

**RURAL MUNICIPALITY OF NORTH SHORE
ENFORCEMENT AND SUMMARY PROCEEDINGS BYLAW
BYLAW # 2019-01**

This bylaw is made under the authority of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1.

WHEREAS the *Municipal Government Act* authorizes the Rural Municipality of North Shore to appoint enforcement officers;

AND WHEREAS the *Municipal Government Act* authorizes the Rural Municipality of North Shore to prosecute certain municipal offences by the issuance of summary offence tickets;

BE IT ENACTED by the Council of the Rural Municipality of North Shore as follows:

PART I: DEFINITIONS

1. In this Bylaw:
 - 1.1 **“Act”** means the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1.
 - 1.2 **“Chief Administrative Officer”** means the administrative head of the Municipality as appointed by Council pursuant to clause 86(2)(c) of the Act.
 - 1.3 **“Council”** means the Council for the Rural Municipality of North Shore.
 - 1.4 **“Criminal Code”** means the Criminal Code (Canada) R.S.C. 1985, Cap. C-46, as amended from time to time.
 - 1.5 **“Enforcement Officer”** means any individual or group of individuals as may be appointed pursuant to section 223 of the Act.
 - 1.6 **“Justice of the Peace”** means a justice of the peace appointed in accordance with the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25.
 - 1.7 **“Municipality”** means the Rural Municipality of North Shore.
 - 1.8 **“Provincial Court Judge”** means a Judge of the Provincial Court appointed in accordance with the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25.
 - 1.9 **“Third Party”** means an individual or corporation hired by the Municipality to provide bylaw enforcement services and whose principals, contractors, and/or employees serve as Enforcement Officers for the Municipality.

PART II: GENERAL

- 2.1 This Bylaw applies to all offences under the Municipality’s Land Use Bylaw, and to such other bylaws as may be enacted by the Municipality pursuant to section 227 of the Act:
 - (a) To determine if a person has committed an offence under a bylaw of the Municipality for which he or she is liable to fine, penalty or other punishment; or

- (b) Before a Provincial Court Judge for an order for the payment of money or other remedy authorized by a bylaw of the Municipality.
- 2.2 Except as otherwise provided by any bylaw, where imprisonment, fine, penalty or other punishment prescribed by this Bylaw may be enforced or recovered upon summary conviction or by summary proceedings, it shall be enforced or recovered before a Provincial Court Judge in the manner provided by this Bylaw.
- (a) For the purpose of any bylaw, penalties and/or corrective actions associated to that bylaw may be imposed, upon a guilty plea, by a Justice of the Peace.
- 2.3 The provisions of the Criminal Code including provisions relating to appeals, applicable to offences punishable on summary conviction apply with the necessary changes to proceedings to which this Bylaw applies.
- 2.4 In applying the provisions of the Criminal Code, the following expressions shall therein have the following meanings:
- (a) **“Act of the Parliament of Canada”** means a bylaw of the Municipality;
 - (b) **“Attorney General”** means the Attorney General of Prince Edward Island;
 - (c) **“Prison”** means any place other than a penitentiary in which persons charged with or convicted of offences are kept or detained in custody;
 - (d) **“Prosecutor”** means a person who lays an information or makes a complaint or counsel acting on behalf of the Municipality.
- 2.5 All offences under a bylaw of the Municipality shall be punishable on summary conviction.
- 2.6 Where no punishment is provided for an offence under a bylaw, the punishment for that offence shall be a fine of not less than \$200.00 or a fine of not more than \$10,000 or in default, imprisonment for a period of 3 days plus an additional day for each \$100 (or part thereof) that is in default to a maximum of 60 days.
- 2.7 In addition to the procedures set out in the Criminal Code for laying an information and for issuing a summons, an information may be laid and a summons issued by means of a ticket in accordance with this section for an offence under any provisions of a bylaw passed by Council pursuant to section 227 of the Act.
- (a) A ticket shall be issued in the form hereto annexed as Schedule “A” and shall include provision for the information, summons, and record of officer.
 - (b) A ticket may be issued for the bylaw offences set out in “Schedule B” hereto annexed.
 - (c) The words or expressions set out in Column II of “Schedule B” may be used on a ticket to designate an offence under the provision of the Bylaw referred to in Column I thereof.

