



Town of Cornwall Enforcement and Summary Proceedings Bylaw

**Town of Cornwall Prince Edward Island
Enforcement and Summary Proceedings Bylaw
Bylaw # 2019-02**

IT IS ENACTED by the Council of the Town of Cornwall as follows:

Part I – INTERPRETATION AND APPLICATION

1. Title

- 1.1. This bylaw shall be known and cited as the “Enforcement and Summary Proceedings Bylaw”.

2. Authority

- 2.1. This bylaw is made under the authority of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1 as amended from time to time.

3. Application

- 3.1. This bylaw applies to the appointment of Town of Cornwall Enforcement Officers and the prosecution of municipal offences.

4. Definitions

- 4.1. “Act” means the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1 as amended from time to time.
- 4.2. “Chief Administrative Officer” means the administrative head of the Town of Cornwall as appointed by Council.
- 4.3. “Council” means the mayor and other members of the Council of the Town of Cornwall.
- 4.4. “Criminal Code” means the *Criminal Code* (Canada) R.S.C. 1985 Cap. C-46, as amended from time to time.
- 4.5. “Enforcement Officer” means any individual or group of individuals as may be appointed by Council pursuant to s. 223(1) of the Act.
- 4.6. “Justice of the Peace” means a justice of the peace appointed in accordance with the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25.
- 4.7. “Provincial Court Judge” means a Judge of the Provincial Court appointed in accordance with the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25.
- 4.8. “Third Party” means an individual or corporation hired by the Town to provide bylaw enforcement services and whose principals, contractors, and/or employees serve as Enforcement Officers for the Town.
- 4.9. “Town” means the Town of Cornwall.

PART II - GENERAL

5. General



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- 5.1.** This bylaw applies to all offences under the Property Maintenance Bylaw, the Animal Control Bylaw, and to such other bylaws as may be enacted by the Town pursuant to the Act:
- (a)** to determine if a person has committed an offence under a Town bylaw for which he or she is liable to fine, penalty or other punishment; or
 - (b)** to obtain from a Provincial Court Judge an order for the payment of money or other remedy authorized by a Town bylaw.
- 5.2.** Except as otherwise provided by any bylaw, where imprisonment, fine, penalty or other punishment prescribed by a bylaw may be enforced or recovered upon summary conviction or by summary proceedings, the bylaw shall be enforced or recovered before a Provincial Court Judge in the manner provided by this bylaw.
- 5.3.** For the purpose of any bylaw, penalties, corrective actions or both, associated to that bylaw may be imposed, upon a guilty plea, by a Justice of the Peace.
- 5.4.** The provisions of the Criminal Code, including provisions relating to appeals, applicable to offences punishable on summary conviction apply with the necessary changes to proceedings to which this bylaw applies.
- 5.5.** In applying the provisions of the Criminal Code, the following expressions shall therein have the following meanings:
- (a)** “Act of the Parliament of Canada” means a Town bylaw;
 - (b)** “Attorney General” means the Attorney General of Prince Edward Island;
 - (c)** “Prison” means any place other than a penitentiary in which persons charged with or convicted of offences are kept or detained in custody;
 - (d)** “Prosecutor” means a person who lays an information or makes a complaint or counsel acting on behalf of the Town.
- 5.6.** All offences under a Town bylaw shall be punishable on summary conviction.
- 5.7.** Where no punishment is provided for an offence under a bylaw, the punishment for that offence shall be a fine of not less than \$200 or a fine of not more than \$10,000 or in default, imprisonment for a period of 3 days plus an additional day for each \$100 (or part thereof) that is in default to a maximum of 60 days.
- 5.8.** In addition to the procedures set out in the Criminal Code for laying an information and for issuing a summons, an information may be laid, and a summons issued, by means of a ticket for an offence under any provisions of a bylaw passed by Council pursuant to section 227 of the Act in accordance with this section, as follows:
- (a)** a ticket shall be issued in the form hereto annexed as Schedule “A” and shall include provision for the information, summons, and record of officer;
 - (b)** a ticket may be issued for the bylaw offences set out in “Schedule B” hereto annexed;
 - (c)** the words or expressions set out in Column II of “Schedule B” may be used on a ticket to designate an offence under the provision of the bylaw referred to in Column I thereof;



