

By-law 2016-165

**A By-law of the City of Greater Sudbury to Amend By-law 2011-219
being a By-law of the City of Greater Sudbury to Regulate the Fouling,
Obstruction, Use and Care of Roads**

Whereas the Council of the City of Greater Sudbury deems it desirable to amend By-law 2011-219 being a By-law of the City of Greater Sudbury to Regulate the Fouling, Obstruction, Use and Care of Roads in order to provide for certain additional fees;

Now therefore the Council of the City of Greater Sudbury hereby enacts as follows:

Enact Section 20.1

1. By-Law 2011-219 being a By-law of the City of Greater Sudbury to Regulate the Fouling, Obstruction, Use and Care of Roads is hereby amended by enacting the following section 20.1 immediately after section 20 and before section 21:

"Attendance Fee

21.1(1) An enforcement attendance fee in an amount determined in accordance with the City's Miscellaneous User Fee By-law then in effect shall be payable on a time spent basis:

- (a) for the second and each subsequent inspection conducted by a By-law Enforcement Officer to ascertain compliance with a notice, direction or order pursuant to this By-law, which is conducted after the specified date for compliance; and
 - (b) in the event that a By-law Enforcement Officer attends any remediation directed by or conducted by the City, pursuant to this By-law as a result of a failure to comply with an order made pursuant to this By-law.
- (2) Any fee under subsection 21.1(1) shall be payable:
- (a) in accordance with the provisions of the City's Miscellaneous User Fee By-law then in effect; and
 - (b) in addition to any fine levied upon conviction of an offence under this By-law, and whether or not there is a charge laid, and whether or not any charge laid leads to a conviction."

Transition

2. Where a part of a by-law is repealed by this By-law, the repeal does not:
- (a) affect the previous operation of the part of the by-law so repealed;
 - (b) affect any right, privilege, obligation or liability acquired, accrued, accruing, or incurred under the part of the by-law so repealed; or
 - (c) affect any offence committed against any part of the by-law so repealed or any penalty or forfeiture or punishment incurred in respect thereof; or affect any investigation, legal proceeding or remedy in respect of such privilege, obligation, liability, penalty, forfeiture or punishment.

Effective

3. This By-law shall come into full force and effect upon passage.

Read and Passed in Open Council this 9th day of August, 2016



Mayor



Deputy
Clerk