

TOWN OF ROSETOWN

BYLAW NO. 777-18

A BYLAW OF THE TOWN OF ROSETOWN TO PROVIDE FOR PENALTIES FOR CONTRAVENTION OF BYLAWS

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The Council of the Town of Rosetown in the Province of Saskatchewan enacts as follows:

PART:

1. CITATION

This Bylaw may be cited as the "General Penalties Bylaw".

2. GOVERNING LEGISLATION

The Municipalities Act (The Act) shall prevail in all circumstances where there might arise a conflict between The Act and the General Penalties Bylaw.

3. PURPOSE

- a) Any police officer, peace officer, employee of the Town, agent of the Town, or any person duly authorized by Council specifically is hereby designated authority to enforce all bylaws of the Town of Rosetown (the Town).
- b) Any person who contravenes any bylaw of the Town shall be served a Notice of Violation as set out in Schedule "A" or may be served a ticket or a summons.
- c) Subject to the provisions of Section 3(a) and 3(b), no person shall:
 - i. contravene or fail to comply with a provision of any bylaw of the Town;
 - ii. obstruct or interfere with a police officer, a peace officer, an employee of the Town, an agent of the Town, or any person duly authorized by Council engaged in exercising on behalf of the Town any of the powers conferred by a bylaw of the Town;
 - iii. destroy, pull down, alter, or interfere with any work carried out or thing done by or for the Town pursuant to any bylaw of the Town.
- d) Every person who contravenes a bylaw of the Town is guilty of an offence and is liable on summary conviction with respect to the contravention of that bylaw to the penalty specified in the bylaw.

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- e) Every person who contravenes a bylaw of the Town where a bylaw does not specify a penalty is guilty of an offence and is liable on summary conviction with respect to the contravention of that bylaw, as follows:
 - i. in the case of an individual, a fine of not more than \$10,000;
 - ii. in the case of a corporation, a fine of not more than \$25,000; and
 - iii. in the case of a continuing offence, to a maximum daily fine of not more than \$2,500 for each day or part of a day during which the offence continues.
- f) If a corporation commits an offence described in this section, any officer or director of the corporation who directed, authorized, assented to, acquiesced in, or participated in the commission of the offence is guilty of the offence and liable on summary conviction to the penalties mentioned in this section in the case of individuals, whether or not the corporation has been prosecuted or convicted.

4. SERVICE OF NOTICE OR TICKET

- a) Where any person has committed, or is alleged to have committed, a breach or contravention of any of the provisions of any bylaw of the Town a notice of violation, ticket, or summons may be served on such person by a police officer, a peace officer, an employee of the Town, an agent of the Town, or any person duly authorized by Council. Service of such notice of violation, ticket, or summons may be made by:
 - i. by attaching the notice of violation, ticket, or summons to the vehicle, structure, or place in respect of which a breach or contravention has been committed;
 - ii. by mailing such notice of violation, ticket, or summons addressed to the registered owner of said vehicle, structure, or place; or
 - iii. by any other means of service required or allowed by law.

5. PAYMENT

- a) Such person served with a Notice of Violation, ticket, or summons shall pay same to the Town of Rosetown within a period of ten (10) days from the service of the said Notice of Violation, ticket, or summons. If payment is made within such time and accepted, then that person shall not be liable to prosecution for the offense.
- b) Where payment of any parking violation is left outstanding beyond a ten (10) day period from the time of issuance of the Notice of Violation, the Town shall proceed in serving the accused with a Notice of Pending Summons as per Schedule "B" as amended from time to time. If payment is still not made after thirty (30) days from the date of issuance of the Notice of Violation, the Town shall proceed and serve the accused with a Certificate of Offence and Summons as per Schedule "D" as amended from time to time.
- c) Where payment of any violation that is not a parking violation left outstanding beyond a ten (10) day period from the time of issuance of the Notice of Violation, the Town may proceed in serving the accused with a Notice of Pending Summons as per Schedule "B" as amended from time to time. If payment is still not made after thirty (30) days from the date of issuance of the Notice of Violation, the Town shall proceed and serve the accused with a Certificate of Offence and Summons as per Schedule "C" as amended from time to time.