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- (d) notwithstanding clause (c) above, any words or expressions used on a ticket which describe with sufficient clarity the offence committed shall be for all purposes a sufficient description of an offence designated in "Schedule B".
- (e) where the offence charged in the ticket is one for which the penalty may be paid out of court, the Enforcement Officer issuing the summons may enter the amount of the penalty in the place provided therefor on the ticket, and that entry constitutes the endorsement required by subsection 5.9.
- (f) the amount of penalty entered on a summons under clause (e) above shall be equal to the sum of:
- (i) the penalty prescribed for the out of court settlement of the offence charged in the summons, and
 - (ii) the administrative charge;
- (g) the use on the ticket of any word or expression authorized by this or any other bylaw to designate an offence is sufficient for all purposes to describe the offence designated by that word or expression;
- (h) upon completing a ticket, the issuing Enforcement Officer shall print his or her name on the summons portion and deliver the summons portion to the person charged with an offence therein, and delivery of the ticket summons in accordance with this subsection shall be deemed to be personal service;
- (i) delivery of a ticket summons may be made on a holiday;
- (j) the issuing Enforcement Officer shall sign the information portion of the ticket and certify that he or she personally delivered the summons portion of the ticket to the person charged therein and the certification shall be in the following words:
- "I certify that I did personally deliver the summons portion of this ticket on the accused on the _____ day of _____, 20__.";
- (k) a certificate of delivery purporting to be signed by the issuing Enforcement Officer shall be received in evidence as sufficient proof of personal service in the absence of evidence to the contrary;
- (l) every ticket information shall be:
- (i) signed by the informant and sworn to before a Justice of the Peace or Provincial Court Judge, and
 - (ii) in the event of a trial, and upon the entering of a not guilty plea, deposited, together with the ticket report of conviction, with the proper Provincial Court Judge;
- (m) the ticket information need not be sworn to before the summons portion of the ticket is delivered and the informant need not be the same person as the person who issued the ticket summons.
- 5.9.** There may be endorsed upon a ticket summons a notice that the person to whom the summons is directed may pay out of court a specified penalty.
- 5.10.** Where a ticket summons is so endorsed, it shall provide for a plea of guilty in the following form:



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PLEA OF GUILTY

I am aware that I have the legal right to a hearing in respect of the offence with which I am charged, that by signing this plea of guilty I am waiving my right to a hearing and that my signature may result in a conviction against me without a hearing. **I hereby plead guilty to the offence as charged.**

Signature of the Accused

- 5.11. A signature affixed to the form of plea of guilty purporting to be that of the person to whom the summons is directed is *prima facie* proof that it is the signature of that person.
- 5.12. The Enforcement Officer or other person delivering a summons endorsed under this section shall not receive payment of the penalty payable out of court, or any part thereof.
- 5.13. Upon receipt of the summons with a plea of guilty made thereon in accordance with subsection 5.10, a Provincial Court Judge or Justice of the Peace may convict the person to whom the summons is directed of the offense described in the summons.
- 5.14. Where a person to whom a ticket summons has been delivered fails to appear as directed by the ticket summons and there has been no plea of guilty made on the ticket pursuant to subsection 5.10, the Provincial Court Judge or Justice of the Peace shall:
 - (a) where the information portion of the offence ticket is sworn to by the informant and is complete and regular on its face, enter a conviction on that information and impose the minimum penalty authorized by law for the offence or, where another penalty for that offence has been prescribed for out of the court settlement, that other penalty; or
 - (b) where the information portion of the offence ticket is not complete and regular on its face, quash the proceeding.

PART III – BYLAW ENFORCEMENT OFFICERS

6. Appointment and Supervision

- 6.1. Council hereby establishes the position of Enforcement Officer and an individual appointed to that position will have the title “Bylaw Enforcement Officer”.
- 6.2. The Chief Administrative Officer shall appoint all Enforcement Officers for the Town and Enforcement Officers shall report to the Chief Administrative Officer.

7. Qualifications

- 7.1. To be eligible for appointment as an Enforcement Officer, individuals must provide the Chief Administrative Officer with the following:
 - (a) a recent criminal, and vulnerable sector, record check acceptable to the Chief Administrative Officer;
 - (b) proof of adequate education and training necessary for performing the powers, duties and functions of an Enforcement Officer; and



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(c) any other information that the Chief Administrative Officer determines is relevant or necessary in order to carry out the duties of an Enforcement Officer for the Town.

