

**TOWN OF THE PAS**

**BY-LAW NO. 4570**

**BEING A BY-LAW OF THE TOWN OF THE PAS TO PROVIDE FOR AN ADMINISTRATIVE PENALTY SCHEME FOR THE ENFORCEMENT OF ALL TOWN OF THE PAS PARKING BY-LAWS**

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**WHEREAS** Section 3 (1) of the Municipal By-Law Enforcement Act (“Act”) provides that a municipality may require that administrative penalties be paid in respect of the contravention of its by-laws;

**AND WHEREAS** the Act provides that municipal by-laws respecting parking may only be enforced by issuing Penalty Notices under that Act and may not be enforced by a proceeding under the Provincial Offences Act;

**AND WHEREAS** Council for the Town of The Pas deems it advisable in the public interest to provide for an Administrative Penalty scheme as an additional means of encouraging compliance with its by-laws;

**NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL DULY ASSEMBLED ENACTS AS FOLLOWS:**

**PART 1**

**PURPOSE AND INTERPRETATION**

1. The purpose of this by-law is to establish an Administrative Penalty scheme for the enforcement of parking by-law contraventions and an Adjudication scheme to review Screening Officer decisions.
2. Unless otherwise expressly provided in this by-law, or unless the context otherwise requires, words and expressions in this by-law have the same meaning as the same words and expressions in the Act. The following definitions apply to this by-law:
  - a) **“Act”** means The Municipal By-Law Enforcement Act;
  - b) **“Adjudication”** means the hearing and determination of a request under Part 6 of this By-Law;
  - c) **“Adjudicator”** means a person appointed pursuant to the Act who is eligible to preside over an Adjudication;
  - d) **“Administrative Penalty”** means the financial penalty attributed to a designated by-law contravention as set out in Schedule “A”;
  - e) **“Compliance Agreement”** means an agreement entered into pursuant to Part 5 of this By-Law;
  - g) **“Early Payment Discount”** means the reduced financial penalty attributed to the designated by-law contravention as set out in Schedule “A” of this By-Law;
  - h) **“Final Notice”** means the notice issued pursuant to Part 3, Section 9 and set out in Schedule “C” of this By-Law;

**TOWN OF THE PAS**

**BY-LAW NO. 4570**

- i) **“Penalty Notice”** means the notice issued by a Designated Officer pursuant to Part 3, Section 7 and set out in Schedule “B” of this By-Law;
  - j) **“Screening Officer”** means the Chief Administrative Officer
3. This By-Law contains the following Schedules:
- Schedule A:** By-Law Contraventions that may be dealt with by a Penalty Notice under the Act along with the Administrative Penalty and Early Payment Discount
  - Schedule B:** Penalty Notice
  - Schedule C:** Final Notice
  - Schedule D:** *Screening Officer Forms*
    - 1. Request to meet with the Screening Officer
    - 2. Notice of meeting with the Screening Officer
    - 3. Screening Officer Decision
  - Schedule E:** By-Law Contraventions that may be dealt with by a Compliance Agreement
  - Schedule F:** Compliance Agreement

**PART 2  
BY-LAW CONTRAVENTIONS AND PENALTIES**

- 4. The By-Law Contraventions described in Schedule A are hereby designated as By-Law Contraventions that may be dealt with by a Penalty Notice.
- 5. The Administrative Penalties, including Early Payment Discounts described in Schedule A for each contravention are hereby set.
- 6. The Early Payment Discount amount as shown in Schedule A for the by-law contravention it relates to may be paid as an Administrative Penalty if:
  - a. payment is made within 14 days after delivery of the Penalty Notice, and
  - b. no request is made for review by a Screening Officer.

**PART 3  
PENALTY NOTICES**

- 7. A Penalty Notice shall be in the form as set out in Schedule B.
- 8. The period within which a person must pay the Administrative Penalty or request a review by a Screening Officer is hereby set at 30 days after delivery of the Penalty Notice.
- 9. If, at the end of the period for responding to a Penalty Notice, a person to whom a Penalty Notice was delivered has not responded, the municipality must deliver a Final Notice to the person in the form as set out in Schedule C. A person to whom

**TOWN OF THE PAS**

**BY-LAW NO. 4570**

a Final Notice is delivered must within 30 days after delivery, pay the Administrative Penalty or request a review by a Screening Officer.

10. The municipality must deliver Penalty Notices and Final Notices in the manner provided for in Section 9 and 22 of the Act and the date of delivery shall be determined in accordance with those sections. The giving of other notices or documents by the municipality or a Screening Officer is governed by Part 9 Sections 35 to 37 of this By-Law.

**PART 4  
SCREENING OFFICER**

11. Council will appoint the screening officers in addition to the Chief Administrative Officer in accordance with Policy FA – 824.
12. A member of Council or of a Council Committee is not eligible to be appointed as a Screening Officer.
13. A request for review by a Screening Officer as set out in Schedule D1 must be made in the manner as set out in the Penalty Notice.
14. In the case of contraventions as set out in Schedule E, a request for review by the Screening Officer may include an indication that the person is prepared to enter into a Compliance Agreement.
15. Within fourteen (14) days after receiving the request, the Screening Officer must attempt to contact the applicant who has requested a review to arrange a mutually convenient date, time and means of reviewing the request. Once the date and time have been agreed upon, the Screening Officer will provide the applicant with a written, e-mail or phone confirmation of the meeting as set out in Schedule D2. The means of the review may be accomplished in the following manner and at the option of the applicant:
  - a) written submission
  - b) on the telephone
  - c) in person
16. If
  - a) the Screening Officer is unable to contact the applicant who has requested a review, or
  - b) the applicant who has requested a review without reasonable cause does not agree to a date and time or means of review

The Screening Officer must set a date and time for the review in person or by telephone. If the applicant fails to participate or appear the Screening Officer must review the Penalty Notice based on the information provided by the applicant in the request.

**TOWN OF THE PAS**

**BY-LAW NO. 4570**

17. If having agreed to a date, time and means of review and the applicant fails to participate in the review, the Screening Officer must review the Penalty Notice based on the information provided by the applicant in the request.
18. On review of a Penalty Notice, the Screening Officer may:
- a) confirm the Administrative Penalty;
  - b) reduce the amount of the Administrative Penalty if satisfied that exceptional circumstances exist;
  - c) extend the time the person has for payment of the confirmed or reduced Administrative Penalty to a time he or she believes is appropriate in the circumstances;
  - d) in the case of a contravention as set out in Schedule E, enter into a Compliance Agreement with the person which contains terms and conditions the Screening Officer deems appropriate; or
  - e) cancel the Penalty Notice if, in the Screening Officer's opinion;
    - i. the contravention did not occur as alleged;
    - ii. the Penalty Notice does not comply with Section 6(2) of the Act;
    - iii. the vehicle was stolen or otherwise being used without the owner's permission at the time of the contravention;
    - iv. the contravention was the result of a medical emergency or was necessary in order to address immediate health or safety concerns;  
or
    - v. the contravention was a result of both a mechanical problem and that the problem reasonably prevented the person in control of the vehicle at the time of the contravention from complying with the by-law despite exercising due diligence in attempting to comply.
19. The Screening Officer must make a decision within fourteen (14) days after the review. After making the decision, the Screening Officer must provide the applicant with written notice of the decision as set out in Schedule D3.
20. If the Screening Officer confirms or reduces the amount of the Administrative Penalty, the amount is due and payable within fourteen (14) days after receipt of the decision of the Screening Officer, unless the person requests Adjudication under Part 6 of this By-Law.