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- d) Any Penalty Sum (fine and victim's surcharge) imposed as a result of a violation that is prosecuted and subsequently convicted by a court of competent jurisdiction shall be paid within fifteen (15) days of the conviction, unless such other deadline is imposed by a judge of the court. If any person fails to pay a Penalty Sum within fifteen (15) days after conviction is rendered, an additional penalty of fifty dollars (\$50) shall be added to the total outstanding amount.

6. REPEAL

- a) Town of Rosetown Bylaw No. 46-63 is hereby repealed.

7. COMING INTO FORCE

- a) This Bylaw, and all attachments thereto, and as shall be amended from time to time shall come into force and be in effect on the final passing thereof.

Mayor

(SEAL)

Chief Administrative Officer

Read a third time and hereby adopted this _____
day of _____
, 2018.

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SCHEDULE "A" - NOTICE OF VIOLATION



ROSETOWN MUNICIPAL ENFORCEMENT
NOTICE OF VIOLATION
AVOID PROSECUTION BY PAYING PROMPTLY

TICKET NO.

DATE OF BIRTH	YEAR	MONTH	DAY
---------------	------	-------	-----

NAME: _____
(Last) (First) (Other)

ADDRESS: _____
(Street) (Box) (City) (Province) (Postal Code)

On or about the _____ day of _____, 20____ at _____ at _____
(Saskatchewan) (Time)

Did unlawfully commit the following offence under:

Bylaw No. _____ at or near _____
(Location)

Section No. _____

Short Title:

- | | | | |
|--|--------------------------------------|---|--|
| <input type="checkbox"/> Animals | <input type="checkbox"/> Snowmobiles | <input type="checkbox"/> Waste | <input type="checkbox"/> Fire Prevention |
| <input type="checkbox"/> Parking/Traffic | <input type="checkbox"/> Licence | <input type="checkbox"/> Snow Removal | <input type="checkbox"/> Zoning |
| <input type="checkbox"/> Parks/Forestry | <input type="checkbox"/> Noise | <input type="checkbox"/> Abatement of Nuisances | <input type="checkbox"/> Other: _____ |

Description of Offence:

- Violation** *To Avoid Prosecution, payment must be made.
- Warning Only**
*No further payment or judicial action required.

If the Town of Rosetown receives your payment within 10 calendar days from the date above, the amount to be paid is: \$ _____

PENALTY: After 10 days the Penalty Sum that must be paid for the above infraction is: \$ _____

If payment is not received within 30 days from the issue date a summons will be issued.

Drivers Licence No.			Class	Province:			DRIVER
				Other:			
Make	Model	Color	Year	Vehicle Plate or VIN No.	Prov.	Exp.	VEHICLE
OWNER'S NAME <small>(if different from above)</small>							
			(Last)	(First)	(Other)		
OWNER'S ADDRESS <small>(if different from above)</small>							
		(Address)	(City/Town)	(Province)	(Postal Code)		

I, _____ a sworn Officer authorized to issue this ticket for this jurisdiction,

CERTIFY that I did:

on the _____ day of _____, 20____, issue this ticket.

Signature of Officer

PAYMENT OPTIONS:

Payment can be made in person or by mail at the following address:

- Payment In Person or Mail:
 Town of Rosetown, 417 Main Street, Box 398, Rosetown, SK, S0L 2V0
 Attention: FINE PAYMENTS

- * If paying by mail, please reference your ticket number.
- * Cheques must be made payable to the Town of Rosetown.
- * The Town of Rosetown assumes no responsibility for cash sent through the mail.

If you have any questions relating to this ticket, please call the Town of Rosetown at 306-882-2214.

TOWN OF ROSETOWN

BYLAW NO. 777-18

SCHEDULE "B"- NOTICE OF PENDING SUMMONS



Date

Name

Address

Town

Postal Code

Re: Town of Rosetown Notice of Pending Summons for Notice of Violation #

Dear Sir or Madam:

WHEREAS it is alleged that you on or about the day of A.D., 20 , in the Town of Rosetown in the Province of Saskatchewan, did

TO WIT: (Saskatchewan License Number) at (enter place/address of offence) at AM/PM

TO AVOID BEING SUMMONSED, PAYMENT OF \$ (full amount of penalty) MUST BE MADE BEFORE (30 days after the date of issuance of violation).