- 7.2. Enforcement Officers shall comply with all relevant policies, directives and procedures of the Town.
- 7.3. Prior to commencing his or her duties, an Enforcement Officer shall swear or affirm the oath hereto annexed as Schedule "C".
- 7.4. An individual may be appointed as an Enforcement Officer for the Town notwithstanding that he or she may also be appointed as an enforcement officer for another municipality.

8. Powers and Duties of a Bylaw Enforcement Officer

- 8.1. An Enforcement Officer shall be responsible for:
 - (a) enforcing the bylaws for which the Enforcement Officer is authorized to enforce within the boundaries of the Town;
 - (b) following the directions of the Chief Administrative Officer, performing all enforcement duties delegated by the Chief Administrative Officer and reporting to the Chief Administrative Officer as required;
 - (c) responding to, investigating, and keeping a written record of complaints;
 - (d) conducting routine patrols, as directed by the Chief Administrative Officer;
 - (e) issuing notices and municipal offense tickets;
 - (f) where required by a bylaw, laying an information;
 - (g) assisting in the prosecution of bylaw contraventions including appearances in court to provide evidence;
 - (h) investigating properties to ensure compliance with bylaws, as directed by the Chief Administrative Officer;
 - (i) carrying upon his or her person at all such times as he or she is acting as an Enforcement Officer evidence in writing of his or her position as an Enforcement Officer of the Town;
 - (j) acting in accordance with the Act, including, but not limited to, the provisions set forth in Part 9 of the Act;
 - (k) liaising with community groups and organizations concerning safety issues, as directed by the Chief Administrative Officer; and
 - (l) performing other related duties as may be required or assigned by the Chief Administrative Officer.

9. Complaint Process

- 9.1. Complaints of inappropriate conduct of an Enforcement Officer shall be directed to the Chief Administrative Officer.
- 9.2. All complaints must be accepted and addressed according to this bylaw and must be submitted in writing.
- 9.3. The Chief Administrative Officer shall acknowledge receipt of the complaint, in writing, to the person making the complaint.
- 9.4. The Chief Administrative Officer shall provide notice of the complaint:



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- (a) to the Enforcement Officer against whom the complaint is made;
 - (b) to Council; and
 - (c) where the Town has contracted with a Third Party for the services of the Enforcement Officer, to the Third Party.
 - 9.5. A contract between the Town and a Third Party wherein the Third Party agrees to provide the services of one or more individuals to act as Enforcement Officers shall, at a minimum, contain the following provisions with respect to the complaint process:
 - (a) that upon the receipt of a complaint in respect of an Enforcement Officer, the Chief Administrative Officer may suspend that individual from acting as an Enforcement Officer for the Town pending the completion of the complaint process;
 - (b) that upon the receipt of a complaint in respect of the individual, the Third Party shall hire an independent party that is acceptable to the Town to conduct an investigation and the costs associated with the investigation shall be the responsibility of the Third Party; and
 - (c) that the results of the investigation referred to in clause (b), together with any investigation report prepared, shall be forwarded to the Chief Administrative Officer, the complainant, the Third Party and the Enforcement Officer who was investigated.
 - 9.6. In the event there is no Third Party, the Town shall hire an independent party to investigate the complaint and the costs associated with the investigation shall be the responsibility of the Town.
 - 9.7. Upon receipt of the results of the investigation and the investigation report, if any, the Chief Administrative Officer shall set a date and time for a hearing.
 - 9.8. The complainant, the Enforcement Officer and the Third Party, if any, shall have the opportunity to be heard at the hearing.
- 10. Disciplinary Action**
- 10.1. If following the hearing conducted in accordance with section 9 above, the Chief Administrative Officer finds the Enforcement Officer has acted inappropriately, the Chief Administrative Officer may take one of the following actions:
 - (a) issue a verbal warning to the Enforcement Officer;
 - (b) issue a written reprimand to the Enforcement Officer;
 - (c) suspend the Enforcement Officer from carrying out his or her duties in the Town for a specified time period; or
 - (d) revoke the appointment of the Enforcement Officer.
- 11. Notification and Appeal**
- 11.1. The Chief Administrative Officer shall notify, in writing, the complainant, the Enforcement Officer and the Third Party, if any, of the results of the investigation and what, if any, disciplinary action has been taken.
 - 11.2. The Chief Administrative Officer shall include reasons for his or her decision with the notification provided under subsection 11.1.



