

The Corporation of the City of Penticton

Bylaw Notice Enforcement Bylaw

No. 2012-5037

Consolidated for convenience only

Amended by:

Bylaw No. 2013-5037.01
Bylaw No. 2013-31
Bylaw No. 2013-41
Bylaw No. 2014-05
Bylaw No. 2014-18
Bylaw No. 2015-29
Bylaw No. 2016-08
Bylaw No. 2016-40
Bylaw No. 2017-17
Bylaw No. 2017-28

On:

March 2013
September 2013
November 2013
February 3, 2014
May 5, 2014
June 15, 2015
March 21, 2016
August 2, 2016
April 4, 2017
May 2, 2017

Bylaw No. 2018-33 June 19, 2018
Bylaw No. 2018-43 June 19, 2018
Bylaw No. 2018-52 August 7, 2018
Bylaw No. 2018-73 October 30, 2018
Bylaw No. 2019-18 June 4, 2019
Bylaw No. 2019-21 June 4, 2019

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THE CORPORATION OF THE CITY OF PENTICTON

BYLAW NO. 5037

A BYLAW TO REGULATE ENFORCEMENT OF BYLAW NOTICES

WHEREAS pursuant to *The Local Government Bylaw Notice Enforcement Act* and regulations thereto, the Council of The Corporation of the City of Penticton may, by bylaw,

- (a) designate bylaw contraventions that may be dealt with by Bylaw Notice,
- (b) establish the amount of the penalty for a contravention referred to in paragraph a),
- (c) establish the period for paying or disputing a Bylaw Notice, and
- (d) establish and participate in a Bylaw Notice dispute adjudication system to resolve disputes in relation to Bylaw Notices ;

NOW THEREFORE the Municipal Council of The Corporation of the City of Penticton in open meeting assembled ENACTS as follows:

TITLE:

1. This Bylaw may be cited as the "CITY OF PENTICTON BYLAW NOTICE ENFORCEMENT BYLAW NO. 2012-5037."

DEFINITIONS:

2. In this bylaw:

"Act" means the *Local Government Bylaw Notice Enforcement Act*,

"City" means The Corporation of the City of Penticton.

"Registry" means the Southern Interior Bylaw Notice Adjudication Registry established pursuant to this Bylaw.

TERMS

3. The terms in this bylaw have the same meaning as the terms defined in the Act.

BYLAW CONTRAVENTIONS

4. The bylaws and bylaw contraventions designated in Schedule "A" attached hereto and forming part of this Bylaw, may be dealt with by Bylaw Notice.

OFFENCE AND PENALTY

5. The penalty for a contravention referred to in Section 4 is as follows:
 - a) Subject to Subsections 5(b) and 5(c), is the Penalty amount set out in Column A1 of Schedule A.
 - b) If received by the District within 14 days of the person receiving or being presumed to have received the notice, is the Early Payment Penalty set out in Column A2 of Schedule A.
 - c) If more than 28 days after the person received or is presumed to have received the Bylaw Notice, is subject to a late payment surcharge in addition to the penalty under Subsection 5(a) and is the Late Payment Penalty set out in Column A3 of Schedule A.

PERIOD FOR PAYING A DISPUTED NOTICE

6. A person who receives a Bylaw Notice must, within 14 days of the date on which the person received or is presumed to have received the Bylaw Notice:
 - (1) pay the penalty, or
 - (2) request dispute adjudication,by filling in the appropriate portion of the Bylaw Notice indicating either a payment or a dispute and delivering it, either in person during regular office hours, or by mail, to The Corporation of the City of Penticton.
7. A person may pay the indicated penalty after 14 days of receiving the notice, subject to the applicable surcharge for late payment accordance with Subsection 5(3), but no person may dispute the notice after 14 days of receiving the Bylaw Notice.
8. Where a person was not served personally with a Bylaw Notice and advises the City, in accordance with the requirements of Section 25 of the Act, that they did not receive a copy of the original notice, the time limits for responding to a Bylaw Notice under Section 5 and Section 7 of this Bylaw do not begin to run until a copy of the Bylaw Notice is redelivered to them in accordance with the Act.

BYLAW NOTICE DISPUTE ADJUDICATION REGISTRY

9. The Registry is established as a Bylaw Notice dispute adjudication system in accordance with the Act to resolve disputes in relation to Bylaw Notices.
10. The civic address of the Registry is the City of Kelowna, 1435 Water Street, Kelowna, BC, V1Y 1J4.
12. Every person who is unsuccessful in a dispute adjudication in relation to a Bylaw Notice or a compliance agreement under the dispute adjudication system established under this section must pay the City an additional fee of \$25 for the purpose of the City recovering the costs of the adjudication system.

SCREENING OFFICERS

13. The position of screening officer is established.
14. The following are designated classes of persons that may be appointed as screening officers:
 - (1) Bylaw Enforcement Officers;
 - (2) Building Officials;
 - (3) Director of Development Services; and
 - (4) Director of Operations.

POWERS, DUTIES AND FUNCTIONS OF SCREENING OFFICERS

15. The powers, duties and functions of screening officers are as set out in the Act, and include the following powers:
 - (1) Where requested by the person against whom a contravention is alleged, communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the Bylaw Notice dispute adjudication system and the fee or fees payable in relation to the Bylaw Notice enforcement process;
 - (2) To communicate with any or all of the following for the purposes of performing their functions under this Bylaw or the Act:
 - (a) the person against whom a contravention is alleged or their representative;
 - (b) the officer issuing the notice;
 - (c) the complainant or their representative;
 - (d) the City's staff and records regarding the disputant's history of bylaw compliance.
 - (3) To prepare and enter into compliance agreements under the Act with persons who dispute Bylaw Notices, including to establish terms and conditions for compliance that the Screening Officer considers necessary or advisable, including time periods for payment of penalties and compliance with the Bylaw;
 - (4) To provide for payment of a reduced penalty if a compliance agreement is entered into, as provided in Column A4 of Schedule "A"; and
 - (5) To cancel Bylaw Notices in accordance with the Act or City policies and guidelines.
16. The bylaw contraventions in relation to which a Screening Officer may enter into a compliance agreement are indicated in Column A4 of Schedule "A".
17. The maximum duration of a compliance agreement is one year.

