

THE CORPORATION OF THE CITY OF CAMBRIDGE

By-law 23-XXX

Being a by-law to designate various by-laws of the City of Cambridge as by-laws to which the Administrative Penalty System applies.

WHEREAS the City of Cambridge has enacted By-law 23-XXX, being a By-law to establish an Administrative Penalty System for violations of by-laws within the City of Cambridge;

AND WHEREAS the Council for The Corporation of the City of Cambridge considers it desirable and necessary to amend various City By-laws to designate provisions of the By-laws, pursuant to the Administrative Penalty By-law #23-XXX;

AND WHEREAS the Council for The Corporation of the City of Cambridge considers it desirable to enforce and seek compliance with the designated by-laws, or portions of those by-laws, through the Administrative Penalty System;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF CAMBRIDGE ENACTS AS FOLLOWS:

Traffic and Parking By-law

1. Part II of By-law 22-044, as amended, is hereby amended by inserting the following definitions therein:

“Administrative Penalty By-law” means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;

“Designated Parking Provision” means any section of this by-law designated in accordance with subsection 1(a) of Part XXIII of this By-law;

“Designated Non-Parking Provision” means any section of this by-law designated in accordance with subsection 1(c) of Part XXIII of this By-law.

2. By-law 22-044, as amended, is hereby further amended by deleting Section 1 of Part XXIII therefrom and replacing it with the following new Section 1:

1. Penalties

- a) Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 of Part V, and Section 1 of Part VI of this By-law, inclusive of all subsections thereunder, are hereby designated as parts of this By-law to which the Administrative Penalty By-law applies.
- b) Any person who contravenes any Designated Parking Provision shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.
- c) Paragraph 2(b)(l) of Part IV, and Sections 2, 3, and 4 of Part XX.2 of this By-law, inclusive of all subsections thereunder, are hereby designated as parts of this By-law to which the Administrative Penalty By-law applies.
- d) Any person who contravenes any Designated Non-Parking Provision shall, upon issuance of a penalty notice in accordance

with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.

- e) Any person who contravenes a provision of this By-law, other than a Designated Parking Provision, is guilty of an offence and upon conviction is liable to a fine not exceeding Five Thousand Dollars (\$5,000), exclusive of costs, for each offence, recoverable under the *Provincial Offences Act*.
- f) Notwithstanding Subsection 1(e) of Part XXII of this By-law, any person who contravenes any of the provisions of Parts VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, Section 1 of Part XVII, Parts XVIII, XIX, XIX.1, XX, XX.2, XXI, or XXII of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for such violation in the *Highway Traffic Act*.

- 3. By-law 22-044, as amended, is hereby further amended by deleting Schedule 25 therefrom.

Private Property Parking By-law

- 4. By-law No. 62, as amended, is amended by inserting the following definitions therein:

“Administrative Penalty By-law” means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;

“Designated Parking Provision” means any section of this by-law designated in accordance with subsection 1(a) of Part IV of this By-law;

“Designated Non-Parking Provision” means any section of this by-law designated in accordance with subsection 1(c) of Part IV of this By-law.

- 5. By-law No. 62, as amended, is hereby further amended by deleting Section 1 of Part IV therefrom and replacing it with the following new Section 1:

1. Offences

- (a) Section 2 of Part II and Section 2 of Part II of this By-law, inclusive of all subsections thereunder, with the exception of subsections 2(l) and (k) of Part II, are hereby designated as parts of this By-law to which the Administrative Penalty By-law applies.
- (b) Any person who contravenes any Designated Parking Provision shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.
- (c) Subsections 2(l) and (k) of Part II of this By-law are hereby designated as parts of this By-law to which the Administrative Penalty By-law applies.
- (d) Any person who contravenes any Designated Non-Parking Provision shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.
- (e) Any person who contravenes any provision of this By-law, other than a Designated Parking Provision, is guilty of an offence and, upon, conviction, is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.

- (f) All provisions of this By-law may be enforced by Enforcing Officials provided that moving violations may only be enforced by a police officer.
 - (g) Notwithstanding the preceding provision, Enforcing Officials whose names appear in **Schedule "A"** hereto may enforce the provisions of this By-law only on a property the municipal address of which is listed beside their name in said **Schedule "A"**.
6. By-law No. 62, as amended, is hereby further amended by deleting Schedules "D" and "E" therefrom.

Fire Route By-law

7. Section 1 of Part I of By-law 1301, as amended, is hereby amended by inserting the following definitions therein:
- "Administrative Penalty By-law" means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;
- "Designated Provision" means any section of this By-law designated in accordance with subsection 1(c) of Part III;
8. By-law 1301, as amended, is hereby further amended by deleting Section 1 of Part III therefrom and replacing it with the following new Section 1:
- 1. Offence**
- (a) Section 8 of Part II of this By-law, inclusive of all subsections thereunder, is hereby designated as a part of this By-law to which the Administrative Penalty By-law applies.
 - (b) Any person who contravenes any Designated Provision shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.
 - (c) Any person who contravenes a provision of this By-law, other than a Designated Provision, is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O 1990, c. P. 33, as amended.
9. By-law 1301, as amended, is hereby further amended by deleting Schedule "C" therefrom.