- (d) Notwithstanding subsection (c), any words or expressions used on a ticket which describe with sufficient clarity the offence committed shall be for all purposes a sufficient description of an offence designated in "Schedule B".
- (e) Where the offence charged in the ticket is one for which the penalty may be paid out of court, the Enforcement Officer issuing the summons may enter the amount of the penalty in the place provided therefor on the ticket, and that entry constitutes the endorsement required by Section 2.8.
- (f) The amount of penalty entered on a summons under subsection (e) shall be equal to the sum of (i) the penalty prescribed for the out of court settlement of the offence charged in the summons; and (ii) the administrative charge.
- (g) The use on the ticket of any word or expression authorized by this or any other Bylaw to designate an offence is sufficient for all purposes to describe the offence designated by that word or expression.
- (h) Upon completing a ticket, the issuing Enforcement Officer shall print his or her name on the summons portion and deliver the summons portion to the person charged with an offence therein, and delivery of the ticket summons in accordance with this subsection shall be deemed to be personal service.
- (i) Delivery of a ticket summons may be made on a holiday.
- (j) The issuing Enforcement Officer shall sign the information portion of the ticket and certify that he or she personally delivered the summons portion of the ticket to the person charged therein and the certification shall be in the following words:

*"I certify that I did personally deliver the summons portion
of this ticket on the accused on the _____ day of _____
_____, 20____."*
- (k) A certificate of delivery purporting to be signed by the issuing Enforcement Officer shall be received in evidence as sufficient proof of personal service in the absence of evidence to the contrary.
- (l) Every ticket information shall be
 - (i) *Signed by the informant and sworn to before a Justice of the Peace or Provincial Court Judge; and*
 - (ii) *In the event of a trial, and upon the entering of a not guilty plea, deposited, together with the ticket report of conviction, with the proper Provincial Court Judge.*
- (m) The ticket information need not be sworn to before the summons portion of the ticket is delivered and the informant need not be the same person as the person who issued the ticket summons.

2.8 There may be endorsed upon a ticket summons a notice that the person to whom the summons is directed may pay out of court a specified penalty and:

- (a) Where a ticket summons is so endorsed, it shall provide for a plea of guilty in the following form:

PLEA OF GUILTY

I am aware that I have the legal right to a hearing in respect of the offence with which I am charged, that by signing this plea of guilty I am waiving my right to a hearing and that my signature may result in a conviction against me without a hearing. **I hereby plead guilty to the offence as charged.**

Signature of the Accused

- (b) A signature affixed to the form of plea of guilty purporting to be that of the person to whom the summons is directed is *prima facie* proof that it is the signature of that person.
- (c) The Enforcement Officer or other person delivering a summons endorsed under this section shall not receive payment of the penalty payable out of court, or any part thereof.
- (d) Upon receipt of the summons with a plea of guilty made thereon in accordance with subsection 2.8(a), a Provincial Court Judge or Justice of the Peace may convict the person to whom the summons is directed of the offence described in the summons.
- 2.9 Where a person to whom a ticket summons has been delivered fails to appear as directed by the ticket summons and there has been no plea of guilty made on the ticket pursuant to subsection 2.8(a), the Provincial Court Judge or Justice of the Peace shall:
- (a) Where the information portion of the offence ticket is sworn to by the informant and is complete and regular on its face, enter a conviction on that information and impose the minimum penalty authorized by law for the offence or, where another penalty for that offence has been prescribed for out of the court settlement, that other penalty; or
- (b) Where the information portion of the offence ticket is not complete and regular on its face, quash the proceeding.

