

**RURAL MUNICIPALITY OF MILTON NO. 292  
BYLAW 2018-02**

**A BYLAW TO PROVIDE FOR PENALTIES FOR CONTRAVENTION OF BYLAWS**

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The Council of the Rural Municipality of Milton No. 292 of Saskatchewan enacts as follows:

**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 Rural Municipality, agent of the Rural Municipality, or any person duly authorized by Council specifically is hereby designated authority to enforce all bylaws of the Rural Municipality of Milton No. 292 (the Rural Municipality).
- b) Any person who contravenes any bylaw of the Rural Municipality 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 Rural Municipality;
  - ii. obstruct or interfere with a police officer, a peace officer, an employee of the Rural Municipality, an agent of the Rural Municipality, or any person duly authorized by Council engaged in exercising on behalf of the Rural Municipality any of the powers conferred by a bylaw of the Rural Municipality;

- iii. destroy, pull down, alter, or interfere with any work carried out or thing done by or for the Rural Municipality pursuant to any bylaw of the Rural Municipality.
- d) Every person who contravenes a bylaw of the Rural Municipality 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.
- e) Every person who contravenes a bylaw of the Rural Municipality 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 Rural Municipality of Milton No. 292 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 "C" 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.
- 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) Bylaw No. 3/2004 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.



[Redacted]

Reeve

[Redacted]

Administrator

Read a third time and adopted  
this 11 day of April 2018

[Redacted]

Administrator



This photocopy is a true copy of the original document which has not been altered in any way.

Robin Busby Name  
[Redacted] Signature  
Administrator Title  
Signed at Marengo, Saskatchewan on April 17, 2018 Date

## SCHEDULE "A" - NOTICE OF VIOLATION



### Rural Municipality of Milton No. 292

### NOTICE OF VIOLATION

AVOID PROSECUTION BY PAYING PROMPTLY

**TICKET NO. MIL-**

NAME: \_\_\_\_\_  
(Last) (First) (Other)

DATE OF BIRTH	YEAR	MONTH	DAY
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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. \_\_\_\_\_

Description of Offence:

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☐ Violation \*To Avoid Prosecution, payment must be made.

☐ Warning Only

\*No further payment or judicial action required.

If the Rural Municipality of Milton No. 292 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.	
OWNER'S NAME <small>(if different from above)</small>								VEHICLE
OWNER'S ADDRESS <small>(if different from above)</small>								

I, \_\_\_\_\_, a sworn Officer authorized to issue this ticket for this jurisdiction,  
(print)

CERTIFY that I did:

on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, issue this ticket.

\_\_\_\_\_  
*Signature of Officer*

#### PAYMENT OPTIONS:

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

- Payment In Person or Mail:  
 Rural Municipality of Milton No. 292  
 20 1<sup>st</sup> Avenue North, Marengo, SK  
 Box 70, Marengo, SK, S0L 2K0  
 Attention: FINE PAYMENTS
- Online: via electronic bill payment (search MILTON SK) and use the word PENALTY

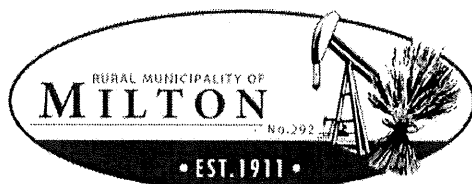
\* If paying by mail, please reference your ticket number.

\* Cheques must be made payable to the R.M. of Milton No. 292.

\* The R.M. of Milton No. 292 assumes no responsibility for cash sent through the mail.

If you have any questions relating to this ticket, please call the R.M. of Milton No. 292 at (306) 968-2922

## SCHEDULE "B" - NOTICE OF PENDING SUMMONS



Box 70  
Marengo, Saskatchewan  
S0L 2K0

(306) 968-2922  
(306) 968-2278 fax  
rm292.rm322@sasktel.net

[DATE]

Name  
Mailing Address  
Municipality, PC

Re: RURAL MUNICIPALITY OF MILTON NO. 292 NOTICE OF PENDING SUMMONS FOR NOTICE OF VIOLATION 000000

Dear Sir or Madam,

WHEREAS it is alleged that you, on or about the \_\_\_\_ day of \_\_\_\_\_ A.D. 201\_\_, in the Rural Municipality of Milton No. 292 in the Province of Saskatchewan, did

[INSERT DESCRIPTION OF OFFENCE: Example: PARK A VEHICLE WHERE TRAFFIC SIGNS HAVE BEEN PLACED PROHIBITING PARKING, CONTRARY TO SECTION ● AND ● OF BYLAW 15-16 FOR THE RURAL MUNICIPALITY OF MILTON NO. 292, BEING LIABLE AS OWNER OF SAID VEHICLE, PURSUANT TO SECTION 371 OF THE MUNICIPALITIES ACT.]

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 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, online, or by mail at the following address:

- Payment In Person or Mail:  
Rural Municipality of Milton No. 292  
20 1<sup>st</sup> Avenue North, Marengo, SK  
Box 70, Marengo, SK, S0L 2K0  
Attention: FINE PAYMENTS
- Online: via electronic bill payment (search MILTON SK) and use the word PENALTY

\* If paying by mail, please reference your ticket number.

\* Cheques must be made payable to the R.M. of Milton No. 292.

\* The R.M. of Milton No. 292 assumes no responsibility for cash sent through the mail.

# SCHEDULE "C" - CERTIFICATE OF OFFENCE AND SUMMONS



## Rural Municipality of Milton No. 292 CERTIFICATE OF OFFENCE

TICKET NO. MIL-

PAYMENT DUE: \$

COURT DATE:

### 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 OFFENCE	YEAR	MONTH	DAY
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ADDRESS: \_\_\_\_\_  
(Street) (Box) (City) (Province) (Postal Code)

On or about the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ (Saskatchewan) at \_\_\_\_\_ (Time) M

Did unlawfully commit the following offence under:

Bylaw No. \_\_\_\_\_ at or near \_\_\_\_\_

Section No. \_\_\_\_\_

Description of Offence.

PENALTY: \$

### 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 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.

Driver's License No.			Class	Province	Other:		No. of Licenses	
Make	Model	Color	Year	Vehicle Plate or VIN No.	Prov.	Exp.		
OWNER'S NAME (if different from above)								No. of Licenses
(Last)			(First)	(Other)				
OWNER'S ADDRESS (if different from above)								
(Address)			(City/Town)	(Province)				

DATED THIS \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at the Village of Marengo, in the Province of Saskatchewan

Signature of Officer

### ☐ CERTIFICATE OF PERSONAL SERVICE

I, \_\_\_\_\_, an employee of the Rural Municipality of Milton No. 292, 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 Village of Marengo, in the Province of Saskatchewan the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Name:

### ☐ CERTIFICATE OF MAILED SERVICE

I, \_\_\_\_\_, an employee of the Rural Municipality of Milton No. 292 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 Village of Marengo, in the Province of Saskatchewan the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Name: