

Rural Municipality of Kinkora
Enforcement and Summary Proceedings Bylaw

BYLAW #2023—01

This bylaw is made under the authority of of the *Municipal Governments Act* R.S.P.E.I. 1988, Cap. M-12.1.

WHEREAS the *Municipal Government Act* authorizes the Rural Municipality of Kinkora to appoint enforcement officers;

AND WHEREAS the *Municipal Government Act* authorizes the Rural Municipality of Kinkora to prosecute certain Municipal Offences by the issuance of summary offence tickets.

BE IT ENACTED by the Rural Municipality of Kinkora as follows:

PART I: DEFINITIONS

1. In this bylaw:

- 1.1. "Act" means the "*Municipal Government Act* R.S.P.E.I 1988, Cap. M- 12.1.
- 1.2. "Chief Administrative Officer" means the administrative head of the municipality as appointed by council pursuant to clause 86(2)(c) of the act.
- 1.3. "Council" means the council for the Rural Municipality of Kinkora.
- 1.4. "Criminal Code" means the Criminal Code (Canada) R.S.C 1985, Cap. C-46 as amended from time to time.
- 1.5. "Enforcement Officer" means any individual or a group of individuals as may be appointed pursuant to Section 223 of the Act.
- 1.6. "Justice of the Peace" means a justice of the peace appointed in accordance with the *Provincial Court Act* R.S.P.E.I 1988, Cap. P-25.
- 1.7. "Municipality" means the Rural Municipality of Kinkora.
- 1.8. "Provincial Court Judge" means a Judge of the Provincial Court appointed in accordance with the *Provincial Court Act* R.S.P.E.I. 1988 Cap. P-25
- 1.9. "Third Party" means an individual or corporation hired by the Municipality to provide bylaw enforcement services and whose principals, contractors, and/or employees serve as Enforcement Officers for the Municipality.

Part II: General

2.1 This bylaw applies to all offences under the Municipality's Development Bylaw, and to such other bylaws as may be enacted by the Municipality pursuant to Section 227 of the Act:

2.2 a) to determine if a person has committed an offence under a bylaw of the Municipality for which he or she is liable to fine, penalty, or other punishment; or

b) before a Provincial Court Judge for an order for the payment of money or other remedy authorized by a bylaw of the Municipality. Except as otherwise provided by any bylaw, where imprisonment, fine, penalty, or other punishment prescribed by this Bylaw may be enforced or recovered upon summary conviction or by summary proceedings, it shall be enforced or recovered before a Provincial Court Judge in the manner provided by this Bylaw.

c) or the purpose of any bylaw, penalties, and/or corrective actions associated to that bylaw may be imposed, upon a guilty plea, by a Justice of the Peace.

2.3 The provisions of the Criminal Code, the following expressions shall therein have the following meanings:

2.4 In applying the provisions of the Criminal Code, the following expressions shall therein have the following meanings:

a) "Act of Parliament" means a bylaw of the Municipality.

b) "Attorney General" means the Attorney General of Prince Edward Island

c) "Prison" means any place other than a penitentiary in which persons charged with or convicted of offences are kept or detained in custody;

d) "Prosecutor" means a person who lays an information or makes a complaint or counsel acting on behalf of the Municipality.

2.5 All offences under a bylaw of the Municipality shall be punishable on summary conviction.

2.6 Where no punishment is provided for an offence under a bylaw, the punishment for that offence shall be a fine not less than \$200.00 or a fine of not more than \$10,000 or in default, imprisonment for a period of three (3) days plus an additional day for each \$100 (or part thereof) that is in a default to a maximum of sixty (60) days.

2.7 In addition to the procedures set out in the Criminal Code for laying an information and for issuing a summons, an information may be laid and a summons issued by means of a ticket in accordance with this section for an offence under any provisions of a bylaw passed by Council pursuant to Section 227 of the Act.

