

THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY

BY-LAW NO. 2024-23

BEING A BY-LAW TO AMEND BY-LAW 2022-32, A BY-LAW TO IMPLEMENT AN ADMINISTRATIVE MONETARY PENALTY SYSTEM IN THE MUNICIPALITY OF KILLARNEY

WHEREAS the Council for the Municipality adopted a by-law to provide for a system of administrative penalties and administrative fees for the designated Municipal By-laws, or portions of the designated Municipal By-laws;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY HEREBY ENACTS AS FOLLOWS:

- 1) That the following Schedule that forms part of the By-law 2022-32 be amended:
 - Schedule “A” - Designated By-laws, Short Form Wording and Administrative Penalties
- 2) That the following Schedules shall be included in Schedule “A” and will form part of the By-law 2022-32:
 - Appendix 9 - Designated By-law Provisions for Short-Term Rental Licensing By-law No. 2024-12
 - Appendix 10 - Designated By-law Provisions for Travel Trailer Licensing By-law No. 2024-13
 - Appendix 11 – Designated By-law Provisions for Responsible Animal Ownership By-law No. 2024-17
 - Appendix 12 - Designated By-law Provisions for Regulating Smoking and Vaping in Public Places and Enclosed Workplaces in the Municipality of Killarney
- 3) That this By-law comes into force and takes effect upon the date of its final passing.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED IN OPEN COUNCIL THIS 12th DAY OF JUNE, 2024.

Michael Reider, Mayor

Gilles Legault, Deputy Clerk

**MUNICIPALITY OF KILLARNEY
ADMINISTRATIVE MONETARY PENALTY SYSTEM BY-LAW 2022-32**

**SCHEDULE “A”
DESIGNATED BY-LAWS, SHORT FORM WORDING
AND ADMINISTRATIVE PENALTIES**

1. For the purposes of Section 2 of this By-Law, Column 1 in the following tables lists the provisions in the Designated By-Law identified in the Schedule, as amended.
2. Column 2 in the following tables sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
3. Column 3 in the following tables sets out the Administrative Penalty amount that is payable for contraventions of the designated provisions listed in Column 1.

LIST OF DESIGNATED BY-LAWS		
APPENDIX	BY-LAW	DATE ADDED
1	Clean Yard By-Law 2018-36	July 13, 2022
2	Property Standards By-Law 2022-29	July 13, 2022
3	Noise By-Law 2022-28	July 13, 2022
4	Burning By-Law 2021-17 and amendments 2021-24 & 2022-11	July 13, 2022
5	Provisions for Water Restrictions By-Law 2005-25	July 13, 2022
6	By-Law 2015-14 Being a by-law to Regulate the improper placing of material during snow removal efforts.	July 13, 2022
7	By-Law 2008-20 Being a By-law to Regulate the Municipal Water System within the Municipality of Killarney	July 13, 2022
8	Establishing a Garbage Disposal System By-Law 2016-06 and amendments 2017-07 & 2020-14	July 13, 2022
9	By-law 2024-12 Being a By-law to License and Regulate Short-Term Rental Accommodation in the Municipality of Killarney	June 12, 2024
10	By-law 2024-13 Being a By-law to Licence Travel Trailers in the Municipality of Killarney	June 12, 2024
11	By-law 2024-17 Being a By-law to Regulate, Licence and Control All Animals in the Municipality of Killarney (Responsible Animal Ownership By-law)	June 12, 2024
12	By-law 2024-22 Being a By-law to Regulate Smoking and Vaping in Public Places and Enclosed Workplaces in the Municipality of Killarney	June 12, 2024