PART III – BYLAW ENFORCEMENT OFFICERS

3. Appointment and Supervision

- 3.1 Council hereby establishes the position of Enforcement Officer and an individual appointed to that position will have the title "Bylaw Enforcement Officer".
- 3.2 The Chief Administrative Officer shall appoint all Enforcement Officers for the Municipality and Enforcement Officers shall report to the Chief Administrative Officer.

4. Qualifications

- 4.1 To be eligible for appointment as an Enforcement Officer, individuals must provide the Chief Administrative Officer with the following:
- (a) a recent criminal record check acceptable to the Chief Administrative Officer;
 - (b) proof of adequate education and training necessary for performing the powers, duties and functions of an Enforcement Officer; and
 - (c) any other information that the Chief Administrative Officer determines is relevant or necessary in order to carry out the duties of an Enforcement Officer in the Municipality.
- 4.2 Enforcement Officers shall comply with all relevant policies, directives and procedures of the Municipality.
- 4.3 Prior to commencing his or her duties, an Enforcement Officer shall swear or affirm the oath hereto annexed as Schedule "C".
- 4.4 An individual may be appointed as an Enforcement Officer for the Municipality notwithstanding that he or she may also be appointed as an enforcement officer for another municipality.

5. Powers and Duties of a Bylaw Enforcement Officer

- 5.1 An Enforcement Officer shall be responsible for:
- (a) enforcing the bylaws for which the Enforcement Officer is authorized to enforce within the boundaries of the Municipality;
 - (b) following the directions of the Chief Administrative Officer, performing all enforcement duties delegated by the Chief Administrative Officer and reporting to the Chief Administrative Officer as required;
 - (c) responding to, investigating, and keeping a written record of complaints;
 - (d) conducting routine patrols, as directed by the Chief Administrative Officer;
 - (e) issuing notices and municipal offense tickets;
 - (f) where required by a bylaw, laying an information;
 - (g) assisting in the prosecution of bylaw contraventions including appearances in court to provide evidence;
 - (h) investigating properties to ensure compliance with bylaws, as directed by the Chief Administrative Officer;
 - (i) carrying upon his or her person at all such times as he or she is acting as an Enforcement Officer evidence in writing of his or her position as an Enforcement Officer of the Municipality;

- (j) acting in accordance with the Act, including, but not limited to, the provisions set forth in Part 9 of the Act;
 - (k) liaising with community groups and organizations concerning safety issues, as directed by the Chief Administrative Officer; and
 - (l) performing other duties as may be required or assigned by the Chief Administrative Officer.
- 5.2 (a) Where this Bylaw or another bylaw of the Municipality authorizes or requires an Enforcement Officer to
- (i) inspect anything;
 - (ii) remedy anything;
 - (iii) enforce anything; or
 - (iv) do anything required to be done by the Municipality,
- the Enforcement Officer may, after giving not less than 24 hours' notice to the owner or occupier of land or a building or other structure, take an action specified in subsection (b).
- (b) An Enforcement Officer may, on notice in accordance with subsection (a),
- (i) enter the land, building or structure referred to in subsection (a) at any reasonable time and carry out the inspection, enforcement or action authorized or required by this Bylaw or another bylaw of the Municipality;
 - (ii) require that anything be produced to assist in the inspection, remedy, enforcement or action; and
 - (iii) make copies of anything related to the inspection, remedy, enforcement or action.
- 5.3 An Enforcement Officer acting under this section shall display or produce, on request, identification and documentation showing that the person is authorized to carry out the duties specified in clauses 5.2(b)(i) to (iii).
- 5.4 An Enforcement Officer acting under this section shall not enter a dwelling without a warrant issued under the Summary Proceedings Act (PEI) unless the occupant consents to the entry.
- 5.5 Despite subsection 5.2(a), where, in the opinion of an Enforcement Officer acting under this section, an emergency or extraordinary circumstances exist, the Enforcement Officer is not required to give 24 hours' notice or enter at a reasonable hour to do the things referred to in subsection 5.2(b).