Disabled Parking By-law

10. Section 1 of Part I of By-law 184-06, as amended, is hereby amended, by adding the following subsections therein:
- "Administrative Penalty By-law" means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;
- "Designated Provision" means any section of this by-law designated in accordance with subsection 1(a) of Part III of this By-law;
11. By-law 184-06, as amended, is hereby further amended by deleting Section 1 of Part III therefrom and replacing it with the following new Section 1:
- 1. Offence**

- (a) Section 4 of Part II of this By-law, inclusive of all subsections thereunder, is hereby designated as a part of this By-law to which the Administrative Penalty By-law applies.
- (b) Any person who contravenes any Designated Provision shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.
- (c) Any person who contravenes a provision of this By-law, other than a Designated Provision, is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O 1990, c. P. 33, as amended.

12. By-law 184-06, as amended, is hereby further amended by deleting Schedule “C” therefrom.

Parks By-law

13. Section 1 of By-law 162-10, as amended, is hereby amended by inserting the following definitions therein:

“Administrative Penalty By-law” means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;

“Designated Parking Provision” means any section of this by-law designated in accordance with section 12.1 of this By-law;

“Designated Non-Parking Provision” means any section of this by-law designated in accordance with section 12.3 of this By-law.

14. By-law 162-10, as amended, is hereby further amended by deleting Section 12 therefrom and replacing it with the following new sections:

12.1 Section 8 of this By-law, inclusive of all subsections thereunder, is hereby designated as a part of this By-law to which the Administrative Penalty By-law applies.

12.2 Any person who contravenes any Designated Parking Provision shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.

12.3 Sections 3, 4, 5, 6, 7, and 9 of this By-law, inclusive of all subsections thereunder, are hereby designated as parts of this By-law to which the Administrative Penalty By-law applies.

12.4 Any person who contravenes any Designated Non-Parking Provision shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.

12.5 Any person who contravenes a provision of this By-law, other than a Designated Parking Provision, is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.

Anti-Idling By-law

15. Section 1.0 of By-law 212-15, as amended, is hereby amended by adding the following definitions therein:

“Administrative Penalty By-law” means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;

“Designated Provision” means any section of this by-law designated in accordance with subsection 6.0(f) of this By-law;

16. By-law 212-15, as amended, is hereby further amended by deleting subsection 6.0(c) therefrom.
17. By-law 212-15, as amended, is hereby further amended by deleting subsection 6.0(f) therefrom and replacing it with the following new subsections:
 - (f) Section 4.0 of this By-law is hereby designated as a part of this By-law to which the Administrative Penalty By-law applies.
 - (g) Any person who contravenes any Designated Provision shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.

Lot Maintenance By-law

18. Section 1.1 of By-law 189-13, as amended, is hereby amended by inserting the following definitions therein:

“Administrative Penalty By-law” means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;

“Designated Provision” means any section of this by-law designated in accordance with section 15.2;

19. By-law 189-13, as amended, is hereby further amended by adding the following subsections therein:
 - 15.2 Sections 2.1, 3.1, 3.4, 3.5, 5.1, 6.1, 7.2, 8.1, 9.1, 9.2, 10.1, and 11.1 of this By-law, inclusive of all subsections thereunder, are hereby designated as parts of this by-law to which the Administrative Penalty By-law applies.
 - 15.3 Any person who contravenes any Designated Provision of this by-law shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.

Sign By-law

20. Section 2 of By-law 191-03, as amended, is hereby amended by inserting the following definitions therein:

Administrative Penalty By-law means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;

Designated Provision means any section of this by-law designated in accordance with section 33;

21. Section 33 of By-law 191-03, as amended, is hereby amended by adding the following subsections thereto:
 - 1.1. Subsection 36(1) of this By-law is hereby designated as part of this by-law to which the Administrative Penalty By-law applies.
 - 1.2. Any person who contravenes any Designated Provision of this by-law shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.

22. Subsection 33(2) of By-law 191-03, as amended is hereby amended by adding the words “for the purposes of subsection 1., or contravention for the purposes of subsection 1.2., as the case may be.” Immediately after the word “offence”.

Fireworks By-law

23. Section 1 of By-law 40-04, as amended, is hereby amended by inserting the following definitions therein:

“Administrative Penalty By-law” means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;

“Designated Provision” means any section of this by-law designated in accordance with section 12.2;

24. By-law 40-04, as amended, is hereby further amended by deleting Section 12 therefrom and replacing it with the following new sections:

12.1 Any person who contravenes any provision of this By-law is guilty of an offence and, upon conviction, is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.

12.2 Sections 2, 4, and 5, inclusive of all subsections thereunder, of this By-law are hereby designated as parts of this by-law to which the Administrative Penalty By-law applies.

