



BY-LAW NO. 2025-0053

A By-law to amend By-law 2025-0008 being a By-law to establish a System of Administrative Monetary Penalties (Regulatory – Non-Parking)

WHEREAS Sections 23.1, 23.2 and 23.5 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, hereinafter referred to as the “*Municipal Act*” authorizes the municipality to delegate its administrative and hearing powers; and

WHEREAS Section 391 of the *Municipal Act* authorizes a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; and

WHEREAS Section 434.1 of the *Municipal Act* authorizes a 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 by-law of the municipality passed under the *Municipal Act*, in order to assist the municipality in promoting compliance with its by-laws; and

WHEREAS Section 434.1(3) of the *Municipal Act* provides that the amount of an administrative penalty established by a municipality shall not be punitive in nature and shall not exceed the amount reasonably required to promote compliance with a by-law; and

WHEREAS Section 434.2 of the *Municipal Act* provides that an administrative penalty imposed by a municipality on a person constitutes a debt of the person to the municipality and may be added to the tax roll of a property located in the municipality if not paid within fifteen (15) days after the date it becomes due and payable; and

WHEREAS Council is satisfied that the system of administrative penalties provided for herein, are not punitive in nature and are in amounts reasonably required to promote compliance with the by-laws of the municipality; and

AND WHEREAS on February 10, 2025 Council approved adopted By-law 2025-0008 being a By-law to establish a System of Administrative Monetary Penalties (Regulatory – Non-Parking); and

AND WHEREAS on March 24, 2025 Council approved and adopted By-law 2025-0009 being a By-law to prohibit or regulate Site Alteration within the Town of Halton Hills.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

1. By-law No. 2025-0008 be amended to include Schedule S. (attached to this by-law as Appendix A)

BY-LAW read and passed by the Council for the Town of Halton Hills this 16th day of June, 2025.

Originally Signed By:

MAYOR – ANN LAWLOR

Originally Signed By:

TOWN CLERK – VALERIE PETRYNIAK

SCHEDULE S1

DESIGNATED BY-LAWS AND ADMINISTRATIVE PENALTIES

1. For the purposes of Section 3.1 of this By-law:
 - (a) Column 1 in Table 1 lists the provisions in the **Town's** Site Alteration By-law 2025-0009, as amended, that are hereby designated for the purposes of Section 434.1 of the **Municipal Act**;
 - (b) Column 2 in Table 1 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 1 sets out the **Administrative Penalty** amounts that are payable by a **person** excluding a **corporation** for a contravention of the designated provisions listed in Column 1 of the **Town's** Site Alteration By-law 2025-0009 (the "**Designated By-Law**"), as amended for each day that the contravention occurred or **continued**, as defined in the **AMPS By-law – Non-Parking**;
 - (d) For the purposes of determining whether a contravention is a First, Second or Subsequent Contravention under Column 3 of Table 1:
 - (i) where no **Penalty Notice** has been issued to a **person** under the **Designated By-Law**, the First Contravention penalties apply;
 - (ii) where one **Penalty Notice** has been previously issued to a **person** under the **Designated By-Law**, the Second Contravention penalties apply, regardless of which Designated Provision was contravened;
 - (iii) where two or more **Penalty Notices** have been previously issued to a **person** under the **Designated By-Law**, the Subsequent Contravention penalties apply, regardless of which Designated Provision was contravened;
 - (iv) where a **Penalty Notice** has been cancelled it shall not be considered a Penalty Notice for the purposes of this By-Law; and
 - (e) where a prior **Penalty Notice** was cancelled after the issuance of a subsequent **Penalty Notice**, and as a consequence a lower penalty would have been payable under Column 3 of Table 1, the penalty in the subsequent Penalty Notice may be administratively reduced to accord with rules in subsection (d).