6. Complaint Process

- 6.1 Complaints of inappropriate conduct of an Enforcement Officer shall be directed to the Chief Administrative Officer.

- 6.2 All complaints must be accepted and addressed according to this Bylaw and must be submitted in writing.
- 6.3 The Chief Administrative Officer shall acknowledge receipt of the complaint, in writing, to the person making the complaint.
- 6.4 The Chief Administrative Officer shall provide notice of the complaint:
- (a) to the Enforcement Officer against whom the complaint is made;
 - (b) to Council; and
 - (c) where the Municipality has contracted with a Third Party for the services of the Enforcement Officer, to the Third Party.
- 6.5 A contract between the Municipality and a Third Party wherein the Third Party agrees to provide the services of one or more individuals to act as Enforcement Officers shall, at a minimum, contain the following provisions with respect to the complaint process:
- (a) that upon the receipt of a complaint in respect of an Enforcement Officer, the Chief Administrative Officer may suspend that individual from acting as an Enforcement Officer for the Municipality pending the completion of the complaint process;
 - (b) that upon the receipt of a complaint in respect of the individual, the Third Party shall hire an independent party that is acceptable to the Municipality to conduct an investigation and the costs associated with the investigation shall be the responsibility of the Third Party; and
 - (c) that the results of the investigation referred to in subsection (b), together with any investigation report prepared, shall be forwarded to the Chief Administrative Officer, the complainant, the Third Party and the Enforcement Officer who was investigated.
- 6.6 In the event there is no Third Party, the Municipality shall hire an independent party to investigate the complaint and the costs associated with the investigation shall be the responsibility of the Municipality.
- 6.7 Upon receipt of the results of the investigation and the investigation report, if any, the Chief Administrative Officer shall set a date and time for a hearing.
- 6.8 The complainant, the Enforcement Officer and the Third Party, if any, shall have the opportunity to be heard at the hearing.

7. Disciplinary Action

- 7.1 If following the hearing conducted in accordance with Part 6, the Chief Administrative Officer finds the Enforcement Officer has acted inappropriately, the Chief Administrative Officer may take one of the following actions:
- (a) issue a verbal warning to the Enforcement Officer;
 - (b) issue a written reprimand to the Enforcement Officer;

- (c) suspend the Enforcement Officer from carrying out his or her duties in the Municipality for a specified time period; or
- (d) revoke the appointment of the Enforcement Officer in the Municipality.

8. Notification and Appeal

- 8.1 The Chief Administrative Officer shall notify, in writing, the complainant, the Enforcement Officer and the Third Party, if any, of the results of the investigation and what, if any, disciplinary action has been taken.
- 8.2 The Chief Administrative Officer shall include reasons for his or her decision with the notification provided under section 8.1.
- 8.3 The complainant, the Enforcement Officer and the Third Party, if any, have the right to appeal the Chief Administrative Officer's decision.
- 8.4 The Chief Administrative Officer shall include, in the notification provided under section 8.1, a written notice that the Council is authorized to hear an appeal of the Chief Administrative Officer's decision and that the appeal must be filed, in writing, within 30 days of the date of the decision.
- 8.5 The written appeal submission must contain the reasons why the decision of the Chief Administrative Officer should be overturned.
- 8.6 The Council shall forward any written appeal submission it receives from a party listed in section 8.3 to the remaining parties listed in section 8.3 and the remaining parties shall have 20 days from their receipt of the written appeal submission within which to file their own written appeal submission.
- 8.7 After reviewing the information contained in the written appeal submissions provided under sections 8.5 and 8.6, Council may
 - (e) dismiss the appeal; or
 - (f) allow the appeal and vary the decision of the Chief Administrative Officer.
- 8.8 The Council shall notify, in writing, the complainant, the Enforcement Officer and the Third Party, if any, of the results of the appeal.
- 8.9 The Council has the authority to decide any matter of procedure not otherwise provided for in this Bylaw.
- 8.10 The decision of Council is final and binding.