**PART 5  
COMPLIANCE AGREEMENT**

21. The by-law contraventions as set out in Schedule E are hereby designated as by-law contraventions that may be dealt with by a Compliance Agreement.
22. A Compliance Agreement must include:
- a) the date the designated by-law contravention took place;

**TOWN OF THE PAS**

**BY-LAW NO. 4570**

- b) the penalty notice number at issue;
  - c) the amount of the Administrative Penalty resulting from the Penalty Notice;
  - d) the date the Screening Officer reviewed the Penalty Notice;
  - e) a description of the action to be taken to bring the person into compliance with the by-law;
  - f) a date not later than sixty (60) days after the date of the agreement by which the action must be completed, and
  - g) a way to provide for inspection for the purpose of determining compliance with the agreement.
23. If the Screening Officer believes that a person who has entered into a compliance agreement has failed to comply with its terms, the Screening Officer may end the Compliance Agreement and give the person notice of that fact by regular mail. The notice is deemed to be received within seven (7) days after the day it was mailed.
24. When a Screening Officer ends a Compliance Agreement, the person who entered into it may, within fourteen (14) days after receiving the notice under Part 5 Section 23 of this By-Law;
- a) pay the Administrative Penalty set out in the Penalty Notice; or
  - b) request that the Screening Officer submit for Adjudication the issue of whether the person complied with the terms of the agreement.

**PART 6  
ADJUDICATION SCHEME**

25. An Adjudication scheme as set out in sections 14 to 21 of the Act is hereby established to allow a person to whom a Penalty Notice has been issued to;
- a) request a review of a Screening Officer's decision to confirm or reduce the Administrative Penalty set out in the Penalty Notice;
  - b) request a determination of a dispute as to whether the terms of a Compliance Agreement were complied with.
26. Within fourteen (14) days after receipt of the Screening Officer's decision, the person may request a review of the Screening Officer's decision by an Adjudicator. A form must be submitted to the Screening Officer by mail or delivered to the municipal office accompanied by a \$25.00 Adjudication fee.
27. Upon receipt of a request for Adjudication and the payment of the Adjudication fee, the Screening Officer must submit the request to the Chief Adjudicator appointed under the Act.

**TOWN OF THE PAS**

**BY-LAW NO. 4570**

28. The selected Adjudicator must attempt to contact the applicant who has requested a review to arrange a mutually convenient date, time and means of reviewing the request. Once the date and time have been agreed upon, the Adjudicator will provide the applicant with confirmation of the meeting. The means of the review may be accomplished in the following manner:

- a) written submission, including fax or e-mail;
- b) on the telephone, including the use of an audio link or other available electronic means
- c) in person, including the use of a video link or other available electronic means

29. If

- a) the Adjudicator is unable to contact the applicant who has requested the review,
- b) the applicant without reasonable cause does not agree to a date and time or means of the hearing, or
- c) the applicant fails to appear or otherwise participate in the hearing,

The Adjudicator must order that the amount of the Administrative Penalty set by the Screening Officer or in the case of the ending of a Compliance Agreement, the Administrative Penalty set out in the Penalty Notice is immediately due and payable to the municipality.

30. In addition to the powers of the Adjudicator in making a decision as set out in Section 19(2) of the Act, the Adjudicator may;

- a) confirm the Administrative Penalty;
- b) reduce the amount of the Administrative Penalty;
- c) extend the time the person has for payment of the confirmed or reduced Administrative Penalty, to a time he or she believes is appropriate in the circumstances;
- d) cancel the Penalty Notice if, in the Adjudicator's opinion;
  - i. the contravention did not occur as alleged;
  - ii. the Penalty Notice does not comply with Section 6(2) of the Act;
  - iii. the vehicle was stolen or otherwise being used without the owner's permission at the time of the contravention;
  - iv. the contravention was the result of a medical emergency or was necessary in order to address immediate health or safety concerns;  
or
  - v. the contravention was a result of both a mechanical problem and that the problem reasonably prevented the person in control of the vehicle at the time of the contravention from complying with the by-law despite exercising due diligence in attempting to comply.