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- 11.3.** The complainant, the Enforcement Officer and the Third Party, if any, have the right to appeal the Chief Administrative Officer's decision.
 - 11.4.** The Chief Administrative Officer shall include, in the notification provided under subsection 11.1, a written notice that the Council is authorized to hear an appeal of the Chief Administrative Officer's decision and that the appeal must be filed, in writing, within 30 days of the date of the decision.
 - 11.5.** The written appeal submission must contain the reasons why the decision of the Chief Administrative Officer should be overturned.
 - 11.6.** The Council shall forward any written appeal submission it receives from a party listed in subsection 11.3 to the remaining parties listed in subsection 11.3 and the remaining parties shall have 20 days from their receipt of the written appeal submission within which to file their own written appeal submission.
 - 11.7.** After reviewing the information contained in the written appeal submissions provided under subsections 11.5. and 11.6., Council may
 - (a)** dismiss the appeal; or
 - (b)** allow the appeal and vary the decision of the Chief Administrative Officer.
 - 11.8.** The Council shall notify, in writing, the complainant, the Enforcement Officer and the Party, if any, of the results of the appeal.
 - 11.9.** The Council has the authority to decide any matter of procedure not otherwise provided for in this bylaw.
 - 11.10.** The decision of Council is final and binding.
- 12. Schedules**
- 12.1.** The schedules to this bylaw from part of the bylaw and Schedule A may be changed by a resolution of the Council.
- 13. Severability**
- 13.1.** If any provision of this bylaw is deemed to be invalid by a court having jurisdiction for any reason, then that provision shall be severed, and all remaining provisions shall remain valid and in force.
- 14. Repeal of Existing Bylaw**
- 14.1.** The Town's Summary Proceedings Bylaw, Bylaw #106, is hereby repealed.
- 15. Effective Date**
- 15.1.** This Enforcement and Summary Proceedings Bylaw, Bylaw #2019-02, shall be effective on the date of approval and adoption below.



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First Reading:

This Enforcement and Summary Proceedings Bylaw, 2019-02, was read a first time at the Council meeting held on the 19th day of June 2019.

This Enforcement and Summary Proceedings Bylaw, 2019-02, was approved by a majority of Councillors present at the Council meeting held on the 19th day of June 2019.

Second Reading:

This Enforcement and Summary Proceedings Bylaw, 2019-02, was read a second time at the Council meeting held on the 17th day of July 2019.

This Enforcement and Summary Proceedings Bylaw, 2019-02, was approved by a majority of Councillors present at the Council meeting held on the 17th day of July 2019.

Adoption and Approval by Council:

This Enforcement and Summary Proceedings Bylaw, 2019-02, was adopted by a resolution of Council at the Council meeting held on the 17th day of July 2019.

This Enforcement and Summary Proceedings Bylaw, 2019-02, is declared to be passed on the 17th day of July 2019.

Filed on behalf of the Minister of Fisheries and Communities in accordance with s.129 of the *Municipal Government Act*.

Minerva McCourt, Mayor

Kevin Coady, Chief Administrative Officer



This Enforcement and Summary Proceedings Bylaw, Bylaw # 2019-02, adopted by the Council of the Town of Cornwall on the 17th day of July 2019 is certified to be a true copy.

Kevin Coady, Chief Administrative Officer

July 19, 2019

Date

SCHEDULE "A"

MUNICIPAL OFFENCE TICKET

CANADA PROVINCE OF PRINCE EDWARD ISLAND CORNWALL	CASE NO.	TICKET NO.
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SUMMARY OFFENCE INFORMATION

THE INFORMANT SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON THE _____ DAY OF _____, 20____ TIME: _____ (AM/PM)

NAME: _____
(LAST) (FIRST) (OTHER)

ADDRESS: _____
(STREET) (MUNICIPALITY)

(PO) (PROVINCE) (POSTAL CODE) (TELEPHONE)

AT OR NEAR **CORNWALL, PRINCE EDWARD ISLAND**

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENCE UNDER SECTION _____ OF

X INDICATES BYLAW UNDER WHICH
OFFENCE CHARGED

NAME OF BYLAW

- Animal Control By-Law
- Property Maintenance By-Law
- Other (Insert Name) _____