9. Effective Date

- 9.1 This Enforcement and Summary Proceedings Bylaw, Bylaw # 2019-01 shall be effective on the date of approval and adoption below.

First Reading:

This Enforcement and Summary Proceedings Bylaw, Bylaw # 2019-01 was read a first time at the Council meeting held on the 13th day of March, 2019.

This Enforcement and Summary Proceedings Bylaw, Bylaw # 2019-01 was approved by a majority of Councillors present at the Council meeting held on the 13th day of March, 2019.

Second Reading:

This Enforcement and Summary Proceedings Bylaw, Bylaw # 2019-01 was read a second time at the Council meeting held on the 11th day of September, 2019.

This Enforcement and Summary Proceedings Bylaw, Bylaw # 2019-01 was approved by a majority of Councillors present at the Council meeting held on the 11th day of September, 2019.

Adoption and Approval by Council:

This Enforcement and Summary Proceedings Bylaw, Bylaw # 2019-01 was adopted by a resolution of Council at the Council meeting held on the 11th day of September, 2019.

This Enforcement and Summary Proceedings Bylaw, Bylaw # 2019-01 is declared to be passed on the 11th day of September, 2019.

WITNESS the corporate seal of the Municipality.

Mayor, Gerard Watts (signature sealed)

Chief Administration Officer, Stephanie Moase
(signature sealed)

BE IT RESOLVED THAT: Bylaw # 2019-01, being a bylaw related to the appointment of enforcement officers and summary proceedings in the Municipality, is hereby enacted as a bylaw of the Municipality and the Mayor and Chief Administrative Officer be and they are hereby authorized to sign the Bylaw and apply the Municipality's seal thereto.

Dated the 7th day of October, 2019.

Mayor, Gerard Watts (signature sealed)

Chief Administration Officer, Stephanie Moase
(signature sealed)

SCHEDULE "A"
MUNICIPAL OFFENCE TICKET

CANADA PROVINCE OF PRINCE EDWARD ISLAND RURAL MUNICIPALITY OF NORTH SHORE	CASE NO.	TICKET NO.
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SUMMARY OFFENCE INFORMATION

THE INFORMANT SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON THE ____ DAY OF _____, 20____ TIME: ____ (**M**)

NAME: _____
(LAST) (FIRST) (OTHER)

ADDRESS: _____
(STREET) (MUNICIPALITY)

(PO) (PROVINCE) (POSTAL CODE) (TELEPHONE)

AT OR NEAR **RURAL MUNICIPALITY OF NORTH SHORE, PRINCE EDWARD ISLAND**
DID UNLAWFULLY COMMIT THE FOLLOWING OFFENCE UNDER SECTION ____ OF

X INDICATES BYLAW UNDER WHICH OFFENCE CHARGED	NAME OF BYLAW <input type="checkbox"/> Land Use Bylaw <input type="checkbox"/> Other (insert name) _____
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DESCRIPTION OF OFFENCE:

IN THE NAME OF HER MAJESTY THE QUEEN YOU ARE COMMANDED TO APPEAR BEFORE A JUSTICE OF THE PEACE AT THE PROVINCIAL COURT, 3 HARBOURSIDE ACCESS ROAD, CHARLOTTETOWN, PROVINCE OF PRINCE EDWARD ISLAND, ON THE ____ DAY OF _____, 20____ TIME: **M** TO ANSWER THE ABOVE CHARGE AND BE FURTHER DEALT WITH ACCORDING TO LAW.

