

# **The Corporation of The Municipality of Hastings Highlands**

## **Bylaw 2025-032**

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

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**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 or any other bylaw and is listed in the attached Schedule 'A' to which the APS applies.

**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'.

**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.

**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. Application of this Bylaw**

- 2.1 The Municipal bylaws, or portions of 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* and paragraph 3(1)(b) of the Regulation. The attached Schedule 'A' sets out the Administrative Penalty and may include short form language to be used on Penalty Notices, for the contraventions of Designated Bylaws.
- 2.2 Schedule 'B' of this bylaw shall set out Administrative Fees imposed for the purposes of this bylaw.

## **3. Penalty Notices**

- 3.1 Every person in contravention of a Designated Bylaw shall upon issuance of a Penalty Notice be liable to pay the Municipality an Administrative Penalty in the amount specified in the attached Schedule 'A' to this bylaw.
- 3.2 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.

3.3 A Penalty Notice may include the following information:

- (a) the vehicle licence plate number or vehicle identification number;
- (b) the Penalty Notice Date;
- (c) a Penalty Notice Number;
- (d) the Municipal Address;
- (e) the date on which the Administrative Penalty is due and payable;
- (f) the identification number and signature of the Officer;
- (g) the name of the person alleged to have committed the contravention;
- (h) the contravention wording as listed in the attached Schedules, or other particulars reasonably sufficient to indicate the contravention;
- (i) the amount of the Administrative Penalty;
- (j) 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
- (k) 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.

3.4 In addition to the service methods provided in Section 8 "Service of Documents" of this bylaw, an Officer may serve the Penalty Notice on a person by delivering it personally to the person contravening the bylaw at the time of the offence.

3.5 No Officer shall accept payment of an Administrative Penalty or Administrative Fee.

3.6 A person who is served with a Penalty Notice and who does not pay the amount of the Administrative Penalty on or before the date on which the Administrative Notice is due and payable, shall also pay the Municipality any applicable Administrative Fee(s).

#### **4. Review by Screening Officer**

4.1 A person who is served with a Penalty Notice may request that the Administrative Penalty be reviewed by a Screening Officer and shall make this request on or before the date on which the Administrative Penalty is due and payable, and in accordance with the process set out in Section 4.2.

- 4.2 An extension of time for a Screening Review expires, if it has not been exercised, on or before fifteen (15) days after the Penalty Notice issue date at which time:
- (a) The person shall be deemed to have waived the right to request a Screening Review or request an extension of time for a Screening Review; and,
  - (b) The Administrative Penalty shall be deemed to be confirmed on the sixteenth (16th) day following the Penalty Notice issue date; and,
  - (c) The Administrative Penalty shall not be subject to any further review, including a review by any Court.
- 4.3 A person's right to request a review by a Screening Officer or to request an extension of time to request a review are exercised by:
- (a) A submission in writing to the Bylaw Enforcement Department for a Request for Review by a Screening Officer or request for an extension of time to request a Screening Review; or
  - (b) Calling the telephone number listed on the Penalty Notice to make a Request for Review by a Screening Officer or to request an extension of time to request a Screening Review.
- 4.4 A Request for Review by Screening Officer of an Administrative Penalty or a request for an extension of time to request a Screening Review shall include the Penalty Notice Number and the person's contact information.
- 4.5 A Request for Review by a Screening Officer or a request for an extension of time to request a Screening Review shall only be scheduled by the Bylaw Enforcement Department if the person makes the request on or before the dates established in Section 4.2 of this bylaw.
- 4.6 On a request for an extension of time to request a Screening Review, the Bylaw Enforcement Department may only extend the time to request a Screening Review where the person demonstrates, on a balance of probabilities, the existence of extenuating circumstances that warrant the extension of time.
- 4.7 Where an extension of time to request a Screening Review is not granted by the Bylaw Enforcement Department, the Administrative Penalty and any applicable Administrative Fee(s) are deemed to be confirmed.
- 4.8 Where a person fails to attend at the time and place scheduled for a Screening Review of an Administrative Penalty:
- (a) the person shall be deemed to have abandoned the request for a Screening Review of the Administrative Penalty;
  - (b) the Administrative Penalty as set out in the Penalty Notice shall be deemed to be confirmed on the sixteenth (16th) day following the Penalty Notice issue date;
  - (c) the Administrative Penalty shall not be subject to any further review, including a review by any Court; and

(d) the person shall pay to the Municipality a Screening Review Non-appearance Fee and any other applicable Administrative Fee(s).

