**APPENDIX I**

**THE CITY OF WINNIPEG**

**BY-LAW NO. /2017**

A By-law of THE CITY OF WINNIPEG to amend the Water By-law

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

**Section 62 of Water By-law replaced**

**1** The Water By-law No. 107/2015 is amended by replacing section 62, including the heading, with the following:

***Penalties for contravening By-law***

***62(1)*** *Subject to subsection (2), a person who contravenes a provision of this By-law is subject to the following minimum and maximum fines under* The Provincial Offences Act:

*(a) for a first offence, a fine of not less than $1000 and not more than $50,000;*

*(b) for a second offence of a similar nature under this By-law or the Water Works By-law No. 504/72 within the previous six years, a fine of not less than $5000 and not more than $100,000;*

*(c) for a third and subsequent offence of a similar nature under this By-law or the Water Works By-law No. 504/72 within the previous six years, a fine of not less than $10,000 and not more than $250,000.*

***62(2)*** *Subject to the* Municipal By-law Enforcement Act (MBEA) Enabling By-law, a *person who contravenes a provision of this By-law that is referred to in Schedule A of the* Municipal By-law Enforcement Act (MBEA) Enabling By-law *must pay the administrative penalty for that contravention set out in that Schedule. If an Early Payment Discount amount is set out for a provision in that schedule, a person who is issued a penalty notice for a contravention of that provision may, within 14 days after the penalty notice has been issued, voluntarily pay to The City of Winnipeg the applicable Early Payment Discount amount and will thereafter not be prosecuted for the contravention.*

**Schedule A repealed**

**2** Schedule A is repealed.

DRAFT

**Effective date**

**3** This By-law comes into force on the day that *The Provincial Offences Act* S.M. 2013, c.47, Sch. A comes into force.

**DONE AND PASSED**, this day of , 2017.

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Mayor

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City Clerk

Approved as to form:

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For Director of Legal Services and
City Solicitor

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