

TOWN OF HIGH RIVER  
ALBERTA

BY-LAW NO. 3553/86

BEING A BY-LAW OF THE TOWN OF HIGH RIVER IN THE PROVINCE OF ALBERTA TO ESTABLISH A GENERAL PENALTY FOR INFRACTIONS OF TOWN BY-LAWS.

WHEREAS

the Municipal Government Act and any amendments thereto of Statutes 1980 Chapter M-26 state:

(2) a Council may enact a general penalty by-law for a contravention of any by-law or of any number of specified by-laws, and may impose a fine and costs as set out in subsection (1)(a) and of the payment in addition to the penalty as set out in subsection (1)(b);

(3) a Council may, either in a general penalty provision in a by-law or in a penalty provision applicable to a contravention of a particular provision of a by-law, provide for

(a) a minimum fine, which shall be imposed by a court on a conviction for a contravention of the by-law,

(b) minimum and maximum fines applicable to 2nd or subsequent offences,

(c) a minimum daily fine not exceeding \$2500 for every day that the offence continues after conviction,

(d) any combination of fines authorized by this subsection, or

(e) a minimum period of imprisonment in case of non-payment of the fine and costs, which period may vary for first, second and subsequent offences but shall not exceed 6 months in respect of one offence;

(4) a penalty and licence fee imposed under this Act, unless provision is specially made in respect thereof, may be recovered and enforced with the costs of summary conviction before a justice of the peace or provincial judge.

AND  
WHEREAS

Council of the Town of High River deem it necessary to provide for a general penalty by-law for the contravention of Town by-laws not so covered heretofore;

NOW  
THEREFORE

Council of the Town of High River duly assembled hereby enact as follows:

That where no provisions for the penalty for contravention of any by-law or part thereof duly enacted heretofore or hereinafter, or where the penalties are set out herein;

That any person so violating the said by-laws, upon conviction by a Court shall be liable for the penalties imposed by the Court as follows:

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- (a) a minimum fine of \$25.00 and a maximum fine of \$1000.00 of a first offence upon conviction for a contravention of the by-law;
- (b) a minimum fine of \$50.00 and a maximum fine of \$2500.00 for a conviction of a second or subsequent offence; or
- (c) a minimum daily fine of \$100.00 for every day that the offence continues after conviction; or
- (d) any combination of fines authorized by this subsection; or
- (e) a minimum period of imprisonment in case of non-payment of the fine and costs, which shall be:
  - (i) for the first offence - 30 days
  - (ii) for a second and subsequent offence - 60 days

But such imprisonment shall not exceed six (6) months in respect of one offence.

THIS BY-LAW SHALL COME INTO FULL FORCE AND EFFECT UPON THE THIRD AND FINAL READING THEREOF.

READ A FIRST, SECOND AND BY UNANIMOUS CONSENT OF ALL COUNCIL PRESENT AND THIRD AND FINAL TIME THIS 20th DAY OF JANUARY A.D. 1986.

  
MAYOR

  
SECRETARY TREASURER