4.9 For a review of an Administrative Penalty, the Screening Officer may:

(a) affirm the Administrative Penalty; or

(b) cancel or vary the Administrative Penalty, including any Administrative Fee(s) or extend the time for payment of the Administrative Penalty, including any Administrative Fee(s), on the following grounds:

- where the person establishes on the balance of probabilities that they did not contravene the Designated Bylaw(s) as described in the Penalty Notice; or
- where the person establishes on a balance of probabilities that the cancellation, reduction or extension of time for payment of the Administrative Penalty, including any Administrative Fee(s), is necessary to relieve any undue hardship.

4.10 On a Screening Review of an Administrative Penalty, before making a decision, a Screening Officer shall conduct an interview with the person.

4.11 After a Review by a Screening Officer, the Screening Officer shall deliver a Screening Decision to the person, by Canada Post, email or leaving it at the main Municipal Office for pick up at the front counter in accordance with Section 6 of this Bylaw.

4.12 A Screening Officer has no authority to consider questions relating to the validity of a statute, regulation or bylaw or the constitutional applicability or operability of any statute, regulation or bylaw.

## **5. Review by Hearing Officer**

5.1 A person may Request a Review by the Hearing Officer during before the due date and payable date for the Administrative Penalty listed on the Screening Decision. the Screening Review.

5.2 If a person has not made a Request for Review by the Hearing Officer at the time of the Screening Review, the person may make a Request for Review by the Hearing Officer before the due and payable date for the Administrative Penalty listed on the Screening Decision.

5.3 The person's right to Request for Review by the Hearing Officer expires if it has not been exercised on or before the due date and payable date for the Administrative Penalty listed on the Screening Decision, at which time:

(a) the person shall be deemed to have waived the right to request a Review by the Hearing Officer;

(b) the Screening Decision and the Administrative Penalty and any Administrative Fee(s), if applicable, as modified in the Screening Decision, shall be deemed to be confirmed; and

(c) the Screening Decision and Administrative Penalty shall not be subject to any further review, including a review by any Court.

5.4 A person's Request for Review by the Hearing Officer is exercised by:

- (a) a submission in writing to the Bylaw Enforcement Department for a Request for Review by the Hearing Officer or request for an extension of time to request a Hearing Review; or
- (b) attending in person at the location listed on the Screening Decision to make a Request for Review by the Hearing Officer or request an extension of time to request a Hearing; or
- (c) calling the telephone number listed on the Screening Decision to make a Request for Review by the Hearing Officer or request an extension of time to request a Hearing Review.

5.5 A Request for Review by the Hearing Officer shall only be scheduled by the Bylaw Enforcement Department if the person makes the request within the time limits set out in Section 5.0 or 5.1 of this Bylaw.

5.6 Where a person fails to appear at the time and place scheduled for a Hearing Review:

- (a) the person shall be deemed to have abandoned the Hearing for review of a Screening Decision;
- (b) the Screening Decision and the Administrative Penalty and any Administrative Fee(s) shall be deemed to be confirmed;
- (c) the Screening Decision and the Administrative Penalty and any Administrative Fee(s) shall not be subject to any further review, including a review by any Court; and
- (d) the person shall pay to the Municipality a Hearing Non-appearance Fee, Late Payment Fee and any other applicable Administrative Fee(s).

