



RURAL MUNICIPALITY OF ROSTHERN NO. 403

BYLAW 13.2018

A Bylaw Requiring Securing of Loads Transporting Garbage, Refuse, or Rubbish.

The council of the Rural Municipality of Rosthern No.403 in the Province of Saskatchewan enacts as follows:

Definitions:

1. In this Bylaw;
 - a) "Garbage" means putrescible animal and vegetable remains and by-products resulting from the handling, preparation, cooking and consumption of food;
 - b) "Refuse" means:
 - I. Remains;
 - II. By-product; and
 - III. Discarded materials;
resulting from domestic, commercial, industrial or agricultural activities and includes garbage, rubbish, street cleaning and yard clippings but does not include liquid domestic sewage;
 - c) "Rubbish" means non-putrescible remains and by-products, consisting of both combustible and non-combustible remains and by-products, and includes paper, cardboard, tin cans, wood, glass, bedding and crockery;
 - d) "Public Highway" means a road allowance or a road, street or lane vesting in Her Majesty or set aside for such purpose and includes a bridge, culvert, drain or other public improvement erected upon or in connection with such public highway.
2. No person shall operate any vehicle transporting garbage, refuse, or rubbish over any public highway in the Rural Municipality of Rosthern No. 403 unless the load is completely enclosed or covered with a tarpaulin or contained in such a manner that it shall be impossible for any part of the load of the said vehicle to escape.

Voluntary Payments

4. Where the Designated Officer believes that a person has contravened any provision of this Bylaw, he/she may serve upon such person a Bylaw Violation Notice as provided by this section either personally or by mailing or leaving same at his/her last known address as recorded in the Tax Roll and such service shall be adequate for the purpose of this Bylaw.
5. Such notice shall be deemed to have been served:
 - a) on the expiration of twenty-four hours after it is posted, if the notice is mailed;
 - b) on the day of actual delivery, if the notice is served personally; or
 - c) on the business day following the transmission, if given by facsimile.
6. A Bylaw Violation Notice shall be in such form as determined in Schedule A and shall state the section of the Bylaw, which was contravened, and the amount, which is provided in Schedule B that will be accepted by the Municipality in lieu of prosecution.
7. Upon production of a Bylaw Violation Notice issued pursuant to this section within twenty (20) days from the issue thereof, together with the payment of the fee if the contravention has not been remedied within seventy-two (72) hours of notice, the fee as provided in Schedule B to the Administrator of the Municipality, the person to whom the ticket was issued shall not be liable for prosecution for the contravention in respect of which the ticket was issued.
8. Where any person contravenes the same provision of this Bylaw two or more times within one twelve month period, the specified payment payable in respect of the second or subsequent contravention is the amount shown in Schedule B of this Bylaw in respect of that provision.

9. Notwithstanding the provisions of this section, a person to whom a Bylaw Violation Notice has been issued pursuant to this section may exercise his right to defend any charge of committing a contravention of any of the provisions of this Bylaw.

Offences and Penalties

10. No person shall:
- a) fail to comply with an order made pursuant to this Bylaw;
 - b) obstruct or interfere with any Designated Officer or any other person acting under the authority of this Bylaw; or
 - c) fail to comply with any other provision of this Bylaw.
11. Every person who contravenes any provision is guilty of an offence and liable on summary conviction:
- a) in the case of an individual, to a fine of not more than \$10,000;
 - b) in the case of a corporation, to a fine of not more than \$25,000; and
 - c) in the case of a continuing offence, to a maximum daily fine of not more than \$2,500 per day.

Coming Into Force

12. This Bylaw shall come into force on the day of its final passing.

Repealing Bylaw

13. Thar Bylaw 7.2013 be repealed

Reeve, Martin Penner

(SEAL)

Acting Administrator, Amanda McCormick

Read a first time this 7th day of November, 2018.

Read a second time this 7th day of November, 2018.

Read a third time and adopted this 7th day of November, 2018.

Schedule "A" to Bylaw No 13.2018

BYLAW VIOLATION NOTICE

Reference No. _____

RURAL MUNICIPALITY OF ROSTHERN NO. 403

BYLAW VIOLATION NOTICE

Name	
Mailing Address	

This official notice is issued for alleged breach of the following bylaw:

Bylaw No. 13.2018	
Section #:	
Offence:	
Voluntary Payment:	

DETAILS OF ALLEGED BREACH OF VIOLATION:

Date of Violation	Time of Violation
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Legal Land Description, Civic Address if applicable.

Other particulars:

PENALTY:

Take notice that you will be responsible to remit a voluntary payment to the Municipality in the amount stipulated above if the offence noted is not remedied within 72 hours.

Should the offence not be remedied within 72 hours of the noted date of violation, payment is required to be made in person at the municipal office or by mail to:

Rural Municipality of Rosthern No. 403
Box 126
Rosthern, Saskatchewan, S0K 3R0.

To avoid prosecution of this offence, the voluntary payment indicated above must be received by _____, or a summons requiring your appearance in provincial court may be issued

Issued this _____ day of _____, 20____. By Twin Rivers Bylaw Enforcement Officer.

Signature of Designated Official

Schedule "B" to Bylaw No 13.2018

VOLUNTARY PAYMENT SCHEDULE

OFFENCE

VOLUNTARY PAYMENT

Individual

Unsecure Loads First Offence \$ 100.00

Unsecure Loads Second Offence \$200.00

Corporation

Unsecure Loads First Offence \$300.00

Unsecure Loads Second Offence \$750.00