

The Corporation of The Municipality of Hastings Highlands
Bylaw 2025-032
To Implement an Administrative Penalty System in the Municipality of Hastings Highlands

Whereas the Council of the Municipality of Hastings Highlands, pursuant to Sections 8, 9, and 10 of the Municipal Act, 2001, S.O. 2001, c.25 as amended is implementing an Administrative Penalty System that will allow the Municipality to govern its affairs, respond to Municipal issues, ensure accountability, transparency and protection of persons and property within the municipality;

And Whereas Sections 23.1, 23.2, 23.3 and 23.5 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes the Municipality to delegate its administrative and hearing powers;

And Whereas Section 102.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a Municipality may require a person to pay an administrative penalty if the Municipality is satisfied that the person has failed to comply with any bylaws respecting the parking, standing or stopping of vehicles;

And Whereas Section 391 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, enables the Municipality to pass bylaws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it;

And Whereas Section 398(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that fees and charges imposed by the Municipality on a person constitutes a debt of the person to the Municipality;

And Whereas Section 398(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that the Treasurer of a Municipality may, add fees and charges imposed by the municipality to the tax roll for the following property in the local Municipality and collect them in the same manner as municipal taxes for fees and charges for the supply of a service or thing to a property, the property to which the service or thing was supplied and in all other cases, any property for which the owners are responsible for paying the fees and charges;

And Whereas Section 425 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, a Municipality may pass bylaws providing that a person who contravenes a bylaw of the Municipality passed under this Act is guilty of an offence;

And Whereas the Municipality of Hastings Highlands is authorized under Section 434.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, to establish a system of administrative penalties for contraventions of Municipal bylaws;

And Whereas Subsection 434.2(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that an administrative penalty imposed by the Municipality on a person constitutes a debt of the person to the Municipality;

And Whereas Subsection 434.2(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that if an administrative penalty imposed under section 434.1 is not paid within fifteen (15) days after the day that it becomes due and payable, the treasurer of a local Municipality may add the administrative penalty to the tax roll for any property in the local Municipality for which the owners are responsible for paying the administrative penalty, and collect it in the same

manner as Municipal taxes;

And Whereas Subsection 15.4.1(1) of the *Building Code Act, 1992*, as amended, authorizes the Municipality to require a person, subject to such conditions as the Municipality considers appropriate, to pay an administrative penalty if the Municipality is satisfied that the person has failed to comply with a bylaw of the Municipality passed under section 15.1 of the *Building Code Act* or an order of an officer under subsection 15.2 (2) of the *Building Code Act* as deemed confirmed or as confirmed or modified by the committee;

And Whereas the Council for the Municipality considers it desirable and necessary to provide for a system of administrative penalties and administrative fees for the designated Municipal bylaws, or portions of the designated Municipal bylaws.

Now Therefore the Council of The Corporation of the Municipality of Hastings Highlands Enacts as Follows:

1. Definitions

In this Bylaw:

Administrative Fee(s) means any fee specified in this bylaw or set out in Schedules 'A' and 'B';

Administrative Penalty means an *Administrative Penalty* established by this bylaw or set out in the attached Schedule(s) for a contravention of a *Designated Bylaw*, as defined therein;

APS means *Administrative Penalty System*;

Chief Administrative Officer means the employee who is responsible for exercising general control or management of the administration and affairs of the *Municipality* and other duties as directed by *Council*;

Clerk (Municipal) means the Municipal *Clerk*, their delegate, or anyone designated by the *Municipal Clerk* to perform duties pursuant to the *APS*;

Conflict of Interest Policy for the Administration of the APS means a policy relating to conflicts of interest. The Policy must define what constitutes a conflict of interest in relation to APS, contain provisions to prevent such conflicts and to redress such conflicts should they occur;

Contravention Date means the specific date on which the violation or offence occurred and is specified on the *Penalty Notice*, pursuant to this bylaw;

Council means the *Council* of the Corporation of the *Municipality* of Hastings Highlands;

Day means any calendar *day*;

Decision means a notice that contains a *Decision* made by a *Screening Officer* or *Hearing Officer* delivered in accordance with this bylaw;

Designated Bylaw means a bylaw, or a part or provision of a bylaw, that is designated under

this *APS* Bylaw;

Extension of Time Policy to Request a Screening Review or Hearing Review for the Administration of the APS means a policy to develop procedures to allow a *Person* to obtain an extension of time in which to request a review by a *Screening Officer*, or a review by a *Hearing Officer*;

Financial Management and Reporting Policy for the Administration of the APS means a policy to address financial management and the reporting of APS;

Hearing Officer means any *Person* who is appointed, from time to time, to perform the functions of a *Hearing Officer* in accordance with this bylaw;

Hearing Review means the process related to the review of a *Screening Officer's Decision*;

Late Payment Fee means an *Administrative Fee* established by the *Municipality* from time to time in respect of a *Person's* failure to pay an *Administrative Penalty* within the time prescribed in this bylaw and listed in Schedule 'B';

Municipality means the Corporation of the *Municipality* of Hastings Highlands;

Non-appearance Fee means an *Administrative Fee* established by the *Municipality* from time to time in respect of a *Person's* failure to appear at the time and place scheduled for a review before a *Screening Officer* or *Hearing Officer* and listed in Schedule 'B';

Non-sufficient funds (NSF) means a situation where a financial institution refuses a payment because the account does not contain enough money to cover the amount payable;

Officer means a Municipal Bylaw Enforcement *Officer*, Chief Building Official, Fire Chief or designate appointed by the *Municipality* to administer and enforce this bylaw;