DESCRIPTION OF OFFENCE:

IN THE NAME OF HER MAJESTY THE QUEEN YOU ARE COMMANDED TO APPEAR BEFORE A JUSTICE OF THE PEACE AT THE PROVINCIAL COURT, 3 HARBOURSIDE ACCESS ROAD, CHARLOTTETOWN, PROVINCE OF PRINCE EDWARD ISLAND, ON THE _____ DAY OF _____, 20____ TIME: _____ (AM/PM) TO ANSWER THE ABOVE CHARGE AND BE FURTHER DEALT WITH ACCORDING TO LAW.

SIGNATURE OF INFORMANT _____

(BYLAW ENFORCEMENT OFFICER OR POLICE OFFICER)

SWORN BEFORE ME THIS _____ DAY OF _____, 20____ AT _____, PRINCE EDWARD ISLAND.

(JUSTICE OF THE PEACE)

NAME OF OFFICER ISSUING SUMMONS _____

BYLAW ENFORCEMENT OFFICER _____

POLICE OFFICER _____

(UNIT AND NO.) _____

(POLICE DEPT.) _____

I CERTIFY THAT I DID PERSONALLY DELIVER THE SUMMONS PORTION OF THIS TICKET TO THE ACCUSED ON THE _____ DAY OF _____, 20____.

SIGNATURE: _____

Reverse Side of

- summons to accused -

NOTICE RESPECTING VOLUNTARY PAYMENT WITHOUT COURT APPEARANCE

- READ CAREFULLY -

IF AN AMOUNT IS SHOWN IN THE BOX MARKED IN RED ON THE FACE OF THIS SUMMONS THIS CASE MAY BE SETTLED OUT OF COURT BY

- A. SIGNING THE FORMS OF PLEA OF GUILTY BELOW AND
- B. MAKING PAYMENT BEFORE THE DATE FOR APPEARANCE SHOWN ON THE FACE OF THIS SUMMONS.

BY MAIL OR IN PERSON
 3 Harbourside Access Road
 Charlottetown, PE
 C1A 8R4

(ADDRESS)

- DO NOT SEND CASH BY MAIL -

IF NO AMOUNT IS SHOWN ON THE FACE OF THIS SUMMONS, YOU MUST APPEAR BEFORE THE JUSTICE OF THE PEACE AT THE DATE, TIME AND PLACE SPECIFIED TO ANSWER THE CHARGE.

PAYMENT BY MONEY ORDER OR CHEQUE PAYABLE TO "TOWN OF CORNWALL".

YOU MUST SIGN BELOW IF SETTLING OUT OF COURT.

- PLEA OF GUILTY -

I AM AWARE THAT I HAVE A RIGHT TO A HEARING IN RESPECT OF THE OFFENCE WITH WHICH I AM CHARGED, THAT BY SIGNING THIS PLEA OF GUILTY I AM WAIVING MY RIGHT TO A HEARING AND THAT MY SIGNATURE MAY RESULT IN A CONVICTION AGAINST ME WITHOUT A HEARING.

I HEREBY PLEAD GUILTY TO THE OFFENCE AS CHARGED.

SIGNATURE OF DEFENDANT: _____

ADDRESS: _____

STREET NO.	MUNICIPALITY	PROV.	POSTAL CODE
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I ENCLOSE THE AMOUNT OF \$ _____ FOR OUT OF COURT SETTLEMENT.

WHERE THERE IS NO PLEA OF GUILTY MADE ON THE TICKET SUMMONS AND YOU FAIL TO APPEAR BEFORE THE JUSTICE OF THE PEACE AS DIRECTED BY THIS TICKET SUMMONS OR JUSTICE OF THE PEACE SHALL, PURSUANT TO _____ OF _____ OF CORNWALL

SECTION	BYLAW NAME	MUNICIPALITY
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ENTER A CONVICTION AND IMPOSE THE PENALTY PRESCRIBED BY LAW.

IF YOU HAVE QUESTIONS CONCERNING YOUR RIGHTS YOU SHOULD CONSULT A LAWYER.

THIS FORM MUST ACCOMPANY THE VOLUNTARY PAYMENT.