- a) A ticket shall be issued in the form here to annexed as Schedule "A" and shall include provision for the information, summons, and record of officer;
- b) A ticket may be issued for the bylaw offences set out in "Schedule B" here to annexed;
- c) The words or expressions set out in Column II of "Schedule B" may be used on a ticket to designate an offence under the provision of the Bylaw referred to in Column I thereof;
- d) Not with standing subsection (c), any words or expressions used on a ticket which describe with sufficient clarity the offence committed shall be for all purposes a sufficient description of an offence designated in "Schedule B";

- e) Where the offence charged in the ticket is one for which the penalty may be paid out of court, the Enforcement Officer issuing the summons may enter the amount of the penalty in the place provided therefor on the ticket, and that entry constitutes the endorsement required by Section 2.8;
 - f) The amount of penalty entered on a summons under subsection (e) shall be equal to the sum of
 - I. The penalty prescribed for the out of court settlement of the offence charged in the summons;
 - II. The administrative charge;
 - g) The use on the ticket of any word or expression authorized by this or any other Bylaw to designate an offence is sufficient for all purposes to describe the offence designated by that word or expression;
 - h) Upon completing the ticket, the issuing Enforcement Officer shall print his or her name on the summons portion and deliver the summons portion to the person charged with an offence therein, and delivery of the ticket summons in accordance with this subsection shall be deemed to be personal service;
 - i) Delivery of a ticket summons may be made on a holiday;
 - j) The issuing Enforcement Officer shall sign the information portion of the ticket and certify that he or she personally delivered the summons portion of the ticket to the person charged therein and the certification shall be in the following words:
 - I. *"I certify that I did personally deliver the summons portion of this ticket on the accused on the day of ____ 20__.*
 - k) A certificate of delivery purporting to be signed by the issuing Enforcement Officer shall be received in evidence as sufficient proof of personal service in the absence of evidence to the contrary;
 - l) Every ticket information shall be:
 - I. Signed by the informant and sworn before a Justice of the Peace or Provincial Court Judge;
 - II. And in the event of a trial, and upon the entering of a not guilty plea, deposited together with the ticket report of conviction, with the proper Provincial Court Judge.
 - m) The ticket information need not be sworn to before the summons portion of the ticket is delivered and the informant need not be the same person as the person who issued the ticket summons.
- 2.8 There may be endorsed upon a ticket summons a notice that the person to whom the summons is directed may pay out of court a specified penalty and;
- a) Where a ticket summons is so endorsed, it shall provide for a plea of guilty in the following form:

PLEA OF GUILTY

I am aware that I have the legal right to a hearing in respect of the offence with which I am charged, that by signing this plea of guilty I am waiving my right to a hearing and that my signature may result in a conviction against me without a hearing. **I hereby plea guilty to the offence as charged.**

Signature of the Accused

- b) A signature affixed to the form of plea of guilty purporting to be that of the person to whom the summons is directed is *prima facie* proof that it is the signature of that person;
 - c) The Enforcement Officer or other person delivering a summons endorsed under this section shall not receive payment of the penalty payable out of court, or any part thereof;
 - d) Upon receipt of the summons with a plea of guilty made thereon in accordance with subsection 2.8(a), a Provincial Court Judge or Justice of the Peace may convict the person to whom the summons is directed of the offense described in the summons.
- 2.9 Where a person to whom a ticket summons has been delivered fails to appear as directed by the ticket summons and there has been no plea of guilty made on the ticket pursuant to subsection 2.8(a), the Provincial Court Judge or Justice of the Peace shall:
- a) Where the information portion of the offence ticket is sworn to by the informant and is complete and regular on its face, enter a conviction on that information and impose the minimum penalty authorized by law for the offence or, where another penalty for that offence has been prescribed for out of the court settlement, that other penalty; or
 - b) Where the information portion of the offence ticket is not complete and regular on its face, quash the proceeding.

PART III – BYLAW ENFORCEMENT OFFICERS

3. Appointment and Supervision

3.1 Council hereby establishes the position of Enforcement Officer and an individual appointed to that position will have the title “Bylaw Enforcement Officer”.