Penalty Notice means a formal notification issued by an *Officer* informing an individual or organization that they have violated a *Designated Bylaw* in accordance with this bylaw;

Penalty Notice Date means the official date on which a Penalty Notice is issued or recorded. It's an important reference point because it typically determines:

- when the notice is considered to have been given or served,
- the deadline for paying the penalty,
- the timeframe for disputing or appealing the notice, and
- when additional fees or consequences may begin if no action is taken;

Penalty Notice Number means the reference number specified on the *Penalty Notice* that is unique to that *Penalty Notice*, pursuant to this bylaw;

Person means and includes any individual, association, firm, partnership, incorporated company, corporation, agent or trustee and the heirs, executors or other legal representatives of a *Person* to whom the context can apply according to law;

Prevention of Political Interference Policy for the Administration of the APS means a

policy to ensure the responsibilities of the *Screening Officer* and *Hearing Officer* are conducted in accordance with fundamental principles of justice, which include *Decision* making and procedural independence, fairness, impartiality and integrity, without any political interference;

Public Complaints Policy for the Administration of the APS means a policy for a standardized and efficient mechanism for filing and processing complaints made by the public with respect to the administration of the *Municipality's* APS program;

Screening and Hearing Review Process for the Administration of the APS means a policy that establishes clear procedures to support the timely and transparent issuance, review, and resolution of administrative penalties;

Screening Officer means a *Person* from time to time appointed pursuant to this bylaw who performs the duties of *Screening Officer* as set out pursuant to this bylaw;

Screening Review means the process related to the review of a *Penalty Notice*;

Statutory Powers Procedure Act means the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S. 22, as amended from time to time, or any successor thereof;

Undue Hardship means financial hardship, or other extenuating circumstances based on compassionate grounds;

Undue Hardship Policy for the Administration of the APS means a policy to have procedures that permit *Persons* to be excused from paying all or part of the Administrative Penalty, including any Administrative Fees, if requiring them to do so would cause *Undue Hardship*.

2. Administration and General Provisions

- 2.1 The Municipal bylaws listed in the attached Schedule 'A' of this bylaw shall be *Designated Bylaws* for the purposes of Section 102.1 of the *Municipal Act, 2001* and paragraph 3(1)(b) of *Ontario Regulation 333/07*. Schedule 'A' also prescribes the applicable Administrative Penalties and may include short form wording for use on *Penalty Notices*.
- 2.2 The *Administrative Fees* applicable under this bylaw are prescribed either in Schedule 'A' and 'B' of this bylaw or in the *Municipality's User Fees and Service Charges Bylaw*, as amended from time to time.
- 2.3 The following policies have been formally adopted to guide the administration and enforcement of this bylaw and shall be read in conjunction with its provisions to ensure consistency with *Ontario Regulation 333/07*:
 - i *Conflict of Interest Policy for the Administration of the APS*
 - ii *Financial Management and Reporting Policy for the Administration of the APS*
 - iii *Public Complaints Policy for the Administration of the APS*
 - iv *Prevention of Political Interference Policy for the Administration of APS*
 - v *Undue Hardship Policy for the Administration of the APS*
 - vi *Extension of Time Policy to Request a Screening Review or Hearing*

- 2.4 The *Municipal Clerk* or their delegate shall administer this bylaw and establish any additional practices, policies and procedures necessary to implement this bylaw and may amend such practices, policies and procedures from time to time as they deem necessary.
- 2.5 The *Municipal Clerk* or their delegate shall prescribe all forms and notices, including the *Penalty Notice*, necessary to implement this bylaw and may amend such forms and notices from time to time as they deem necessary.
- 2.6 For the purposes of Subsection 23.2(4) of the *Municipal Act, 2001*, *Council* has determined that any powers delegated pursuant to this bylaw are minor in nature.

3. Appointment and Authority of Screening Officers and Hearing Officers

- 3.1 The *Municipal Clerk* is hereby authorized to appoint, suspend, revoke, or terminate the appointment of *Screening Officers* and *Hearing Officers*, by written notice, in accordance with this bylaw, applicable legislation including the *Municipal Act, 2001* and the *Statutory Powers Procedure Act*, as well as any relevant Municipal policies, including but not limited to the *Conflict of Interest Policy for the Administration of the APS*.
- 3.2 A *Screening Officer* or *Hearing Officer* shall possess all powers necessary to perform their duties under this bylaw and applicable law, including authority over *Designated Bylaw* matters.
- 3.3 A *Screening Officer* or *Hearing Officer* shall have no authority to further delegate their powers or duties.
- 3.4 Neither the *Screening Officer* nor the *Hearing Officer* are permitted to accept payment of an *Administrative Penalty* or *Administrative Fee*.
- 3.5 *Screening Officers* and *Hearing Officers* shall not have jurisdiction to determine the constitutional validity or applicability of statutes, regulations, or bylaws.
- 3.6 *Hearing Officers* shall be remunerated at rates established by the *Chief Administrative Officer* or as prescribed by the *Municipality*.

4. Penalty Notice and Service of Documents (Penalty Notice or Decision)

- 4.1 Issuance of a *Penalty Notice* - An *Officer* who has reason to believe that a *Person* has contravened any *Designated Bylaw* may issue a *Penalty Notice* as soon as reasonably practicable after becoming aware of the contravention.
- 4.2 Any *Person* who contravenes a *Designated Bylaw* shall pay the *Administrative Penalty* outlined in Schedule 'A' of this bylaw, in addition to any *Administrative Fees* charged in accordance with Schedule 'B' or the *Municipality's User Fees and Service Charges*

Bylaw, as amended from time to time.

