

Part Six Contravention and Enforcement

Section 29 Stop Order

- 29.1 If the Development Authority finds that a development, land use or use of a building is not in accordance with the Act, this Bylaw, a development permit or subdivision approval, the Development Authority may, by written notice (“Stop Order”) order the owner, the person in possession of the land or building, or other person responsible for the contravention, or all or any of them to:
- a. Stop the development or use of the land or building in whole or part as directed by the notice;
 - b. Demolish, remove or replace the development; and/or,
 - c. Carry out any other actions required by the notice so that the development or use of the land or building complies with the Act, or regulations under this Bylaw, a development permit or a subdivision approval; within the time set out in the notice.
- 29.2 If a person fails or refuses to comply with a Stop Order, the City may, in accordance with Section 542 of the Act, enter upon the land or building and take such action as is necessary to carry out the order.
- 29.3 If the City takes action to carry out a Stop Order the City shall cause the costs and expenses incurred in doing so to be placed on the tax roll of the property concerned.
- 29.4 The City may register a caveat with respect to the Stop Order in the Land Titles Office.

Section 30 Sign Impoundment

- 30.1 If a sign, pursuant to Schedule B, contravenes this Bylaw, a Peace Officer or Development Authority may, without notice, remove and impound the sign if it is located on lands under the control of the City or the City has the consent of the registered owner of the land on which the sign is located.
- 30.2 If a sign or poster is attached to a decorative Street Light within the Downtown, it may be removed by a Peace Officer without notice.
- 30.3 The owner of an impounded sign may claim it by paying the City’s impoundment fee. The impoundment fee shall be \$20 per sign or \$200 whichever is greater, and may include a fee of \$20 per day for storage for a maximum of 30 days.
- 30.4 If the sign is not claimed within 30 days, it may be treated as unclaimed property and/or destroyed.

Section 31 Penalties

- 31.1 Where a Peace Officer has reasonable grounds to believe that a person has contravened any provision of this bylaw, the Designated Officer may serve a Municipal Tag or Violation Ticket upon the person.
- 31.2 In the case of an offence that is of a continuing nature, a contravention of a provision of this bylaw constitutes a separate offence with respect to each day, or part of a day, during which the contravention continues, and a person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw for each such separate offence.
- 31.3 Any person, who contravenes any provision of this Bylaw, is guilty of an offence punishable on summary conviction and is liable:
- a. For a first offence to a fine of \$250.00; or
 - b. For a second or subsequent offence, to a fine of not less than \$500.00 and not more than \$10,000.00.

31.4 In accordance with Section 542 of the Act, a Designated Officer may upon reasonable notice (generally to mean 48 hours notice) enter onto any land or into any building for the purpose of carrying out an inspection to determine compliance with this bylaw.

(Bylaw C-1260-27 - April 20, 2015)