SCHEDULE S1 - TABLE 1

	Column 1	Column 2	Column 3		
	Section of Designated Bylaw	Contraventions	Administrative Penalty per Contravention		
			First Penalty Notice (per day)	Second Penalty Notice (per day)	Subsequent Penalty Notices (per day)
1	Section 4.1	Undertake a site alteration on lands without a permit	\$500.00	\$1000.00	\$1500.00
2	Section 4.2	Undertake a site alteration on lands without consent of the registered owner	\$500.00	\$1000.00	\$1500.00
3	Section 4.3	Undertake a site alteration on lands not in accordance with the terms and conditions of a permit	\$500.00	\$1000.00	\$1500.00
4	Section 4.4	Undertake a site alteration on lands other than in accordance with a Site Alteration Agreement	\$500.00	\$1000.00	\$1500.00
5	Section 4.5	Undertake a site alteration on lands in a prohibited area	\$500.00	\$1000.00	\$1500.00
6	Section 4.6	Transport or Haul or cause to be transported or hauled fill on a highway that is not an approved haul route	\$500.00	\$1000.00	\$1500.00
7	Section 4.7(a)	Transport or Haul or cause to be transported or hauled fill on a highway on a Saturday, Sunday or Statutory Holiday	\$500.00	\$1000.00	\$1500.00
8	Section 4.7(b)	Transport or Haul or cause to be transported or hauled fill on a highway before 7:00am or after 7:00pm, Monday through Friday	\$500.00	\$1000.00	\$1500.00
9	Section 4.8	Undertake a site alteration that alters or obstructs a watercourse,	\$500.00	\$1000.00	\$1500.00

		ditch, swale, drainage system, Town easement or catch basin			
10	Section 4.9	Undertake a site alteration that involves the dumping placing, stockpiling of fill on lands with contaminants of concern	\$500.00	\$1000.00	\$1500.00
11	Section 4.10	Alter or cause to be altered the existing grade of a property that negatively impacts drainage on adjacent lands	\$500.00	\$1000.00	\$1500.00
12	Section 4.11	Fail to restore a site to its original condition or stabilize a site to the satisfaction of the officer	\$500.00	\$1000.00	\$1500.00
13	Section 4.12	Dump or place waste or cause to be dumped or placed waste except at an authorized waste disposal site	\$500.00	\$1000.00	\$1500.00
14	Section 4.13	Remove or cause to be removed topsoil for sale or exchange without a permit	\$500.00	\$1000.00	\$1500.00
15	Section 4.14	Alter, remove, or obstruct or cause to be altered, removed or obstructed catch basin/swale/ditch/drainage system or watercourse that is subject to an easement	\$500.00	\$1000.00	\$1500.00
16	Section 4.15	Fail to display a permit	\$500.00	\$1000.00	\$1500.00
17	Section 4.16	Fail to comply with an Order	\$500.00	\$1000.00	\$1500.00
18	Section 4.17	Transport, haul, dump, or place fill or cause to be transported hauled, dumped or placed in a manner contrary to another Act or Regulation	\$500.00	\$1000.00	\$1500.00
19	Section 4.18 (a)	Fail to produce and carry at all times a record indicating the address of the source site	\$500.00	\$1000.00	\$1500.00
20	Section 4.18 (b)	Fail to produce and carry at all times a record indicating date and	\$500.00	\$1000.00	\$1500.00