4.3 *Penalty Notice* (Required Information) - A *Penalty Notice* shall include the following information, where applicable:

- i. the vehicle licence plate number or vehicle identification number;
- ii. the *Penalty Notice Date*;
- iii. a *Penalty Notice Number*;
- iv. the *Contravention Date*;
- v. the Municipal Address;
- vi. the date on which the *Administrative Penalty* is due and payable;
- vii. the identification number and signature of the *Officer*;
- viii. the name of the *Person* alleged to have committed the contravention;
- ix. the contravention wording as listed in the attached Schedules, or other particulars reasonably sufficient to indicate the contravention;
- x. the amount of the *Administrative Penalty*;
- xi. such additional information as the *Municipality* determines is appropriate, respecting the process by which a *Person* may exercise the right to request a *Screening Review* of the *Administrative Penalty*; and
- xii. a statement advising that an unpaid *Administrative Penalty*, including any applicable *Administrative Fees*, will constitute a debt of the *Person* to the *Municipality* unless cancelled pursuant to the *Screening and Hearing Review Process for the Administration of the APS*.

4.4 *Payment of Penalty Notice and Administrative Fees* - All payments for *Penalty Notices* and applicable *Administrative Fees* shall be processed in accordance with the *Municipality's Financial Management and Reporting Policy for the Administration of APS*.

4.5 The methods of payment prescribed by the *Municipality*, including cheque, debit, and approved online payment systems, are detailed within this *Bylaw*.

4.6 Upon full payment of the penalty and any applicable fees, the *Penalty Notice* is deemed final, and no further review or appeal shall be permitted.

4.7 An *Administrative Penalty*, including any *Administrative Fees*, that is confirmed or reduced, or in respect of which the time for payment has been extended, remaining unpaid after the date when it is due and payable, constitutes a debt to the *Municipality* owed by the *Person* named in the *Penalty Notice*.

4.8 Where an *Administrative Penalty* is not paid by the date on which the *Administrative Penalty* is due and payable; the *Person* shall pay to the *Municipality* a *Late Payment Fee*, in addition to the *Administrative Penalty* and any applicable *Administrative Fees*.

4.9 Where a *Person* makes payments to the *Municipality* of any *Administrative Penalty*, *Administrative Fees* or *Late Payment Fees*, by negotiable instrument, for which there are insufficient funds available in the account on which the instrument was

drawn, the *Person* shall pay to the *Municipality* the NSF (Non-Sufficient Funds) Fee set out in the *Municipality's User Fees and Service Charges Bylaw*.

- 4.10 Where an *Administrative Penalty* is cancelled by a *Screening Officer* or the *Hearing Officer*, any *Administrative Fees* are also cancelled.

5. Service of Documents (*Penalty Notice* or *Decision*)

- 5.1 The service of any document, notice or *Decision*, including a *Penalty Notice*, pursuant to this bylaw, when served in any of the following ways, is deemed effective:
- (a) Immediately upon delivery of a copy to the *Person* to whom it is addressed, or to their property address.
 - (b) On the seventh (7th) *Day* following the date a copy is sent by registered mail to the *Person's* last known address;
 - (c) Immediately, when the *Person* to whom it is addressed is notified that a copy is ready to be picked up at the front counter of the Municipal Office.
 - (d) Immediately upon the conclusion and sent confirmation of a copy by facsimile transmission to the *Person's* last known facsimile transmission number; or
 - (e) Immediately upon sending a copy by electronic mail (i.e. e-mail) to the *Person's* last known electronic mail address.
- 5.2 For the purposes of this subsection (a), (b), (c), (d) and (e), a *Person's* last known contact information, address, facsimile number and e-mail address may include an address, facsimile number and e-mail provided by the *Person* to the *Municipality* under any process, including the tax roll address, information provided in an application or service request made by a *Person* under any other bylaw or as may be required by a form, practice or policy developed under this bylaw.
- 5.3 In addition to the service methods outlined in this subsection an *Officer* may serve the *Penalty Notice* on a *Person* who is the owner of a property that is in contravention of a *Designated Bylaw*, by delivering it personally to the *Person* having care and control of the property and then sending a copy by regular mail to the tax roll address and service of a *Penalty Notice* is effective on the 5th *Day* after a copy is sent by regular letter mail to the tax roll address.

6. Screening Officer and Hearing Officer Review Process

- 6.1 The *Screening Officer* and *Hearing Officer* review processes shall be conducted in accordance with the provisions of this bylaw and the *Municipality's Screening and Hearing Review Process for the Administration of the APS*. All *Decisions* rendered through these processes shall be guided by the *Decision-Making Guidelines* outlined in Appendix 'A' of the Policy.
- 6.2 Request for a *Screening Review* - A *Person* served with a *Penalty Notice* shall have the option, within fifteen (15) *Days* from the date of issuance of the *Penalty Notice*, to:

- (a) make a voluntary payment; or
- (b) request a review of the *Penalty Notice* by a *Screening Officer*.

6.3 A request for a *Screening Review* shall be exercised by:

- i Submitting a completed *Screening Review* Request Form in the manner, form, and timeline prescribed on the *Penalty Notice*;
- ii Including all relevant supporting documentation to substantiate the request, such as written statements, photographs, or records;
- iii The request form is available on the *Municipality's* website, in *Person* at the Municipal Office, or by requesting a copy by mail.

6.4 The *Screening Officer* shall conduct the *Screening Review* by telephone, video conference, or in *Person* prior to issuing a *Decision*.

6.5 At the *Screening Review*, the *Person* and a representative of the *Municipality* shall be given the opportunity to make submissions, present evidence, and respond to any issues raised.

