

RURAL MUNICIPALITY OF ROSEDALE NO. 283

BYLAW NO. 04/2025

A BYLAW TO PROVIDE FOR THE PENALTIES AND ENFORCEMENT PROCEDURES ON PERSONS GUILTY OF A CONTRAVENTION OF ANY OF THE PROVISIONS OF ANY OF THE BYLAWS OF THE RURAL MUNICIPALITY OF ROSEDALE NO. 283.

Council of the Rural Municipality of Rosedale No. 283 in the Province of Saskatchewan enacts as follows:

Short Title

1. This Bylaw shall be referred to as the “General Penalty and Enforcement Bylaw”.

Governing Legislation

2. *The Municipalities Act* shall prevail in all circumstances where there might arise a conflict with the General Penalty and Enforcement Bylaw.

Purpose

3. The purpose of this Bylaw is to establish penalties and enforcement procedures for the contravention of bylaws in the Municipality.

Application

4. The penalties and enforcement procedures in this Bylaw shall apply with respect to contraventions of any bylaw of the Municipality, unless a different penalty or procedure is otherwise specified in another bylaw.

Definitions

5. In this Bylaw:
 - (a) The **Act** means *The Municipalities Act*, SS 2005, c M-36.1.
 - (b) **Administrator** means the Administrator of the Municipality, appointed by Council pursuant to Section 110 of the Act and who is responsible for the overall management and administration of municipal affairs.
 - (c) **Council** means the Reeve and Councillors of the Municipality elected pursuant to the provisions of *The Local Government Election Act*, SS 1982-83, c L-30.1.
 - (d) **Designated Officer** means an employee or agent of the Municipality appointed by Council to act as a municipal inspector and/or Bylaw Enforcement Officer for the purposes of this Bylaw, or any person duly authorized by Council to enforce all bylaws of the Municipality.
 - (e) **Municipality** means the Rural Municipality of Rosedale No. 283.

General Penalty

6. No person shall:
 - (a) contravene or fail to comply with a provision of the Act or the regulations where no other penalty is specifically provided, or with an order made pursuant to Sections 19, 364, 367, or 387 of the Act;
 - (b) obstruct or interfere with an employee or agent of the Municipality engaged in exercising, on behalf of the Municipality, any powers conferred by the Act, or by a bylaw of the Municipality passed pursuant to the Act;
 - (c) destroy, pull down, alter, or interfere with any work carried out or thing done by or for the Municipality pursuant to the Act or any bylaw passed under it.
7. Every person who contravenes Section 6 is guilty of an offence and is liable on summary conviction to:
 - (a) in the case of an individual, a fine of not more than \$10,000, or imprisonment for not more than one year, or both;
 - (b) in the case of a corporation, a fine of not more than \$25,000;

- (c) in the case of a continuing offence, a maximum daily fine of not more than \$2,500 for each day or part of a day during which the offence continues.
8. Every person who contravenes any provision of a bylaw duly passed by the Municipality is guilty of an offence and liable on summary conviction:
- (a) to the penalty specified in that bylaw or in another bylaw providing for a penalty with respect to the contravention; or
 - (b) if no penalty is specified in the bylaw:
 - (i) in the case of an individual, a fine of not more than \$10,000 per offence, and in the case of a continuing offence, a further fine not exceeding \$1,000 for each day or part of a day during which the offence continues;
 - (ii) in the case of a corporation, a fine of not more than \$25,000 per offence, and in the case of a continuing offence, a further fine not exceeding \$2,500 for each day or part of a day during which the offence continues.
9. The Municipality may apply to the nearest Provincial Court, or any approved and authorized Provincial Bylaw Court, to prosecute an offence under Sections 6 through 8 of this Bylaw pursuant to *The Summary Offences Procedure Act, 1990*, SS 1990-91, c S-63.1 (“SOPA”). Proceeding under SOPA does not preclude the Municipality from also pursuing remedies under Sections 11 and 14–18 of this Bylaw.

Reduced Fine for Early Payment

10. The Municipality may provide for a reduction in the specified fine amount if payment is made within a prescribed time period, as set out in any Notice of Violation or other applicable enforcement documentation.

Penalties in addition to Fines

11. If a person violates any bylaw of the Municipality, the Municipality may, in addition to any fine imposed, levy an additional penalty provided that the penalty corresponds to a fee, cost, rate, toll, or charge associated with the conduct that gave rise to the violation.

Officer and Director Liability

12. Where a corporation contravenes any provision of a bylaw of the Municipality, any officer or director of the corporation who directed, authorized, assented to, acquiesced in, or participated in the commission of the offence is also guilty, individually, of the offence. Such individuals are liable, upon summary conviction, to the same penalties applicable to individuals, whether or not the corporation has been prosecuted or convicted.

Designated Officer

13. Any police officer, peace officer, employee, or agent of the Municipality, or any person specifically authorized by Council, is hereby designated as having the authority to enforce all bylaws of the Municipality.

Enforcement Procedure

14. Unless otherwise stated in this bylaw, any person who contravenes a bylaw of the Municipality shall be served with a Notice of Violation, as set out in Schedule A (as amended from time to time), which shall include the applicable fine.
15. A person served with a Notice of Violation shall remit payment to the Municipality within thirty (30) calendar days from the date of service. If payment is made within this period and accepted by the Municipality, the individual shall not be subject to prosecution for the offence.
16. Where payment remains outstanding after thirty (30) calendar days from the issuance of the Notice of Violation, the Municipality shall issue a Notice of Pending Collection, in accordance with Schedule B (as amended from time to time).
17. If payment is still not received within forty-five (45) calendar days from the date of the original Notice of Violation, the Municipality may engage a collection agency to recover the outstanding fine.
18. Nothing in this enforcement procedure precludes the Municipality from taking additional enforcement measures under Section 9 of this Bylaw.