**TOWN OF THE PAS**

**BY-LAW NO. 4570**

31. Once the Adjudicator makes a decision, the Adjudicator must provide the applicant with a written notice of the decision.
32. If the Adjudicator confirms or reduces the amount of the Administrative Penalty the amount is due and payable within fourteen (14) days after receipt of the decision of the Adjudicator.

**PART 7  
CHIEF ADMINISTRATIVE OFFICER'S AUTHORITY**

33. The Chief Administrative Officer is authorized to do the following:
  - a) pay invoices;
    - i. for the costs and administration of the Adjudication scheme under Section 21(1) of the Act;
    - ii. for the remuneration and expenses of the Adjudicator;
  - b) refund an Adjudication fee if ordered to do so by an Adjudicator
  - c) issue a certificate in respect of an unpaid penalty under Section 23(1) of the Act and file the certificate in the Court of Queen's Bench.

**PART 8  
DISCLOSURE OF INFORMATION**

34. Upon receipt of an Adjudicator's decision, the Chief Administrative Officer must make the decision available to the public.

**PART 9  
NOTICES AND TIME PERIODS**

35. Where a notice or other document (other than a Penalty or Final Notice) referred to in this By-Law is required to be given to a person (other than to the municipality), the notice or other document may be given in the following manner;
  - a) by delivering it personally to the person;
  - b) by mailing a copy by regular mail or delivering a copy
    - i. to the address of the vehicle owner indicated in the records of the Register of Motor Vehicles;
    - ii. to the last known address of the person named in the Penalty Notice; or
  - c) if the person is a corporation;
    - i. by mailing a copy by regular mail to the corporation's registered office;
    - ii. by mailing a copy by regular mail or delivering a copy to an officer or director of the corporation
    - iii. by delivering it personally to someone who appears to be in charge at a place where the corporation carries on business; or

**TOWN OF THE PAS**

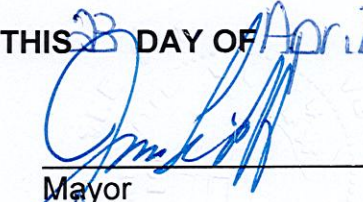
**BY-LAW NO. 4570**

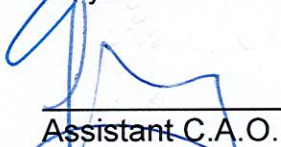
- e) if the person has used e-mail in communication, by sending it to the e-mail address provided by or shown in the communication from the person.
36. A notice or other document given under Section 35 that is;
- a) delivered personally is deemed to have been given or delivered on the day it was delivered;
  - b) mailed is deemed to have been given or delivered to the person seven (7) days after the day it was mailed;
  - c) sent by e-mail is deemed to have been given or delivered two (2) days after the day it was sent.
37. In determining the time within which a person must make a payment or request a review or an Adjudication;
- a) the time does not include the first day of the period;
  - b) a period that would otherwise expire on a holiday is extended to include the next day that is not a holiday;
  - c) a period that would otherwise expire on a day when the municipal office is not open is extended to include the next day the municipal office is open.

**PART 10**

38. Prosecutions of designated by-law contraventions that were started before this by-law comes into force shall continue under the procedures of the former by-laws and the Provincial Offences Act.
39. That this by-law shall take force and be in effect as of the date it is passed.

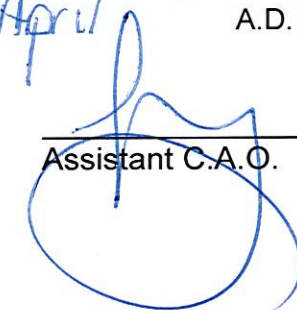
**DONE AND PASSED IN COUNCIL ASSEMBLED THIS 23 DAY OF April A.D. 2018**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Assistant C.A.O.

**CERTIFIED THAT BY-LAW NO. 4570 WAS:**

READ A FIRST TIME THIS ~~April 9th~~ 9th DAY OF April A.D. 2018.  
READ A SECOND TIME THIS 23rd DAY OF April A.D. 2018.  
READ A THIRD TIME THIS 23rd DAY OF April A.D. 2018.