6.6 The *Screening Officer* may affirm, cancel, or vary the *Administrative Penalty* or applicable *Administrative Fees*, including granting an extension of time to pay in accordance with the *Decision-Making Guidelines* outlined in Appendix 'A' of *Municipality's Screening and Hearing Review Process for the Administration of APS*.

6.7 The *Screening Officer's Decision* shall be delivered in accordance with the methods prescribed under the Service of Documents (*Penalty Notice* or *Decision*) section of this Bylaw.

6.8 Non-Appearance for a *Screening Review* - Where a *Person* fails to appear or attend the scheduled *Screening Review*:

- i The request shall be deemed abandoned;
- ii The *Administrative Penalty* shall be deemed confirmed on the sixteenth (16th) *Day* following the issue date;
- iii The *Decision* shall not be subject to further review by any Court; and
- iv The *Person* shall pay any applicable *Screening Non-Appearance Fee* and any other applicable *Administrative Fees*

7. Request for a Hearing Review

7.1 Following the issuance of a *Screening Officer's Decision*, a *Person* may:

- (a) pay the total amount owing; or
- (b) request a review of the *Screening Officer's Decision* by a *Hearing Officer*.

7.2 A request for a *Hearing Review* shall be exercised by:

- i Submitting a completed *Hearing Review Request Form* in the manner, form, and timeline prescribed on the *Screening Officer's Decision* and in this Bylaw;
 - ii Including all relevant supporting documentation to substantiate the request, such as written statements, photographs, or records;
- 7.3 The request form is available on the *Municipality's* website, in *Person* at the Municipal Office, or by requesting a copy by mail.
- 7.4 The *Hearing Officer* shall conduct the *Hearing Review* by telephone, video conference, or in *Person* prior to issuing a *Decision*.
- 7.5 At the *Hearing Review*, the *Person* and a representative of the *Municipality* shall be given the opportunity to make submissions, present evidence, and respond to any issues raised.
- 7.6 The *Hearing Officer* shall conduct the *Hearing Review* in accordance with the principles of procedural fairness and the *Statutory Powers Procedure Act* and shall be guided by the *Decision-Making Guidelines* outlined in Appendix 'A' of the *Municipality's Screening and Hearing Review Process for the Administration of the APS*. In doing so, the *Hearing Officer* may:
 - i. Confirm the *Screening Officer's Decision*;
 - ii. Cancel the *Screening Officer's Decision*;
 - iii. Vary the *Screening Officer's Decision*, including the *Administrative Penalty* or any associated *Administrative Fees*.
- 7.7 The *Hearing Officer's Decision* shall be final and binding and will be delivered in accordance with the methods outlined under the Service of Documents (*Penalty Notice* or *Decision*) section of this Bylaw.
- 7.8 Non-Appearance for a *Hearing Review* - Where a *Person* fails to appear or attend the scheduled *Hearing Review*:
 - i The request shall be deemed abandoned;
 - ii The *Screening Officer's Decision* and *Administrative Penalty* shall be deemed confirmed on the due date and payable date listed on the *Screening Officer's Decision*;
 - iii The *Decision* shall not be subject to further review by any Court; and
 - iv The *Person* shall pay any applicable *Hearing Non-Appearance Fee* and other applicable *Administrative Fees*.

8. Extension of Time to Request a Screening or Hearing Review

- 8.1 A *Person* may request an Extension of Time to Request a *Screening Review* or *Hearing Review* in accordance with the provisions of this bylaw and the *Municipality's Extension of Time Policy for the Administration of APS*, as well as any other applicable Municipal policies or procedures.

8.2 The designated *Screening Officer* or *Hearing Officer* shall determine whether the extension is granted or denied. A written *Decision* shall be issued to the *Person* in accordance with the methods outlined in the *Service of Documents (Penalty Notice or Decision)* section of this bylaw and in accordance with the governing *Municipality's Extension of Time Policy for the Administration of the APS* policy.

9. Undue Hardship

- 9.1 In the administration of this bylaw and in accordance with the principles of fairness and accessibility, the *Municipality* recognizes that certain circumstances may give rise to *Undue Hardship*.
- 9.2 *Persons* requesting relief on the basis of *Undue Hardship* shall be guided by the *Municipality's Undue Hardship Policy for the Administration of APS*, as well as any other applicable Municipal policies or procedures.
- 9.3 The designated *Screening Officer* or *Hearing Officer* shall determine whether *Undue Hardship* will be considered. A written *Decision* shall be issued to the *Person* in accordance with the methods outlined in the *Service of Documents (Penalty Notice or Decision)* section of this bylaw and in accordance with the governing *Extension of Time Policy for the Administration of the APS*.

10. Severability

- 10.1 Should any provision, or any part of a provision, of this bylaw be declared invalid, or to be of no force and effect, by a court of competent jurisdiction, it is the intent of *Council* that such a provision, or part of a provision, shall be severed from this bylaw, and every other provision of this bylaw shall be applied and enforced in accordance with its terms to the extent possible according to law.

11. Interpretation

- 11.1 The provisions in Part VI of the *Legislation Act, 2006*, S.O. 2006, c.21, Sched. F, shall apply to this bylaw.

12. Short Title

- 12.1 This Bylaw may be referred to as the *APS Bylaw*.

13. Repeal

- 13.1 That Bylaw 2022-018 is hereby repealed.

14. Effective Date

14.1 That this Bylaw shall come into effect on the *Day* it was passed.

Enacted and **Passed** this 21st *Day* of May 2025.