BYLAW ENFORCEMENT OFFICERS

18. Persons acting as any of the following are designated as Bylaw Enforcement Officers for the purposes of this Bylaw and the Act:
- (1) Special constables, officers, members or constables of:
 - (a) The provincial police force as defined in Section 1 of the *Police Act*, or
 - (b) A municipal police force;
 - (2) Bylaw Enforcement Officers appointed pursuant to the *Police Act* and *Community Charter*;
 - (3) Local Assistants to the Fire Commissioner under Section 6 of the *Fire Services Act*;
 - (4) Bylaw Enforcement Officers, licensing inspectors, building inspectors, animal control officers or other persons acting in another capacity on behalf of a City for the purpose of enforcement of one or more of its Bylaws.

FORM OF BYLAW NOTICE

19. The City may from time to time provide for the form or forms of the Bylaw Notice, provided the Bylaw Notice complies with Section 4 of the Act.

SEVERABILITY

20. If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

REPEAL

21. "Bylaw Notice Enforcement Bylaw 2011 No. 5000" and all amendments thereto be repealed upon adoption hereof.

READ A FIRST time this 17th day of September, 2012.

READ A SECOND time this 17th day of September, 2012.

READ A THIRD time this 17th day of September, 2012.

ADOPTED this 1st day of October, 2012.

Original signed by

Dan Ashton, Mayor

Original signed by

Karen Burley,
Corporate Officer

SCHEDULE A – APPENDICES INDEX

APPENDIX	BYLAW	BYLAW NO.
Appendix 1	Building Bylaw	No. 2018-01
Appendix 2	Responsible Dog Owner Bylaw	No. 2015-27
Appendix 3	Commercial Vehicle Licensing Bylaw	No. 94 - 37
Appendix 4	Business Licence Bylaw	No. 2012 - 5020
Appendix 5	Non Profit Registration Bylaw	No. 2011 – 5000
Appendix 6	Sign Bylaw	No. 2013 – 17
Appendix 7	Zoning Bylaw	No. 2017-08
Appendix 8	Park Regulation Bylaw	No. 3133
Appendix 9	Fire and Life Safety Bylaw	No. 2004 – 57
Appendix 10	Traffic Bylaw	No. 94 – 39
Appendix 11	Good Neighbour Bylaw	No. 2012 – 5030
Appendix 12	Passenger Vehicles for Hire Bylaw	No. 96 – 61
Appendix 13	Pawnbrokers, Second-hand Dealers and Auction Houses Regulations	No. 97 – 68
Appendix 14	Earthwork Control Bylaw	No. 2006 – 65
Appendix 15	Irrigation Sewer and Water Bylaw	No. 2005 – 02
Appendix 16	Solid Waste Collection and Disposal Bylaw	No. 2016-29
Appendix 17	Skatepark Helmet Bylaw	No. 2010 - 42
Appendix 18	Deer Feeding Prohibition Bylaw	No. 2012 - 5004
Appendix 19	Smoking Regulations Bylaw	No. 2018-68
Appendix 20	Martin Street Storefront Use Bylaw	No. 2014-12
Appendix 21	Main Street Storefront Use Bylaw	No. 2016-42
Appendix 22	Political Signage Regulations	No. 2018-32

Bylaw No. 2013-31
Bylaw No. 2015-29
Bylaw No. 2016-40
Bylaw No. 2017-28
Bylaw No. 2018-33
Bylaw No. 2018-73
Bylaw No. 2019-18

Schedule 'A'

APPENDIX 1

BUILDING BYLAW NO. 2018-01

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
No permit	7.1	\$450	\$400	\$500	No
Occupy without approval	7.2	\$450	\$400	\$500	No
Provide false information	7.3	\$450	\$400	\$500	No
Modify document	7.4	\$450	\$400	\$500	No
Interfere with notice	7.5	\$450	\$400	\$500	No
Work at variance to plan	7.6	\$250	\$200	\$300	No
Obstruct official	7.7	\$450	\$400	\$500	No
Address not posted	7.8	\$250	\$200	\$300	No
Contravene building official	7.9	\$450	\$400	\$500	No
Change of use	7.10	\$450	\$400	\$500	No

Bylaw No. 2018-73

Schedule 'A'

APPENDIX 2

RESPONSIBLE DOG OWNER BYLAW NO. 2015-27

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Failure to allow inspection	5. 62. 66.	\$250.00	\$225.00	\$275.00	Yes
Failure to provide identification	6.	\$100.00	\$90.00	\$110.00	Yes
No valid licence	8.	\$100.00	\$90.00	\$110.00	Yes
1 st offence		\$250.00	\$225.00	\$275.00	Yes
2 nd offence		\$500.00	\$450.00	\$550.00	Yes
3 rd and subsequent offence					
Providing false information	9.	\$100.00	\$90.00	\$110.00	Yes
No affixed tag	10.	\$75.00	\$65.00	\$85.00	Yes
Harbour more than 3 dogs	13.	\$100.00	\$90.00	\$110.00	Yes
No Kennel Operation Permit	13.2	\$100.00	\$90.00	\$100.00	Yes
No food or water	20.1	\$100.00	\$90.00	\$110.00	No
Contaminated water or food	20.2	\$100.00	\$90.00	\$110.00	No
No freedom of movement	20.3. 30.	\$100.00	\$90.00	\$110.00	No
No shelter	20.4	\$100.00	\$90.00	\$110.00	No
Excrement in pen or enclosure	20.5	\$75.00	\$65.00	\$85.00	No
Failure to obtain veterinarian care	20.6 40.	\$250.00	\$225.00	\$275.00	Yes
In prohibited area	34.	\$100.00	\$90.00	\$110.00	No
Failure to control on owner's premises	21	\$100.00	\$90.00	\$110.00	No
Failure to control on other's premises	22.	\$200.00	\$175.00	\$225.00	No
No leash -	35.	\$100.00	\$90.00	\$125.00	No
1 st offence		\$200.00	\$175.00	\$225.00	
2 nd offence		\$300.00	\$250.00	\$350.00	
3 rd and subsequent offence					
Leash more than 2 metres long	Part 3	\$75.00	\$65.00	\$85.00	No

