

**CONTINUING CONSOLIDATION
COMPLIANCE BY-LAW NO. 6664**

AS AMENDED BY BY-LAW NOS. 6726, 6774 and 6802.

BEING A BY-LAW of The City of Brandon to provide a more effective means for ensuring compliance with City by-laws and is to be known as the "Compliance By-law".

WHEREAS The City of Brandon is empowered under The Summary Convictions Act, L.M. 1985-86, to prosecute by offence notice;

AND WHEREAS it is deemed expedient and in the public interest to provide legislation allowing a peace officer and/or by-law enforcement officer who believes that a person has committed an offence to commence prosecution for the offence by completing and delivering to the person alleged to have committed the offence the summons part of an offence notice;

NOW THEREFORE the Council of The City of Brandon, duly assembled, enacts as follows:

1. (a) **Everyone who contravenes, or does not comply, or improperly complies, or only partly complies with any provision of an Act of the Legislature, a by-law of the municipality or a regulation commits an offence. Without restricting the generality of the foregoing, Schedule "A" hereto contains a listing of offences which qualify as compliance violations.**
 - (b) **Violations that fall under the "Other" category as listed on Schedule "A" hereto shall include but not be limited to the offences as set out in Schedule "C" hereto.
[EN. B/L 6774]**
 - (c) **Everyone who commits an offence under subsection (a) is guilty of a summary offence and liable to a fine as set out in the City's annual fee schedule.**
 - (d) **The following procedure shall apply for offences committed under subsection (a):**
 - (1) **A peace officer or by-law enforcement officer may issue an Information and Summons Offence Notice of by-law violation, in a form as set out in Schedule "B" hereto, levying the applicable fine as set out in the City's annual fee schedule, to every person committing an offence under subsection (a).**
 - (2) **Notwithstanding a minimum fine which may have been established in a by-law, the Information and Summons Offence Notice shall require the person to pay to the City the amount set out in subsection (b) as a fine within 15 days of the alleged offence and the method of payment shall be as set out on the Information and Summons Offence Notice.**
 - (3) **If payment of the fine is made as provided in this section prior to the date when the person contravening the by-law is required to appear in Court to answer a charge, the person shall not be liable for prosecution for that offence.**
 - (e) **A peace officer or by-law enforcement officer may issue a warning ticket on the Information and Summons Offence Notice for which no prosecution will be carried out and no fine shall be levied, if the person has not previously been charged with an offence pursuant to the same provision.**
2. (a) **Any person in default of payment of the fine is guilty of an offence and is liable, on summary conviction, to imprisonment for a term not exceeding thirty (30) days or both such fine and imprisonment.**

- (b) Any person who hinders or obstructs the Authority having jurisdiction, a peace officer or a by-law enforcement officer under this by-law in the exercise of his duty is guilty of an offence and liable on summary conviction to a fine of not less than \$100.00 or more than \$200.00, and in default of payment of the fine, to imprisonment for a term not exceeding fourteen (14) days or to both such fine and imprisonment.

3. This by-law shall come into full force and take effect on the day following its passage.

DONE AND PASSED by the Council of The City of Brandon duly assembled this 25th day of June A.D. 2001.

“R.C. Atkinson”

MAYOR

“C.R. Arvisais”

CITY CLERK

Read a first time this 11th day of June A.D. 2001

Read a second time this 11th day of June A.D. 2001

Read a third time this 25th day of June A.D. 2001

I, Conrad Robert Arvisais, Clerk of the Municipality of The City of Brandon DO HEREBY CERTIFY the above to be a true and correct copy of By-law No. 6664, as amended by By-law Nos. 6726, 6774, and 6802.

“C.R. Arvisais”

C. R. Arvisais, City Clerk

SCHEDULE "A"
to Compliance By-law No. 6664

<u>TICKET CODE</u>	<u>COMPLIANCE VIOLATION</u>	<u>BY-LAW REFERENCE</u>
50	Littering	5863
51	Untarped Loads	5863
52	Trucks Off Truck Routes	5463
53	Derelict Vehicles	6481
54	Snow Dumping Onto Street	5463
55	Failure to Clear Snow from Sidewalk	5463
56	Sight Line Obstructions	5463
57	Extension Cords Across Sidewalk	5463
58	Skateboards, Roller Blades, Non-motorized Scooter or Bicycle where Prohibited	5463/5806
94	Unightly Premises	6060
60	Excessive Noise	5806
61	Urinating in Public Place	5806
62	Drunk/Disorderly in a Public Place	5806
63	Unauthorized Posting of Signs	5463/6642
64	Leaving an Animal in a Vehicle When Unsafe	5900
65	Not Providing Sufficient Food/Water to Animal	5900
66	Dog Barking	5900
67	Dog/Cat Running At Large/Off-Leash	5900
68	Dog Bites/Dog Threatening to Attack	5900
69	Permit Dog on Any Schoolground, Playground or Cemetery	5900
70	Failure to Pickup Dog/Cat Excrement	5900
71	Accumulation of Dog/Cat Excrement on Private Property	5900
72	Dog/Cat Without a License	5900
73	Failure to Obtain Business License	6009
	Other: (specify)	

[AM. B/L 6726, B/L 6774, B/L 6802]

**CITY OF
BRANDON**

**SCHEDULE "B" to
Compliance By-law No. 6664**

**INFORMATION
OFFENCE NOTICE**

The undersigned, being an Officer, says
that he/she has reasonable and probable
grounds to believe, and does believe that at
Brandon, Manitoba on the:

