

TOWN OF STRATFORD

NOISE AND NUISANCE BYLAW AMENDMENT

BYLAW NUMBER 30B

A Bylaw to amend the Noise and Nuisance Bylaw, Bylaw # 30, to enable the issuance of municipal offence tickets for offences against the bylaw.

This bylaw is made under the authority of the *Charlottetown Area Municipalities Act* R.S.P.E.I. 1988, Cap. C-4.1.

BE IT ENACTED by the Council of the Town of Stratford that the Noise and Nuisance Bylaw, Bylaw # 30, be amended as follows:

1. That section 12 be deleted and replaced with new section 12 as follows:
 - 12 Prosecution and Enforcement
 - a. The prosecution of offences under this Bylaw shall be in accordance with the Summary Proceedings Bylaw, Bylaw # 34; and
 - b. This Bylaw may be enforced and any breach thereof may be restrained by application by the Council to the Supreme Court of the Province of Prince Edward Island in accordance with subsection 139(3) of the *Charlottetown Area Municipalities Act* or any successor act or provision.
2. That paragraph 13(a) be deleted and replaced with new paragraph 13(a) as follows:
 - 13.a Any person who contravenes any provision of this Bylaw is guilty of an offence and liable, on summary conviction, for a fine of not less than \$100 and not more than \$500 and in default of payment of any fine imposed, to imprisonment for a term not exceeding 60 days;
3. That paragraph 13(c) be deleted and replaced with new paragraph 13(c) as follows:
 - 13.c Where any person contravenes the same provision of this Bylaw twice in one year that person is guilty of an offence and liable, on summary conviction, for a fine of not less than \$200 and not more than \$1,000 for the second offence and in default of payment of any fine imposed, to imprisonment for a term not exceeding 60 days;

4. That paragraph 13(d) be deleted and replaced with new paragraph 13.d as follows:

13.d Where any person contravenes the same provision of this Bylaw three or more times in one year, that person is guilty of an offence and liable, on summary conviction, for a fine of not less than \$300 and not more than \$1,500 for the third and subsequent offences and in default of payment of any fine imposed to imprisonment to a term not exceeding 60 days;

The 1st reading of this bylaw was approved by Council at a meeting held on _____.

The 2nd reading of this bylaw was approved by Council at a meeting held on _____.

This bylaw was formally adopted by Council at a meeting held on _____.

This bylaw is hereby declared to be passed and proclaimed as a bylaw of the Town of Stratford on this _____ day of _____

David Dunphy
Mayor

Robert G. Hughes
Chief Administrative Officer

This Bylaw was filed with the Minister of Finance, Energy and Municipal Affairs on this ____ day of _____ 2014.