Failure to pick up excrement on others property	38.	\$150.00	\$125.00	\$175.00	No
Failure to pick up excrement on owners property	39.	\$150.00	\$125.00	\$175.00	No
Within front yard or 1.5m of property line	29.	\$100.00	\$90.00	\$110.00	Yes
Use choke or pinch collar	31.	\$100.00	\$90.00	\$110.00	No
Permit attack	23. 24. 25. 26.	\$500.00 \$500.00 \$250.00 \$250.00	\$450.00 \$450.00 \$225.00 \$225.00	\$550.00 \$550.00 \$275.00 \$275.00	No
Nuisance - 1 st offence 2 nd offence 3 rd and subsequent offence	27. and 43.	\$100.00 \$250.00 \$500.00	\$90.00 \$225.00 \$450.00	\$110.00 \$275.00 \$550.00	No
Run at large - 1 st offence 2 nd offence 3 rd and subsequent offence	33.	\$100.00 \$250.00 \$500.00	\$90.00 \$225.00 \$450.00	\$110.00 \$275.00 \$550.00	No
Use contrary to Zoning Bylaw	58. 60. 69.	\$100.00	\$90.00	\$110.00	Yes
Fail to fence/pen	28.	\$250.00	\$225.00	\$275.00	Yes
Failure to kennel dogs	64. 68. 70.	\$100.00	\$90.00	\$110.00	Yes
Barking dogs - 1 st offence 2 nd offence 3 rd and subsequent offence	37.	\$100.00 \$250.00 \$500.00	\$90.00 \$225.00 \$450.00	\$110.00 \$275.00 \$550.00	No
Interferes with Dog Control Officer or Shelter Manger	91.	\$250.00	\$225.00	\$275.00	No
Failure to obey posted rules at off-leash areas	36.	\$100.00	\$90.00	\$110.00	Yes
Confinement in vehicle	41.	\$300.00	\$275.00	\$325.00	No
Unattended in the open box area of a truck or open trailer	42.	\$100.00	\$90.00	\$110.00	No
Failure to control aggressive dog on owner's premises	47.	\$250.00	\$225.00	\$275.00	No
Failure to control aggressive dog away from owner's premises	48.	\$300.00	\$275.00	\$325.00	No
Failure to control dangerous dog on owner's premises	50.	\$500.00	\$450.00	\$550.00	No
Failure to control dangerous dog away from owner's premises	51.	\$750.00	\$700.00	\$800.00	No

Failure to post "Dangerous Dog" signage	52.	\$200.00	\$175.00	\$225.00	Yes
Failure to microchip dangerous dog	53.	\$250.00	\$225.00	\$275.00	Yes
Guard Dog not confined within secure premises	54.1	\$250.00	\$225.00	\$275.00	Yes
Guard Dog premises not properly fenced	54.2	\$250.00	\$225.00	\$275.00	Yes
Guard Dog premises not adequately secured	54.3	\$250.00	\$225.00	\$275.00	Yes
Failure to post Guard Dog warning signs	55.	\$200.00	\$175.00	\$225.00	Yes
Failure to notify authorities of Guard Dog	56.	\$200.00	\$175.00	\$225.00	Yes
Failure to obtain Hobby Kennel Operation Permit	57.1	\$100.00	\$90.00	\$110.00	Yes
Contrary to Hobby Kennel Operation Permit	57.3	\$100.00	\$90.00	\$110.00	Yes
Failure to obtain business licence for Commercial Kennel	59.1	See Appendix 4	See Appendix 4	See Appendix 4	Yes
Failure to obtain Commercial Kennel Operation Permit	59.2	\$100.00	\$90.00	\$110.00	Yes
Contrary to Commercial Kennel Operation Permit	59.4	\$100.00	\$90.00	\$110.00	Yes
Failure to obtain Foster Care Permit	65.	\$100.00	\$90.00	\$110.00	Yes
Contrary to Foster Care Permit	65.	\$100.00	\$90.00	\$110.00	Yes
Attempt to release or rescue a dog in custody	90.	\$500.00	\$450.00	\$550.00	No

Bylaw No. 2015-29

Schedule 'A'

APPENDIX 3

COMMERCIAL VEHICLE LICENSING BYLAW NO. 94-37

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Fail to obtain a licence plate	6	\$75.00	\$65.00	\$85.00	Yes
Fail to display valid licence plate	5 (a)	\$50.00	\$45.00	\$55.00	No
Vehicle not signed	5 (b)	\$50.00	\$45.00	\$55.00	Yes
Licence plate not properly affixed	12	\$50.00	\$45.00	\$55.00	Yes

Schedule 'A'

APPENDIX 4

Business Licence Bylaw No. 2012-5020

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Carry on business without a licence	5.1	\$450	\$400	\$500	No
Advertise, solicit or promote without a licence	5.2	\$450	\$400	\$500	No
Obstructing a Licence Inspector	6.1	\$150	\$130	\$170	No
Failure to notify the Manager prior to transfer, change or cancellation of a business licence	7.1	\$50	\$45	\$55	No
Fail to display the current business licence	10.2	\$75	\$65	\$85	Yes
Failure to renew a Business Licence	11.1	\$250	\$225	\$275	Yes
Carrying on business while licence is under suspension	12.5	\$250	\$225	\$275	No
Failure of builder or trades person to obtain required permits	16.2	\$150	\$130	\$110	No

