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 day of , 2006.

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Mayor

_____
City Clerk

Certified as to form:

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for City Solicitor/Manager of
Legal Services