SIGNATURE OF INFORMANT _____

(BYLAW ENFORCEMENT OFFICER OR POLICE OFFICER)

SWORN BEFORE ME THIS ____ DAY OF _____, ____ AT _____, PRINCE EDWARD ISLAND.

(JUSTICE OF THE PEACE)

NAME OF OFFICER ISSUING SUMMONS _____

BYLAW ENFORCEMENT OFFICER _____

POLICE OFFICER _____

(UNIT AND NO.) _____ (POLICE DEPT.) _____

I CERTIFY THAT I DID PERSONALLY DELIVER THE SUMMONS PORTION OF THIS TICKET TO THE ACCUSED ON THE ____ DAY OF _____, 20____.

SIGNATURE: _____

Schedule "A"

REVERSE SIDE OF

SUMMARY OFFENCE INFORMATION
COURT ACTION

Multiple horizontal lines for case details.

FOR MUNICIPALITY FOR DEFENDANT
CHARGE READ PLEA
FINDING OF COURT DISPOSITION

GIVEN UNTIL _____, 20____ TO PAY PAID FORTHWITH

JUDGMENT GIVEN ON _____, 20____, IN PROVINCIAL COURT AT _____, PRINCE EDWARD ISLAND.

PROVINCIAL COURT/JUSTICE OF THE PEACE/YOUTH COURT

Schedule "A"

REVERSE SIDE OF

- SUMMONS TO ACCUSED -

NOTICE RESPECTING VOLUNTARY PAYMENT WITHOUT COURT APPEARANCE

- READ CAREFULLY -

IF AN AMOUNT IS SHOWN IN THE BOX MARKED IN RED ON THE FACE OF THIS SUMMONS THIS CASE MAY BE SETTLED OUT OF COURT BY

- A. SIGNING THE FORMS OF PLEA OF GUILTY BELOW AND
- B. MAKING PAYMENT BEFORE THE DATE FOR APPEARANCE SHOWN ON THE FACE OF THIS SUMMONS.

BY MAIL OR IN PERSON
 3 Harbourside Access Road,
 Charlottetown, PE
 C1A 8R4

(ADDRESS)

- DO NOT SEND CASH BY MAIL -

IF NO AMOUNT IS SHOWN ON THE FACE OF THIS SUMMONS, YOU MUST APPEAR BEFORE THE JUSTICE OF THE PEACE AT THE DATE, TIME AND PLACE SPECIFIED TO ANSWER THE CHARGE.

PAYMENT BY MONEY ORDER OR CHEQUE PAYABLE TO

"RURAL MUNICIPALITY OF NORTH SHORE".

YOU MUST SIGN BELOW IF SETTLING OUT OF COURT.

- PLEA OF GUILTY -

I AM AWARE THAT I HAVE A RIGHT TO A HEARING IN RESPECT OF THE OFFENCE WITH WHICH I AM CHARGED, THAT BY SIGNING THIS PLEA OF GUILTY I AM WAIVING MY RIGHT TO A HEARING AND THAT MY SIGNATURE MAY RESULT IN A CONVICTION AGAINST ME WITHOUT A HEARING.

I HEREBY PLEAD GUILTY TO THE OFFENCE AS CHARGED.

SIGNATURE OF DEFENDANT: _____

ADDRESS: _____

<i>STREET NO.</i>	<i>MUNICIPALITY</i>	<i>PROV.</i>	<i>POSTAL CODE</i>
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I ENCLOSE THE AMOUNT OF \$ _____ FOR OUT OF COURT SETTLEMENT.

WHERE THERE IS NO PLEA OF GUILTY MADE ON THE TICKET SUMMONS AND YOU FAIL TO APPEAR BEFORE THE JUSTICE OF THE PEACE AS DIRECTED BY THIS TICKET SUMMONS OR JUSTICE OF THE PEACE SHALL, PURSUANT TO _____ OF _____ OF RURAL MUNICIPALITY OF NORTH SHORE

<i>SECTION</i>	<i>BYLAW NAME</i>	<i>MUNICIPALITY</i>
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ENTER A CONVICTION AND IMPOSE THE PENALTY PRESCRIBED BY LAW.