  
\_\_\_\_\_  
Assistant C.A.O.



**TOWN OF THE PAS**

**BY-LAW NO. 4570**

**SCHEUDLE "A"**

<b>CONTRAVENTION</b>	<b>ADMINISTRATIVE PENALTY</b>	<b>EARLY PAYMENT DISCOUNT</b>
No Parking – Snow Removal Section 61	\$50.00	\$25.00
No Parking – Street Cleaning Section 61	\$50.00	\$25.00
No Parking – Fire Lane Section 45(k)	\$50.00	\$25.00
No Parking – Loading Zone Section 40	\$50.00	\$25.00
No Parking – Taxi Stand Section 44	\$50.00	\$25.00
No Truck Parking Section 61	\$50.00	\$25.00
Parked where marked "No Parking Anytime" is posted Section 45(k)	\$50.00	\$25.00
Parked on Sidewalk / Boulevard / Lane / Curb – Section 24	\$50.00	\$25.00
Parked within 3 meters of Fire Hydrant – Section 45(d)	\$50.00	\$25.00
Parked within an Intersection Section 45(c)	\$50.00	\$25.00
Parked in a manner obstructing traffic – Section 61	\$50.00	\$25.00
Parked in a manner obstructing a Traffic Control Device Section 11	\$50.00	\$25.00
Parked in front of a driveway Section 45(b)	\$50.00	\$25.00
Parked opposite to flow of traffic Section 45	\$50.00	\$25.00
Parked on a Crosswalk Section 45(e)	\$50.00	\$25.00
Parked where street maintenance is underway – Section 45(h)	\$50.00	\$25.00
Improperly Parked – Section 45	\$50.00	\$25.00
Unlawfully parked in Handicap Parking – Section 45(k)	\$50.00	\$25.00
Vehicle parked on street in excess of 48 hours – Section 61	\$50.00	\$25.00
Vehicle driven through a barricade Section 62(a)	\$50.00	\$25.00
Failure to yield to an Emergency Vehicle – Section 8	\$50.00	\$25.00
Failure to yield to a stopped School Bus –Section 20	\$50.00	\$25.00
Vehicle parked or stored in front yard of residence – Section 60	\$50.00	\$25.00
Temporary / Permanent RV storage and parking on front street Section 61	\$50.00	\$25.00
Derelict Vehicle – Section 60(a)	\$50.00	\$25.00
Boat Parked on public roadway Section 61	\$50.00	\$25.00

The above contraventions are in accordance with By-Law 2265 being a by-law of the Town of The Pas for the regulation of traffic and parking and all amendments to this by-law.

**TOWN OF THE PAS**

**BY-LAW NO. 4558**

**Schedule "B"**



**PENALTY NOTICE # \_\_\_\_\_**

**Violation of the Town of The Pas By-Law No. 2265  
Regulation of Traffic and Parking.**

This Penalty Notice is to inform you that you are in violation  
of the Town of The Pas By-law No. 2265 as follows:

**Violation:** \_\_\_\_\_

Date of Issue: \_\_\_\_\_ Time of Issue: \_\_\_\_\_

Date of Offence: \_\_\_\_\_

Location: \_\_\_\_\_

Licence Plate: \_\_\_\_\_ Color: \_\_\_\_\_

Make: \_\_\_\_\_ Model: \_\_\_\_\_

As a result of this violation you are subject to the  
following penalty: **\$50.00**

By no later than \_\_\_\_\_ you must  
**EITHER:**

1. Pay the penalty of **\$50.00**; or
2. Request a review by a Screening Officer.

**EARLY PAYMENT DISCOUNT:** The penalty amount shall  
be discounted to \$25.00 if you pay this discounted amount  
within 14 days of the date of issue, otherwise the full penalty  
amount set out above must be paid.

**PAYMENT:** Payment must be made in person at the Town  
Office, 81 Edwards Avenue, The Pas, MB between the  
hours of 8:30 am to 4:30 pm Monday to Friday or mailed to  
the Town of The Pas Box 870, The Pas, MB R9A 1K8.

