

THE CITY OF WINNIPEG

BY-LAW NO. 30/2006

A By-law of THE CITY OF WINNIPEG to increase minimum fines under the City of Winnipeg Noise Control By-law No. 2480/79, the Food Service Establishment By-law No. 5160/89, the Fire Prevention By-law No. 150/2004 and the Residential Buildings Fire Safety By-law No. 4304/86.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Noise By-law amended

1. The Noise By-law No. 2480/79 is amended by repealing section 6.1 and substituting the following:

6.1 A person who contravenes this By-law is guilty of an offence and is liable upon summary conviction to the following penalties:

(a) if the person is an individual

- (i) for a first offence, to a fine of not less than \$50.00;*
- (ii) for a second offence, to a fine of not less than \$100.00;*
and
- (iii) for a third or subsequent offence, to a fine of not less than \$150.00; and*

(b) if the person is a corporation

- (i) for a first offence, to a fine of not less than \$100.00;*
- (ii) for a second offence, to a fine of not less than \$200.00;*
and
- (iii) for a third or subsequent offence, to a fine of not less than \$300.00.*

Food Service Establishment By-law amended

2. The Food Service Establishment By-law No. 5160/89 is amended by striking out clauses 37(a), (b) and (c) and substituting the following:

(a) for a first offence, to a fine of not less than \$100.00;

(b) for a second offence, to a fine of not less than \$200.00; and

- (c) *for a third or subsequent offence, to a fine of not less than \$400.00;*

Fire Prevention By-law amended

3. The Fire Prevention By-law No. 150/2004 is amended by adding the following after section 60:

Penalty

60.1 The owner of a building, or his or her agent, who fails to comply with

- (a) section 28 of this By-law, by allowing inoperable smoke alarms to exist in residential rental units;*
- (b) subsection 30(1) of this By-law, by failing to install and maintain at least one acceptable smoke alarm in every residential rental unit;*
- (c) subsection 40(1) of this By-law, by failing to ensure that a fire alarm system is operable at all times;*
- (d) Sentence 2.4.1.1(1) of the Manitoba Fire Code, by allowing combustible materials to accumulate in and around the building in quantities or locations that constitute an undue fire hazard;*
- (e) Article 2.7.1.6 of the Manitoba Fire Code, by failing to ensure that means of egress is maintained in good repair and free of obstructions; or*
- (f) an order to remedy a contravention issued pursuant to this By-law;*

is guilty of an offence and is liable upon summary conviction to a fine of not less than \$500.00 or to imprisonment for a term of not more than six months, or both.

Residential Buildings Fire Safety By-law amended

4. The Residential Buildings Fire Safety By-law No. 4304/86 is amended by adding the following immediately after section 24:

24.1 The person responsible for a building that is subject to this By-law who

(a) *fails to obtain an approval for the residential occupancy pursuant to this By-law; or*

(b) *fails to comply with section 22;*

is guilty of an offence and is liable upon summary conviction to a fine of not less than \$500.00 or to imprisonment for a term of not more than six months, or both.

DONE AND PASSED in Council assembled, this 25th day of January, 2006.