Bylaw No. 2013-31

Bylaw No. 2016-08

Bylaw No. 2017-17

Bylaw No. 2018-52

Schedule 'A'

APPENDIX 5

NON PROFIT REGISTRATION BYLAW NO. 2011-5000

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Carry on Non-Profit without registration	4.2	\$250.00	\$225.00	\$275.00	Yes
Failure to allow access for inspection	5.1	\$150.00	\$130.00	\$170.00	No
Fail to notify the manager prior to transfer, change or cancellation of a non-profit registration	6.1	\$50.00	\$45.00	\$55.00	No
Fail to display the current non-profit registration	9.1	\$75.00	\$65.00	\$85.00	Yes

Bylaw No. 2016-08

Schedule 'A'

APPENDIX 6

PENTICTON SIGN BYLAW NO. 2013-17

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
A sign without a valid permit	6.1	\$100.00	\$90.00	\$110.00	Yes
Failure to remove a prohibited sign	6.3	\$100.00	\$90.00	\$110.00	Yes

Bylaw No. 2013-31

Schedule 'A'

APPENDIX 7

ZONING BYLAW NO. 2017-08

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Commence or undertake a use, cause, suffer or permit contrary to the bylaw	1.9.1 & 1.9.2	\$100.00	\$90.00	\$110.00	Yes
Fail to screen refuse bin	4.10	\$75.00	\$65.00	\$85.00	Yes
Fail to screen as required	5.3	\$75.00	\$65.00	\$85.00	Yes
Fence height contrary to bylaw	5.6.1	\$75.00	\$65.00	\$85.00	Yes
Temporary fencing contrary to bylaw	5.6.1.7 & 5.6.1.8	\$250.00	\$225.00	\$275.00	Yes
Vehicle parked or stored contrary to bylaw	6.1.1.6	\$75.00	\$65.00	\$85.00	Yes
More than one (1) RV	6.1.1.7	\$75.00	\$65.00	\$85.00	Yes
Operating a vacation rental contrary to bylaw	7.6	\$100.00 per day	\$90.00 per day	\$110.00 per day	Yes
Illegal suite	8.1	\$100.00 per day	\$90.00 per day	\$110.00 per day	Yes
Operating a carriage house contrary to bylaw	8.2	\$100.00 per day	\$90.00 per day	\$110.00 per day	Yes

Bylaw No. 2017-28

Schedule 'A'

APPENDIX 8

PARK REGULATION BYLAW NO. 3133

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Person in a park after hours causing noise or disturbance	3	\$50.00	\$45.00	\$55.00	No
Occupy camper, trailer or temporary shelter on public property	4	\$75.00	\$65.00	\$85.00	No
Camping equipment in park	5	\$50.00	\$45.00	\$55.00	No
Littering	7	\$50.00	\$45.00	\$55.00	No
Removal of buoys, rafts and signs, etc.	8	\$100.00	\$90.00	\$110.00	No
Operate boats, etc. inside designated swimming areas	10	\$150.00	\$150.00	\$165.00	No
Destroy or mutilate signs	15	\$100.00	\$90.00	\$110.00	No
Animals in any park or on any beach (99-29)	19	\$50.00	\$45.00	\$55.00	No
Possession of open liquor in park	17 (b)	\$100.00	\$90.00	\$110.00	No

Schedule 'A'

APPENDIX 9

FIRE AND LIFE SAFETY BYLAW NO. 2004-57

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Open Air Burning					
Burning without a permit	9.01	\$150.00	\$135.00	\$165.00	No
Burning other than agriculture prunings	9.04	\$150.00	\$135.00	\$165.00	No
Start a fire without Special Permit	9.05	\$150.00	\$135.00	\$165.00	No
Failure to have competent person in charge	9.04 (g)	\$150.00	\$135.00	\$165.00	Yes
Burning of prohibited materials	9.04 (e)	\$100.00	\$90.00	\$110.00	No
Burning after dusk or failure to abide by conditions of Burning Permit	9.04 (f)	\$150.00	\$135.00	\$165.00	Yes
Fireworks					
Manufacture, discharge, sell, without a permit	10.01	\$150.00	\$150.00	\$165.00	No
Failure to comply with conditions of permit	10.02 (b)	\$150.00	\$135.00	\$165.00	Yes
Fire Hazards					
Storage of flammable goods in elevator shaft	6.10	\$150.00	\$135.00	\$165.00	Yes
Failure to obey order	16.02	\$200.00	\$200.00	\$220.00	No
Deposit of combustible materials	6.13	\$150.00	\$135.00	\$165.00	Yes

Appendix 9

Use of unsafe chimney flue or stack	6.12	\$150.00	\$180.00	\$220.00	Yes
Inspection of Premises					
Obstruct entry or fail to assist with inspection of premises	PART VII	\$150.00	\$150.00	\$165.00	No
Failure to forward maintenance records to Fire Department	6.15 (f)	\$150.00	\$135.00	\$165.00	Yes
Fire Control					
Parking in a designated fire zone	6.06	\$50.00	\$45.00	\$55.00	No
Impede, hinder or obstruct the extinguishment of a fire	8.02	\$200.00	\$200.00	\$220.00	No
Drive over fire hose		<i>See Fees and Charges Bylaw</i>			No
Impede Fire Department personnel at a fire scene	8.03	\$200.00	\$200.00	\$220.00	No
Obstruct entry for fire investigation	8.05	\$200.00	\$200.00	\$220.00	No
Failure to install and maintain smoke alarms in dwelling units, suite or sleeping unit	13.02	\$150.00	\$135.00	\$165.00	Yes
Fire Safety					
Failure to maintain fire alarm system in an appropriate manner	6.20	\$150.00	\$135.00	\$165.00	Yes
Failure to maintain emergency lighting	6.21	\$150.00	\$135.00	\$165.00	Yes
Failure to maintain Fire Dept. emergency access	6.22	\$150.00	\$135.00	\$165.00	Yes