Tony Fitzgerald, Mayor

Suzanne Huschilt, Municipal Clerk



Schedule 'A' to Bylaw 2025-032

Administrative Bylaw Penalties for *Designated Bylaws*

1. Column 2 in the following Table sets out the short form wording to be used in a *Penalty Notice* for the contravention of the designated provisions listed in Column 3.
2. For the purposes of Section 2 of this bylaw, Column 3 in the following Table lists the provisions in the *Designated Bylaw* identified in the Schedule, as amended.
3. Column 4 in the following Table sets out the *Administrative Penalty* amount that is payable for contraventions of the designated provisions listed in Column 1.

Table 1: Bylaw 2025-031 Regulating Standards for the Maintenance of the Physical Condition and Occupancy of Property in the Municipality of Hastings Highlands (Cont'd)

ITEMS	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT	
			1 st Penalty	Additional Penalties
1	Fail to keep yard clear from refuse and debris	Section 3.1 (a)	\$150.00	\$200.00
2	Fail to keep yard clear from health, fire, or accident hazard	Section 3.1 (b)	\$200.00	\$250.00
3	Fail to keep yard clear from wrecked or dismantled machinery	Section 3.1 (c)	\$200.00	\$250.00
4	Fail to keep yard clear from dilapidated structures	Section 3.1 (d)	\$200.00	\$250.00
5	Fail to keep yard clear from decaying trees or other brush	Section 3.1 (e)	\$200.00	\$250.00
6	Fail to keep yard clear from food scraps or organic waste	Section 3.1 (f)	\$200.00	\$250.00
7	Fail to maintain landscaping	Section 3.2 (a)	\$100.00	\$125.00
8	Fail to keep private parking areas in good repair	Section 3.2 (b)	\$100.00	\$125.00
9	Fail to prevent noxious conditions	Section 3.2 (c)	\$150.00	\$200.00
10	Fail to keep property free from litter	Section 3.3 (a)	\$150.00	\$200.00
11	Fail to provide receptacles to contain garbage	Section 3.3 (b)	\$150.00	\$200.00
12	Fail to provide receptacles to contain garbage (non-residential)	Section 3.3 (c)	\$250.00	\$300.00
13	Fail to provide safe passage on walkways	Section 3.4 (a)	\$200.00	\$250.00
14	Fail to keep waterfront property free from wrecked and dilapidated machinery	Section 3.5 (a)	\$200.00	\$250.00
15	Fail to provide adequate water drainage.	Section 3.6 (a)	\$200.00	\$250.00

Table 1: Bylaw 2025-031 Regulating Standards for the Maintenance of the Physical Condition and Occupancy of Property in the Municipality of Hastings Highlands (Cont'd)

ITEMS	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT	
			1 st Penalty	Additional Penalties
16	Prohibited discharge of roof drainage or sump pump	Section 3.6 (b)	\$200.00	\$250.00
17	Unlawful discharge of sewage system	Section 3.7 (a)	\$300.00	\$350.00
18	Fail to keep accessory building free from health, fire, or accident hazard	Section 3.8 (a)	\$200.00	\$250.00
19	Fail to remove accessory building from property	Section 3.8 (b)	\$300.00	\$350.00
20	Fail to maintain pool, hot tub or pond in good repair and safe condition	Section 3.9 (a)	\$300.00	\$350.00
21	Fail to properly remove derelict pool, hot tub or pond	Section 3.9 (b)	\$300.00	\$350.00
22	Fail to provide safe enclosure of pool, hot tub or pond	Section 3.9 (c)	\$300.00	\$350.00
23	Fail to maintain parking area in a safe condition	Section 3.10 (a)	\$300.00	\$350.00
24	Fail to maintain structure in structurally sound condition	Section 4.1 (a)	\$300.00	\$350.00
25	Fail to repair structure within 90 days of fire or disaster	Section 4.2 (b)	\$300.00	\$350.00
26	Fail to remove structure and clear land within 60 days of fire or disaster	Section 4.2 (c)	\$300.00	\$350.00
27	Unsafe storage of materials	Section 4.2 (d)	\$400.00	\$450.00
28	Fail to maintain structure or property free from pest infestation	Section 4.3 (a)	\$300.00	\$350.00
29	Fail to provide adequate ventilation for habitable rooms	Section 4.4 (a)	\$300.00	\$350.00

Table 1: Bylaw 2025-031 Regulating Standards for the Maintenance of the Physical Condition and Occupancy of Property in the Municipality of Hastings Highlands (Cont'd)

ITEMS	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT	
			1 st Penalty	Additional Penalties
30	Fail to maintain aperture in an operable condition	Section 4.4 (b)	\$300.00	\$350.00
31	Fail to maintain mechanical ventilation systems in operable conditions	Section 4.4 (c)	\$300.00	\$350.00
32	Fail to provide adequate lighting within a dwelling unit	Section 4.4 (d)	\$300.00	\$350.00
33	Fail to keep foundation of structure in good repair	Section 4.5 (a)	\$300.00	\$350.00
34	Fail to maintain exterior walls of structure in good condition	Section 4.6 (a)	\$300.00	\$350.00
35	Fail to maintain roof and prevent unsafe condition	Section 4.7 (a)	\$300.00	\$350.00
36	Fail to keep exterior doors and windows in good condition	Section 4.8 (a)	\$300.00	\$350.00
37	Fail to maintain exterior of a structure in neat appearance	Section 4.8 (b)	\$150.00	\$200.00
38	Fail to keep interior walls and ceilings in good condition	Section 4.9 (a)	\$300.00	\$350.00
39	Fail to keep floors in good repair	Section 4.10 (a)	\$300.00	\$350.00
40	Fail to maintain floors in safe condition	Section 4.10 (b)	\$300.00	\$350.00
41	Fail to keep floors free from water	Section 4.10 (c)	\$300.00	\$350.00
42	Fail to keep stairs, balcony, or porch in safe condition	Section 4.11 (a)	\$300.00	\$350.00
43	Fail to provide handrail	Section 4.11 (b)	\$300.00	\$350.00
44	Fail to maintain awning, canopy or similar equipment in good repair	Section 4.11 (c)	\$300.00	\$350.00
45	Fail to maintain chimneys, smoke pipes, and flues	Section 4.12 (a)	\$300.00	\$350.00

