

The Corporation of The Municipality of Hastings Highlands

Bylaw 2025-032

To Implement an Administrative Penalty System in the Municipality of Hastings Highlands

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;

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 means any fee specified in this bylaw or set out in Schedule '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;

A.P.S. (APS) means Administrative Penalty System;

Clerk means the Municipal Clerk, their delegate, or anyone designated by the Clerk to perform duties pursuant to the Administrative Penalty System;

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

Day means any calendar day;

Designated Bylaw means a bylaw, or a part or provision of a bylaw, that is designated under this the Administrative Penalty Systems Bylaw;

Hearing Decision means a notice that contains a decision made by a Hearing Officer;

Hearing 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 Hearing Officer and listed in Schedule 'B';

Hearing Officer shall mean persons who performs the duties of a Hearing Officer as set out in section 5 of this bylaw;

Holiday means a Saturday, Sunday, any statutory holiday in the Province of Ontario or any Day the offices of the Municipality are officially closed for business;

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';

Mitigating or Extenuating Circumstances means unforeseen or exceptional situations beyond a person's control that can justify or explain a failure to meet a requirement or deadline. These circumstances are typically serious and must significantly impact a person's ability to act within the expected time frame;

Municipality means the Corporation of the Municipality of Hastings Highlands;

NSF Fee means an Administrative Fee established by the Municipality from time to time in respect of payment by negotiable instrument received by the Municipality from a person for payment of any Administrative Penalty or Administrative Fee, for which there are insufficient funds available in the account on which the instrument was drawn;

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 bylaw in accordance with this bylaw;

Penalty Notice Date means the date of the contravention specified on the Penalty Notice, pursuant to this bylaw;

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;

Power of Decision means a power or right, conferred by or under the Administrative Penalty Bylaw, to make a decision deciding or prescribing the legal rights, powers, privileges, immunities, duties or liabilities of any person;

Screening Review Decision means a notice which contains the decision of a Screening Officer, delivered in accordance with Section 8 of this bylaw;

Screening 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 and listed in Schedule "B";

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;

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 'B' 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 for the Administration of APS
 - ii Extension of Time Procedure for the Administration of APS
 - iii Financial Management and Reporting for the Administration of APS
 - iv Prevention of Political Interference for the Administration of APS
 - v Public Complaints for the Administration of APS
 - vi Screening and Hearing Review Process for the Administration of APS
 - vii Undue Hardship for the Administration of APS
- 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 Administrative Penalty System (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 Municipal Address;
- v the date on which the Administrative Penalty is due and payable;
- vi the identification number and signature of the Officer;
- vii the name of the person alleged to have committed the contravention;
- viii the contravention wording as listed in the attached Schedules, or other particulars reasonably sufficient to indicate the contravention;
- ix the amount of the Administrative Penalty;
- x 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
- xi a statement advising that an unpaid Administrative Penalty, including any applicable Administrative Fee(s), will constitute a debt of the person to the Municipality unless cancelled pursuant to Screening Review or Hearing

process.

4.4 Payment of a 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 policy.
- 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 Fee(s), 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 Fee(s).
- 4.9 Where a person makes payments to the Municipality of any Administrative Penalty, Administrative Fee(s) or Late Payment Fee(s), 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 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 Fee(s) 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, when a copy is delivered to the person to whom it is addressed; On the seventh (7th) Day following the date a copy is sent by registered mail to the person's last known address;
 - (b) 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.

(c) immediately upon the conclusion and sent confirmation of a copy by facsimile transmission to the person's last known facsimile transmission number; or

(d) 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) and (d), 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 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 Policy for the Administration of 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 Policy for the Administration of APS.
- 6.7 The Screening Decision shall be delivered in accordance with the methods prescribed under the Service of Documents – Penalty Notice or Decision section of this Policy.
- 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) 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 Decision, a Person may:
- (a) pay the total amount owing; or
 - (b) request a review of the Screening 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 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 Policy for the Administration of APS*. In doing so, the Hearing Officer may:
- i. Confirm the Screening Decision;
 - ii. Cancel the Screening Decision;
 - iii. Vary the Screening 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 Policy.

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 Decision and Administrative Penalty shall be deemed confirmed on the due date and payable date listed on the Screening 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 or Hearing Review in accordance with the provisions of this Bylaw and the Municipality's *Extension of Time to Request a Screening Review or Hearing Review Respecting the Administration of APS* policy, 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 *Extension of Time 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 for the Administration of the Administrative Penalty System Policy*, 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*.