Failure to maintain commercial cooking equipment in an approved manner	6.23	\$150.00	\$135.00	\$165.00	Yes
Failure to supply and maintain portable fire extinguishers in an approved manner	6.24	\$150.00	\$135.00	\$165.00	Yes
Failure to maintain means of egress free from obstruction	6.25	\$150.00	\$135.00	\$165.00	Yes
Failure to maintain exit door hardware	6.26	\$150.00	\$135.00	\$165.00	Yes
Failure to provide and maintain a Fire Safety Plan	6.27	\$150.00	\$135.00	\$165.00	Yes

Bylaw No. 2016-40

Schedule 'A'

APPENDIX 10

TRAFFIC BYLAW NO. 94-39

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Amount	ColumnA3 Late Payment Penalty	ColumnA4 Compliance Agreement Available
Excessive noise from motor vehicles	7.2	\$100.00	\$90.00	\$110.00	No
Operate a motor vehicle with person riding in the cargo compartment	3.1.24	\$100.00	\$90.00	\$110.00	No
In possession of open liquor	3.1.25	\$100.00	\$90.00	\$110.00	No
Loiter (or stand) and obstruct traffic	3.1.7	\$100.00	\$90.00	\$110.00	No
Unsecured load	3.1.20	\$100.00	\$90.00	\$110.00	No
Using a skateboard, skates or other similar means of conveyance in a restricted area	3.1.3	\$ 75.00	\$65.00	\$85.00	No
Undue care and attention while using a skateboard or skates	6.7	\$ 75.00	\$65.00	\$85.00	No
Disobey traffic control device	3.1.1	\$ 75.00	\$65.00	\$85.00	No
Drive vehicle in park	3.1.16	\$100.00	\$90.00	\$110.00	No
Drive vehicle on sidewalk	3.1.2	\$100.00	\$90.00	\$110.00	No
Passenger not properly seated	3.1.26	\$100.00	\$90.00	\$110.00	No
Fail to tarp load	12 (A) 9	\$100.00	\$90.00	\$110.00	No
Place or permit to be placed merchandise on a highway	3.1.11	\$100.00	\$90.00	\$110.00	Yes
Solicit business on a street without a licence	3.1.23	\$100.00	\$90.00	\$110.00	Yes

Ride bicycle on sidewalk	3.1.28	\$ 50.00	\$45.00	\$55.00	Yes
"A" Ticket Overtime Parking	Schedule P	\$40.00	\$20.00	\$45.00	No
"B" Ticket Infraction	Schedule P	\$55.00	\$40.00	\$55.00	No
Sidewalk Café Permits					
Failure to obtain a sidewalk café permit	Section 10A (1)	\$250.00	\$225.00	\$275.00	Yes
Obstructing pedestrian width use	Section 10A (4)	\$100.00	\$90.00	\$110.00	Yes
Failure to meet sidewalk café standards	Section 10A (6)	\$250.00	\$225.00	\$275.00	Yes
Sidewalk Sales or Seating Area Permits					
Failure to obtain a sidewalk sales or seating area permit	Section 10B (1)	\$250.00	\$225.00	\$275.00	Yes
Failure to meet sidewalk sales and seating area specifications	Section 10B (5)	\$250.00	\$225.00	\$275.00	Yes

Bylaw No. 2014-05
Bylaw No. 2014-18
Bylaw No. 2016-08
Bylaw No. 2016-40

Schedule 'A'

APPENDIX 11

GOOD NEIGHBOUR BYLAW NO. 2012-5030

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
GENERAL REGULATIONS					
Obstructing a bylaw enforcement officer	3.1	\$150.00	\$135.00	\$165.00	No
STREET NUISANCES					
Creating an obstruction for purposes of panhandling	5.2	\$100.00	\$90.00	\$110.00	No
Applying Graffiti	5.3	\$100.00	\$90.00	\$110.00	No
Possession of drug paraphernalia for the purpose of storing	5.4	\$100.00	\$90.00	\$110.00	No
Relieving oneself in any public space or highway	5.5	\$100.00	\$90.00	\$110.00	No
Creating a nuisance or disturbance by participating in a fight	5.6	\$100.00	\$90.00	\$110.00	No
NOISE REGULATION					
Failure to meet conditions of operating a mobile public address system.	6.4	\$100.00	\$90.00	\$110.00	No
Noise which tends to disturb.	6.6	\$100.00	\$90.00	\$110.00	No
Animal or bird cries or Sounds that unduly disturbs	6.7 (c)	\$100.00	\$90.00	\$110.00	Yes