		time the fill was loaded for transportation			
21	Section 4.18 (c)	Fail to produce and carry at all times a record indicating the quantity of fill in the load	\$500.00	\$1000.00	\$1500.00
22	Section 4.18 (d)	Fail to produce and carry at all times a record indicating whether the load includes salt-impacted excess soil	\$500.00	\$1000.00	\$1500.00
23	Section 4.18 (e)	Fail to produce and carry at all times a record indicating the name, phone number and email address of an individual at the source site to be contacted about inquiries regarding the fill, including inquiries regarding the fill quality	\$500.00	\$1000.00	\$1500.00
24	Section 4.18 (f)	Fail to produce and carry at all times a record indicating the name of the corporation, partnership or firm transporting the fill, the name of the driver of the vehicle and the licence plate number issued for the vehicle	\$500.00	\$1000.00	\$1500.00
25	Section 4.18 (g)	Fail to produce and carry at all times a record indicating the address of the receiving site	\$500.00	\$1000.00	\$1500.00
26	Section 4.18 (h)	Fail to produce and carry at all times a record indicating the name, phone number and email address of an individual at the receiving site, to be contacted about inquiries regarding the dumping or placing of fill	\$500.00	\$1000.00	\$1500.00
27	Section 4.19	Fail to produce a fill record with the required information	\$500.00	\$1000.00	\$1500.00
28	Section 4.20	Undertake a site alteration on lands subject to approval without	\$500.00	\$1000.00	\$1500.00

		an executed Development Agreement			
29	Section 4.21	Undertake a site alteration on lands for temporary storage of fill in excess of 500m ³ without a permit.	\$500.00	\$1000.00	\$1500.00

SCHEDULE S2

DESIGNATED BY-LAWS AND ADMINISTRATIVE PENALTIES

1. For the purposes of Section 3.1 of this By-law:
 - (a) Column 1 in Table 2 lists the provisions in the **Town's** Site Alteration By-law 2025-0009 as amended, that are hereby designated for the purposes of Section 434.1 of the **Municipal Act**;
 - (b) Column 2 in Table 2 sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
 - (c) Column 3 in Table 2 sets out the **Administrative Penalty** amounts that are payable by a **person** that is a **corporation** for a contravention of the designated provisions listed in Column 1 of the **Town's** Site Alteration By-law 2025-0009 (the "**Designated By-Law**"), as amended for each day that the contravention occurred or **continued**, as defined in the **AMPS By-law – Non-Parking**;
 - (d) For the purposes of determining whether a contravention is a First, Second or Subsequent Contravention under Column 3 of Table 2:
 - (i) where no **Penalty Notice** has been issued to a **person** under the **Designated By-Law**, the First Contravention penalties apply;
 - (ii) where one **Penalty Notice** has been previously issued to a **person** under the **Designated By-Law**, the Second Contravention penalties apply, regardless of which Designated Provision was contravened;
 - (iii) where two or more **Penalty Notices** have been previously issued to a **person** under the **Designated By-Law**, the Subsequent Contravention penalties apply, regardless of which Designated Provision was contravened;
 - (iv) where a **Penalty Notice** has been cancelled it shall not be considered a Penalty Notice for the purposes of this By-Law; and
 - (e) where a prior **Penalty Notice** was cancelled after the issuance of a subsequent **Penalty Notice**, and as a consequence a lower penalty would have been payable under Column 3 of Table 2, the penalty in the subsequent Penalty Notice may be administratively reduced to accord with rules in subsection (d).

SCHEDULE S2 - TABLE 1

	Column 1	Column 2	Column 3		
	Section of Designated Bylaw	Contraventions	Administrative Penalty per Contravention		
			First Penalty Notice (per day)	Second Penalty Notice (per day)	Subsequent Penalty Notices (per day)
1	Section 4.1	Undertake a site alteration on lands without a permit	\$1000.00	\$1500.00	\$2000.00
2	Section 4.2	Undertake a site alteration on lands without consent of the registered owner	\$1000.00	\$1500.00	\$2000.00
3	Section 4.3	Undertake a site alteration on lands not in accordance with the terms and conditions of a permit	\$1000.00	\$1500.00	\$2000.00
4	Section 4.4	Undertake a site alteration on lands other than in accordance with a Site Alteration Agreement	\$1000.00	\$1500.00	\$2000.00
5	Section 4.5	Undertake a site alteration on lands in a prohibited area	\$1000.00	\$1500.00	\$2000.00
6	Section 4.6	Transport or Haul or cause to be transported or hauled fill on a highway that is not an approved haul route	\$1000.00	\$1500.00	\$2000.00
7	Section 4.7 (a)	Transport or Haul or cause to be transported or hauled fill on a highway on a Saturday, Sunday or Statutory Holiday	\$1000.00	\$1500.00	\$2000.00
8	Section 4.7 (b)	Transport or Haul or cause to be transported or hauled fill on a highway before 7:00am or after 7:00pm, Monday through Friday	\$1000.00	\$1500.00	\$2000.00

