



City of North Bay Report to Council

Report No: CORP-2022-074

Date: June 10, 2022

Originator: Natalie Rochon, Assistant City Solicitor/City Prosecutor

Business Unit:

Department:

Corporate Services

Legal Department

Subject: Amendment to the Clean Yards By-Law 2022-28

Closed Session: yes ☐ no ☒

Recommendation

That Council authorize an amendment to the Clean Yards By-Law 2022-28 as set out in Report to Council CORP 2022-074 dated June 10, 2022.

Background

On March 22, 2022, Council passed the Clean Yards By-law No. 2022-28 and repealed the Clean Yards By-law No. 2011-185.

On May 17, 2022, Council approved the Part I Set Fine Schedule for By-Law 2022-28.

The Office of the City Solicitor submitted a Set Fine Application to the Ministry of the Attorney General for the approval of a Set Fine Schedule for By-Law 2022-28.

Upon further review and feedback, we feel the general penalty provision found in Section 5.6.1 of By-Law 2022-28 should be expanded.

Section 5.6.1 of By-Law 2022-28 currently reads as follows: "Every person who contravenes any provision of this By-Law is guilty of an offence."

Section 5.6.1 of By-Law 2022-28 should be amended to read as follows: "Every 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 by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended."

Financial/Legal Implications

An approved Set Fine Schedule for By-Law 2022-28 will allow for fines to be issued to an offender without the requirement for a Court appearance, which reduces costs and time for By-Law Enforcement and the Provincial Offences Office.

Corporate Strategic Plan

- | | |
|---|--|
| <input type="checkbox"/> Natural North and Near | <input type="checkbox"/> Economic Prosperity |
| <input type="checkbox"/> Affordable Balanced Growth | <input type="checkbox"/> Spirited Safe Community |
| <input checked="" type="checkbox"/> Responsible and Responsive Government | |

Specific Objectives

Ensure the efficient and effective operations of the City.

Options Analysis

Option 1: That Council authorize an amendment to the Clean Yards By-Law 2022-28, as set out in Report to Council CORP-2022-074.

This is the recommended option.

Option 2: That Council not authorize an amendment to the Clean Yards By-Law 2022-28, as set out in Report to Council CORP-2022-074.

This is not the recommended option.

Recommended Option

That Council authorize an amendment to the Clean Yards By-Law 2022-28 as set out in Report to Council CORP 2022- dated June 10, 2022.

Respectfully submitted,

Name: Natalie Rochon

Title: Assistant City Solicitor/City Prosecutor

I concur with this report and recommendation

Name Peter E.G. Leckie, B.A. (Hons.), LL.B.

Title: City Solicitor

Name David Euler, P.Eng., PMP

Title: Chief Administrative Officer

Personnel designated for continuance:

Natalie Rochon
Assistant City Solicitor/City Prosecutor