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

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. For the purposes of Section 2 of this bylaw, Column 1 in the following Table lists the provisions in the Designated Bylaw identified in the Schedule, as amended.
2. 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 1.
3. Column 3 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

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 keep waterfront property free from wrecked and dilapidated machinery	Section 3.4 (a)	\$200.00	\$250.00
14	Fail to provide safe passage on walkways	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 (Cont'd)

ITEMS	SHORT FORM WORDING	PENALTY PROVISION	PENALTY AMOUNT	
			1 st 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

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

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

ITEMS	PENALTY PROVISION	SHORT FORM WORDING	PENALTY AMOUNT
13	Section 2.16	Burn household waste, human waste or hazardous materials	\$400.00
14	Section 4.1	Use an incinerator contrary to bylaw	\$350.00
15	Section 4.2	Set an open-air fire in an incinerator where prohibited	\$500.00
16	Section 5.1	Prohibited use of Flying Lantern(s)	\$500.00
17	Section 5.2	Sell or permit prohibited sale of Flying Lantern(s)	\$500.00
18	Section 6.1	Set an open-air fire during unsafe weather conditions	\$300.00
19	Section 8.1	Hinder/Obstruct Officer	\$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	PENALTY PROVISION	SHORT FORM WORDING	PENALTY AMOUNT
1	Section 2.1	Cause or permit unnecessary noise or sound	\$100.00
2	Section 2.2	Set off fireworks during a Fire Ban or Extreme conditions	\$1000.00
3	Section 2.3	Set off fireworks during prohibited times	\$100.00
4	Section 2.4	Set off fireworks during prohibited days	\$100.00
5	Section 2.7	Set off fireworks in an unsafe manner	\$500.00
6	Section 2.9	Cause or permit damage or injury from the use of fireworks	\$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	PENALTY PROVISION	SHORT FORM WORDING	PENALTY AMOUNT
1	Section 2.1	Erect sign on residential lot-exceed permitted size	\$50.00
2	Section 2.2	Erect sign on rural, commercial or industrial lot - no permit	\$50.00
3	Section 2.3	Erect sign - not within permitted distance to road	\$100.00
4	Section 2.4	Owner - fail to remove sign	\$50.00
5	Section 2.5	Erect sign - obstruct vision of vehicular/ pedestrian traffic	\$100.00
6	Section 2.6	Post sign on tree	\$50.00
7	Section 2.7	Erect sign-abut Municipal road/property	\$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	PENALTY PROVISION	SHORT FORM WORDING	PENALTY AMOUNT
1	Sec 3.1	Allow refuse, debris or waste on own property	\$100.00
2	Sec 3.1	Unauthorized discarding or depositing of refuse, debris or waste on private or Municipal property	\$150.00
3	Sec 3.3	Unauthorized entrance onto a Municipal waste site other than during operating hours	\$250.00
4	Sec 3.4	Unauthorized salvage of any materials from a Municipal waste site	\$250.00

Table 6: Bylaw 2019-098 Regulating the Keeping of Dogs within the Municipality of Hastings Highlands			
ITEM	PENALTY PROVISION	SHORT FORM WORDING	PENALTY AMOUNT
1	Section 3.1 & Section 3.4	Fail to keep dog(s) from being a public nuisance	\$125.00
2	Section 3.2	Harbour, own or keep a dangerous dog(s)	\$300.00
3	Section 4.0	Dog Being at Large	\$125.00
4	Section 5.0	Fail to Comply with Muzzle/Leash Order	\$150.00

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

ITEM	PENALTY PROVISION	SHORT FORM WORDING	PENALTY AMOUNT
1	Section 2.1	Leave vehicle - prohibited	\$30.00
2	Section 2.2	Park - not entirely within marked parking space	\$30.00
3	Section 2.3	Park facing wrong direction	\$15.00
4	Section 3.1 (a) & (b)	Park on sidewalk, crosswalk or pedestrian crossover	\$30.00
5	Section 3.1 (c)	Park within any intersection	\$30.00
6	Section 3.1 (d)	Park in a designated fire/emergency services route	\$75.00
7	Section 3.1 (e)	Park on a bridge	\$30.00

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

ITEM	PENALTY PROVISION	SHORT FORM WORDING	PENALTY AMOUNT
8	Section 3.1 (f)	Park within 3 metres of fire hydrant	\$100.00
9	Section 3.1 (g)	Park within 3 metres of intersection	\$30.00
10	Section 3.1 (h)	Park on street or highway - obstruct traffic	\$100.00
11	Section 3.1 (i)	Park - prevent removal of previously parked vehicle	\$15.00
13	Section 3.1 (k)	Park in front of driveway	\$15.00
14	Section 3.1 (l)	Park between 12:00am and 7:00am from October 15 to April 15	\$30.00
15	Section 4.1	Park or stop heavy truck in residential area	\$50.00
16	Section 5.1	Park in excess of authorized time	\$15.00
17	Section 6.1	Park in designated accessible parking space - no permit	\$300.00
18	Section 7.1	Park motor vehicle on Municipal property - unauthorized	\$30.00
19	Section 7.2	Park vehicle on Municipal property - unauthorized	\$30.00
20	Section 8.1	Deposit snow on roadway/road allowance	\$50.00
22	Section 8.2	Deposit any object(s) on the roadway/road allowance	\$100.00

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

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

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

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

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

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

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

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

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

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



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

The Administrative Fees 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	Late Payment Fee	\$50.00
2	MTO Plate Denial Fee	Cost Recovery
3	MTO Search Fee	Cost Recovery
4	Screening Non-appearance Fee	\$75.00
5	Hearing Non-appearance Fee	\$125.00