

PROVINCE OF QUEBEC
CITY OF CÔTE SAINT-LUC

BY-LAW NO. 2138

BY-LAW AMENDING VARIOUS BY-LAWS TO MODIFY THE PENALTY TO BE APPLIED IN THE CASE OF AN INFRACTION

At a Regular Monthly Meeting of the Municipal Council of the City of Côte Saint-Luc, held at the City Hall, 5801 Cavendish Boulevard, on February 21, 1994, at which were present:

His Worship the Mayor Bernard Lang, Eng., presiding

Councillor D. Berku, B.C.L.

Councillor M. Brownstein, B. Comm., B.C.L., L.L.B.

Councillor H. Greenspon, C.A.

Councillor R. Kovac

Councillor A.J. Levine, B.Sc., M.A.

Councillor G.J. Nashen

Councillor R. Schwartz, C.A.

ALSO PRESENT:

Mr. J.G. Butler, C.A., City Manager

Mr. R. Lafrenière, Assistant City Manager

Mr. M. Robitaille, Eng., City Engineer

Mrs. J. Habra, City Clerk, acted as Secretary of the meeting.

THAT it be enacted and ordained by by-law of this Council and it is hereby enacted and ordained as follows:

ARTICLE 1. Article 2 of By-Law No. 34 concerning Firearms is replaced by the following:

"ARTICLE 2: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;
- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR

THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 2. Article 2 of By-Law No. 44 concerning Nuisance is replaced by the following:

"ARTICLE 2: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;
- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a

maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 3. Article 4 of By-Law No. 46 concerning Nuisance is replaced by the following:

"ARTICLE 4: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;

- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 4. Article 10 of By-Law No. 107 concerning Nuisance is replaced by the following:

"ARTICLE 10: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO

THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;

- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 5. Article 4 of By-Law No. 209 concerning Nuisance is replaced by the following:

"ARTICLE 4: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;

- b) for a repeat infraction within two (2) years of the first infraction (Section 235 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 6. Article 12 of By-Law No. 267 concerning Dogs is replaced by the following:

"ARTICLE 12: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs; and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order

the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FORTY DOLLARS (\$40.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of EIGHTY DOLLARS (\$80.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;
- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of SEVENTY-FIVE DOLLARS (\$75.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of ONE HUNDRED AND FIFTY DOLLARS (\$150.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 7. Article 14 of By-Law No. 483 concerning Swimming Pools is replaced by the following:

"ARTICLE 14: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an

infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;

- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 8. Article 7 of By-Law No. 577 concerning the Census is replaced by the following:

"ARTICLE 7: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLAR (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;

- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 9. Article 11 of By-Law No. 626 concerning Fire Prevention is replaced by the following:

"ARTICLE 11: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of TWO HUNDRED AND FIFTY DOLLARS (\$250.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of FIVE HUNDRED DOLLARS (\$500.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;

- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of THREE HUNDRED DOLLARS (\$300.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of SIX HUNDRED DOLLARS (\$600.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 10.

Article 3 of By-Law No. 824 concerning

Sale of Baby Chickens is replaced by the following:

"ARTICLE 3: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;
- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR

THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 11.

Article 16 of By-Law No. 921

concerning Noise is replaced by the following:

"ARTICLE 16: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLARS (\$100). and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;
- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a

maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 12. Article 33 of By-Law No. 922

concerning Public Health is replaced by the following:

"ARTICLE 33: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;

- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 13.

Article 7 of By-Law No. 1039

concerning Cleaning of Lots is replaced by the following:

"ARTICLE 7: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO

THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;

- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 14.

Article 6 of By-Law No. 1066

concerning Air, Pollution Nuisance is replaced by the following:

"ARTICLE 6: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;

- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 15. Article 4 of By-Law No. 1697 concerning Curfews in Parks is replaced by the following:

"ARTICLE 4: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order

the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;

- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 16. Article 10 of By-Law No. 1730 concerning Numbering of Houses is replaced by the following:

"ARTICLE 10: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an

infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;
- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 17.

Article 3 of By-Law No. 1746

concerning Prohibiting Alcoholic Consumption in Parks is replaced by the following:

"ARTICLE 3: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;

- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 18. Article 28 of By-Law No. 1752 concerning Garbage is replaced by the following:

"ARTICLE 28: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;
- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR

THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 19. Article 15 of By-Law No. 1867

Regulating Smoking is replaced by the following:

"ARTICLE 15: Anyone contravening a provision of this By-Law commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of FIFTY DOLLARS (\$50.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;
- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the

offender is a physical person or a minimum of TWO HUNDRED DOLLARS (\$200.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 20. Article 3 of By-Law No. 2005 concerning Prohibition of Cutting and Thrusting Weapons is replaced by the following:

"ARTICLE 3: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of TWO HUNDRED & FIFTY DOLLARS (\$250.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of FIVE HUNDRED DOLLARS (\$500.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;

- b) for a repeat infraction within two (2) years of the first infraction (Section 286 of the Code of Penal Procedure): a minimum of THREE HUNDRED DOLLARS (\$300.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of SIX HUNDRED DOLLARS (\$600.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 21.

Article 4 of By-Law No. 2103

concerning Bike Helmets is replaced by the following:

"ARTICLE 4: Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1.

- a) for a first infraction: a minimum of TWENTY-FIVE DOLLARS (\$25.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of FIFTY DOLLARS (\$50.) and a maximum of

TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;

- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the Code of Penal Procedure): a minimum of FIFTY DOLLARS (\$50.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of ONE HUNDRED DOLLARS (\$100.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 22. The present by-law shall come into force according to law.

B. Lang
MAYOR

J. Habra
CITY CLERK

TRUE COPY

CITY CLERK

PROVINCE OF QUEBEC
CITY OF CÔTE SAINT-LUC

BY-LAW NO. 2138

BY-LAW AMENDING VARIOUS BY-LAWS TO
MODIFY THE PENALTY TO BE APPLIED IN
THE CASE OF AN INFRACTION

ADOPTED ON: February 21, 1994

IN FORCE ON: March 2, 1994

TRUE COPY