CANADA PROVINCE OF PRINCE EDWARD ISLAND CORNWALL	CASE NO.	TICKET NO.
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**- RECORD OF -
BYLAW ENFORCEMENT OFFICER OR POLICE OFFICER**

THE INFORMANT SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON THE _____ DAY OF _____, 20____ TIME: _____ (AM/PM)

NAME _____ OF _____
LAST
FIRST
OTHER
NO AND STREET

_____ *MUNICIPALITY*
PROVINCE
POSTAL CODE
TELEPHONE

AT OR NEAR CORNWALL, PROVINCE OF PRINCE EDWARD ISLAND DID UNLAWFULLY COMMIT THE FOLLOWING OFFENCE UNDER

SECTION _____ OF X INDICATES BYLAW UNDER WHICH OFFENCE CHARGED

- Animal Control By-Law (#203)
- Property Maintenance By-Law (#221)
- Other (Insert Name) _____

DESCRIPTION OF OFFENCE

IN THE NAME OF HER MAJESTY THE QUEEN YOU ARE COMMANDED TO APPEAR BEFORE A JUSTICE OF THE PEACE AT THE PROVINCIAL COURT, 3 HARBOURSIDE ACCESS ROAD, CHARLOTTETOWN, PROVINCE OF PRINCE EDWARD ISLAND ON THE _____ DAY OF _____, 20____ AT _____ (AM/PM) TO ANSWER THE ABOVE CHARGE AND BE FURTHER DEALT WITH ACCORDING TO LAW.

THE TOTAL AMOUNT PAYABLE FOR OUT OF COURT SETTLEMENTS IS _____ PENALTY \$ _____

NAME OF OFFICER ISSUING SUMMONS _____

BYLAW ENFORCEMENT OFFICER _____

POLICE OFFICER _____

(UNIT AND NO.) _____ (POLICE DEPT.) _____

I CERTIFY THAT I DID PERSONALLY DELIVER THE SUMMONS PORTION OF THIS TICKET TO THE ACCUSED ON THE _____ DAY OF _____, 20____.

SIGNATURE: _____

SUMMARY PROCEEDINGS BYLAW

SCHEDULE "B"

BYLAW AND SECTION		PAYMENT FOR OUT OF COURT SETTLEMENT	FIRST OR SECOND OFFENCE
Column I	Column II	Column III	Column IV
ANIMAL CONTROL BYLAW			
Section 3	Failure to license dog	100	FIRST OFFENSE
Section 3	Failure to license dog	200	SUBSEQUENT OFFENSE
Section 5	Failure to suspend metal tag from dog's collar upon receipt of license	100	FIRST OFFENSE
Section 5	Failure to suspend metal tag from dog's collar upon receipt of license	200	SUBSEQUENT OFFENSE
Section 5	Failure to ensure metal tag remains suspended from dog's collar	100	FIRST OFFENSE
Section 5	Failure to ensure metal tag remains suspended from dog's collar	200	SUBSEQUENT OFFENSE
Section 7	Unlicensed kennel	500	FIRST OFFENSE
Section 7	Unlicensed kennel	500	SUBSEQUENT OFFENSE
Section 16	Failure to house/restrain and muzzle dangerous dog	500	FIRST OFFENSE
Section 16	Failure to house/restrain and muzzle dangerous dog	500	SUBSEQUENT OFFENSE
Section 23(a)	Failure to provide an animal with sufficient clean potable drinking water and suitable food	100	FIRST OFFENSE
Section 23(a)	Failure to provide an animal with clean potable drinking water and suitable food	200	SUBSEQUENT OFFENSE

Section 23(b)	Failure to provide an animal with sufficient opportunity for periodic exercise	100	FIRST OFFENSE
Section 23(b)	Failure to provide an animal with sufficient opportunity for periodic exercise	200	SUBSEQUENT OFFENSE
Section 23(c)	Failure to provide an animal with necessary veterinary care when animal exhibits signs of pain/suffering	100	FIRST OFFENSE
Section 23(c)	Failure to provide an animal with necessary veterinary care when animal exhibits signs of pain/suffering	200	SUBSEQUENT OFFENSE
Section 24(a)	Keeping an animal in an outdoor enclosure that is not at least twice the length of the animal in all directions	100	FIRST OFFENSE
Section 24(a)	Keeping an animal in an outdoor enclosure that is not at least twice the length of the animal in all directions	200	SUBSEQUENT OFFENSE
Section 24(b)	Keeping an animal in an outdoor enclosure that does not provide appropriate protection from heat, cold, or wet	100	FIRST OFFENSE
Section 24(b)	Keeping an animal in an outdoor enclosure that does not provide appropriate protection from heat, cold, or wet	200	SUBSEQUENT OFFENSE
Section 24(c)	Keeping an animal in an outdoor enclosure that does not provide sufficient shade from the sun	100	FIRST OFFENSE
Section 24(c)	Keeping an animal in an outdoor enclosure that	200	SUBSEQUENT OFFENSE