3.2 The Chief Administrative Officer shall appoint all Enforcement Officers for the Municipality and Enforcement Officers shall report to the Chief Administrative Officer.

4. Qualifications

4.1 To be eligible for appointment as an Enforcement Officer, individuals must provide the Chief Administrative Officer with the following:

- a) a recent criminal record check acceptable to the Chief Administrative Officer;
- b) proof of adequate education and training necessary for performing the powers, duties, and functions of an Enforcement Officer; and
- c) any other information that the Chief Administrative Officer determines is relevant or necessary in order to carry out the duties of an Enforcement officer in the Municipality.

4.2 Enforcement Officers shall comply with all relevant policies, directives, and procedures of the Municipality.

4.3 Prior to commencing his or her duties, an Enforcement Officer shall swear or affirm the oath hereto annexed as Schedule "C"

4.4 An individual may be appointed as an Enforcement Officer for the Municipality notwithstanding that he or she may also be appointed as an enforcement officer for another municipality.

5. Powers and Duties of a Bylaw Enforcement Officer

5.1 An Enforcement Officer shall be responsible for:

- a) enforcing the bylaws for which the Enforcement Officer is authorized to enforce within the boundaries of the Municipality;
- b) following the directions of the Chief Administrative Officer, performing all enforcement duties delegated by the Chief Administrative Officer and reporting to the Chief Administrative Officer as required;
- c) responding to, investigating, and keeping a written record of complaints;
- d) conducting routine patrols, as directed by the Chief Administrative Officer;
- e) issuing notices and municipal offence tickets;
- f) where required by a bylaw, laying an information;
- g) assisting in the prosecution of bylaw contraventions including appearances in court to provide evidence;
- h) investigating properties to ensure compliance with bylaws, as directed by the Chief Administrative Officer;
- i) carrying upon his or her person at all such times as he or she is acting as an Enforcement officer evidence in writing of his or her position as an Enforcement Officer of the Municipality;
- j) acting in accordance with the Act, including but not limited to, the provisions set forth in Part 9 of the Act;

k) liaising with community groups and organizations concerning safety issues, as directed by the Chief Administrative Officer; and

l) performing other duties as may be required or assigned by the Chief Administrative Officer.

5.2 a) Where this Bylaw or another bylaw of the Municipality authorizes or requires an Enforcement Officer to

i) inspect anything;

ii) remedy anything;

iii) enforce anything; or

iv) do anything required to be done by the Municipality,

the Enforcement Officer may, after giving not less than 25 hours' notice to the owner or occupier of land or a building or other structure, take an action specified in subsection (b).

b) An Enforcement Officer may, on notice in accordance with subsection (a),

i) enter the land, building, or structure, referred to in subsection (a) at any reasonable time and carry out the inspection, enforcement, or action authorized or required by this Bylaw or another bylaw of the Municipality.

ii) require that anything be produced to assist in the inspection, remedy, enforcement, or action; and

iii) make copies of anything related to the inspection, remedy, enforcement, or action.

5.3 An Enforcement Officer acting under this section shall display or produce, on request, identification and documentation showing that the person is authorized to carry out the duties specified in clauses 5.2(b)(i) to (iii).

5.4 An Enforcement Officer acting under this section shall not enter a dwelling without a warrant issued under the *Summary Proceedings Act (PEI)* unless the occupant consents to the entry.

5.5 Despite subsection 5.2(a) where, in the opinion of an Enforcement Officer acting under this section, an emergency or extraordinary circumstances exist, the Enforcement Officer is not required to give 24 hours' notice or enter at a reasonable hour to do the things referred to in subsection 5.2(b).

6. Complaint Process

6.1 Complaints of inappropriate conduct of an Enforcement Officer shall be directed to the Chief Administrative Officer.

6.2 All complaints must be accepted and addressed according to this Bylaw and must be submitted in writing.

6.3 The Chief Administrative Officer shall acknowledge receipt of the complaint, in writing, to the person making the complaint.

