

The Corporation of the City of Kenora

By-law Number 123 - 2011

A By-law to Establish Fees and Charges for the Costs of Collection of Provincial Offences Fines that are Due and Unpaid

Whereas Subsection 165 (1) of the Provincial Offences Act, provides authority for a municipality, under agreement, to collect fines levied in respect of proceedings under Parts I, II and III, including costs under Section 60, surcharges under section 60.1 and fees referred to in section 66.2 and to enforce their payment; and

Whereas Subsection 165(9) of the Provincial Offences Act provides for the ability of a municipality, under agreement, to collect any other charge as permitted with written consent of the Attorney General when obtained in advance; and

Whereas Section 304 the Municipal Act, S.O. 2001, c. 25 provides authority for a municipality, if it uses a registered collection agency to recover debt, including the collection agency's reasonable costs of collection of the said debt; and

Whereas Section 391 (1) (b) the Municipal Act, S.O. 2001, c. 25 provides authority for a municipality to pass by-laws to impose fees or charges on any class of persons, for costs payable by it for services or activities provided, or done by, or on behalf, of any municipality or local board; and

Whereas Council of the City of Kenora now deems it necessary to establish fees and charges for the cost of collection of Provincial Offences Fines that are due and unpaid.

Now Therefore be it Resolved that Council of the Corporation of the City of Kenora Hereby Enacts as follows:

1. That a Collection Agency recovery fee be established to recover the costs of collection, by a registered Canadian Collection Agency for the Provincial Offences Fines that are due and unpaid and that the amount of the Fee be set at a range between ten (10) and twenty (20) percent multiplied by the amount of the unpaid fine, including any applicable fees and surcharges.
2. That this by-law shall come into force and take effect on final passing.

By-law read a First and Second Time this 21st day of November, 2011

By-law read a Third and Final Time this 21st day of November, 2011

The Corporation of the City of Kenora:-

David S. Canfield, Mayor

Joanne L. McMillin, City Clerk