**REQUEST FOR REVIEW:** A request for review by a  
Screening Officer must be made by obtaining Schedule D1  
- REQUEST TO MEET WITH THE SCREENING OFFICER at the Town  
Office and filling it out. If you request a review, the  
Screening Officer will review the circumstances that  
resulted in this Penalty Notice, as well as the information  
you and the by-law enforcement officer provide. After the  
review, the Screening Officer may confirm or reduce the  
penalty amount, cancel the Penalty Notice, or enter into a  
Compliance Agreement with you providing for you to bring  
yourself into compliance with the By-law.

If you fail to pay the penalty or request a review by the  
deadline, the Municipality will issue a Final Notice. The  
Municipality will then take collection proceedings against  
you if you fail to pay the full penalty amount or fail to request  
a review as directed by the Final Notice.

Schedule "C"



**FINAL NOTICE**

**Violation of the Town of The Pas By-Law No. 2265 Regulation of Traffic and Parking.**  
This Final Notice is issued to you as a result of your failure to comply with Penalty Notice # \_\_\_\_\_ issued to you for violation of the Town of the Pas By-law No. 2265 Section \_\_\_\_\_ for \_\_\_\_\_

As a result, you have until \_\_\_\_\_ to  
**EITHER:**

1. Pay the penalty of **\$50.00**; or
2. Request a review by a Screening Officer.

**PAYMENT:** Payment must be made in person at 81 Edwards Avenue, The Pas, MB between the hours of 8:30 am to 4:30 pm Monday to Friday or mailed to the Town of The Pas Box 870, The Pas, MB R9A 1K8.

**REQUEST FOR REVIEW:** A request for review by a Screening Officer must be made by obtaining Schedule D1 - REQUEST TO MEET WITH THE SCREENING OFFICER at the Town Office and filling it out. If you request a review, the Screening Officer will review the circumstances that resulted in this Penalty Notice, as well as the information you and the by-law enforcement officer provide. After the review, the Screening Officer may confirm or reduce the penalty amount, cancel the Penalty Notice, or enter into a Compliance Agreement with you providing for you to bring yourself into compliance with the By-law.

**FAILURE TO RESPOND:** If you have not paid the penalty or requested a review by the deadline, the penalty amount will be due and payable immediately. Failure to pay will result in the Municipality taking collection proceedings against you to collect the penalty amount.



## Schedule "D1"

### REQUEST TO MEET WITH THE SCREENING OFFICER

ENQUIRES MAY BE DIRECTED TO THE TOWN OF THE PAS ADMINISTRATIVE OFFICE, 81 EDWARDS AVENUE, BOX 870, THE PAS, MB, R9A 1K8 BETWEEN 8:30 AM AND 4:30 PM, MONDAY TO FRIDAY, (204) 627-1100 OR [info@townofthepas.ca](mailto:info@townofthepas.ca)

If you wish to dispute a Penalty Notice you must complete the following request form and return it by \_\_\_\_\_ to the address above.

PLEASE PRINT

#### PENALTY NOTICE INFORMATION:

Penalty Notice Number: \_\_\_\_\_ Officer: \_\_\_\_\_

Date of Issue: \_\_\_\_\_ Time of Issue: \_\_\_\_\_

Location: \_\_\_\_\_ Penalty Amount: \_\_\_\_\_

Violation: \_\_\_\_\_

WHAT IS THE ISSUE OR CONCERN: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

#### APPLICANT INFORMATION:

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Daytime Phone Number: \_\_\_\_\_ E-mail address: \_\_\_\_\_

Signature: \_\_\_\_\_

The Screening Officer will advise you of the date, time and place to deal with this request.