6.4 The Chief Administrative Officer shall provide notice of the complaint:

a) to the Enforcement Officer against whom the complaint is made;

b) to Council; and

c) where the Municipality has contracted with a Third Party for services of the Enforcement Officer, to the Third Party.

6.5 A contract between the Municipality and a Third Party wherein the Third Party agrees to provide the services of one or more individuals to act as Enforcement Officers shall, at a minimum, contain the following provisions with respect to the complaint process:

a) that upon receipt of a complaint in respect of an Enforcement Officer, the Chief Administrative Officer may suspect that individual from acting as an Enforcement Officer for the Municipality pending the completion of the complaint process.

b) that upon receipt of a complaint in respect of the individual, the Third Party shall hire and independent party that is acceptable to the Municipality to conduct and investigation and the costs associated with the Investigation shall be the responsibility of the Third party; and

c) that the results of the investigation referred to in subsection (b), together with any investigation report that is prepared, shall be forwarded to the Chief Administrative Officer, the complainant, the Third Party and Enforcement Officer who was investigated.

6.6 In the event there is no Third Party, the Municipality shall hire an independent party to investigate the complaint and the costs associated with the investigation shall be the responsibility of the Municipality.

6.7 Upon receipt of the results of the investigation and the investigation report, if any, the Chief Administrative Officer shall set a date and time for a hearing.

6.8 The complainant, the Enforcement officer and the Third Party, if any, shall have the opportunity to be heard at the hearing.

7. Disciplinary Action

7.1 If following the hearing conducted in accordance with Part 6, the Chief Administrative officer finds the Enforcement Officer has acted inappropriately, the Chief Administrative officer may take one of the following actions:

a) issue a verbal warning to the Enforcement Officer;

- b) issue a written reprimand to the Enforcement Officer;
- c) suspend the Enforcement Officer from carrying out his or her duties in the Municipality for a specified time period; or
- d) revoke the appointment of the Enforcement Officer in the Municipality.

8. Notification and Appeal

8.1 The Chief Administrative Officer shall notify, in writing, the complainant, the Enforcement Officer, and the Third Party, if any, of the results of the investigation and what, if any, disciplinary action has been taken.

8.2 The Chief Administrative Officer shall include reasons for his or her decision with the notification provided under section 8.1.

8.3 The complainant, the Enforcement Officer and the Third Party, if any, have the right to appeal the Chief Administrative Officer's decision.

8.4 The Chief Administrative Officer shall include, in the notification provided under section 8.1, a written notice that the Council is authorized to hear an appeal of the Chief Administrative Officer's decision and that the appeal must be filed, in writing, within 30 days of the date of the decision.

8.5 The written appeal submission must contain the reasons why the decision of the Chief Administrative Officer should be overturned.

8.6 The Council shall forward any written appeal submission it receives from a party listed in section 8.3 to the remaining parties listed in section 8.3 and the remaining parties shall have 20 days from their receipt of the written appeal submission within which to file their own written appeal submission.

8.7 After reviewing the information contained in the written appeal submissions provided under sections 8.5 and 8.6, Council may

- a) dismiss the appeal; or
- b) allow the appeal and vary the decision of the Chief Administrative Officer.

8.8 The Council shall notify, in writing, the complainant, the Enforcement Officer and the Third Party, if any, of the results of the appeal.

8.9 The Council has the authority to decide any matter of procedure not otherwise provided for in this Bylaw.

8.10 The decision of Council is final and binding.

9. Effective Date

9.1 This Enforcement and Summary Offence Bylaw #2023-01 shall be effective on the date of approval and adoption below.

10. Amendments

10.1 Council may revise Schedules "A", "B" and "C" to this bylaw at any time by resolution if required in accordance with Section 135 of the Act and shall ensure that the relevant Schedule to this bylaw is updated.

First Reading:

This Enforcement and Summary Offence Bylaw, Bylaw# 2023-01, was read a first time at the Council meeting held on the 28th day of August, 2023.