Operate Lawn-grooming or garden equipment prior to or after permitted hours	6.7 (d)	\$100.00	\$90.00	\$110.00	No
Construct, erect, alter or demolish prior to or after permitted hours	6.7(e)	\$150.00	\$135.00	\$165.00	Yes
Launching or mooring motor boat with exhaust above water	6.8	\$100.00	\$90.00	\$110.00	No
PROPERTY MAINTENANCE					
Permit Property to become unsightly	7.2	\$100.00	\$90.00	\$110.00	Yes
Accumulation of, rubbish or discarded material within the City	7.2 (a)	\$100.00	\$90.00	\$110.00	Yes
Accumulation of Offensive or Unwholesome Matter	7.2 (b)	\$100.00	\$90.00	\$110.00	Yes
Accumulation of Water	7.2 (c)	\$100.00	\$90.00	\$110.00	Yes
Accumulation of dead landscaping, vegetation or noxious weeds on Real Property	7.2 (d)	\$100.00	\$90.00	\$110.00	Yes
Accumulation of Firewood	7.2 (e)	\$100.00	\$90.00	\$110.00	Yes
Accumulation of motor vehicle parts or other mechanical parts	7.2 (f)	\$100.00	\$90.00	\$110.00	Yes
Accumulation of motor vehicles that are not registered, licensed and insured (beyond one stored vehicle)	7.2 (g)	\$100.00	\$90.00	\$110.00	Yes
Accumulation of more than one recreational parked per dwelling unit	7.2 (h)	\$100.00	\$90.00	\$110.00	Yes
Allow, cause or permit a recreational vehicle to connect to the City's sewer system	7.2(h) (b)	\$100.00	\$90.00	\$110.00	Yes
Allow trees, bushes or their roots to interfere with City roadways	7.2 (i)	\$100.00	\$90.00	\$110.00	Yes
Failure to remove graffiti from real property	7.2 (j)	\$100.00	\$90.00	\$110.00	Yes

Accumulation of building materials upon real property	7.2 (k)	\$100.00	\$90.00	\$110.00	Yes
Feeding of pigeons (Bylaw No. 2013-41)	7.2 (l)	\$100.00	\$90.00	\$110.00	Yes
Allow, cause or permit lighting to shine onto abutting properties	7.2 (m)	\$100.00	\$90.00	\$110.00	Yes
Deposit garden or waste materials in boulevard or lane	7.3	\$100.00	\$90.00	\$110.00	Yes
Fail to remove snow	7.5	\$75.00	\$65.00	\$85.00	Yes
Depositing snow, ice or rubbish on a City highway	7.6	\$75.00	\$65.00	\$85.00	Yes
Failure to obtain a Vacant Building Registration Permit	7.9 (a)	\$250.00	\$225.00	\$275.00	No
Failure to display a Registration permit placard	7.14	\$150.00	\$135.00	\$165.00	Yes
Failure to Maintain or Board a Vacant Building	7.15(a)	\$150.00	\$135.00	\$165.00	Yes
Allow for Occupancy within a Registered Vacant Building	7.15(b) (ii)	\$250.00	\$225.00	\$275.00	No
NUISANCE SMOKE					
Exceeding air quality and or Ventilation index	8.3	\$75.00	\$65.00	\$85.00	Yes
Starting a fire that emits opaque, dense smoke or noxious odours	8.4	\$75.00	\$65.00	\$85.00	Yes
Failure to extinguish a fire	8.6	\$250.00	\$225.00	\$275.00	No
REPEAT NUISANCE SERVICE CALLS					
Bylaw Enforcement or other City of Penticton service response	10.1	\$100.00	\$90.00	\$110.00	No

Bylaw No. 2013-31
Bylaw No. 2019-21

Schedule 'A'

APPENDIX 12

PASSENGER VEHICLES FOR HIRE BYLAW NO. 96-61

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Fail to have business license	4	\$100.00	\$90.00	\$110.00	Yes
Fail to have chauffeur's permit	6	\$100.00	\$90.00	\$110.00	Yes
Fail to display licence	11	\$100.00	\$90.00	\$110.00	Yes
Fail to have vehicle properly identified	12	\$100.00	\$90.00	\$110.00	Yes
Fail to keep cab clean	15	\$50.00	\$45.00	\$55.00	Yes

Schedule 'A'

Appendix 13

Pawnbrokers, Secondhand Dealers and Auction Houses Regulations Bylaw No. 97-68

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Fail to keep reporting system	3(a)	\$450.00	\$400.00	\$500.00	No
Fail to keep proper records	3(b)(2)	\$450.00	\$400.00	\$500.00	No
Erase, obliterate or deface entry	3(d)	\$450.00	\$400.00	\$500.00	No
Fail to report	3(e)	\$450.00	\$400.00	\$500.00	No
Fail to keep goods for 30 days	4(b)	\$450.00	\$400.00	\$500.00	No
Purchase or receive goods from underage person (under 18 yrs.)	5(a)	\$450.00	\$400.00	\$500.00	No
Purchase or receive goods after hours	5(b)	\$450.00	\$400.00	\$500.00	No
Carry on a business without a valid pawnbroker's licence from the City of Penticton	5 (c)	\$450.00	\$400.00	\$500.00	No
Purchase or receive goods with serial number removed	5(d)	\$450.00	\$400.00	\$500.00	No
Fail to obtain picture identification at receipt of goods	5(e)	\$450.00	\$400.00	\$500.00	No

Bylaw No. 2018-43

Schedule 'A'

APPENDIX 14

EARTHWORK CONTROL BYLAW NO. 2006-65

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Engaging in Earthwork, except by those excluded by Section 5.1 Earthwork Control Bylaw 2006-65 without a Permit	4.1	\$250.00	\$225.00	\$275.00	Yes
Failure to comply with the terms and conditions of the issued Earthwork Permit	7.6	\$100.00	\$90.00	\$110.00	Yes
Soil deposit or parking vehicle or machinery within 8.0m of the intersection of two road allowances	7.8	\$ 50.00	\$45.00	\$55.00	Yes
Stockpile height in excess of 5.0m without approval in writing of the City	7.12	\$ 50.00	\$45.00	\$55.00	Yes
Removal of topsoil from the property	9.1	\$ 50.00	\$45.00	\$55.00	Yes
Tracking of soil from a worksite onto City roads	10.1	\$100.00	\$90.00	\$110.00	Yes

Schedule 'A'