	does not provide sufficient shade from the sun		
Section 24(d)	Failure to regularly clean/sanitize (including daily removal/disposal of excreta) enclosure	100	FIRST OFFENSE
Section 24(d)	Failure to regularly clean/sanitize (including daily removal/disposal of excreta) enclosure	200	SUBSEQUENT OFFENSE
Section 24(e)	Keeping an animal in an outdoor enclosure constructed (of material or in a manner) insufficient to confine the animal or prevent entry of children	100	FIRST OFFENSE
Section 24(e)	Keeping an animal in an outdoor enclosure constructed (of material or in a manner) insufficient to confine the animal or prevent entry of children	200	SUBSEQUENT OFFENSE
Section 24(f)	Keeping an animal in an outdoor enclosure located within 1 metre of the property line or within 5 metres from an adjacent dwelling unit	100	FIRST OFFENSE
Section 24(f)	Keeping an animal in an outdoor enclosure located within 1 metre of the property line or within 5 metres from an adjacent dwelling unit	200	SUBSEQUENT OFFENSE
Section 25	Hitching/tying/fastening an animal to a fixed object while using a choke collar or chain as securing apparatus	100	FIRST OFFENSE
Section 25	Hitching/tying/fastening an animal to a fixed object while using a choke collar or chain as	200	SUBSEQUENT OFFENSE

	securing apparatus		
Section 25	Hitching/tying/fastening an animal to a fixed object where a rope or cord is tied directly around the animal's neck	100	FIRST OFFENSE
Section 25	Hitching/tying/fastening an animal to a fixed object where a rope or cord is tied directly around the animal's neck	200	SUBSEQUENT OFFENSE
Section 26	Hitching/tying/fastening an animal to a fixed object as primary means of confinement for an extended period	100	FIRST OFFENSE
Section 26	Hitching/tying/fastening an animal to a fixed object as primary means of confinement for an extended period	200	SUBSEQUENT OFFENSE
Section 27	Confining an animal in an enclosed space (including a car) without adequate ventilation	100	FIRST OFFENSE
Section 27	Confining an animal in an enclosed space (including a car) without adequate ventilation	200	SUBSEQUENT OFFENSE
Section 28	Keeping an animal in an unsanitary condition	100	FIRST OFFENSE
Section 28	Keeping an animal in an unsanitary condition	200	SUBSEQUENT OFFENSE
Section 29	Transporting an animal in a vehicle outside the passenger compartment without adequate confinement/securing to prevent injury	100	FIRST OFFENSE
Section 29	Transporting an animal in a vehicle outside the passenger compartment without adequate confinement/securing to prevent injury	200	SUBSEQUENT OFFENSE

Section 31	Dog at large	100	FIRST OFFENSE
Section 31	Dog at large	200	SUBSEQUENT OFFENSE
Section 32	Dog disturbing the peace	100	FIRST OFFENSE
Section 32	Dog disturbing the peace	200	SUBSEQUENT OFFENSE
Section 33	Dog damaging public/private property	100	FIRST OFFENSE
Section 33	Dog damaging public/private property	200	SUBSEQUENT OFFENSE
Section 34(a)	Interference with officer in execution of his/her duties	500	FIRST OFFENSE
Section 34(a)	Interference with officer in execution of his/her duties	500	SUBSEQUENT OFFENSE
Section 34(b)	Interference with officer's vehicle	500	FIRST OFFENSE
Section 34(b)	Interference with officer's vehicle	500	SUBSEQUENT OFFENSE
Section 34(c)	Unlawful repossession of animal in custody	500	FIRST OFFENSE
Section 34(c)	Unlawful repossession of animal in custody	500	SUBSEQUENT OFFENSE
Section 35	Failure to remove dog feces	100	FIRST OFFENSE
Section 35	Failure to remove dog feces	200	SUBSEQUENT OFFENSE
Section 36	Dog bites, attacks or pursues a person	500	FIRST OFFENSE
Section 36	Dog bites, attacks or pursues a person	500	SUBSEQUENT OFFENSE
Section 36	Dog attacks/pursues vehicle	100	FIRST OFFENSE
Section 36	Dog attacks/pursues vehicle	200	SUBSEQUENT OFFENSE

