contain drainage and prevent improper discharge	\$200
12	2.2.3	Fail to maintain watercourse free of obstruction	\$200
13	2.3.1	Fail to maintain property free of fill	\$200
14	2.4.1	Fail to maintain property free of movable concrete barriers	\$200
15	2.6.1	Littering	\$200
16	2.7.1	Fail to maintain property free of refuse / waste	\$200

17	2.7.7	Fail to suitably place refuse / waste for disposal	\$200
18	2.7.9	Fail to screen inoperative motor vehicles / vehicles / vehicle parts for an agricultural operation	\$200
19	2.9	Fail to maintain property free of motor vehicle salvage	\$200
20	3.1.1	Interfere with / obstruct an Officer in performance of their duty	\$200

SCHEDULE “E”
TO BY-LAW 2021-84

TOWNSHIP OF WEST LINCOLN ADMINISTRATIVE PENALTY
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS

SWIMMING POOL BY-LAW 2017-48

- 1. For the purposes of section 3.1 of this By-law, Column 1 in the following table lists the provisions in the Swimming Pool By-law 2017-48, as amended, that are hereby designated for the purposes of this By-law.
- 2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1

ITEM	Designated Provision	Short form wording	Administrative Penalty
11	5.3.3	Interfere with / obstruct an Officer in performance of their duty	\$300

SCHEDULE “F”
TO BY-LAW 2021-84

TOWNSHIP OF WEST LINCOLN ADMINISTRATIVE PENALTY
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS

SIGN BY-LAW 2020-54

- 1. For the purposes of section 3.1 of this By-law, Column 1 in the following table lists the provisions in the Sign By-law 2020-54, as amended, that are hereby designated for the Purposes of this By-law.
- 2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1

ITEM	Designated Provision	Short Form wording	Administrative penalty
31	4.1.1	Interfere with / obstruct an Officer in performance of their duty	\$300

SCHEDULE “H”
TO BY-LAW 2021-84

TOWNSHIP OF WEST LINCOLN ADMINISTRATIVE PENALTY
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS
(as amended by Bylaw 2023-75)

NOISE BY-LAW 2013-50

- 1. For the purposes of section 3.1 of this By-law, Column 1 in the following table lists the provisions in the Noise By-law 2013-50, as amended, that are hereby designated for the purposes of this By-law.
- 2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.

ITEM	Designated Provisions	Short Form Wording	Administrative Penalty
20	Section 8 (c)	Interfere with / obstruct an Officer in performance of their duty	\$350

BY-LAW 2021-84

TOWNSHIP OF WEST LINCOLN ADMINISTRATIVE PENALTY
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS

8.0 Financial Administration

Current

Not in current By-law

Proposed amendment

8.6 Pursuant to Section 434.2(2) of the *Municipal Act*, where an administrative penalty is imposed under the *Municipal Act* remain unpaid after the day that it becomes due and payable, as specified in the Penalty Notice, the administrative penalty shall be added to the tax roll for any property in the local municipality for which all of the owners are responsible for paying the administrative penalty, and collected it in the same manner as municipal taxes.