

BYLAW NO. 2-08

A BYLAW OF THE RURAL MUNICIPALITY OF PLEASANT VALLEY NO. 288 TO PROVIDE FOR

THE PROTECTION OF PUBLIC WATER SUPPLIES FROM CHEMICAL RESIDUE

The Council of the R.M. of Pleasant Valley No. 288 in the Province of Saskatchewan enacts as follows:

Definitions

1. In this Bylaw:
 - a) "Designated Officer" shall mean the Foreman or the Reeve or any Councillor of the Municipality.
 - b) "Municipality" means the Rural Municipality of Pleasant Valley No. 288.
 - c) "Council" shall mean the Council of the Rural Municipality of Pleasant Valley No. 288.
2. No person shall fill any chemical spray apparatus or have any chemical or chemical equipment at or near the following public water sources:
 - a. *D'Arcy Well – N ½ of NW Section 9-29-18-W3rd.*
 - b. *Fiske Well – Lot 8-9 Block 2 in the Hamlet of Fiske.*
 - c. *John Smith Well – Lot 15-16 Block 2 in the Hamlet of Fiske.*
 - d. *MacDonald Well – SW ¼ 30-30-16-W3.*
 - e. *Anglia Well – SE ¼ 16-30-16-W3 in the Hamlet of Anglia.*
 - f. *Curling Rink Well – Lot 1 Block 2 in the Hamlet of Fiske.*
3. Any person found guilty of an infraction of any of the provisions of this bylaw shall be liable to the penalties provided in the General Penalty Bylaw.
4. A Designated Officer who has reason to believe that a person has contravened any provision of this Bylaw may serve on that person a Notice of Violation, which Notice of Violation shall indicate that the Municipality will accept voluntary payment in the sum of Two Hundred and Fifty Dollars (\$250.00) to be paid to the Municipality within 30 days.
5. Where the Designated Officer believes that a person has contravened any provision of this Bylaw, he may serve upon such person a Bylaw Violation Notice as provided by this section either personally, by mailing, by faxing or leaving same at his last known address and such service shall be adequate for the purpose of this Bylaw.
6. Such notice shall be deemed to have been served:
 - a) on the expiration of twenty-four hours after it is posted, if the notice is mailed;
 - b) on the day of actual delivery, if the notice is served personally; or
 - c) on the business day following the transmission, if given by facsimile.
7. A Bylaw Violation Notice shall be in such form as determined in Schedule A and shall state the section of the Bylaw, which was contravened, and the amount, which is provided in Schedule A that will be accepted by the Municipality in lieu of prosecution.
8. Upon production of a Bylaw Violation Notice issued pursuant to this section within Thirty (30) days from this issue thereof, together with the payment of the fee as provided in Schedule A to the Administrator of the Municipality, the person to whom the ticket was issued shall not be liable for prosecution for the contravention in respect of which the ticket was issued.

9. Where any person contravenes the same provision of this Bylaw two or more times within one twelve month period, the specified payment payable in respect of the second or subsequent contravention is double the amount shown in Schedule A of this Bylaw in respect of that provision.
10. Notwithstanding the provisions of this section, a person to whom a Bylaw Violation Notice has been issued pursuant to this section may exercise his right to defend any charge of committing a contravention of any of the provisions of this Bylaw.
11. Bylaw No. 23-80 is hereby repealed.

[SEAL]

Reeve

Administrator

Read a third time and adopted
this 10th day of October, 2008.

Administrator

Schedule A

BYLAW VIOLATION NOTICE

Reference No. _____

R.M. of Pleasant Valley No. 288
Bylaw Violation Notice

Name	
Address	

This official notice is issued for alleged breach of the following bylaw:

Bylaw No.	
Section #:	
Offence:	
Voluntary Payment:	

DETAILS OF ALLEGED BREACH OF VIOLATION:

Date & Time of Violation	
Location of Violation	
Other Particulars – Description of Vehicle, Plate Number, etc.	

PENALTY:

Take notice that you may remit a voluntary payment to the Municipality in the amount stipulated above to avoid prosecution of this offence.

Payment may be made in person at the municipal office or by mail to Box 2080 Rosetown, Sask. S0L 2V0.

If the voluntary payment indicated above is not received by _____, 20____, a summons requiring your appearance in provincial court will be issued.

Issued this _____ day of _____, 2008 by _____.

Signature of Designated Official