APPENDIX 15

IRRIGATION SEWER AND WATER BYLAW No. 2005-02

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Release of water to waste	9	\$50.00	\$45.00	\$55.00	No
Failure to comply with regulation, restriction or prohibition of irrigation, car washing, pool filling or other forms of water use	12	\$25.00	\$22.50	\$27.50	Yes
Failure to comply with a restriction or prohibition of sanitary or storm water generation	13	\$25.00	\$22.50	\$27.50	Yes
Non compliance of backflow prevention devices or cross connection control devices	14	\$100.00	\$90.00	\$110.00	Yes
Sale, giving, disposing or distribution of Irrigation water to other persons	26	\$50.00	\$45.00	\$55.00	Yes
More than one irrigation water service connection to a property without the written approval of the City	35	\$50.00	\$45.00	\$55.00	Yes

Failure to comply with Stage 1 treated water use restrictions. First offence: Second offence: Continuing:	43(a)	\$25.00 \$50.00 \$500.00	\$22.50 \$45.00 \$450.00	\$27.50 \$55.00 \$550.00	Yes No No
Failure to comply with Stage 2 treated water use restrictions. First offence: Second offence: Continuing:	43(b)	\$50.00 \$100.00 \$500.00	\$45.00 \$90.00 \$450.00	\$55.00 \$110.00 \$550.00	Yes No No
Failure to comply with Stage 3 treated water use restrictions. First offence: Second offence: Continuing:	43(c)	\$100.00 \$200.00 \$500.00	\$90.00 \$180.00 \$450.00	\$110.00 \$220.00 \$550.00	Yes No No
Failure to comply with Stage 4 treated water use restrictions. First offence: Second offence: Continuing:	43(d)	\$200.00 \$400.00 \$500.00	\$180.00 \$360.00 \$450.00	\$220.00 \$440.00 \$550.00	Yes No No
Private water supply system connected to the treated water system with out written approval of the City	48	\$100.00	\$90.00	\$110.00	Yes
Failure to comply with a cross connection notice	50(b)	\$100.00	\$90.00	\$110.00	No
Failure to test a backflow prevention device and provide test results	55	\$25.00	\$22.50	\$27.50	Yes

Turning on of curb stop prior to granting of occupancy permit	57	\$50.00	\$45.00	\$55.00	Yes
Failure to remove apparatus that causes a pressure surge or other disturbance	59	\$50.00	\$45.00	\$55.00	Yes
Failure to maintain a private fire hydrant	64	\$50.00	\$45.00	\$55.00	yes
Unauthorized removal or unserviceable private fire hydrant	65	\$100.00	\$90.00	\$110.00	Yes
Unauthorized operation of fire hydrants	67	\$50.00	\$45.00	\$55.00	No
Use of a private fire hydrant for irrigation purposes	69	\$25.00	\$22.50	\$27.50	Yes
Failure to install a backflow preventer on a hydrant prior to use	71	\$100.00	\$90.00	\$110.00	Yes
More than one treated water service connection to a property without the written approval of the City	75	\$50.00	\$45.00	\$55.00	Yes
Release of a non approved item to the sanitary sewer	90	\$200.00	\$180.00	\$220.00	No
Release of items to the sanitary sewer without a Permit to Discharge	91	\$200.00	\$180.00	\$220.00	No
Dilution of waste water	92	\$100.00	\$90.00	\$110.00	Yes
Failure to install a sand trap, sump or oil and grease interceptor on the sanitary service	95	\$200.00	\$180.00	\$220.00	Yes

Failure to install a backflow flapper valve	98	\$50.00	\$45.00	\$55.00	Yes
More than one sanitary service connection to a property without the written approval of the City	105	\$50.00	\$45.00	\$55.00	Yes
Failure to fill in an abandoned septic tank	112	\$50.00	\$45.00	\$55.00	Yes
Release of a non approved item to the storm sewer	116	\$200.00	\$180.00	\$220.00	No
Release of items to the storm sewer without a Permit to Discharge	117	\$200.00	\$180.00	\$220.00	No
Dilution of storm water	118	\$100.00	\$90.00	\$110.00	No
Failure to install volume control devices	120	\$100.00	\$90.00	\$110.00	Yes
Failure to install a sand trap, sump or oil and grease interceptor on the storm service	121	\$200.00	\$180.00	\$220.00	Yes
More than one storm sewer service to a property without the written approval of the City	123	\$50.00	\$45.00	\$55.00	Yes
Failure to notify the City of an unauthorized release	150	\$200.00	\$200.00	\$220.00	No
Failure to remedy an unauthorized release	151	\$200.00	\$200.00	\$220.00	No
Take off of water on the City side of a water meter	162	\$50.00	\$45.00	\$55.00	Yes

Schedule 'A'

APPENDIX 16

SOLID WASTE COLLECTION AND RECYCLABLE MATERIALS DISPOSAL BYLAW NO. 2016-29

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Act, suffer or permit contrary to the provisions of the bylaw	14.1 & 14.2	\$100.00	\$90.00	110.00	No
Deposit or picking up of solid waste, recyclable materials or hazardous waste that, on its own or when mixed with another material, may pose risks to the health and/or safety of the collection crews	13.2	\$ 50.00	\$45.00	\$55.00	No
Scavenge of solid waste or recyclable material	13.4	\$ 50.00	\$45.00	\$55.00	No
Transport of solid waste or recyclable materials from one premise to another for collection services provided by this bylaw	13.5	\$ 50.00	\$45.00	\$55.00	No
Cause, allow, or permit any recyclable materials or yard and garden waste to be discarded as garbage	13.6	\$ 50.00	\$45.00	\$55.00	No
Intentionally contaminate recyclable material so as to make them non-recyclable	13.7	\$ 50.00	\$45.00	\$55.00	No
Litter or dispose of Solid Waste or Recyclable Materials contrary to the provisions of this bylaw	13.8	\$ 50.00	\$45.00	\$55.00	No
Deposit for collection by the solid waste and recyclable materials collection service, solid waste or recyclable materials that do not originate within the City	13.9	\$ 50.00	\$45.00	\$55.00	No

