

BYLAW NO. 2003-29

THE REGINA GENERAL PENALTY BYLAW

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THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

**Purpose**

1. The purpose of this Bylaw is to provide penalties the courts may impose upon any person convicted of contravening a bylaw of the City of Regina, where that bylaw does not provide any penalty of fine or imprisonment.

**Authority**

2. The authority for this Bylaw is subsection 8(2) of *The Cities Act*.

**General Penalty**

3. (1) Every person who contravenes any provision of any bylaw of the City of Regina is guilty of an offence and liable on summary conviction, if no penalty is provided for in the bylaw:
  - (a) in the case of an individual, to a fine not exceeding \$10,000, to imprisonment for not more than one year, or both;
  - (b) in the case of a corporation, to a fine not exceeding \$25,000, to imprisonment of any directors of the corporation for not more than one year, or both;
  - (c) in the case of a continuing offence, to a further daily fine not exceeding:
    - (i) \$1,000 a day for an individual; or
    - (ii) \$2,000 a day for a corporation.
- (2) The Court may, in default of payment of a fine imposed under this Bylaw, also order imprisonment of the individual or any directors of the corporation for a term not exceeding one year.

**Severability**

- 4. If any section, subsection, sentence, clause, phrase or other portion of this Bylaw is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and the holding of the court shall not affect the validity of the remaining portions of the Bylaw.

**Coming into Force**

- 5. This Bylaw comes into force on the day of passage.

READ A FIRST TIME THIS 14th DAY OF APRIL, 2003.

READ A SECOND TIME THIS 14th DAY OF APRIL, 2003.

READ A THIRD TIME AND PASSED THIS 14th DAY OF APRIL, 2003.

P. FIACCO  
Mayor

R. MARKEWICH  
City Clerk

(SEAL)

CERTIFIED A TRUE COPY

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City Clerk

ABSTRACT

BYLAW NO. 2003-29

THE REGINA GENERAL PENALTY BYLAW

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**PURPOSE:** To provide penalties which the court may impose on a person convicted of contravening a City bylaw which does not specify any penalty.

**ABSTRACT:** This Bylaw fills a gap created by Council's adoption of *The Cities Act*. Section 92(5)(b) of *The Urban Municipality Act, 1984* provided a general penalty provision where no penalty was provided for by bylaw. *The Cities Act* does not contain any equivalent provisions, but allows cities to adopt specific or general penalties by bylaw. The maximum penalties provided by *The Cities Act* are substantially greater than those provided under *The Urban Municipality Act, 1984*: for individuals, from \$2,000 to \$10,000 and imprisonment for one year; for corporations from \$5,000 to \$25,000 and imprisonment of directors for one year.

**STATUTORY  
AUTHORITY:** Section 8(2) of *The Cities Act*

**MINISTER'S APPROVAL:** N/A

**PUBLIC HEARING:** N/A

**PUBLIC NOTICE:** N/A

**REFERENCE:**

**AMENDS/REPEALS:** N/A

**CLASSIFICATION:** Regulatory

**ORIGINATING DEPT.:** City Solicitor