This Enforcement and Summary Offence, Bylaw# 2023-01, was approved by a majority of Council members present at the Council meeting held on the 28th day of August, 2023.

Second Reading:


This Enforcement and Summary Offence Bylaw, Bylaw# 2023-01, was read a second time at the Council meeting held on the 25th day of September, 2023.


This Enforcement and Summary Offence Bylaw, Bylaw# 2023-01, was approved by a majority of Council members present at the Council meeting held on the 25th day of September, 2023.

Approval and Adoption by Council:

This Enforcement and Summary Offence Bylaw, Bylaw# 2023-01, was adopted by a majority of Council members present at the Council meeting held on the 25th day of September, 2023.

11. Signatures




Mayor (Signature Sealed)




Chief Administrative Officer (Signature Sealed)

This Enforcement and Summary Offences Bylaw #2023-01 adopted by Council of the Rural Municipality of Kinkora on Sept 25, 2023, is certified to be a true copy.


CAO Signature

Sept 25, 2023
Date

SCHEDULE "A"

MUNICIPAL OFFENCE TICKET

CANADA PROVINCE OF PRINCE EDWARD ISLAND RURAL MUNICIPALITY OF KINKORA	CASE NO.	TICKET NO.
SUMMARY OFFENCE INFORMATION		
THE INFORMANT SAYS THE HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON THE ___ DAY OF _____, 20__ TIME: ___(__M)		
NAME: _____ <div style="display: flex; justify-content: space-around; width: 100%;"> (LAST) (FIRST) (OTHER) </div>		
ADDRESS: _____		
AT OR NEAR RURAL MUNICIPALITY OF KINKORA, PRINCE EDWARD ISLAND DID UNLAWFULLY COMMIT THE FOLLOWING OFFENCE UNDER SECTION ___ OF		
X INDICATES BYLAW UNDER WHICH OFFENCE CHARGED	NAME OF BYLAW	
DESCRIPTION OF OFFENCE:		
IN THE NAME OF HIS MAJESTY THE KING YOU ARE COMMANDED TO APPEAR BEFORE A JUSTICE OF THE PEACE AT THE PROVINCIAL COURT, 3 HARBOURSIDE ACCESS ROAD, CHARLOTTETOWN, PROVINCE OF PRINCE EDWARD ISLAND, ON THE ___ DAY OF _____, 20__ TIME: _____ (__M) TO ANSWER THE ABOVE CHARGE AND FURHTER DEALT WITH ACCORDING TO LAW.		
SIGNATURE OF INFORMANT (BY-LAW OFFICER)		
SWORN BEFORE ME THIS ___ DAY OF _____, _____ AT _____, PRINCE EDWARD ISLAND.		
NAME OF OFFICER ISSUING SUMMONS _____ ___ BYLAW ENFORCEMENT OFFICER _____		
I CERTIFY THAT I DID PERSONALLY DELIVER THE SUMMONS PORTION OF THIS TICEKT TO THE ACCUSED ON THE _____ DAY OF _____, 20 _____.		
SIGNATURE: _____		

REVERSE SIDE OF SUMMARY OFFENCE INFORMATION

COURT ACTION

FOR MUNICIPALITY		FOR DEFENDANT	
<input type="checkbox"/> FAILED TO APPEAR	<input type="checkbox"/> WARRANT ISSUED	<input type="checkbox"/> TIRED EX-PARTE	
CHARGE READ	PLEA	<input type="checkbox"/> GUILTY	<input type="checkbox"/> NOT GUILTY
FINDING OF COURT	DISPOSITION		
<input type="checkbox"/> GUILTY	FINE:		\$
<input type="checkbox"/> DISMISSED			
<input type="checkbox"/> WITHDRAWN			

GIVEN UNTIL _____, 20__ TO PAY PAID FORTHWITH

JUDGEMENT GIVEN ON _____, 20____, IN PROVINCIAL COURT AT
 _____, PRINCE EDWARD ISLAND.