PROPERTY MAINTENANCE BYLAW		PAYMENT FOR OUT OF COURT SETTLEMENT	FIRST OR SECOND OFFENCE
Section 4	Unightly or dangerous residential property	500	FIRST OFFENCE
Section 4	Unightly or dangerous residential property	1,000	SUBSEQUENT OFFENCE
Section 5	Unsound structure	500	FIRST OFFENCE
Section 5	Unsound structure	1,000	SUBSEQUENT OFFENCE
Section 6	Failure to maintain property	500	FIRST OFFENCE
Section 6	Failure to maintain property	1,000	SUBSEQUENT OFFENCE
Section 7	Failure to establish ground cover	500	FIRST OFFENCE
Section 7	Failure to establish ground cover	1,000	SUBSEQUENT OFFENCE
Section 8	Failure to keep grass below six inches in height	100	FIRST OFFENCE
Section 8	Failure to keep grass below six inches in height	200	SUBSEQUENT OFFENCE
Section 9	Failure to remove/repair tree posing imminent danger	500	FIRST OFFENCE
Section 9	Failure to remove/repair tree posing imminent danger	1,000	SUBSEQUENT OFFENCE
Section 10	Failure to maintain fence, barrier or retaining wall	500	FIRST OFFENCE
Section 10	Failure to maintain fence, barrier or retaining wall	1,000	SUBSEQUENT OFFENCE
Section 11	Unlawful storage of wrecked, discarded,	500	FIRST OFFENCE

	dismantled or abandoned vehicle		
Section 11	Unlawful storage of wrecked, discarded, dismantled or abandoned vehicle	1,000	SUBSEQUENT OFFENCE
Section 14	Insufficient litter receptacles on non-residential property	250	FIRST OFFENCE
Section 14	Insufficient litter receptacles on non-residential property	500	SUBSEQUENT OFFENCE
Section 14	Failure to keep property free from litter	250	FIRST OFFENCE
Section 14	Failure to keep property free from litter	500	SUBSEQUENT OFFENCE
Section 15	Failure to properly enclose outdoor storage area	250	FIRST OFFENCE
Section 15	Failure to properly enclose outdoor storage area	500	SUBSEQUENT OFFENCE
Section 16	Failure to prevent litter from blowing onto surrounding properties	250	FIRST OFFENCE
Section 16	Failure to prevent litter from blowing onto surrounding properties	500	SUBSEQUENT OFFENCE
Section 17(a)	Unightly or dangerous vacant property	500	FIRST OFFENCE
Section 17(a)	Unightly or dangerous vacant property	1,000	SUBSEQUENT OFFENCE
Section 18(a)	Failure to maintain vacant property	500	FIRST OFFENCE
Section 18(a)	Failure to maintain vacant property	1,000	SUBSEQUENT OFFENCE
Section 18(b)	Failure to keep vacant property free from hazardous objects or	500	FIRST OFFENCE

	conditions		
Section 18(b)	Failure to keep vacant property free from hazardous objects or conditions	1,000	SUBSEQUENT OFFENCE
Section 19	Unauthorized burning	500	FIRST OFFENCE
Section 19	Unauthorized burning	1,000	SUBSEQUENT OFFENCE

SCHEDULE "C"

I, _____, solemnly and sincerely swear (or affirm) that I will diligently, faithfully and impartially fulfill the duties of Bylaw Enforcement Officer for the Town of Cornwall and that I will not, without due authority, disclose or make known any matter that comes to my knowledge by reason of such position.

SWORN (or affirmed) BEFORE ME at

_____, _____
County, Province of Prince Edward Island, the
_____ day of _____, 20____.

A COMMISSIONER FOR TAKING AFFIDAVITS IN THE
SUPREME COURT



(Person giving Oath or Affirmation)