Ticket Number:

Penalty Sum:

NSF Service Fee:

Balance Due:

If left unpaid and the fine is in default, a late payment charge may be added to the fine amount.

PAYMENT OPTIONS:

Payment can be made in person or by mail at the following address:

Town of Rosetown
Att: Fine Payments
417 Main Street
Box 398
Rosetown, Saskatchewan
S0L 2V0

If paying by mail, please reference your ticket number. Cheques must be made payable to the Town of Rosetown. The Town of Rosetown assumes no responsibility for cash sent through the mail.

P.O. Box 398, Rosetown, Saskatchewan S0L 2V0 Phone (306)882-2214 Fax (306)882-3166
www.rosetown.ca Email bylaw.rosetown@sasktel.net

TOWN OF ROSETOWN

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SCHEDULE "C"- CERTIFICATE OF OFFENCE AND SUMMONS



TICKET NO. R # _____

CERTIFICATE OF OFFENCE

PAYMENT DUE: DD / MM / YY

COURT DATE: DD / MM / YY

CERTIFICATE OF OFFENCE:

ON BEHALF OF HER MAJESTY THE QUEEN IN THE PROVINCE OF SASKATCHEWAN, THE OFFICER AUTHORIZED TO ISSUE THE TICKET DECLARES THAT HE/SHE HAS REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT:

NAME: _____
(Last) (First) (Other)

STATE OF BIRTH	YEAR	MONTH	DAY

ADDRESS: _____
(Street) (Box) (City) (Province) (Postal Code)

On or about the _____ day of _____, 20____ at _____ (Saskatchewan) at _____ (Time) _____

Did unlawfully commit the following offence under:

Bylaw No. _____ at or near _____ (Location)

Short Title:

- | | | | |
|--|--------------------------------------|---|--|
| <input type="checkbox"/> Animals | <input type="checkbox"/> Snowmobiles | <input type="checkbox"/> Waste | <input type="checkbox"/> Fire Prevention |
| <input type="checkbox"/> Parking/Traffic | <input type="checkbox"/> Licence | <input type="checkbox"/> Snow Removal | <input type="checkbox"/> Zoning |
| <input type="checkbox"/> Parks/Forestry | <input type="checkbox"/> Noise | <input type="checkbox"/> Abatement of Nuisances | <input type="checkbox"/> Other: _____ |

Section No. _____

Description of Offence:

PENALTY: \$ _____

<p>SUMMONS: Pursuant to <i>The Summary Offences Procedures Act, 1990</i>, and Sec. 387 & 388 of the <i>Municipalities Act</i> If you choose not to pay the amount shown on this ticket before your court date, or you intend to plead not guilty, you are summoned and commanded to appear in: Provincial Court, known as Kindersley Bylaw Court, at <u>Kindersley Masonic Lodge - 501 Main Street, Kindersley</u> SK on the _____ day of _____, 20____ at <u>10:30 AM</u> to answer to the above violation and be further dealt with according to the law.</p>							
Drivers Licence No.	Class	Province	Other:				DRIVER
Make	Model	Color	Year	Vehicle Plate or VIN No.	Prov.	Exp.	
OWNER'S NAME <small>(If different from above)</small>							VEHICLE
OWNER'S ADDRESS <small>(If different from above)</small>							

DATED THIS _____ day of _____, 20____ at the Town of Rosetown, in the Province of Saskatchewan

Signature of Officer

CERTIFICATE OF PERSONAL SERVICE

I, _____, an employee of the Town of Rosetown, certify that on the _____ day of _____, 20____, I did cause the part of this certificate constituting the summons to be served on the within named pursuant to section 8 of *The Summary Offences Procedure Act, 1990*. I, _____, also certify that the Summons requires the within named to appear before the Presiding Justice of the Peace of the Provincial Court of Saskatchewan at the Kindersley Masonic Lodge, 501 Main Street, Kindersley, SK, S0L 1S0 on the _____ day of _____, 20____ at 10:00 AM to answer to the charge.