12.3 Any person who contravenes any Designated Provision of this by-law shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.

Noise By-law

25. Section 1 of By-law 32-04, as amended, is hereby amended by inserting the following definitions therein:

“Administrative Penalty By-law” means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;

“Designated Provision” means any section of this by-law designated in accordance with section 3.2.

26. By-law 32-04, as amended, is hereby further amended by deleting Section 3 and replacing it with the following new sections:

3.1 Any person who contravenes any provision of this By-law is guilty of an offence, and upon conviction, is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.

3.2 Section 2 of this By-law, inclusive of all subsections thereunder, is hereby designated as part of this by-law to which the Administrative Penalty By-law applies.

3.3 Any person who contravenes any Designated Provision of this by-law shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.

Corridor Management By-law

27. Section 1.0 of By-law 050-21, as amended, is hereby amended by inserting the following definitions therein:

“Administrative Penalty By-law” means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;

“Designated Provision” means any section of this by-law designated in accordance with Section 3.7;

28. By-law 050-21, as amended, is hereby further amended by adding the following subsections thereto:
 - 3.7 Section 4.2, Sections 1.1, 1.2, 1.3, and 1.4 of Schedule “A”, Sections 2.1, 2.2, 3.1, 4.1, and 5.7 of Schedule “B”, Sections 2.1, 2.3, and 3.1 of Schedule “C”, and Section 2.2 of Schedule “D” of this By-law, inclusive of all subsections thereunder, are hereby designated as parts of this By-law to which the Administrative Penalty By-law applies.
 - 3.8 Any person who contravenes any Designated Provision of this By-law shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.

Open Fire By-law

29. By-law 313-86, as amended, is hereby amended by inserting the following sections therein:
 - 16.1 In this By-law, “Administrative Penalty By-law” means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof.
 - 16.2. In this by-law, “Designated Provision” means any section of this by-law designated in accordance with Section 16.1.
30. By-law 313-86, as amended, is hereby further amended by adding the following sections thereto:
 - 16.1 Sections 1, 7, 8, 9, 10, 11, 12, 13, and 14 of this By-law are hereby designated as parts of this by-law to which the Administrative Penalty By-law applies.
 - 16.2 Any person who contravenes any Designated Provision of this By-law shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.

Anti-Graffiti By-law

31. Section 1 of By-law 21-06, as amended, is hereby amended by inserting the following definitions therein:

“Administrative Penalty By-law” means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;

“Designated Provision” means any section of this by-law designated in accordance with section 4.1.
32. By-law 21-06, as amended, is hereby further amended by adding the following sections thereto:
 - 4.1 Section 2 of this By-law, inclusive of all subsections thereunder, is hereby designated as a part of this by-law to which the Administrative Penalty By-law applies.

- 4.2 Any person who contravenes any Designated Provision of this by-law shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.

Fence By-law

33. Section 2 of By-law 92-05, as amended, is hereby amended by inserting the following definitions therein:

“Administrative Penalty By-law” means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;

“Designated Provision” means any section of this By-law designated in accordance with Section 14.1;

34. By-law 92-05, as amended, is hereby further amended by adding the following subsections thereto:

14.1 Sections 7 and 8 of this By-law, inclusive of all subsections thereunder, are hereby designated as parts of this By-law to which the Administrative Penalty By-law applies.

14.2 Any person who contravenes any Designated Provision of this By-law shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable fees.

Animal Control By-law

35. Section 1 of By-law 171-13, as amended, is hereby amended by inserting the following definitions therein:

“Administrative Penalty By-law” means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;

“Designated Provision” means any section of this by-law designated in accordance with section 15.2.

36. By-law 171-13, as amended, is hereby further amended by adding the following sections thereto:

15.2 Sections 2.1, 3.1, 4.1, 5.1, 6.1, 7.1, 9.1, 9.2, and 13.1 of this By-law, inclusive of all subsections thereunder are hereby designated as parts of this By-law to which the Administrative Penalty By-law applies.

15.3 Any person who contravenes any Designated Provision of this By-law shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.

Dog By-law

37. Section 1 of By-law 172-13, as amended, is hereby amended by inserting the following definitions therein:

“Administrative Penalty By-law” means the Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;

“Designated Provision” means any section of this by-law designated in accordance with section 15.2.

38. By-law 172-13, as amended, is hereby further amended by adding the following subsections thereto:

15.2 Sections 2.1, 2.2, 2.8, 2.10, 3.1, 4.1, 6.1, 6.6, 6.7, 6.8, 6.9, 9.1, 9.2, 9.3, and 10.1 of this By-law, inclusive of all subsections thereunder, are hereby designated as parts of this By-law to which the Administrative Penalty By-law applies.

15.3 Any person who contravenes any Designated Provision of this By-law shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and any applicable administrative fees.

39. This By-law shall come into force and effect on the 11th day of October, 2023.

READ AND ENACTED this 18th day of July, 2023.

MAYOR

CLERK