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45 MAIN STREET EAST, SUITE 762  
HAMILTON, ONTARIO L8N 2B7

PALAIS DE JUSTICE  
45 RUE MAIN EST, PIÈCE 762  
HAMILTON (ONTARIO) L8N 2B7  
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September 18, 2009

Sherry Hanson  
Municipal Law Enforcement Officer  
City of Port Colborne  
66 Charlotte Street  
Port Colborne, ON L3K 3C8

Dear Ms. Hanson:

Re: Set Fines - Provincial Offences Act - Part I, City of Port Colborne

Enclosed herewith is an Order, schedule of Set Fines and a certified copy of By-law Number 5228/134/08, as amended, the By-law indicated in the schedule.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

I have forwarded the original of the Order and the schedule of the set fines to the Provincial Offences Court in St. Catharines, together with a certified copy of the By-law.

Yours truly,

A handwritten signature in black ink, appearing to read 'K. Hawke', written over a horizontal line.

Kathryn Hawke  
A/Regional Senior Justice  
Central South Region


Enclosures

## **PROVINCIAL OFFENCES ACT**

### **Part I**

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 5228/134/08, as amended, of the Corporation of the City of Port Colborne, attached hereto is the set fine for that offence. This Order is to take effect September 18, 2009.

Dated at Hamilton this 18th day of September 2009.

  
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Kathryn Hawke  
A/Regional Senior Justice  
Central South Region

Part 1 Provincial Offences Act  
 Offences and Set Fines Under By-law 5228/134/08, as amended of The Corporation of the City of Port Colborne

| ITEM | COLUMN 1<br>Short Form Wording   | COLUMN 2<br>Offence creating provision or defining offence | COLUMN 3<br>Set Fine |
|------|--|--|----------------------|
| 1    | Fouled, obstructed or blocked flows in the Sewer Works or Drainage Works                                     | 6.1 (1)  | \$450                |
| 2    | Deposited or discharge into the Sewer Works or Drainage Works a substance harmful to a person                | 6.1 (2)  | \$450                |
| 3    | Deposited or discharge into the Drainage Works a substance harmful to the natural environment                | 6.1 (3)  | \$450                |
| 4    | Deposited or discharged into the Sewer Works or Drainage Works a prohibited substance                        | 6.1 (4)  | \$450                |
| 5    | Failed to connect to an abutting sanitary sewermain  | 6.2 (1)  | \$450                |
| 6    | Failed to provide a storm water or drainage discharge control in compliance with Corporation Standards       | 6.2 (2)  | \$450                |
| 7    | Unauthorized connection to the Sewer Works or Drainage Works   | 6.2 (3)  | \$450                |
| 8    | Failed to obtain a service connection permit   | 6.2 (4)  | \$400                |
| 9    | Failed to construct a private lateral in conformance with the By-law   | 6.2 (5)  | \$400                |
| 10   | Failed to construct a private sewage collection system in accordance with the By-law                         | 6.2 (6)  | \$300                |
| 11   | Failed to construct a private drainage system in conformance with Corporation Standards                      | 6.2 (6)  | \$200                |
| 12   | Connected a private lateral to the Sewer Works or Drainage Works without prior inspection and approval       | 6.2 (7)  | \$300                |
| 13   | Connected a private drainage system to the Drainage Works prior to inspection and approval                   | 6.2 (8)  | \$300                |
| 14   | Connected a private sewage collection system to the Sewer Works prior to inspection and approval             | 6.2 (9)  | \$300                |
| 15   | Failed to inform that a private lateral was available for inspection   | 6.2(10)  | \$200                |
| 16   | Failed to undertake and report the results of required specified tests                                       | 6.2(11)  | \$300                |
| 17   | Failed to provide access for inspection, maintaining, repairing, modifying or replacing a service connection | 6.2(12)  | \$300                |

**NOTE:** The penalty provision for the offences indicated above is section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33

*R.A. 1/09.*

| ITEM | COLUMN 1<br>Short Form Wording   | COLUMN 2<br>Offence creating<br>provision or<br>defining offence | COLUMN 3<br>Set Fine |
|------|--|--|----------------------|
| 18   | Failed to provide access for inspection to ensure compliance with the By-law                           | 6.2(13)  | \$300                |
| 19   | Hindered a Corporation Officer or Agent in the exercise of a power or duty under By-law                | 6.2(14)  | \$300                |
| 20   | Without authority discharge sewage to the Sewer Works not originating from the Water Works             | 6.2(15)  | \$200                |
| 21   | Without authorization discharged storm, drainage or ground water or leachate to the Sewer Works        | 6.2(16)  | \$400                |
| 22   | Without authorization discharged hauled sewage or sludge to the Sewer Works                            | 6.2(17)  | \$450                |
| 23   | Failed to notify the Corporation of a discharge that is in violation of the By-law                     | 6.2(18)  | \$200                |
| 24   | Failed to notify the Corporation of a discharge that is or may be hazardous to a person                | 6.2(19)  | \$300                |
| 25   | Failed to notify the Corporation of a discharge that is or may be hazardous to the natural environment | 6.2(20)  | \$200                |
| 26   | Failed to protect a service connection   | 6.2(21)  | \$200                |
| 27   | Failed to provide the "construction data" and location information for a private lateral               | 6.2(22)  | \$100                |
| 28   | Failed to maintain a private lateral   | 6.2(23)  | \$200                |
| 29   | Failed to maintain a private sewage collection system  | 6.2(25)  | \$300                |
| 30   | Failed to maintain a private drainage system or storm water management system                          | 6.2(26)  | \$200                |
| 31   | Failed to provide written notification that a service connection has been disconnected                 | 6.2(27)  | \$200                |
| 32   | Without approval, capped a service connection  | 6.2(28)  | \$400                |
| 33   | Failed to blank a service connection in conformance with the By-law                                    | 6.2(29)  | \$200                |
| 34   | Failed to blank a service connection as specified by the Chief Building Official                       | 6.2(29)  | \$100                |
| 35   | Failed to blank a municipal lateral while awaiting approval to connect                                 | 6.2(30)  | \$100                |
| 36   | Failed to blank a service connection required for the demolition of a building                         | 6.2(31)  | \$300                |
| 37   | Failed to obtain permission to reuse a blanked service connection                                      | 6.2(32)  | \$300                |
| 38   | Failed to provide excavation, backfill and reinstatement to enable blanking of a service connection    | 6.2(33)  | \$200                |

**NOTE:** The penalty provision for the offences indicated above is section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33