SUMMONS TO ACCUSED

	CASE NO.	TICKET NO.
SUMMARY OFFENCE INFORMATION		
THE INFORMANT SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON THE ___ DAY OF _____, 20__ TIME: __(__M) NAME: _____ ADDRESS _____ _____		
AT OR NEAR RURAL MUNICIPALITY OF KINKORA, PRINCE EDWARD ISLAND DID UNLAWFULLY COMMIT THE FOLLOWING OFFENCE UNDER SECTION _____ OF _____		
X INDICATES BYLAW UNDER WHICH OFFENCE CHARGED	NAME OF BYLAW ___ Development Bylaw ___ Other (Specify) _____	
DESCRIPTION OF OFFENCE:		
IN THE NAME OF HIS MAJESTY THE KING YOU ARE COMMANDED TO APPEAR EFORE A JUSTICE OF THE PEACE AT THE PROVINCIAL COURT, 3 HARBOURSIDE ACCESS ROAD, CHARLOTTETOWN, PROVINCE OF PRINCE EDWARD ISLAND, ON THE _____ DAY OF _____, 20 _____ TIME: ____ (__M) TO ANSWER THE ABOVE CHARGE AND BE FURTHER DEALT WITH ACCORDING TO LAW.		
THE TOTAL AMOUNT PAYABLE FOR OUT OF COURT SETTLEMENT IS		
IMPORTANT PLEASE READ OTHER SIDE FOR INSTURCTIONS CONCERNING OUT OF COURT SETTLEMENT. OFFICERS ARE NOT ALLOWED TO ACCEPT PAYMENT		
NAME OF OFFICER ISSUING SUMMONS _____ BYLAW ENFORCEMENT OFFICER _____ _____ POLICE OFFICER _____ (UNIT AND NO) _____ (POLICE DEPT.) _____		
I CERTIFY THAT I DID PERSONALLY DELIVER THE SUMMONS PORITION OF THIS TICKET TO THE ACCUSED ON THE _____ DAY OF _____, 20 _____.		

REVERSE SIDE OF

SUMMONS TO ACCUSED

NOTICE RESPECTING VOLUNTARY PAYMENT WITHOUT COURT APPEARANCE

-READ CAREFULLY-

IF AN AMOUNT IS SHOWN IN THE BOX MARKED IN RED ON THE FACE OF THIS SUMMONS THIS CASE MAY BE SETTLED OUT OF COURT BY

- A. SIGNING THE FORMS OF PLEA OF GUILTY BELOW AND
- B. MAKING PAYMENT BEFORE THE DATE FOR APPEARANCE SHOWN ON THE FACE OF THIS SUMMONS, BY MAIL OR IN PERSON

3 Harbourside Access Road,
Charlottetown,
PE C1A 8R4
(Address)

-DO NOT SEND CASH BY MAIL-

IF NO AMOUNT IS SHOWN ON THE FACE OF THIS SUMMONS, YOU MUST APPEAR BEFORE THE JUSTICE

OF THE PEACE AT THE DATE, TIME, AND PLACE SPECIFIED TO ANSWER THE CHARGE.

PAYMENT BY MONEY ORDER OR CHEQUE PAYABLE TO

“RURAL MUNICIPALITY OF KINKORA”

YOU MUST SIGN BELOW IF SETTLING OUT OF COURT.

-PLEA OF GUILTY-

I AM AWARE THAT I HAVE A RIGHT TO A HEARING IN RESPECT OF THE OFFENCE WITH WHICH I AM CHARGED, THAT BY SIGNING THIS PLEA OF GUILTY I AM WAIVING MY RIGHT TO A HEARING AND THAT MY SIGNATURE MAY RESULT IN A CONVICTION AGAINST ME WITHOUT A HEARING.

I HEREBY PLEAD GUILTY AS CHARGED.