Service of Notice of Violation

- 19. Service of a Notice of Violation shall be made by one of the following methods:
 - (a) Attaching the Notice of Violation to the vehicle, structure, or location where the breach or contravention occurred;
 - (b) Mailing the Notice of Violation to the registered owner of the vehicle, structure, or location; or
 - (c) Using any other method of service as permitted or required under the Act or any other legislation.

Service of Notice of Pending Collection

- 20. Service of a Notice of Pending Collection shall be made by one of the following methods:
 - (a) Attaching the Notice of Pending Collection to the vehicle, structure, or location where the breach or contravention occurred;
 - (b) Mailing the Notice of Pending Collection to the registered owner of the vehicle, structure, or location; or
 - (c) Using any other method of service permitted or required under the Act or any other legislation.

Recovery of Unpaid Expenses and Costs

- 21. Any unpaid expenses and costs incurred by the Municipality in remedying a contravention of this Bylaw may be recovered through one of the following methods:
 - (a) Through civil action for debt in a court of competent jurisdiction, in accordance with Section 368 of the Act;
 - (b) By submitting the debt to a Collection Agency; or
 - (c) By adding the outstanding amount to the property taxes for the property where the contravention occurred, in accordance with Section 369 of the Act.

Severability

- 22. If any portion of this Bylaw is declared *ultra vires* by a court of competent jurisdiction, that portion shall be severed from the Bylaw to the extent of the declaration, and the remainder of the Bylaw shall remain in full force and effect.

Compliance with Other Statutes and Bylaws

- 23. This Bylaw is not intended to exempt any person from complying with other applicable statutes, regulations, or bylaws related to building construction and repair, fire safety, or public health.

Coming Into Force

- 24. This Bylaw repeals Bylaw No. 3/2007.
- 25. This Bylaw shall come into effect on the day of its final passing.

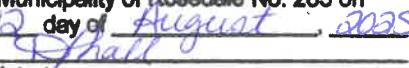



 Nick Patkau, Reeve


 Danielle Thall, Administrator



Read a first time 8 day of July, 2025
 Read a second time 12 day of August, 2025
 Read a third time and passed this 12 day of August, 2025

Certified a true copy of Bylaw No. 04 / 2025
 adopted by resolution of the council of the
 Rural Municipality of Rosedale No. 283 on
 the 12 day of August, 2025

 Administrator

Schedule A – Notice of Violation

**NOTICE OF VIOLATION
Avoid Prosecution by Paying Promptly**

DD	MM	YY
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Name: _____
(Last) (First) (Other)

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

On or about the ____ day of _____, 20____ in the R.M. of Rosedale No. 283,
 Saskatchewan at _____ AM/PM

Did unlawfully commit the following offence under:

Bylaw No. _____ Section No.: _____ at or near _____
(Location)

Description of Offence: _____

Violation *To Avoid Prosecution payment must be made.

Warning Only *No further payment or action required.

If the Rural Municipal of Rosedale No. 283 receives your payment **within 30 calendar days**
 from the date above, the amount to be paid is \$ _____

**PENALTY: After 30 calendar days the Penalty Sum that must be paid for the above
 infraction is: \$ _____**

Payment must be made within 30 calendar days from the issue date to avoid collections, lien
 registration and further legal action.

Vehicle Make:	Model:	Color:	Year:	Vehicle Plate or VIN No.	Prov.	Exp.
Owner's Name _____ <small>(if different from above) (Last) (First) (Other)</small>						
Owner's Address: _____ <small>(if different from above) (Address) (City/Town) (Province) (Postal Code)</small>						

D.N.P

I, _____, a Designated Officer authorized to issue
(print)

this ticket for this jurisdiction, CERTIFY that I did on the _____ day of _____,
20_____, issue this ticket.

(Signature of Designated Officer)

PAYMENT OPTIONS:

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

Payment In Person:
R.M. of Rosedale No. 283 Office
PT NW 36-30-04 W3rd

Payment by Mail to:
R.M. of Rosedale No. 283
P.O. Box 150
Hanley, SK S0G 2E0

- *If paying by mail, please reference your Ticket number.
- *Cheques must be made payable to the R.M. of Rosedale No. 283
- *The R.M. of Rosedale No. 283 assumes no responsibility for cash sent through the mail.

If you have any questions relating to this ticket, please call the R.M. of Rosedale No. 283 office at 306-544-2202

N.B.

R.M. of Rosedale No. 283

Schedule B – Notice of pending collections

DATE: _____

Name: _____

Mailing Address: _____

Re: NOTICE OF PENDING COLLECTIONS FOR NOTICE OF VIOLATION TICKET NO. ____

Dear Sir or Madam:

Whereas it is alleged that you, on or about the ____ day of _____, 20____, in the R.M. of Rosedale No. 283, in the Province of Saskatchewan, did

TO AVOID COLLECTIONS, PAYMENT OF _____ MUST BE MADE WITHIN 45 DAYS AFTER RECEIVING THIS LETTER.

Ticket Number: _____
Penalty Sum: \$ _____
Service Fee: \$ _____
Balance Due: \$ _____

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

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Payment In Person:
R.M. of Rosedale No. 283 Office
PT NW 36-30-04 W3rd

Payment by Mail to:
R.M. of Rosedale No. 283
P.O. Box 150
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