**DÉNONCIATION
AVIS D'INFRACTION**

Le (la) soussigné(e), en qualité d'agent(e),
déclare qu'il(elle) a des motifs raisonnables
et probables de croire et il(elle) croit qu'à
Brandon, Province du Manitoba, le:

DAY - JOUR	MONTH - MOIS	YEAR - ANNÉE	TIME - HEURE	M.
NAME - NOM			DATE OF ISSUE - DATE DE NAISSANCE	
ADDRESS - ADRESSEE				
VEHICLE NO - DE PLAQUE		PROV.	MAKE - MARQUE	COLOR-COULEUR
LOCATION OF OFFENCE - EMPLACEMENT				

did unlawfully commit an offence to wit:
a commis une infraction:

**MAXIMUM FINE
AMENDE MAXIMUM \$**

50	Littering Déposer des ordures	100.00	62	Drunk / Disorderly In Public Place Bu/ Désordonné dans un endroit public	200.00
51	Untarped Loads Charges sans bâche	100.00	63A 63B	Unauthorized Posting of Signs Private - Poaster inautorise des signes privés - commerciaux -	100.00 200.00 100.00 200.00
52	Truck Off Truck Routes Camions éloignés de la route de camion	200.00	64	Leaving an Animal in Vehicle When Unsafe Laisser un animal dans le véhicule quand dangereux	100.00
53	Derelict Vehicles Véhicule abandonné	100.00	65	Not providing Sufficient Food/Water to Animal Ne fournissant pas de nourriture/eau suffisants à l'animal	100.00
54	Snow Dumping Onto Street Déchargement de neige sur la rue	100.00	66	Dog Barking Aboiement de chien constant	50.00
55	Failure to Clear Snow From Sidewalk Déposer des ordures	100.00	67	Dog/Cat Running at Lagre/OffLeash Chien/Chat en liberté	100.00
56	Sight Line Obstructions Obstructions de ligne de vus	50.00	68	Dog Bites/Dog Threatening to Attack Morsures de chien/Chien menaçant d'attaquer	200.00
57	Extension Cords Across Sidewalk Cordon Prolongateur traversant le trottoir	50.00	69	Permit Dog on Any Schoolground, Playground Or Cemetery Chien/chat sur propriété privée	50.00
58	Skateboards, Roller Blades, Non-motorized Scooters or Bicycles Where Prohibited Plance à patin, patin à roulettes, bicyclettes, trottinettes sans moteur	50.00	70	Failure to Pickup Dog/Cat Excrement Faute de ne pas ramasser l'excrément de chien/chat	100.00
94	Unsightly Premises Prémises Laides	200.00		Accumulation of Dog/Cat Excrement On Private Property Accumulation d'excrément de chien/chat sur propriété privée	50.00
60A 60B	Excessive Noise: 1st Offence 2nd Offence Bruit excessif: première infraction deuxième infraction	100.00 200.00 100.00 200.00	72	Dog/Cat Without a Licenses Permis pour chien/chat	100.00
61	Urinating in Public Place Uriner dans un endroit public	100.00	73	Failure to Obtain Business License Faute de ne pas obtenir un permis commercial	200.00
	Other (specify): Autre (spécifiez):				

contrary to City of Brandon by-laws. Signed on the date of the violation at Brandon, Manitoba.
contrairement aux règlements de la ville de Brandon. Signé à la date de l'infraction à Brandon, au Manitoba

INFORMANT - DÉNONCIATEUR	NO. - N	DISTRICT
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***REDUCED FINE FOR EARLY PAYMENT**

Maximum Fine	\$200.00	\$100.00	\$50.00
PAYMENT RECEIVED WITHIN 15 DAYS	\$100.00	\$50.00	\$25.00
PAYMENT RECEIVED AFTER 15 DAYS	\$200.00	\$100.00	\$50.00

*Voir au verso pour reduction d'amende en raison de paiement rapide

**INCLUDE THIS NOTICE WITH YOUR PAYMENT
JOINDRE LE PRÉSENT AVIS AU PAIEMENT**

[AM. B/L 6726, B/L 6774, B/L 6802]

SCHEDULE "C"
to Compliance By-law No. 6664

Compliance Ticket
Violations that fall under the Other category:

- 74) Handbill Delivery
- 75) Residential Tipping Fee
- 76) House Numbering
- 77) Shrubs & Trees on Sidewalk
- 81) Failure to comply with a Property Fire Inspection
- 82) Failure to comply with Building Safety and Property Standards
- 83) Open air fire without a permit
- 84) Failure to comply with the provisions of an open air fire permit
- 85) Ignition of fireworks without a permit
- 86) Failure to comply with the provisions of a fireworks permit
- 87) Lumber/wood piled within 3 meters of any dwelling
- 88) Exits – blocked or defective
- 89) Exits signs or emergency lighting defective
- 90) Neglect to maintain fire alarm equipment
- 91) Blocked or wedged open fire separation door
- 92) Excess accumulation of combustible material in or around buildings that constitute an undue fire hazard
- 93) Contravention which may be considered as a life or fire safety hazard
- 95) Use of Engine Retardant Brakes within City limits
- 96) Driving a vehicle on, across, or along the boulevard, sidewalk or curb
- 97) Failure to obtain permit for locating dumpsters on City property
- 98) Failure to cover adult magazines
- 150)
- 151) Any other infraction of a City of Brandon by-law
- 152)

DISCLAIMER: Reference must be made to the City's annual fee schedule to determine the fine to be levied in relation to the offence committed.

[EN. B/L 6774, AM. B/L 6802]