Dated at the Town of Rosetown, in the Province of Saskatchewan the _____ day of _____, 20____

Name:

CERTIFICATE OF MAILED SERVICE

I, _____, an employee of the Town of Rosetown, certify that after reasonable efforts to effect personal service of the within summons, that I did on the _____ day of _____, 20____, cause a summons setting out the particulars of this offence to be mailed to the within named at the above noted address by registered mail pursuant to section 8 of *The Summary Offences Procedure Act, 1990*. I, _____, also certify that the Summons requires the within named to appear before the Presiding Justice of the Peace of the Provincial Court of Saskatchewan at the Kindersley Masonic Lodge, 501 Main Street, Kindersley, SK, S0L 1S0 on the _____ day of _____, 20____ at 10:00 AM to answer to the charge.

Dated at the Town of Rosetown, in the Province of Saskatchewan the _____ day of _____, 20____

Name:

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SCHEDULE "C"- CERTIFICATE OF OFFENCE AND SUMMONS

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SUMMONS

WARNING:

It is your responsibility to respond to this ticket within the time allowed

YOU HAVE THE FOLLOWING OPTIONS:

1. | **CHOOSE TO PAY THE AMOUNT** shown on the front of this ticket. Payment must be received before the court date shown on the front of this summons, if payment is received before your court date, you do not have to appear in court.

Voluntary payment is considered a guilty plea.

Payment can be made in person or by mail at the following address:

- In Person or Mail:

Town of Rosetown, 417 Main Street, Box 398, Rosetown, SK, S0L 2V0
Attention: FINE PAYMENTS

*If paying by mail, Enclose this Summons. Cheques must be made payable to the Town of Rosetown,
*The Town of Rosetown assumes no responsibility for cash sent through the mail.

2. | **CHOOSE NOT TO PAY THE AMOUNT** shown on the front of this ticket and plead **Not Guilty** to the offence. I understand that I, or my agent, am required to appear in court on the date noted on the front of this ticket to enter my plea with the court.

WARNING:

If you fail to:

- (a) pay the amount shown on the reverse; or
- (b) appear personally or by your agent to answer this summons on the date shown on the reverse;

you risk:

- (a) a Warrant being issued for your arrest
- (b) default conviction being entered against you for the full amount of the Penalty; or
- (c) the court proceeding with a trial of the matter in your absence and the possibility of your conviction.

*Failure to pay or appear may result in additional charges.

NOTE: The payment option includes a victim surcharge. These funds are used for programs to assist victims of crime.

If you have any questions relating to this Summons, please call the Town of Rosetown at 306-882-2214.

TOWN OF ROSETOWN

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SCHEDULE "D"- PARKING VIOLATION CERTIFICATE OF OFFENCE AND SUMMONS



TICKET NO. RP = _____

CERTIFICATE OF OFFENCE

issued pursuant to Part V.1 of The Summary Offences Procedure Act, 1990

PAYMENT DUE: DD / MM / YY

COURT DATE: DD / MM / YY

CERTIFICATE OF OFFENCE:

ON BEHALF OF HER MAJESTY THE QUEEN IN THE PROVINCE OF SASKATCHEWAN, THE OFFICER AUTHORIZED TO ISSUE THE TICKET DECLARES THAT HE/SHE HAS REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT:

NAME: _____
(Last) (First) (Other)

DATE OF BIRTH	YEAR	MONTH	DAY
---------------	------	-------	-----

ADDRESS: _____
(Street) (Loc) (City) (Province) (Postal Code)

On or about the ____ day of _____, 20__ at _____ at _____
(Saskatchewan) (Time)

M

Did unlawfully commit the following offence under:

Bylaw No. _____ of the Town of Rosetown, at or near _____
(Location)

Section No. _____

Description of Offence:

PENALTY: \$ _____

<p>SUMMONS: Pursuant to The Summary Offences Procedures Act, 1990, and Sec. 387 & 388 of the Municipalities Act If you choose not to pay the amount shown on this ticket before your court date, or you intend to plead not guilty, you are summoned and commanded to appear in: Provincial Court, known as Kindersley Bylaw Court, at the Kindersley Masonic Lodge - 501 Main Street, Kindersley, SK on the ____ day of _____, 20__ at 10:00 AM to answer to the above violation and be further dealt with according to the law.</p>							
Driver's Licence No.			Class	Province: Other:		PROVER	
Make	Model	Color	Year	Vehicle Plate or VIN No.	Prov.		Exp.
OWNER'S NAME <small>(if different from above)</small>							VEHICLE
OWNER'S ADDRESS <small>(if different from above)</small>							
<small>(Last)</small>			<small>(First)</small>		<small>(Other)</small>		
<small>(Address)</small>			<small>(City/Town)</small>		<small>(Province)</small>		

DATED THIS ____ day of _____, 20____, at the Town of Rosetown, in the Province of Saskatchewan

 Signature of Officer

CERTIFICATE OF VEHICLE OWNERSHIP AND MAILED SERVICE

I, _____, an employee of the Town of Rosetown, certify that I have received an electronic record from Saskatchewan Government Insurance (who is the administrator as defined in The Traffic Safety Act) and that the above named person is listed as the registered owner of the vehicle with the above noted licence plate. As such, I have reasonable and probable grounds to believe and do believe that the above noted person is the owner of the vehicle. I also certify that I did on the ____ day of _____, 20____ cause a summons setting out the particulars of this offence to be mailed by ordinary mail to the above named vehicle owner at the above noted address as shown on the records of the administrator as defined in The Traffic Safety Act. Such mailed service is authorized pursuant to Part V.1 of The Summary Offences Procedure Act, 1990.

I, _____, also certify that the Summons requires the vehicle owner to appear before the Presiding Justice of the Peace of the Provincial Court of Saskatchewan at the Kindersley Masonic Lodge, 501 Main Street, Kindersley, SK, S0L 1S0 on the ____ day of _____, 20__ at 10:00 AM to answer to the charge.

Dated at the Town of Rosetown, in the Province of Saskatchewan the ____ day of _____, 20____.

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SCHEDULE "D"- PARKING VIOLATION CERTIFICATE OF OFFENCE AND SUMMONS

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Name:

SUMMONS

WARNING:

It is your responsibility to respond to this ticket within the time allowed

YOU HAVE THE FOLLOWING OPTIONS:

1. **CHOOSE TO PAY THE AMOUNT SHOWN ON THE FRONT OF THIS TICKET.**

Voluntary payment must be received before the court date shown on the front of this summons, if payment is received before your court date, you do not have to appear in court.

Voluntary payment is considered a guilty plea.

Payment can be made in person or by mail at the following address:

• In Person or Mail:

Town of Rosetown, 417 Main Street, Box 398, Rosetown, SK, S0L 2V0
Attention: FINE PAYMENTS

* If paying by mail, Enclose this Summons.

* Cheques must be made payable to the Town of Rosetown.

* The Town of Rosetown assumes no responsibility for cash sent through the mail.

2. **CHOOSE NOT TO PAY THE AMOUNT** shown on the front of this ticket and plead **Not Guilty** to the offence. I understand that I, or my agent, am required to appear in court on the date noted on the front of this ticket to enter my plea with the court.

WARNING:

If you fail to:

- (a) pay the amount shown on the reverse; or
- (b) appear personally or by your agent to answer this summons on the date shown on the reverse;

you risk:

- (a) a Warrant being issued for your arrest
- (b) default conviction being entered against you for the full amount of the Penalty; or
- (c) the court proceeding with a trial of the matter in your absence and the possibility of your conviction.

If a conviction is entered against you, you risk:

- (a) having a lien placed on any vehicle registered to you; and
- (b) having your vehicle seized and sold.

* Failure to pay or appear may result in additional charges.

If you have any questions relating to this Summons, please call the Town of Rosetown at 306-882-2214.