IF YOU HAVE QUESTIONS CONCERNING YOUR RIGHTS YOU SHOULD CONSULT A LAWYER.

THIS FORM MUST ACCOMPANY THE VOLUNTARY PAYMENT.

Schedule "A"

CANADA PROVINCE OF PRINCE EDWARD ISLAND RURAL MUNICIPALITY OF NORTH SHORE	CASE NO.	TICKET NO.
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**- RECORD OF -
BYLAW ENFORCEMENT OFFICER OR POLICE OFFICER**

THE INFORMANT SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON THE ____ DAY OF _____, 20____ TIME: ____ **M**

NAME _____ OF _____

LAST FIRST OTHER NO AND STREET

MUNICIPALITY PROVINCE POSTAL CODE TELEPHONE

AT OR NEAR RURAL MUNICIPALITY OF NORTH SHORE, PROVINCE OF PRINCE EDWARD ISLAND DID UNLAWFULLY COMMIT THE FOLLOWING OFFENCE UNDER

SECTION _____ OF X INDICATES BYLAW UNDER WHICH OFFENCE CHARGED

- Land Use Bylaw
- Other (insert name) _____

DESCRIPTION OF OFFENCE

IN THE NAME OF HER MAJESTY THE QUEEN YOU ARE COMMANDED TO APPEAR BEFORE A JUSTICE OF THE PEACE AT THE PROVINCIAL COURT, 3 HARBOURSIDE ACCESS ROAD, CHARLOTTETOWN, PROVINCE OF PRINCE EDWARD ISLAND ON THE ____ DAY OF _____, 20____ AT ____ **M** TO ANSWER THE ABOVE CHARGE AND BE FURTHER DEALT WITH ACCORDING TO LAW.

THE TOTAL AMOUNT PAYABLE FOR OUT OF COURT SETTLEMENTS IS _____ PENALTY \$ _____

NAME OF OFFICER ISSUING SUMMONS _____

- BYLAW ENFORCEMENT OFFICER _____
- POLICE OFFICER _____

(UNIT AND NO.) _____ (POLICE DEPT.) _____

I CERTIFY THAT I DID PERSONALLY DELIVER THE SUMMONS PORTION OF THIS TICKET TO THE ACCUSED ON THE ____ DAY OF _____, 20____.

SIGNATURE: _____

SCHEDULE "B"

LAND USE BYLAW

Column I	Column II description of offence	Column III penalty/ticket
Section 2.4(a)	Changing the use of a parcel of land or structure without a permit.	1ST OFFENCE \$250
Section 2.4(a)	Changing the use of a parcel of land or structure without a permit.	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500
Section 2.4(a)	Changing the use of a parcel of land or structure without a permit.	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000
Section 2.4(b)	Commencing a development without a permit.	1ST OFFENCE \$250
Section 2.4(b)	Commencing a development without a permit.	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500
Section 2.4(b)	Commencing a development without a permit.	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000
Section 2.4(c)	Constructing or replacing a structure without a permit	1ST OFFENCE \$250
Section 2.4(c)	Constructing or replacing a structure without a permit	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500

Schedule "B"

Section 2.4(c)	Constructing or replacing a structure without a permit	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000
Section 2.4(d)	Making structural alterations without a permit	1ST OFFENCE \$250
Section 2.4(d)	Making structural alterations without a permit	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500
Section 2.4(d)	Making structural alterations without a permit	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000
Section 2.4(e)	Making a water or sewer connection without a permit	1ST OFFENCE \$250
Section 2.4(e)	Making a water or sewer connection without a permit	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500
Section 2.4(e)	Making a water or sewer connection without a permit	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000

Schedule "B"