9	Section 4.8	Undertake a site alteration that alters or obstructs a watercourse, ditch, swale, drainage system, Town easement or catch basin	\$1000.00	\$1500.00	\$2000.00
10	Section 4.9	Undertake a site alteration that involves the dumping placing, stockpiling of fill on lands with contaminants of concern	\$1000.00	\$1500.00	\$2000.00
11	Section 4.10	Alter or cause to be altered the existing grade of a property that negatively impacts drainage on adjacent lands	\$1000.00	\$1500.00	\$2000.00
12	Section 4.11	Fail to restore a site to its original condition or stabilize a site to the satisfaction of the officer	\$1000.00	\$1500.00	\$2000.00
13	Section 4.12	Dump or place waste or cause to be dumped or placed waste except at an authorized waste disposal site	\$1000.00	\$1500.00	\$2000.00
14	Section 4.13	Remove or cause to be removed topsoil for sale or exchange without a permit	\$1000.00	\$1500.00	\$2000.00
15	Section 4.14	Alter, remove, or obstruct or cause to be altered, removed or obstructed catch basin/swale/ditch/drainage system or watercourse that is subject to an easement	\$1000.00	\$1500.00	\$2000.00
16	Section 4.15	Fail to display a permit	\$1000.00	\$1500.00	\$2000.00
17	Section 4.16	Fail to comply with an Order	\$1000.00	\$1500.00	\$2000.00
18	Section 4.17	Transport, haul, dump, or place fill or cause to be transported hauled, dumped or placed in a manner contrary to another Act or Regulation	\$1000.00	\$1500.00	\$2000.00

19	Section 4.18 (a)	Fail to produce and carry at all times a record indicating the address of the source site	\$1000.00	\$1500.00	\$2000.00
20	Section 4.18 (b)	Fail to produce and carry at all times a record indicating date and time the fill was loaded for transportation	\$1000.00	\$1500.00	\$2000.00
21	Section 4.18 (c)	Fail to produce and carry at all times a record indicating the quantity of fill in the load	\$1000.00	\$1500.00	\$2000.00
22	Section 4.18 (d)	Fail to produce and carry at all times a record indicating whether the load includes salt-impacted excess soil	\$1000.00	\$1500.00	\$2000.00
23	Section 4.18 (e)	Fails to produce and carry at all times a record indicating the name, phone number and email address of an individual at the source site to be contacted about inquiries regarding the fill, including inquiries regarding the fill quality	\$1000.00	\$1500.00	\$2000.00

24	Section 4.18 (f)	Fails to produce and carry at all times a record indicating the name of the corporation, partnership or firm transporting the fill, the name of the driver of the vehicle and the licence plate number issued for the vehicle	\$1000.00	\$1500.00	\$2000.00
25	Section 4.18 (g)	Fails to produce and carry at all times a record indicating the address of the receiving site	\$1000.00	\$1500.00	\$2000.00
26	Section 4.18 (h)	Fails to produce and carry at all times a record indicating the name, phone number and email address of an individual at the receiving site, to be contacted about inquiries regarding the dumping or placing of fill	\$1000.00	\$1500.00	\$2000.00
27	Section 4.19	Fail to produce a fill record with the required information	\$1000.00	\$1500.00	\$2000.00
28	Section 4.20	Undertake a site alteration on lands subject to approval without an executed Development Agreement	\$1000.00	\$1500.00	\$2000.00
29	Section 4.21	Undertake a site alteration on lands for temporary storage of fill in excess of 500m ³ without a permit.	\$1000.00	\$1500.00	\$2000.00