Table 1: Bylaw 2025-031 Regulating Standards for the Maintenance of the Physical Condition and Occupancy of Property in the Municipality of Hastings Highlands (Cont'd)

ITEMS	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT	
			1 st Penalty	Additional Penalties
46	Fail to keep fireplace free from combustible materials	Section 4.12 (b)	\$400.00	\$450.00
47	Fail to leave property clear and properly graded after demolition	Section 4.13 (a)	\$200.00	\$250.00
48	Fail to maintain remaining portion of partially demolished structure	Section 4.13 (b)	\$300.00	\$350.00
49	Fail to take necessary precautions to protect properties and the public	Section 4.13 (c)	\$400.00	\$450.00
50	Fail to keep plumbing, including plumbing fixtures and accessories in good repair	Section 5.1 (a)	\$300.00	\$350.00
51	Fail to connect to approved sewage system	Section 5.1 (c)	\$400.00	\$450.00
52	Fail to provide hot water as per the Ontario Building Code	Section 5.1 (d)	\$300.00	\$350.00
53	Prohibited location of toilet	Section 5.1 (e)	\$300.00	\$350.00
54	Fail to provide adequate heating system	Section 5.2 (a)	\$300.00	\$350.00
55	Fail to keep heating system in good condition	Section 5.2 (b)	\$300.00	\$350.00
56	Fail to prevent any health, fire or accident hazard	Section 5.2 (c)	\$400.00	\$450.00
57	Fail to provide adequate electrical supply system	Section 5.3 (a)	\$300.00	\$350.00
58	Fail to provide smoke alarm	Section 5.3 (g)	\$400.00	\$450.00
59	Unlawful use of space within a dwelling unit	Section 5.4 (b)	\$300.00	\$350.00
60	Prohibited zone for use of camping vehicle	Section 6.1 (a)	\$150.00	\$200.00

Table 1: Bylaw 2025-031 Regulating Standards for the Maintenance of the Physical Condition and Occupancy of Property in the Municipality of Hastings Highlands				
ITEMS	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT	
			1st Penalty	Additional Penalties
61	Prohibited storage of Camping vehicle	Section 6.1 (b)	\$150.00	\$200.00
62	Prohibited use of camping vehicle for human habitation	Section 6.1 (c)	\$150.00	\$200.00
63	Prohibited use of camping vehicle to carry on business	Section 6.1 (d)	\$200.00	\$250.00
64	Obstruct an Officer	Section 7.2 (d)	\$750.00	\$800.00
65	Hinder or interfere with inspection or order	Section 7.7 (a)	\$750.00	\$800.00
66	Fail to Comply with Bylaw after third or subsequent penalty notice issued	Section 7.7 (e)	N/A	\$1000.00

Table 2: Bylaw 2020-047 Regulating Open Air Fires, Incinerator Fires and Outdoor Fires (Cont'd)

ITEMS	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT
1	Set open-air fire during prohibited times	Section 2.1	\$500.00
2	Set an open-air fire larger than 2 metres in height and 2 metres in diameter	Section 2.2 (c)	\$350.00
3	Set a fire within 5 metres of combustible materials	Section 2.2 (d)	\$500.00
4	Burn grass and leaves greater than 1 hectare	Section 2.3 (b)	\$500.00
5	Set an open-air fire in a restricted fire zone during a total fire ban	Section 2.4	\$500.00
6	Set an open-air fire causing adverse effect	Section 2.5	\$300.00
7	Leave an open-air fire unattended or unsupervised	Section 2.6	\$500.00
8	Fail to have care and control of an open-air fire	Section 2.7	\$500.00
9	Fail to ensure adequate means of extinguishing a fire are readily available	Section 2.9	\$300.00
10	Failure to report a fire out of control	Section 2.10	\$900.00
11	Fail to extinguish fire	Section 2.11	\$300.00
12	Burn material other than dry wood or wood by products Class "A" materials	Section 2.15	\$400.00
13	Burn household waste, human waste or hazardous materials	Section 2.16	\$400.00

Table 2: Bylaw 2020-047 Regulating Open Air Fires, Incinerator Fires and Outdoor Fires

ITEMS	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT
14	Use an incinerator contrary to bylaw	Section 4.1	\$350.00
15	Set an open-air fire in an incinerator where prohibited	Section 4.2	\$500.00
16	Prohibited use of Flying Lantern(s)	Section 5.1	\$500.00
17	Sell or permit prohibited sale of Flying Lantern(s)	Section 5.2	\$500.00
18	Set an open-air fire during unsafe weather conditions	Section 6.1	\$300.00
19	Hinder/Obstruct Officer	Section 8.1	\$500.00

Table 3: Bylaw 2020-062 A Bylaw to Prohibit and Regulate Noise and the Use of Fireworks within the Municipality of Hastings Highlands

