

**RESORT VILLAGE OF GLEN HARBOUR
BYLAW NO. 71/2024**

A Bylaw of the Resort Village to provide for the Enforcement of its Bylaws

The Council of the Resort Village of Glen Harbour, in the Province of Saskatchewan, hereby enacts as follows:

Title

1 This Bylaw may be referred to as the *General Offence and Penalty Bylaw*.

Definitions

2 In this Bylaw:

- (a) “administrator” means the administrator of the municipality;
- (b) “bylaw enforcement officer” means a bylaw enforcement officer appointed by the municipality;
- (c) “municipality” means the Resort Village of Glen Harbour.

General offence and penalty

3 Any person who contravenes any provision of a bylaw of the municipality for which no other penalty is specifically provided is guilty of an offence and liable on summary conviction:

- (a) in the case of an individual who is convicted of:
 - (i) a first offence, to a fine of not more than \$1,000;
 - (ii) a second offence, to a fine of not more than \$5,000, to imprisonment for a term of not more than six months, or to both such fine and imprisonment;
 - (iii) a third or subsequent offence, to a fine of not more than \$10,000, to imprisonment for a term of not more than one year, or to both such fine and imprisonment;
- (b) in the case of a corporation that is convicted of:
 - (i) a first offence, to a fine of not more than \$5,000;
 - (ii) a second offence, to a fine of not more than \$10,000;
 - (iii) a third or subsequent offence, to a fine of not more than \$25,000.

Liability of directors and officers of corporations

4 Where an offence is committed by a corporation, the directors or officers of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence are guilty of the offence and liable on summary conviction to the penalties mentioned in clause 3(a) whether or not the corporation has been prosecuted or convicted.

Continuing offences

5 Where an offence is a continuing offence, the maximum daily fine is \$2,500.

Voluntary payment

6(1) The administrator or a bylaw enforcement officer who believes that a person has contravened a bylaw of the municipality that provides for voluntary payment may serve on that person a Bylaw Violation Notice in Form A, stating the bylaw and section number that has been contravened and indicating the amount that will be accepted by the municipality in lieu of prosecution as set out in subsection (2).

(2) The voluntary payment amount:

(a) in the case of an individual, is:

- (i) \$100, in the case of a first offence;
- (ii) \$200, in the case of a second offence within the preceding 12 months;
- (iii) \$500, in the case of a third or subsequent offence within the preceding 12 months;

(b) in the case of a corporation, is:

- (i) \$200, in the case of a first offence;
- (ii) \$400, in the case of a second offence within the preceding 12 months;
- (iii) \$1,000, in the case of a third or subsequent offence within the preceding 12 months.

(3) A Bylaw Violation Notice may be served:

(a) in the case of a person who is an individual:

- (i) by delivering it personally to the person; or
- (ii) if the person cannot conveniently be found, by leaving it for the person at the person's residence with a person at that residence who appears to be at least 18 years of age; or
- (iii) by sending it by registered mail to the last known address of the person;

(b) in the case of a person that is a corporation:

- (i) by sending it by registered mail to the registered office of the corporation; or
- (ii) by delivering it personally to the manager, secretary or other executive officer of the corporation or the person in charge of any office or other place where the corporation carries on business in Saskatchewan.

(4) A Bylaw Violation Notice served by registered mail is deemed to have been served on the seventh business day following the date of its mailing unless the person to whom it was mailed establishes that, through no fault that person, the person did not receive the notice or received it at a later date.

(5) A person who produces a Bylaw Violation Notice together with payment of the required voluntary payment amount to the administrator within 30 days of the date on the notice is not liable for prosecution for the contravention in respect of which the notice was issued.

(6) A person who makes a voluntary payment in response to a Bylaw Violation Notice is not relieved of the obligation to comply with the bylaw in respect of which the notice was issued.

(7) Notwithstanding any of the provisions of this Bylaw, a person to whom a Bylaw Violation Notice has been issued pursuant to this Bylaw has and may exercise a right to defend any charge of contravening a bylaw of the municipality.

References

7 A reference in any other bylaw of the municipality to any previous bylaw providing for a general offence and penalty is deemed to be a reference to this Bylaw.

Repeal

8 Bylaw No. 2/2011 is repealed.

Coming into force

9 This Bylaw comes into force on the day on which it is enacted.

[SEAL]

Mayor

Administrator

Certified a true copy of Bylaw No. *

Read a third time and adopted
this ____ day of _____

(seal)

Administrator

FORM A

BYLAW VIOLATION NOTICE

CANADA)
Saskatchewan)
Resort Village of Glen Harbour)
Bylaw Violation Notice)

TO:

Name: _____

Address: _____

This Bylaw Violation Notice is issued pursuant to the *General Offence and Penalty Bylaw* of the Resort Village of Glen Harbour for an alleged contravention of the following Bylaw:

Bylaw Number :	
Title:	
Bylaw Section Number:	
Description of offence:	
Voluntary payment amount:	

Details of alleged contravention (*date and time, location, other relevant particulars*):

Voluntary Payment:

Take notice that you may remit a voluntary payment to the Resort Village of Glen Harbour in the amount stipulated above to avoid prosecution for this offence.

Payment may be made in person at the municipal office or by mail to Resort Village of Glen Harbour, Box 302. Siltion, Saskatchewan S0G 4V0, but must be received on or before _____.

If the voluntary payment amount is not received by the above date, a summons requiring your appearance in Provincial Court will be issued.

Mayor

Administrator

