

**THE CORPORATION OF THE  
MUNICIPALITY OF CHARLTON AND DACK**

**BY-LAW NO. 133**

**BEING A BY-LAW TO ESTABLISH A FINE FOR WORK ON MUNICIPAL ROADS  
WITHOUT APPROVAL OF THE MUNICIPALITY.**

**WHEREAS** Section 27(1), of the Municipal Act 2001, states a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway; and,

**WHEREAS** Section 425(1), states that a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under this Act is guilty of an offence; and,

**WHEREAS** Section 429 (1), a municipality may establish a system of fines for offences under a by-law of the municipality passed under this Act; and,

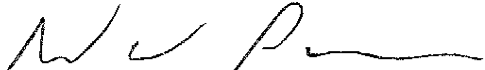
**WHEREAS** every fine imposed for a contravention of a by-law of a municipality or by-law of a local board of the municipality belongs to the municipality,

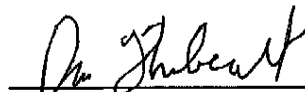
**NOW THEREFORE** the Council of the Municipality of Charlton and Dack enacts as follows:

1. **THAT** the municipal road department has a duty to ensure that minimum standards are maintained and second that such services are efficiently and effectively rendered.
2. **THAT** any work on municipal roads or lands without the permission of the Public Works Superintendent could jeopardize the municipalities ability to maintain minimum standards.
3. **THAT** any person or company that conducts any work on municipal roads or lands without permission from the Public Works Superintendent is hereby in violation of this by-law and subject to a fine.
4. **THAT** a person who contravenes any provision of this by-law is guilty of an offence and shall, upon conviction thereof, be subject to a fine of not less than \$500.00 to a fine of not more than \$100,000.
5. **THAT** all other by-laws, resolutions, or parts thereof, contrary hereto or inconsistent herewith, be and the same hereby repealed.
6. **THAT** this by-law shall come into force and effect upon the passing of third and final reading.

READ A FIRST AND SECOND TIME THIS 27<sup>TH</sup> DAY OF JUNE, 2011

READ A THIRD TIME, SIGNED AND SEALED THIS 27<sup>TH</sup> DAY OF JUNE, 2011.

  
\_\_\_\_\_  
WAYNE PAWSON/REEVE

  
\_\_\_\_\_  
DAN THIBEAULT/CLERK-TREASURER CAO