5.7 On a review of a Screening Decision, the Hearing Officer may:

- (a) confirm the Screening Decision; or
- (b) cancel or reduce the Administrative Penalty, including any Administrative Fee(s), or extend the time for payment of the Administrative Penalty including any Administrative Fee(s) on the following grounds:
- (c) where the person establishes on a balance of probabilities that they did not contravene the Designated Bylaw(s) as described in the Penalty Notice; or
- (d) where the person establishes on a balance of probabilities that the cancellation, reduction or extension of time for payment of the Administrative Penalty, including any Administrative Fee(s), is necessary to relieve any undue hardship.

- 5.8 A Hearing Officer shall not make any decision respecting a review of a Screening Decision unless the Hearing Officer has given the person and a representative of the Municipality an opportunity to be heard at the time and place scheduled for the Hearing.
- 5.9 All Hearings by a Hearing Officer shall be conducted in accordance with the *Statutory Powers and Procedures Act*, R.S.O. 1990, c. S.22, as amended.
- 5.10 A Hearing Officer has no authority to consider questions relating to the validity of a statute, regulation or bylaw or the constitutional applicability or operability of any statute, regulation or bylaw.
- 5.11 After a Hearing is complete, the Hearing Officer shall deliver to the person a Hearing Decision, in accordance with Section 8 of this bylaw. The decision of a Hearing Officer is final.

## **6. Establishment and Appointment of Screening and Hearing Officers**

### **6.1 Establishment and Appointment of Screening Officer(s)**

- 6.1.1 The position of Screening Officer is established for the purpose of exercising the Power of Decision in the review of an Administrative Penalty by a Screening Officer, as set out in this bylaw.
- 6.1.2 The Screening Officer shall have all the powers of a Screening Officer as set out in this bylaw and, with respect to any matters subject to a bylaw designated under Section 102.1 of the *Municipal Act, 2001*.
- 6.1.3 The Municipal Clerk is delegated the power and authority to appoint, in writing, a Screening Officer(s) in accordance with the requirements of this bylaw, applicable conflict of interest guidelines, and all relevant policies and procedures.

### **6.2 Establishment and Appointment of a Hearing Officer**

- 6.2.1 The position of Hearing Officer is established for the purpose of exercising the Power of Decision in a review of a Screening Decision, as set out in this bylaw.
- 6.2.2 The Hearing Officer shall have all the powers of a Hearing Officer as set out in this bylaw and, with respect to any matters subject to a bylaw designated under Section 102.1 of the *Municipal Act, 2001*.
- 6.2.3 The Municipal Clerk is delegated the power and authority to appoint, in writing, a Hearing Officer, in accordance with the requirements of this bylaw, applicable conflict of interest guidelines, and all relevant policies and procedures.
- 6.2.4 A Hearing Officer shall be remunerated at a rate as established by the Municipality's Chief Administrative Officer (CAO) from time to time.

## **7. General**

- 7.1 A Screening Officer or a Hearing Officer shall have no authority to further delegate his/her powers, authorities or duties.



- 7.2 The Clerk is delegated the authority to appoint, suspend, or revoke the appointment of any Screening Officer or Hearing Officer, in accordance with the applicable Conflict of Interest Policy, and all relevant policies, by-laws, and legislation.

## **8. Service of Documents**

- 8.1 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.

- 8.2 For the purposes of subsections 8.1 (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.

- 8.3 In addition to the service methods in Section 8.1, 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.

- 8.4 For the purposes of Section 6.0 (b), (c) and (d) of this Bylaw, a person's address, facsimile number, and electronic mail address, provided by the person to the Municipality as may be required by a form, practice or policy under this Bylaw.

## **9. Administration**

- 9.1 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.
- 9.2 The Municipal Clerk, 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.

- 9.3 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.
- 9.4 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).
- 9.5 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.
- 9.6 Where an Administrative Penalty is cancelled by a Screening Officer or the Hearing Officer, any Administrative Fee(s) are also cancelled.
- 9.7 Any time limit that would otherwise expire on a Holiday is extended to the next day that is not a Holiday.
- 9.8 Schedule A and B attached hereto shall form part of this bylaw.