Bylaw No. 2016-40
Bylaw No. 2017-28

Schedule 'A'

APPENDIX 17

SKATEPARK HELMET BYLAW NO. 2010-42

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Failure to wear a Helmet	4.1	\$29.00	\$27.00	\$31.00	No
Permit a person to use the Skateboard Park if that person is not wearing a Helmet	4.2	\$29.00	\$27.00	\$31.00	No
Failure to provide a valid certificate for not wearing a Helmet	4.3(b)	\$29.00	\$27.00	\$31.00	No

Schedule 'A'

APPENDIX 18

DEER FEEDING PROHIBITION BYLAW NO. 2012-5004

Description of Offence	Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Feeding a Deer	5.1	\$200.00	\$175.00	\$225.00	Yes (for first time offence)
Obstructing an Enforcement Officer	6.3	\$350.00	\$325.00	\$375.00	No

Bylaw No. 2013-31

Schedule 'A'

APPENDIX 19 SMOKING REGULATIONS BYLAW NO. 2018-68

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Smoke or vape in in a public place or workplace	6.1.a	\$100	\$90	\$110	Yes (for first time offence)
Smoke or vape within 7.5m of a public place or workplace doorway, open window, or air intake	6.1.b	\$100	\$90	\$110	Yes (for first time offence)
Smoke or vape at transit shelter or within 7.5m of a transit stop	6.1.c	\$100	\$90	\$110	Yes (for first time offence)
Smoke or vape in common area of apartment building	6.1.d	\$100	\$90	\$110	Yes (for first time offence)
Smoke or vape on or within 30m of any public or private elementary, middle or secondary (K-12) school ground	6.1.e	\$100	\$90	\$110	Yes (for first time offence)
Smoke or vape on or within 30m of a children's playground	6.1.f	\$100	\$90	\$110	Yes (for first time offence)
Smoke or vape in any public facility	6.1.g	\$100	\$90	\$110	Yes (for first time offence)
Smoke or vape in any public place or municipal open space listed in Schedule A of Smoking Regulations Bylaw No. 2018-68	6.1.h	\$100	\$90	\$110	Yes (for first time offence)
Smoking or vaping cannabis on public roads, sidewalks, walkways and trails	7.1.a	\$100	\$90	\$110	Yes (for first time offence)
Smoking or vaping cannabis in any public municipal open space	7.1.b	\$100	\$90	\$110	Yes (for first time offence)
Improper signage	10.1	\$100	\$90	\$110	Yes (for first time offence)
Remove, alter, conceal, deface, write upon or destroy any no-smoking sign	10.2	\$100	\$90	\$110	Yes (for first time offence)

Bylaw No. 2019-18

Schedule 'A'

APPENDIX 20

MARTIN STREET STOREFRONT USE BYLAW NO. 2014-12

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Failure to obtain storefront use permit	4.4	\$250.00	\$225.00	\$275.00	Yes
Altering or attaching to City infrastructure	8.1	\$250.00	\$225.00	\$275.00	No
Failure to provide minimum sidewalk Treadway widths	8.4	\$100.00	\$ 90.00	\$110.00	Yes
Failure to provide vehicle barriers	8.11	\$250.00	\$225.00	\$275.00	No
Failure to maintain vegetation in vehicle barrier (planter box)	8.14	\$100.00	\$ 90.00	\$110.00	Yes
Altering or securing to sidewalk without permission	8.15, 8.16 & 8.17	\$250.00	\$225.00	\$275.00	No
Failure to install required railings	9.1.2	\$250.00	\$225.00	\$275.00	Yes
Failure to remove railings	10.1	\$250.00	\$225.00	\$275.00	Yes
Failure to replace Bollards	10.2	\$250.00	\$225.00	\$275.00	Yes
Enclosing a storefront use structure	11.1	\$250.00	\$225.00	\$275.00	Yes
Failure to remove seats or tables within a storefront use area	11.2	\$100.00	\$ 90.00	\$110.00	Yes
Failure to meet design requirements for awning or canopy	11.4	\$250.00	\$225.00	\$275.00	Yes

Bylaw No. 2016-40

Schedule 'A'

APPENDIX 21

MAIN STREET STOREFRONT USE BYLAW NO. 2016-42

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Failure to obtain storefront use permit	4.4	\$250.00	\$225.00	\$275.00	Yes
Failure to keep pedestrian Treadway clear	8.4	\$100.00	\$90.00	\$110.00	Yes
Altering or securing to sidewalk without permission	8.7	\$250.00	\$225.00	\$275.00	No
Failure to provide required railings	9.1	\$100.00	\$ 90.00	\$110.00	Yes
Altering or attaching to City infrastructure	11.2	\$250.00	\$225.00	\$275.00	No
Failure to remove seats and tables	11.4	\$250.00	\$225.00	\$275.00	Yes
Erecting a temporary fabric metal frame structure	11.5	\$250.00	\$225.00	\$275.00	Yes
Enclosing a storefront use	11.7	\$250.00	\$225.00	\$275.00	Yes
Failure to provided vertical clearance from pavement surface	11.8.1.	\$100.00	\$ 90.00	\$110.00	Yes
Playing amplified music	12.1	\$100.00	\$ 90.00	\$110.00	Yes
Operating a storefront use past midnight	13.1	\$250.00	\$225.00	\$275.00	Yes

Bylaw No. 2016-40

Schedule 'A'

APPENDIX 22

POLITICAL SIGNAGE REGULATIONS BYLAW NO. 2018-32

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Erect a sign prior to the end of nomination period or prior to the election being called.	4 (a)	\$100.00	\$90.00	\$110.00	No
Failure to remove a sign seven days after General Voting Day.	4 (b)	\$100.00	\$90.00	\$110.00	No
Failure to comply with the requirements of the bylaw.	5 (a)	\$100.00	\$90.00	\$110.00	No

Bylaw No. 2018-33