

CARMAN DUFFERIN GREY PLANNING DISTRICT

BY-LAW NO. 28-2024

Being a By-Law of the Carman Dufferin Grey Planning District to provide for the implementation of the Provincial Offences Act.

WHEREAS:

The Provincial Offences Act replaced the Summary Convictions Act and provides for the enforcement of contraventions of Provincial Acts, Regulations and contraventions of municipal bylaws;

Section 14 of the "Planning Act" provides that when a Planning District is established the administration and enforcement of its development plan by-law and zoning by-law is the responsibility of the board.

Carman Dufferin Grey Planning District deems it advisable in the public interest to provide for the implementation of the Provincial Offences Act as an additional means of encouraging compliance with its municipal by-laws, the terms or conditions of permits, approvals and orders, and acts it is authorized to enforce;

NOW THEREFORE The Carman Dufferin Grey Planning District enacts as follows:

PURPOSE AND INTERPRETATION

1. The purpose of this by-law is to implement and provide for the enforcement, under the Provincial Offences Act, of;
 - a. The Carman Dufferin Grey by-laws, the Planning Act and any other act the Planning District is authorized to enforce, and
 - b. Permits, approvals, and orders made or issued under the Planning District's by-laws, the "Planning Act" or any other act the Planning District is authorized to enforce.
2. Words defined in the Provincial Offences Act, or the Planning Act have the same meaning in this by-law, unless provided otherwise in this by-law.

PRE-SET FINES FOR THE PLANNING DISTRICTS BY-LAWS

4. The pre-set fines for offences are set out in Schedule A.

ENFORCEMENT OFFICER'S AUTHORITY

5. The persons appointed under the
 - Zoning (Carman Dufferin By-Law # 04/2014 as amended or its replacement)
 - Zoning (RM of Grey By-Law # 05/03 as amended or its replacement)

- Zoning (Village of St. Claude Zoning By-Law No. 375/04 as amended or its replacement)
- Development (Carman Dufferin By-Law #03/2014 or its replacement)
- Development (Grey – St. Claude)
- Building (By-Law #26-2024 or its replacement)

are authorized to enforce offences, including planning offences, under the Provincial Offences Act.

PLANNING SERVICES MANAGER'S AUTHORITY

7. The Planning Services Manager is authorized to do the following under the Provincial Offences Act:
- a. under section 87(3), collect fine payments and remit the amount due to the government on account of costs;
 - b. under section 90, issue a certificate in respect of an unpaid fine, and file the certificate in the Court of King's Bench;
 - c. under section 91, file a restitution order in the Court of King's Bench if a debtor has failed to comply with the payment provisions of a restitution order;
 - d. under section 92, register a financing statement in the Personal Property Registry to give effect to the Town's lien against the personal property of a debtor for an unpaid fine; and
 - e. under section 93(4), register documents in the Personal Property Registry to postpone the Town's interest under a financing statement, or to amend, renew or discharge a financing statement.

ADMINISTRATIVE FEE

8. The administrative fee under section 92(3) of the Provincial Offences Act for a lien for unpaid fines is set at \$60.00.

TRANSITIONAL

10. This by-law applies to existing offences and prosecutions. Proceedings commenced under the former Summary Convictions Act that are not finally disposed of before this by-law comes into force are to be taken up and continued under and in conformity with the provisions of this by-law.

DONE AND PASSED by the Carman Dufferin Grey Planning District, duly assembled at the Town of Carman, in Manitoba, this 10th day of July 2024.


Board Chair


Planning Services Manager

Read a first time this 12th day of June 2024 A.D.

Read a second time this 10th day of July 2024 A.D.

Read a third time this 10th day of July, 2024 A.D.

SCHEDULE A

Section #	Name of By-law & By-law #	Description of offence	Pre-set fine
All	Zoning By-Law Carman Dufferin Planning District 04/2014	Contravention of By-Law	\$500.00 – 1 st offence, Fees double on each consecutive offence
All	Zoning By-Law RM of Grey 05/03	Contravention of By-law	\$500.00 – 1 st offence, Fees double on each consecutive offence
All	Zoning By-Law Village of St. Claude 375/04	Contravention of By-law	\$500.00 – 1 st offence, Fees double on each consecutive offence
All	Development Plan By-Law Carman Dufferin Planning District By-Law #03/2014	Contravention of By-law	\$500.00 – 1 st offence, Fees double on each consecutive offence
All	Development Plan By-Law Grey-ST. Claude Planning District 3 2/99	Contravention of By-law	\$500.00 – 1 st offence, Fees double on each consecutive offence
All	Building By-Law # 03/2014	Contravention of By-law	\$500.00 – 1 st offence, Fees double on each consecutive offence