Section 2.4(f)	Making an underground installation without a permit	1ST OFFENCE \$250
Section 2.4(f)	Making an underground installation without a permit	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500
Section 2.4(f)	Making an underground installation without a permit	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000
Section 2.4(g)	Moving or demolishing a structure without a permit	1ST OFFENCE \$250
Section 2.4(g)	Moving or demolishing a structure without a permit	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500
Section 2.4(g)	Moving or demolishing a structure without a permit	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000
Section 2.4(h)	Constructing a driveway without a permit	1ST OFFENCE \$250

Schedule "B"

Section 2.4(h)	Constructing a driveway without a permit	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500
Section 2.4(h)	Constructing a driveway without a permit	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000
Section 2.4(i)	Placing or dumping any fill or material over 10 cubic metres without a permit	1ST OFFENCE \$250
Section 2.4(i)	Placing or dumping any fill or material over 10 cubic metres without a permit	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500
Section 2.4(i)	Placing or dumping any fill or material over 10 cubic metres without a permit	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000
Section 2.4(j)	Subdividing or consolidating land without a permit	1ST OFFENCE \$250
Section 2.4(j)	Subdividing or consolidating land without a permit	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500

Schedule "B"

Section 2.4(j)	Subdividing or consolidating land without a permit	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000
Section 2.9	Failure to comply with permit conditions	1ST OFFENCE \$250
Section 2.9	Failure to comply with permit conditions	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500
Section 2.9	Failure to comply with permit conditions	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000
Section 2.10	Failure to comply with a development agreement	1ST OFFENCE \$250
Section 2.10	Failure to comply with a development agreement	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500
Section 2.10	Failure to comply with a development agreement	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000

Schedule "B"

Section 5.12	Operating an excavation pit without a permit	1ST OFFENCE \$250
Section 5.12	Operating an excavation pit without a permit	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500
Section 5.12	Operating an excavation pit without a permit	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000
Section 5.14	Establishing a garden suite without a permit	1ST OFFENCE \$250
Section 5.14	Establishing a garden suite without a permit	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500
Section 5.14	Establishing a garden suite without a permit	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000
Section 5.29	Failure to secure a permit for the installation of a swimming pool	1ST OFFENCE \$250

Schedule "B"

Section 5.29	Failure to secure a permit for the installation of a swimming pool	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500
Section 5.29	Failure to secure a permit for the installation of a swimming pool	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000
Section 6.1	Subdividing or consolidating land without final approval	1ST OFFENCE \$250
Section 6.1	Subdividing or consolidating land without final approval	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500
Section 6.1	Subdividing or consolidating land without final approval	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000
Section 6.2	Selling or conveying an interest in a lot in a subdivision prior to final stamp of approval	1ST OFFENCE \$250
Section 6.2	Selling or conveying an interest in a lot in a subdivision prior to final stamp of approval	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500

Schedule "B"

Section 6.2	Selling or conveying an interest in a lot in a subdivision prior to final stamp of approval	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000
Section 7.8	Failure to maintain buffer	1ST OFFENCE \$250
Section 7.8	Failure to maintain buffer	2ND OFFENCE WITHIN A 12 MONTH PERIOD \$500
Section 7.8	Failure to maintain buffer	3RD OR SUBSEQUENT OFFENCE WITHIN A 12 MONTH PERIOD \$1,000

SCHEDULE "C"

I, _____, solemnly and sincerely swear (or affirm) that I will diligently, faithfully and impartially fulfill the duties of bylaw enforcement officer for the Rural Municipality of North Shore and that I will not, without due authority, disclose or make known any matter that comes to my knowledge by reason of such position.

SWORN (or affirmed) BEFORE ME at

_____,
_____ County, Province
of Prince Edward Island, the _____ day of
_____, 20____.

A COMMISSIONER FOR TAKING
AFFIDAVITS IN THE SUPREME COURT

(Person giving Oath or Affirmation)