**Schedule "D2"**

**NOTICE OF MEETING WITH THE SCREENING OFFICER**

DATE:

TO:

Penalty Notice Number: \_\_\_\_\_

Officer: \_\_\_\_\_

Date of Issue: \_\_\_\_\_

Time of Issue: \_\_\_\_\_

Location: \_\_\_\_\_

Fine Amount: \_\_\_\_\_

Violation: \_\_\_\_\_

TAKE NOTICE OF THE FOLLOWING INFORMATION REGARDING YOUR MEETING WITH  
THE SCREENING OFFICER:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Location: \_\_\_\_\_

Means of review meeting (if not in person): \_\_\_\_\_

This will confirm that you requested to meet with the Screening Officer with regards to the above referenced Penalty Notice. This meeting will take place at the date and time and location indicated above. You are required to attend at that time. If you do not attend, the Screening Officer will review the Penalty Notice based on the information provided by the applicant in the request.

Yours truly,

Town of The Pas Screening Officer



**Schedule "D3"**

**SCREENING OFFICER DECISION & NOTICE**

**PENALTY NOTICE INFORMATION:**

Penalty Notice Number:

Date of Issue:

Location:

Violation:

**SCREENING OFFICER'S DECISION:**

The Administrative Penalty in the amount of \_\_\_\_\_ is confirmed and  
is due \_\_\_\_\_  
insert \$ amount  
insert last date of the response period

The Administrative Penalty is reduced to \_\_\_\_\_ and is due  
\_\_\_\_\_  
insert \$ amount  
insert last date of the response period

The Penalty Notice is cancelled.

Enter into a Compliance Agreement.

\_\_\_\_\_  
Screening Officer's Signature

**RIGHT TO ADJUDICATION**

You have a right to have this decision reviewed by an independent Adjudicator. If you wish to request Adjudication you must do so by completing a Request for Adjudication form and filing it at the Town Office at 81 Edwards Avenue, within 14 days after receipt of the Screening Officer's decision. A fee of \$25 is required to file a Request for Adjudication.



### **SCHEDULE "E"**

The following By-Law Contraventions from Schedule "A" may be dealt with through a Compliance Agreement

#### **By-Law No. 2265**

- vehicle parked on street in excess of 48 hours – Section 61
- vehicle parked or stored in front yard of residence – Section 60
- temporary / permanent RV storage and parking on front street – Section 61
- derelict vehicle – Section 60(a)
- boat parked on public roadway – Section 61





2. The recipient will cause all of the works referred to in paragraph 1 to be completed in accordance with the following timeline:

a. *(insert timeline for completion, in particular a final date by which a compliance must be achieved)*

\_\_\_\_\_  
\_\_\_\_\_

3. The recipient will allow the Town of The Pas Public Safety Officer or Designated Officer reasonable access to the premises between the hours of 8:30 a.m. – 4:30 p.m., Monday to Friday, for the purpose of inspecting progress in relation to the timeline contemplated in paragraph 2 *(or include specific times when inspections will occur)* \_\_\_\_\_

4. The Public Safety Officer or Designated Officer shall prepare a report at the completion of the compliance period indicating whether the Public Safety Officer or Designated Officer is of the opinion that the anticipated state of compliance has been achieved.

5. Upon completion of the timeline outlined above, the Screening Officer shall review the report, make a determination as to whether the recipient has complied with the terms of this agreement.

If the notice prepared by the Screening Officer indicates that the recipient has not complied with the terms of this agreement, the notice must include that the recipient, within 14 days of receipt of the notice, must either:

a. Pay the full Administrative Penalty as required by the Penalty Notice; or

b. Request that the determination be reviewed by an Adjudicator by completing and returning an Adjudication Request Form and paying the \$25.00 Adjudication fee.

6. The recipient agrees that, pursuant to The Municipal By-Law Enforcement Act, an Adjudicator has the authority to determine whether the recipient has complied with the terms of the agreement but not to vary, delete or otherwise modify the terms of this agreement.

\_\_\_\_\_  
Recipient Signature

\_\_\_\_\_  
Recipient Printed Name

\_\_\_\_\_  
Screening Officer Signature

\_\_\_\_\_  
Screening Officer Printed Name