## **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 21<sup>st</sup> day of May 2025.

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Tony Fitzgerald, Mayor

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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 No. 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 <sup>st</sup> 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 No. 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 <sup>st</sup> 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 No. 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 <sup>st</sup> 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 No. 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 <sup>st</sup> 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



<b>Table 2: Bylaw No. 2020-047 Regulating Open Air Fires, Incinerator Fires and Outdoor Fires</b>			
<b>ITEMS</b>	<b>PENALTY PROVISION</b>	<b>SHORT FORM WORDING</b>	<b>PENALTY AMOUNT</b>
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 No. 2020-047 Regulating Open Air Fires, Incinerator Fires and Outdoor Fires (Cont'd)**

<b>ITEMS</b>	<b>PENALTY PROVISION</b>	<b>SHORT FORM WORDING</b>	<b>PENALTY AMOUNT</b>
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 No. 2020-062 A Bylaw to Prohibit and Regulate Noise and the Use of Fireworks within the Municipality of Hastings Highlands**

<b>ITEM</b>	<b>PENALTY PROVISION</b>	<b>SHORT FORM WORDING</b>	<b>PENALTY AMOUNT</b>
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 No. 2020-019 A Bylaw to Regulate the Erection of Signs, Billboards, Posters and Other Advertising Devices within the Municipality of Hastings Highlands**

<b>ITEM</b>	<b>PENALTY PROVISION</b>	<b>SHORT FORM WORDING</b>	<b>PENALTY AMOUNT</b>
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 No. 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**

<b>ITEM</b>	<b>PENALTY PROVISION</b>	<b>SHORT FORM WORDING</b>	<b>PENALTY AMOUNT</b>
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

<b>Table 6: Bylaw No. 2019-098 Regulating the Keeping of Dogs within the Municipality of Hastings Highlands</b>			
<b>ITEM</b>	<b>PENALTY PROVISION</b>	<b>SHORT FORM WORDING</b>	<b>PENALTY AMOUNT</b>
1	Section 3.1 & Section 3.4	Fail to keep dog(s) from being a public nuisance	<b>\$125.00</b>
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 No. 2020-009 A Bylaw to Regulate Parking in the Municipality of Hastings Highlands**

<b>ITEM</b>	<b>PENALTY PROVISION</b>	<b>SHORT FORM WORDING</b>	<b>PENALTY AMOUNT</b>
1	Section 2.1	Leave vehicle - prohibited	<b>\$30.00</b>
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 No. 2020-009 A Bylaw to Regulate Parking in the Municipality of Hastings Highlands (Cont'd)**

<b>ITEM</b>	<b>PENALTY PROVISION</b>	<b>SHORT FORM WORDING</b>	<b>PENALTY AMOUNT</b>
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	<b>\$300.00</b>
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 No. 2021-037 To Prohibit or Otherwise Regulate the Keeping of Certain Animals within the Municipality of Hastings Highlands**

<b>ITEM</b>	<b>PENALTY PROVISION</b>	<b>SHORT FORM WORDING</b>	<b>PENALTY AMOUNT</b>
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**

<b>ITEM</b>	<b>PENALTY PROVISION</b>	<b>SHORT FORM WORDING</b>	<b>PENALTY AMOUNT</b>
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 Licencing 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**

<b>ITEM</b>	<b>PENALTY PROVISION</b>	<b>SHORT FORM WORDING</b>	<b>PENALTY AMOUNT</b>
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

<b>Cont'd Table 9: Bylaw 2024-005 A Bylaw to Adopt a Business Licence Policy for the Municipality of Hastings Highlands</b>			
<b>ITEM</b>	<b>PENALTY PROVISION</b>	<b>SHORT FORM WORDING</b>	<b>PENALTY AMOUNT</b>
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

38	Appendix 'E' Section 4	Licensee permits unauthorized vendor to sell or offer goods, wares or merchandise - Municipal property	\$250.00
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**Cont'd Table 9: Bylaw 2024-005 A Bylaw to Adopt a Business Licence Policy for the Municipality of Hastings Highlands**

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**

<b>ITEM</b>	<b>COLUMN 1 Administrative Fee</b>	<b>COLUMN 2 Amount</b>
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