SIGNATURE OF DEFENDANT: _____

ADDRESS: _____

I ENCLOSE THE AMOUNT OF \$ _____ FOR OUT OF COURT SETTLEMENT

WHERE THERE IS NO PLEA OF GUILTY MADE ON THE TICKET SUMMONS AND YOU FAIL TO APPEAR BEFORE THE JUSTICE OF THE PEACE AS DIRECTED BY THIS THICKET SUMMONS OR JUSTICE OF THE PEACE SHALL, PURSUANT TO _____ OF _____ OF RURAL MUNICIPALITY OF KINKORA – ENTER A CONVICTION AND IMPOSE THE PENALTY PRESCRIBED BY LAW.

CANADA PROVINCE OF PRINCE EDWARD ISLAND RURAL MUNICIPALITY OF KINKORA	CASE NO.	TICKET NO.
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**RECORD OF
BYLAW ENFORCEMENT OFFICER OR POLICE OFFICER**

THE INFORMANT SAYS THAT HE OR SHEE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON THE ___ DAY OF _____, 20___ TIME: ___ (___M)
NAME: _____ OF _____

AT OR NEAR RURAL MUNICIPALITY OF KINKORA, PROVINCE OF PRINCE EDWARD ISLAND DID UNLAWFULLY COMMIT THE FOLLOWING OFFENCE UNDER SECTION _____ OF X INDICATES BYLAW UNDER WHICH OFFENCE CHARGED
 ___ Development Bylaw
 ___ Other (Specify) _____
 DESCRIPTION OF OFFENCE

IN THE NAME OF HIS MAJESTY THE KING YOU ARE COMMANDED TO APPEAR BEFORE A JUSTICE OF THE PEACE AT THE PROVINCIAL COURT, 3 HARBOURSIDE ACCESS ROAD, CHARLOTTETOWN, PROVINCE OF PRINCE EDWARD ISLAND ON THE ___ DAY OF ___ AT ___ (___ M) TO ANSWER THE ABOVE CHARGE AND BE FURTHER DEALT WITH ACCORDING TO LAW.

THE TOTAL AMOUNT PAYABLE FOR OUT OF COURT SETTLEMENT IS _____ PENALTY \$ _____

NAME OF OFFICER ISSUING SUMMONS _____
 ___ BYLAW ENFORCEMENT OFFICER _____
 ___ POLICE OFFICER _____
 (UNIT AND NO) _____ (POLICE DEPT.) _____
 I CERTIFY THAT I DID PERSONALLY DELIVER THE SUMMONS PORTION OF THIS TICKET TO THE ACCUSED ON THE _____ DAY OF _____, 20___.
 SIGNATURE: _____

**REVERSE SIDE OF
RECORD OF
BYLAW ENFORCEMENT OFFICER OF POLICE OFFICER**

COURT DISPOSITION:

PROVINCIAL YOUTH COURT

JUDGE OR JUSTICE OF THE PEACE DATE: _____, 20____, PLACE _____

FOR MUNICIPALITY _____ FOR DEFENDANT _____

PLEA ___ GUILTY ___ NOT GUILTY ___ DISMISSED ___ WITHDRAWN

Signature of Bylaw Enforcement Office or Police Officer

SCHEDULE "B"

DEVELOPMENT BYLAW

Column I	Column II Description of Offence	Column III Penalty/Ticket
Section 18.1 (a)	Violation of any provision of the bylaw	First conviction, a fine not exceeding \$2000.00
Section 18.1 (b)	Violation of any provision of the bylaw	Subsequent conviction a fine of not more than \$400 for each day the offence has carried on.

SCHEDULE "C"

I, _____, solemnly and sincerely swear (or affirm) that I will diligently, faithfully, and impartially fulfill the duties of bylaw enforcement officer for the Rural Municipality of Kinkora and that I will not, without due authority, disclose or make known any matter that comes to my knowledge by reason of such position.

SWORN (or affirmed) BEFORE ME at

Prince County, Province of Prince Edward Island,

The ___ day of

_____, 20__.

A COMMISSIONER FOR TAKING
OATHS & AFFIDAVITS

(Person giving Oath or Affirmation)