

**TICKETING CONSEQUENTIAL AMENDMENTS BYLAW**

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend a number of City Bylaws to support ticketing under the Ticket Bylaw, standardize penalty provisions within a number of Bylaws, remove the use of Offence Notices where no longer required and ensure appropriate City officials are authorized to undertake compliance and enforcement duties.

Under its statutory powers, including sections 260 to 273 of the *Community Charter*, the Council of the City of Victoria enacts the following provisions:

**Title**

1 This Bylaw may be cited as the "Ticketing Consequential Amendments Bylaw, 2010"

**Abandoned Properties Bylaw**

2 Bylaw No. 08-058, the Abandoned Properties Bylaw, is amended

- (a) by inserting in section 9(1) "the Ticket Bylaw," immediately after "subject to the penalties imposed by";
- (b) by deleting in section 9(3) "The minimum penalty for a contravention of" and replacing it with "Except as prescribed in the Ticket Bylaw, the minimum penalty for a contravention of"; and
- (c) by adding the following subsection to section 9:
  - "(4) The maximum fine that may be imposed for a contravention of this Bylaw is \$10,000."

**Bicycle Courier Bylaw**

3 Bylaw No. 93-6, the Bicycle Courier Bylaw, is amended

- (a) by deleting in section 9 "the City's Licence Inspector or by a person authorized to issue an offence notice under the Streets and Traffic Bylaw" and replacing it with "a Bylaw Officer or a Police Officer";
- (b) by inserting in section 10(1) "the Ticket Bylaw," immediately after "subject to the penalties imposed by";
- (c) by deleting in section 10(2) "The minimum penalty for a contravention of" and replacing it with "Except as prescribed in the Ticket Bylaw, the minimum penalty for a contravention of";
- (d) by adding the following subsection to section 10:

“(3) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”; and

(e) by deleting sections 11 and 12.

### **Blasting (Construction) Operations Bylaw**

4 Bylaw No. 06-008, the Blasting (Construction) Operations Bylaw, is amended by deleting in section 14(2) “The minimum penalty for an offence under” and replacing it with “Except as prescribed in the Ticket Bylaw, the minimum penalty for an offence under”.

### **Boulevard Tree Lighting Bylaw**

5 Bylaw No. 05-45, the Boulevard Tree Lighting Bylaw, is amended

(a) by adding in section 15 “the Ticket Bylaw and” immediately after “liable on conviction to the penalties prescribed under”; and

(b) by renumbering section 15 as section 15(1) and adding the following subsection:

“(2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”.

### **Business Licence Bylaw**

6 Bylaw No. 89-71, the Business Licence Bylaw, is amended

(a) by deleting section 26 and replacing it with the following:

“26 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person:

(a) contravenes a provision of this Bylaw;

(b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw; or

(c) neglects or refrains from doing anything required by a provision of this Bylaw.

(2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”;

(b) by deleting section 27;

(c) by deleting in section 28 “Upon the request of the Licence Inspector or any person authorized to issue an offence notice,” and replacing it with “Upon the request of a Bylaw Officer or a Police Officer,”; and

(d) by deleting sections 29 and 30.

This bylaw may or may not contain the latest amendment(s). It is provided for convenience only and should not be used in place of the actual bylaw. The latest version can be obtained from Legislative Services, City Hall, (250) 361-0571.

### **Commercial Vehicle Licensing Bylaw**

- 7** Bylaw No. 86-197, the Commercial Vehicle Licensing Bylaw, is amended
- (a) by deleting section 17; and
  - (b) by deleting section 18 and replacing it with the following:
    - “18 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person:
      - (a) contravenes a provision of this Bylaw;
      - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw; or
      - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
    - (2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”.

### **Escort and Dating Service Bylaw**

- 8** Bylaw No. 93-134, the Escort and Dating Service Bylaw, is amended
- (a) by adding in section 20(1) “the Ticket Bylaw” immediately after “subject to the penalties imposed by”;
  - (b) by deleting in section 20(2)(b) “\$2,500.00” and replacing it with “\$5,000.00”; and
  - (c) by deleting in section 20 subsections (3) to (8).

### **Fence Bylaw**

- 9** Bylaw No. 93-112, the Fence Bylaw, is amended by adding in section 11(b) “the Ticket Bylaw and” immediately after “subject to the penalties imposed by”.

### **Fireworks Bylaw**

- 10** Bylaw No. 07-070, the Fireworks Bylaw, is amended by adding in section 12(1) “the Ticket Bylaw,” immediately after “subject to the penalties imposed by”.

### **Garbage and Recycling Bylaw**

- 11** Bylaw No. 91-236, the Garbage and Recycling Bylaw, is amended by deleting section 25 and replacing it with the following:

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- “25 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person
- (a) contravenes a provision of this Bylaw,
  - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
  - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”.

### **Inspection Bylaw**

- 12 Bylaw No. 06-061, the Inspection Bylaw, is amended by deleting section 2(b) and replacing it with the following:

“(b) Manager of Bylaw and Licensing Services.”.

### **Litter Prohibition Bylaw, 1977**

- 13 Bylaw No. 7211, the Litter Prohibition Bylaw, 1977”, is amended by deleting section 7 and replacing it with the following:

- “7 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person
- (a) contravenes a provision of this Bylaw,
  - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
  - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”.

### **Noise Bylaw**

- 14 Bylaw No. 03-12, the Noise Bylaw, is amended

- (a) by deleting section 23(1) and replacing it with the following:

- “23 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person:
- (a) contravenes a provision of this Bylaw;

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- (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw; or
  - (c) neglects or refrains from doing anything required by a provision of this Bylaw.”; and
- (b) by adding the following subsection to section 23:
- “(3) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”.

### **Nuisance (Business Regulation) Bylaw**

- 15** Bylaw No. 05-69, the Nuisance (Business Regulation) Bylaw is amended by adding the following section:

#### **“Offences and Penalties**

- 8 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person
- (a) contravenes a provision of this Bylaw,
  - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
  - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”.

### **Outdoor Market Bylaw**

- 16** Bylaw No. 93-121, the Outdoor Market Bylaw, is amended by deleting section 8 and replacing it with:

- “8 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person
- (a) contravenes a provision of this Bylaw,
  - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
  - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.

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- (3) The minimum penalty for a contravention of a provision of this Bylaw is a fine of \$100.”.

### **Parking Lot Bylaw**

- 17** Bylaw No. 87-248, the Parking Lot Bylaw, is amended by deleting section 20 and replacing it with the following:

- “20 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person
- (a) contravenes a provision of this Bylaw,
  - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
  - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.
- (3) The minimum penalty for a contravention of a provision of this Bylaw is a fine of \$35.”.

### **Parks Regulation Bylaw**

- 18** Bylaw No. 07-059, the Parks Regulation Bylaw, is amended

- (a) by deleting in section 14(6), “Graffiti Bylaw” and replacing it with “Property Maintenance Bylaw”;
- (b) by deleting section 20 and replacing it with the following:
 

“20 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person

  - (a) contravenes a provision of this Bylaw,
  - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
  - (c) neglects or refrains from doing anything required by a provision of this Bylaw.

(2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”; and
- (c) by deleting sections 21 and 22.

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### **Property Maintenance Bylaw**

- 19** Bylaw No. 07-050, the Property Maintenance Bylaw, is amended
- (a) by deleting in section 7(2), “The Supervisor, Parks Operations” and replacing it with “A Bylaw Officer”;
  - (b) by deleting in section 8(4), “the Supervisor, Parks Operations” and replacing it with “Bylaw Officers”; and
  - (c) by renumbering section 9 as section 9(1) and adding the following subsection:
    - “(2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”.

### **Residential Properties Parking Bylaw**

- 20** Bylaw No. 85-5, the Residential Properties Parking Bylaw, is amended
- (a) by deleting section 6 and replacing it with:
    - “6 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the Offence Act if that person
      - (a) contravenes a provision of this Bylaw,
      - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
      - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
    - (2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”; and
  - (b) by deleting section 7.

### **Ross Bay Cemetery Bylaw**

- 21** Bylaw No. 10-046, the Ross Bay Cemetery Bylaw, is amended
- (a) by adding to the definition of “officer” in section 2 “a bylaw officer”, immediately after “means”;
  - (b) by adding in section 54 “the Ticket Bylaw,” immediately after “subject to the penalties imposed by”;
  - (c) by adding the following subsection to section 55:

“(5) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”.

(d) by deleting paragraph (b) of section 55(1); and

(e) by deleting subsections (2) and (3) of section 55.

### **Second Hand Dealers Bylaw**

**22** Bylaw No. 79-49, the Second Hand Dealers Bylaw, is amended by deleting section 24 and replacing it with the following:

- “24 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person
- (a) contravenes a provision of this Bylaw,
  - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
  - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”.

### **Sidewalk Cafes Regulation Bylaw**

**23** Bylaw No. 02-75, the Sidewalk Cafes Regulation Bylaw, is amended

- (a) in section 7.3(b) by adding “the Ticket Bylaw,” immediately after “subject to the penalties prescribed by”; and
- (b) by deleting sections 7.5, 7.6, 7.7 and 7.8.

### **Sign Bylaw**

**24** Bylaw No. 92-30, the Sign Bylaw, is amended

- (a) by deleting section 13.1 and replacing it with:
  - “13.1 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person
  - (a) contravenes a provision of this Bylaw,
  - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or



- (c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”; and
- (b) by deleting in section 13.2, subsections (2) to (9).

### **Storm Water Bylaw**

**25** Bylaw No. 01-154, the Storm Water Bylaw, is amended

- (a) by deleting section 11.0(1) and replacing it with:
  - “(1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person
    - (a) contravenes a provision of this Bylaw,
    - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
    - (c) neglects or refrains from doing anything required by a provision of this Bylaw.”; and
- (b) by adding the following subsection in section 11.0:
  - “(3) The maximum fine that may be imposed for a contravention of this Bylaw is \$10,000.”.

### **Street Collections Bylaw, 1977**

**26** Bylaw No. 7256, the Street Collections Bylaw, 1977, is amended

- (a) by deleting section 9 and replacing it with:
  - “9 No person shall submit false or misleading information in an application for a permit under this Bylaw.”; and
- (b) by adding the following section:
  - “10 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person
    - (a) contravenes a provision of this Bylaw,
    - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or

- (c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”.

### **Street Vendors Bylaw**

**27** Bylaw No. 89-72, the Street Vendors Bylaw, is amended

- (a) by deleting sections 28, 40, 41, 42 and 43;
- (b) by deleting in section 30(1) “, excluding sections 26 and 29,”;
- (c) by deleting in section 30(2) “excluding sections 26 and 29 of that Bylaw,”; and
- (d) by deleting section 39 and replacing it with:
  - “39 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person
    - (a) contravenes a provision of this Bylaw,
    - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
    - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
  - (2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.
  - (3) The minimum penalty for a contravention of a provision of this Bylaw is a fine of \$100.”.

### **Streets and Traffic Bylaw**

**28** Bylaw No. 09-079, the Streets and Traffic Bylaw is amended

- (a) in section 119 by adding “the Ticket Bylaw,” immediately after “subject to the penalties imposed by”; and
- (b) by renumbering section 119 as 119(1) and adding the following subsection:
  - “(2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”.

### **Towing Companies Bylaw**

**29** Bylaw No. 92-188, the Towing Companies Bylaw, is amended

(a) by deleting section 24(1) and replacing it with:

“24 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person

- (a) contravenes a provision of this Bylaw,
- (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
- (c) neglects or refrains from doing anything required by a provision of this Bylaw.”; and

(b) by adding the following subsection in section 24:

“(4) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”.

### **Tree Preservation Bylaw**

**30** Bylaw No. 05-106, the Tree Preservation Bylaw, is amended by adding the following subsections in section 23:

“(4) The maximum fine that may be imposed for a contravention of this Bylaw is \$10,000.

(5) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”.

### **Vehicles For Hire Bylaw**

**31** Bylaw No. 03-60, the Vehicles For Hire Bylaw, is amended by deleting section 76 and replacing it with:

“76 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person

- (a) contravenes a provision of this Bylaw,
- (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
- (c) neglects or refrains from doing anything required by a provision of this Bylaw.

- (2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.
- (3) The minimum penalty for a contravention of a provision of this Bylaw is a fine of \$100.”.

**Zoning Regulation Bylaw**

**32** Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended by deleting section 30 and replacing it with:

- “30 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person
  - (a) contravenes a provision of this Bylaw,
  - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
  - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.”.

READ A FIRST TIME the **28<sup>th</sup>** day of **October,** 2010.

READ A SECOND TIME the **28<sup>th</sup>** day of **October,** 2010.

READ A THIRD TIME the **28<sup>th</sup>** day of **October,** 2010.

| ADOPTED on the **25<sup>th</sup>** day of **November,** 2010.

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**“ROBERT G. WOODLAND”**  
CORPORATE ADMINISTRATOR

**“DEAN FORTIN”**  
MAYOR