ITEM	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT
1	Cause or permit unnecessary noise or sound	Section 2.1	\$100.00
2	Set off fireworks during a Fire Ban or Extreme conditions	Section 2.2	\$1000.00
3	Set off fireworks during prohibited times	Section 2.3	\$100.00
4	Set off fireworks during prohibited days	Section 2.4	\$100.00
5	Set off fireworks in an unsafe manner	Section 2.7	\$500.00
6	Cause or permit damage or injury from the use of fireworks	Section 2.9	\$1000.00

Table 4: Bylaw 2020-019 A Bylaw to Regulate the Erection of Signs, Billboards, Posters and Other Advertising Devices within the Municipality of Hastings Highlands

ITEM	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT
1	Erect sign on residential lot-exceed permitted size	Section 2.1	\$50.00
2	Erect sign on rural, commercial or industrial lot - no permit	Section 2.2	\$50.00
3	Erect sign - not within permitted distance to road	Section 2.3	\$100.00
4	Owner - fail to remove sign	Section 2.4	\$50.00
5	Erect sign - obstruct vision of vehicular/ pedestrian traffic	Section 2.5	\$100.00
6	Post sign on tree	Section 2.6	\$50.00
7	Erect sign-abutting Municipal Road/property	Section 2.7	\$50.00

Table 5: Bylaw 2018-074 Regulating the Throwing, Placing or Depositing of Refuse and Debris, Waste Material on Private Property or Municipal Property within the Municipality of Hasting Highlands

ITEM	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT
1	Allow refuse, debris or waste on own property	Section 3.1	\$100.00
2	Unauthorized discarding or depositing of refuse, debris or waste on private or Municipal property	Section 3.1	\$150.00
3	Unauthorized entrance onto a Municipal waste site other than during operating hours	Section 3.3	\$250.00
4	Unauthorized salvage of any materials from a Municipal waste site	Section 3.4	\$250.00

Table 6: Bylaw 2019-098 Regulating the Keeping of Dogs within the Municipality of Hastings Highlands

ITEM	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT
1	Fail to keep dog(s) from being a public nuisance	Section 3.1 & Section 3.4	\$125.00
2	Harbour, own or keep a dangerous dog(s)	Section 3.2	\$300.00
3	Dog Being at Large	Section 4.0	\$125.00
4	Fail to Comply with Muzzle/Leash Order	Section 5.0	\$150.00

Table 7: Bylaw 2020-009 A Bylaw to Regulate Parking in the Municipality of Hastings Highlands (Cont'd)

ITEM	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT
1	Leave vehicle - prohibited	Section 2.1	\$30.00
2	Park - not entirely within marked parking space	Section 2.2	\$30.00
3	Park facing wrong direction	Section 2.3	\$15.00
4	Park on sidewalk, crosswalk or pedestrian crossover	Section 3.1 (a) & (b)	\$30.00
5	Park within any intersection	Section 3.1 (c)	\$30.00
6	Park in a designated fire/emergency services route	Section 3.1 (d)	\$75.00
7	Park on a bridge	Section 3.1 (e)	\$30.00
8	Park within 3 metres of fire hydrant	Section 3.1 (f)	\$100.00
9	Park within 3 metres of intersection	Section 3.1 (g)	\$30.00
10	Park on street or highway - obstruct traffic	Section 3.1 (h)	\$100.00
11	Park - prevent removal of previously parked vehicle	Section 3.1 (i)	\$15.00
12	Park in front of driveway	Section 3.1 (k)	\$15.00
13	Park between 12:00am and 7:00am from October 15 to April 15	Section 3.1 (l)	\$30.00
14	Park or stop heavy truck in residential area	Section 4.1	\$50.00
15	Park in excess of authorized time	Section 5.1	\$15.00

Table 7: Bylaw 2020-009 A Bylaw to Regulate Parking in the Municipality of Hastings Highlands

ITEM	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT
16	Park in designated accessible parking space - no permit	Section 5.1	\$300.00
17	Park motor vehicle on Municipal property - unauthorized	Section 6.1	\$30.00
18	Park vehicle on Municipal property - unauthorized	Section 7.1	\$30.00
19	Deposit snow on roadway/road allowance	Section 7.2	\$50.00
20	Deposit snow on roadway/road allowance	Section 8.1	\$100.00
21	Deposit any object(s) on the roadway / road allowance	Section 8.2	\$100.00

Table 8: Bylaw 2021-037 To Prohibit or Otherwise Regulate the Keeping of Certain Animals within the Municipality of Hastings Highlands

ITEM	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT
1	Possess, harbour or keep prohibited animal	Section 3.1	\$400.00
2	Keep, offer, give, sell, breed or trade prohibited animals - Pet Business	Section 3.2	\$750.00
3	Fail to Notify Municipality of ownership within 90 days	Section 4.1	\$300.00
4	Fail to provide animal identification to Municipality	Section 4.2	\$250.00
5	Unlawfully keep grandfathered animal	Section 4.3	\$400.00
6	Fail to comply with conditions set forth by Municipality	Section 4.4	\$300.00
7	Fail to Comply Undertaking - Grandfathered animals	Section 4.5	\$300.00
8	Fail to Notify Municipality of relocation within 48 hours	Section 4.9	\$300.00
9	Hinder or obstruct Officer in the execution of their duties	Section 6.5	\$300.00

Table 9: Bylaw 2024-005 A Bylaw to Adopt a Business Licence Policy for the Municipality of Hastings Highlands (Cont'd)

