

TOWN OF ST. ALBERT

BY-LAW No. 21/76

Being a by-law to provide for the manner of imposing penalties  
for infractions of Town by-laws.

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WHEREAS Council deems it desirable to impose penalties for infractions of Town by-laws and to enact procedures for the payment into the Town Treasurer or other person designated by Council of an amount to be accepted in lieu of prosecution;

NOW THEREFORE, the Municipal Council of the Town of St. Albert, duly assembled, hereby ENACTS AS FOLLOWS:

1. Any person who contravenes any provisions of any by-law of the Town of St. Albert now or hereinafter enacted for which no punishment has been specifically provided is guilty of an offence and liable on summary conviction to a fine not exceeding \$500.00, exclusive of costs and in the case of non-payment of the fine imprisonment for a period not exceeding six months unless the fine and costs of committal are sooner paid.
2. In the case of a conviction for non-payment of license fees, then in addition to the penalty set forth in Section 1 of this by-law, the Provincial Judge may order payment of any license fee payable to the Town under the provision of any Town by-law in addition to the penalty.
3. When a person is charged with a breach of any Town by-law, that has involved the moving or storage of a vehicle or the moving to storage or otherwise, of an obstruction on a highway, public place, civic or private parking lot on private property then any expense that has been incurred by the Town in connection with such moving or storage shall be added to the amount of any fine or penalty imposed for such breach of non-observance of the by-law and such expenses may be added to any amount that is fixed under any Town by-law as a payment to be made in lieu of prosecution as provided in the next section of this by-law.
4. Where there has been a contravention of any provision of any by-law of the Town of St. Albert now or hereinafter enacted a By-law Enforcement Officer may proceed to issue an "offense ticket" in accordance with the following procedure in lieu of proceeding with a prosecution.
5. An "offense ticket" is a tag wherein the person alleged to have committed a breach of a provision of any by-law of the Town of St. Albert is given an opportunity to make a voluntary penalty to the Town of St. Albert in lieu of being prosecuted under the alleged breach of that provision.
6. An "offense ticket" shall be a form approved by the Town Administrator and shall provide for the following:
  - (a) State the date of issue of the tag.
  - (b) State the name of the person alleged to have committed a breach.
  - (c) Describe the date and place of the alleged breach.
  - (d) Provide particulars of the alleged breach including a description of the specific provision of the by-law alleged to have been breached.
  - (e) Provide for a voluntary payment of \$10.00.
  - (f) Provide for the following notice to the person named on the tag:

"You are alleged to have committed a violation of the above described by-law.

You may avoid prosecution for this violation by making a voluntary payment of ten (\$10.00) dollars to the Controller, Town of St. Albert within 14 days of the date of this tag. The tag must be produced on payment.

Payment may be made in person or by mail addressed to the Controller, Town Hall, Town of St. Albert, Alberta. Payments by cash, money order or personal cheque to the Controller of the Town of St. Albert will be accepted. Failure to make the above payment within 14 days of the date of this tag shall automatically result in the commencement of a prosecution. Late payments shall not be accepted".

7. An "offence ticket" may be served on the alleged offender by serving him personally or by leaving the same at his residence or leaving it upon his vehicle in appropriate cases.
8. It shall be solely within the discretion of the By-law Enforcement Officer whether to proceed by way of issuance of a traffic tag or by way of commencement of a prosecution.
9. If an offence tag is not paid within 14 days of issuance the By-law Enforcement Officer may commence a prosecution and the prosecution for the alleged offence shall proceed as if no "offence ticket" has been issued.

READ FOR A FIRST TIME this 1<sup>st</sup> day of November, A.D. 1976.

READ FOR A SECOND TIME this 1<sup>st</sup> day of November, A.D. 1976.

READ FOR A THIRD AND FINAL TIME this 1<sup>st</sup> day of November, A.D. 1976.

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MAYOR

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SECRETARY