**MUNICIPALITY OF KILLARNEY
ADMINISTRATIVE MONETARY PENALTY SYSTEM BY-LAW 2022-32**

**SCHEDULE “A”
Appendix 9**

Designated By-law Provisions for Short Term Rental Licensing By-law No. 2024-12

TABLE 9: BY-LAW 2024-12 BEING A BY-LAW TO LICENSE AND REGULATE SHORT-TERM RENTAL ACCOMODATION IN THE MUNICIPALITY OF KILLARNEY			
ITEM	COLUMN 1 – DESIGNATED BY-LAW & SECTION	COLUMN 2 – SHORT FORM WORDING	COLUMN 3 ADMINISTRATIVE PENALTY
1	Section 4.1	Operate a STR without a valid license	\$600.00
2	Section 4.4	Fail to comply with an order made by Public Health	\$400.00
3	Section 4.7	Fail to ensure that renters comply with code of conduct or legislation	\$400.00
4	Section 4.8	Rent a guest room not identified as approved for an STR license	\$400.00
5	Section 4.9	Rent a trailer as a STR	\$400.00
6	Section 4.12	Post a STR license on an unlicensed property	\$400.00
7	Section 4.13	Alter a STR license	\$400.00
8	Section 4.14	Remove a posted order	\$600.00
9	Section 5.5	Fail to post required information	\$150.00
10	Section 5.6	Fail to provide complete information package	\$100.00
11	Section 5.7	Fail to include license number in advertisements	\$150.00
12	Section 5.9	Fail to ensure proper parking	\$250.00
13	Section 5.10	Park in an area not designated for parking	\$50.00
14	Section 5.11	Fail to provide proof of suitable parking for water access only STRs	\$250.00
15	Section 5.16	Fail to appropriately store waste	\$150.00
16	Section 5.17	Fail to remove waste in an appropriate timeline	\$150.00
17	Section 5.20	Fail to respond	\$300.00
18	Section 6.4	Fail to update information	\$50.00
19	Section 7.12	Fail to keep a registry of renters	\$100.00

**MUNICIPALITY OF KILLARNEY
ADMINISTRATIVE MONETARY PENALTY SYSTEM BY-LAW 2022-32**

SCHEDULE "A"

Appendix 10

Designated By-law Provisions for Travel Trailer Licensing By-law No. 2024-13

TABLE 10: BY-LAW 2024-13 BEING A BY-LAW TO LICENSE TRAVEL TRAILERS IN THE MUNICIPALITY OF KILLARNEY			
ITEM	COLUMN 1 – DESIGNATED BY-LAW & SECTION	COLUMN 2 – SHORT FORM WORDING	COLUMN 3 ADMINISTRATIVE PENALTY
1	Section 3.2	Using a trailer without a licence.	\$400.00
2	Section 3.2	Allowing a trailer to be used without a licence.	\$400.00
3	Section 3.3	Use a trailer on prohibited dates.	\$300.00
4	Section 3.3	Allow a trailer to be used on prohibited dates.	\$300.00
5	Section 3.4	Constructing an unauthorized structure.	\$300.00
6	Section 3.4	Allowing an unauthorized structure.	\$300.00
7	Section 3.6	Use a trailer on a vacant lot.	\$500.00
8	Section 3.6	Allowing a trailer to be used on a vacant lot.	\$500.00
9	Section 3.7	Unauthorized connection to septic or greywater.	\$500.00
10	Section 3.7	Allowing an unauthorized connection to septic or grey water.	\$500.00
11	Section 3.8	Improper disposal of grey water or sewage.	\$500.00
12	Section 3.8	Allowing improper disposal of grey water or sewage.	\$500.00
13	Section 3.9	Unauthorized transfer of a licence.	\$200.00
14	Section 3.10	Failure to display a licence.	\$100.00
15	Section 3.11	Providing false information on licence application.	\$100.00
16	Section 3.12	Obstruct person designated to enforce this By-Law.	\$300.00

**MUNICIPALITY OF KILLARNEY
ADMINISTRATIVE MONETARY PENALTY SYSTEM BY-LAW 2022-32**

**SCHEDULE “A”
Appendix 11**

**Designated By-Law Provisions for Responsible Animal Ownership By-law
No. 2024-17**

TABLE 11: BY-LAW 2024-17 BEING A BY-LAW TO REGULATE, LICENSE AND CONTROL ALL ANIMALS IN THE MUNICIPALITY OF KILLARNEY			
ITEM	COLUMN 1 – DESIGNATED BY-LAW & SECTION	COLUMN 2 – SHORT FORM WORDING	COLUMN 3 ADMINISTRATIVE PENALTY
1	Section 3.1	Fail to licence a dog	\$100.00
2	Section 3.2	Fail to renew a licence	\$100.00
3	Section 3.6	Fail to keep a tag fixed to a dog while off premises	\$50.00
4	Section 3.16	Keep more than 3 dogs	\$100.00
5	Section 3.17	Keep more than 5 cats	\$75.00
6	Section 4.1 (a)	Fail to provide a clean and sanitary environment for an animal	\$200.00
7	Section 4.1(b)	Fail to provide appropriate care, food, water, shelter or physical activity to an animal	\$200.00
8	Section 4.1 (c)	Fail to provide necessary veterinary care to an animal	\$200.00
9	Section 4.2 (a)	Fail to provide sufficient and appropriate shelter for a dog kept outside	\$300.00
10	Section 4.2 (b)	Fail to provide an adequate exercise area for a dog kept outside	\$200.00
11	Section 4.2 (c)	Fail to provide an adequate leash with no obstructions for a dog kept outside	\$200.00
12	Section 4.3	Improperly hitch tie or fasten an animal	\$200.00
13	Section 4.4	Fail to provide an animal with proper ventilation	\$200.00
14	Section 4.5	Improperly transport an animal	\$200.00
15	Section 4.7	Improperly muzzle a dog	\$200.00
16	Section 4.8	Neglect, abuse, torment or punish an animal	\$300.00
17	Section 4.9	Cause or allow the abandonment of an animal	\$300.00
18	Section 4.10	Cause or allow a dog in heat to be unattended	\$150.00
19	Section 5.1	Operate a kennel without a licence	\$500.00
20	Section 5.2	Operate a kennel with a suspended licence	\$400.00
21	Section 5.10 (m)	Fail to maintain a kennel in a clean and sanitary condition	\$300.00
22	Section 5.10 (n)	Fail to maintain a kennel in a clean and sanitary condition	\$300.00
23	Section 5.10 (v)	Fail to keep and maintain records	\$400.00
24	Section 6.1	Allow or permit livestock to run at large	\$150.00
25	Section 6.2	Allow or permit a dog to run at large	\$100.00
26	Section 7.4	Unlawfully unlock, unlatch, or pen a vehicle or cage containing seized animal	\$300.00