ITEM	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT
1	Carry on or permit a person to carry on a Business when not authorized	Section 3.1(a)(i)	\$350.00
2	Fail to have a Business Licence(s)	Section 3.1(a)(ii)	\$400.00
3	Carry on or permit a person to carry on a business at an unlicensed location	Section 3.1(a)(iii)	\$350.00
4	Carry on a business under any other name than one identified on licence	Section 3.1(a)(iv)	\$250.00
5	Carry on or permit a person to carry on a business contrary to regulations	Section 3.1(a)(v)	\$250.00
6	Carry on or permit a person to carry on a business contrary to conditions of licence	Section 3.1(a)(vi)	\$250.00
7	Transfer or assign a licence when unauthorized	Section 3.1(b)	\$250.00
8	Obtain licence under false pretenses	Section 3.1(c)	\$250.00
9	Fail to have proper/valid insurance	Section 4.1(c)	\$900.00
10	Fail to have proper/valid Certificate of Status or Licensing Officers' Information	Section 4.1(d)	\$250.00
11	Fail to have proper/valid partnership information or Registered Declaration of Partnership	Section 4.1	\$250.00
12	Provide false proof of age	Section 4.1(f)	\$125.00

Cont'd Table 9: Bylaw 2024-005 A Bylaw to Adopt a Business Licence Policy for the Municipality of Hastings Highlands (Cont'd)

ITEM	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT
13	Fail to post licence in conspicuous area	Section 4.3(a)	\$250.00
14	Fail to carry licence	Section 4.3(b)	\$250.00
15	Fail to cooperate with inspection	Section 4.3(c)	\$300.00
16	Fail to notify any change of licence information	Section 4.3(d)	\$250.00
17	Fail to comply with applicable policies and legislations	Section 4.3(e)	\$250.00
18	Fail to comply with conditions	Section 4.3(f)	\$250.00
19	Hinder or obstruct officer	Section 10.4	\$400.00
20	Fail to comply with order to discontinue	Section 11.3	\$250.00
21	Fail to comply with work order	Section 12.4	\$250.00
22	Fail to maintain permitted liability insurance for term of licence	Appendix 'A' Section 2.5	\$900.00
23	Operate food truck during prohibited hours - private property	Appendix 'B' Section 5	\$350.00
24	Interfere with use of sidewalk while operating a food truck – private property	Appendix 'B' Section 6(a)	\$350.00
25	Operate food truck within 100 metres of school – private property	Appendix 'B' Section 6(b)	\$250.00
26	Operate food truck within 91.5 metres of eating establishment – private property	Appendix 'B' Section 6(c)(i)	\$250.00
27	Operate food truck within 91.5 metres where not permitted – private property	Appendix 'B' Section 6(c)(ii)	\$250.00

Table 9: Bylaw 2024-005 A Bylaw to Adopt a Business Licence Policy for the Municipality of Hastings Highlands (Cont'd)

ITEM	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT
28	Operate food truck within 6 metres of entrance – private property	Appendix 'B' Section 6(c)(iii)	\$250.00
29	Operate food truck in front of window – private property	Appendix 'B' Section 6(c)(iv)	\$250.00
30	Fail to maintain food truck in clean condition – private property	Appendix 'B' Section 7	\$250.00
31	Interfere with use of sidewalk while operating a food truck – Municipal property	Appendix 'C' Section 6(a)	\$350.00
32	Operate food truck within 100 metres of school – Municipal property	Appendix 'C' Section 6(b)	\$250.00
33	Operate food truck within 91.5 metres of eating establishment – Municipal property	Appendix 'C' Section 6(c)(i)	\$250.00
34	Operate food truck within 91.5 metres from entrance where food is sold – Municipal property	Appendix 'C' Section 6(c)(ii)	\$250.00
35	Operate food truck within 6 metres of entrance – Municipal property	Appendix 'C' Section 6(c)(iii)	\$250.00
36	Operate food truck in front of window – Municipal property	Appendix 'C' Section 6(c)(iv)	\$250.00
37	Fail to maintain food truck in clean condition – Municipal property	Appendix 'C' Section 7	\$250.00
38	Licensee permits unauthorized vendor to sell or offer goods, wares or merchandise - private property	Appendix 'D' Section 4	\$250.00

Table 9: Bylaw 2024-005 A Bylaw to Adopt a Business Licence Policy for the Municipality of Hastings Highlands

ITEM	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT
39	Licensee permits unauthorized vendor to sell or offer goods, wares or merchandise - Municipal property	Appendix 'E' Section 4	\$250.00
40	Licensee permits unauthorized vendor to sell or offer goods, wares or merchandise - private property	Appendix 'F' Section 4	\$250.00
41	Unauthorized vendor permitted to participate by licensee - private property	Appendix 'F' Section 5	\$250.00
42	Licensee permits unauthorized vendor to sell or offer goods, wares or merchandise - Municipal property	Appendix 'G' Section 4	\$250.00
43	Unauthorized vendor permitted to participate by licensee - Municipal property	Appendix 'G' Section 5	\$250.00
44	Fail to display permit	Appendix 'H' Section 6	\$100.00



SCHEDULE 'B' to Bylaw 2025-032
Administrative Penalty System Bylaw Fees

The *Administrative Fee(s)* outlined below do not apply to Property Standards Offences issued under the *Municipality's Property Standards Bylaw*.

For applicable Property Standards Administrative User Fees, please refer to the *Municipality's User Fees and Service Charges Bylaw*.

Administrative Fees

ITEM	COLUMN 1 Administrative Fee	COLUMN 2 Amount
1	<i>Late Payment Fee</i>	\$50.00
2	MTO Plate Denial Fee	Cost Recovery
3	MTO Search Fee	Cost Recovery
4	Screening <i>Non-appearance Fee</i>	\$75.00
5	Hearing <i>Non-appearance Fee</i>	\$125.00