# THE CITY OF WINNIPEG

## BY-LAW NO. /2023

A By-law of THE CITY OF WINNIPEG to amend the Neighbourhood Liveability By-law No. 1/2008, the Vacant Buildings By-law No. 79/2010, and the MBEA Enabling By-law No. 59/2016 to establish monetary penalties for failing to comply with orders issued by designated employees under those by-laws.

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

**Neighbourhood Liveability By-law amended**

**1** The Neighbourhood Liveability By-law No. 1/2008 is amended by:

(a) deleting subsection 109.2(2) and replacing it with the following:

*109.2(2) A monetary penalty pursuant to sub-clause 175(d)(i) of The City of Winnipeg Charter is hereby imposed for a contravention of subsection 109(1) of this By-law. The monetary penalty is in addition to a fine or imprisonment imposed for contravention of subsection 109(1) and is in addition to the costs of the actions or measures taken by the City of Winnipeg pursuant to subsection 185(1) of The City of Winnipeg Charter that may be added to the real property taxes on the property pursuant to section 187 of the Charter.*

*109.2(2.1) The amount of the monetary penalty imposed under subsection 109.2(2) is:*

*(a) $0.00 for the first failure to comply with an order; and*

*(b) $250.00 for second and subsequent failures to comply with that order.*

**Vacant Buildings By-law amended**

**2** The Vacant Buildings By-law No. 79/2010 is amended by:

(a) deleting section 20 and replacing it with the following:

***Monetary penalty imposed for lack of boarded building permit***
***20(1)*** *A monetary penalty in the amount of $1,000.00 is hereby imposed on the owner on the owner of a vacant building who lacks a valid permit for a boarded building. The monetary penalty is in addition to a fine or imprisonment imposed for a contravention of this By-law*

***Monetary penalty imposed for failing to comply with orders***
***20(2)*** *A monetary penalty pursuant to sub-clause 175(d)(i) of The City of Winnipeg Charter is hereby imposed for a contravention of subsection 19.1(1) of this By-law. The monetary penalty is in addition to a fine or imprisonment imposed for a contravention of*

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*subsection 19.1(1) and is in addition to the costs of the actions or measures taken by the City of Winnipeg pursuant to subsection 185(1) of The City of Winnipeg Charter that may be added to the real property taxes on the property pursuant to section 187 of the Charter*

***20(3)*** *The amount of the monetary penalty imposed under subsection 20(2) is:*

*(a) $0.00 for the first failure to comply with an order; and*

*(b) $250.00 for second and subsequent failures to comply with that order.*

(b) Schedule D to the Vacant Buildings By-law is deleted and replaced with the following:

***SCHEDULE D TO THE VACANT BUILDINGS BY-LAW***
***Specified Fine Provisions***
***Enforceable through The Provincial Offences Act***

| ***Provision*** | ***Contravention Summary*** | ***Minimum Fine*** |
|---|---|---|
| *19.1(2)* | *Fail to comply with Order issued by a justice* | *$2000* |

**MBEA Enabling By-law amended**

**3** Schedule A to the MBEA Enabling By-law No. 59/2016 is amended by:

(a) Adding the following row to the table applicable to the Neighbourhood Liveability By-law No. 1/2008:

| | | | |
|---|---|---|---|
| *109(1)* | *Failing to comply with an order issued by a designated employee* | *500* | *250* |

(b) Adding the following row to the table applicable to the Vacant Buildings By-law No. 79/2010:

| | | | |
|---|---|---|---|
| *19.1(1)* | *Failing to comply with an order issued by a designated employee* | *500* | *250* |

**Coming into force**
**4** This by-law comes into force upon being given third reading by Council.

**DONE AND PASSED** this day of , 2023.

Mayor

City Clerk

Approved as to content:

Director of Community Services

Legally reviewed and certified as to form:

for Director of Legal Services
and City Solicitor