27	Section 8.1	Fail to remove feces left by an animal	\$100.00
28	Section 8.2	Fail to possess necessary equipment to remove feces	\$75.00
29	Section 8.3	Fail to remove feces from own property in a timely manner	\$100.00
30	Section 8.5	Fail to remove feces left by a horse	\$100.00
31	Section 9.1	Keep or permit to be kept a prohibited animal	\$400.00
32	Section 9.2	Keep livestock in an area not zoned for agricultural use	\$300.00
33	Section 9.4	Fail to keep an insect, arachnid or squamate in an escape proof enclosure.	\$100.00
34	Section 9.5	Fail to keep a lagomorph, marsupial or rodent in a suitable enclosure	\$100.00
35	Section 10.1	Permit a dog to attack or bite	\$300.00
36	Section 10.2	Permit a dog to harass or menace	\$150.00
37	Section 10.5 (a)	Fail to muzzle a Vicious Dog	\$200.00
38	Section 10.5 (b)	Fail to keep a Vicious Dog under control	\$400.00
39	Section 10.6	Fail to keep a Vicious Dog securely in a vehicle	\$200.00
40	Section 10.8	Fail to contain a Vicious Dog within an enclosed area.	\$200.00
41	Section 10.9	Fail to notify the Municipality of a change of ownership or residence of a Vicious Dog	\$150.00
42	Section 10.10	Fail to notify the Municipality of the death of a Vicious Dog	\$75.00
43	Section 10.13	Fail to notify a Kennel owner that a dog is designated as a Vicious Dog	\$150.00
44	Section 10.15	Operate a Kennel containing a Vicious Dog	\$300.00
45	Section 12.3	Hinder or obstruct an officer	\$600.00

**MUNICIPALITY OF KILLARNEY
ADMINISTRATIVE MONETARY PENALTY SYSTEM BY-LAW 2022-32**

**SCHEDULE “A”
Appendix 12**

**Designated By-law Provisions for Regulating Smoking and Vaping in Public Places
and Enclosed Workplaces in the Municipality of Killarney 2024-22**

TABLE 12: BY-LAW NO. 2024- 22 Being a By-law to Regulate Smoking and Vaping By-law			
ITEM	COLUMN 1 – DESIGNATED BY-LAW & SECTION	COLUMN 2 – SHORT FORM WORDING	COLUMN 3 ADMINISTRATIVE PENALTY
1	5(1)	Smoking and/or vaping in any enclosed workplace (including municipal vehicles/machinery).	\$150.00
2	5(2)(d)	Employer – fail to post a “No Smoking/No Vaping” sign at every public entranceway, public exit and washrooms.	\$150.00
3	5(4)	Smoking and/or vaping within a nine (9) metre radius of any public entranceway or public exit to a public place.	\$150.00
4	5(5)	Smoking and/or vaping in any enclosed public places within the Municipality.	\$150.00
5	5(6)(c)	Proprietor – fail to post a “No Smoking/No Vaping” sign at every public entranceway, public exit and washrooms.	\$150.00
6	5(7)	Smoking and/or vaping in or on the property of a public place shown on Schedule “B”.	\$150.00
7	5(8)	Smoking and/or vaping within any children’s playground / play area or park or within twenty (20) metres of any point on the perimeter of any children’s playground / play area or park.	\$150.00
8	5(9)	Smoking and/or vaping within sporting areas, spectator areas adjacent to sporting areas and/or public areas within twenty (20) metres of any point on the perimeter of a sporting area or a spectator area adjacent to a sporting area.	\$150.00