THE CORPORATION OF THE MUNICIPALITY OF RED LAKE

BY-LAW NO. 1557-11

BEING A BY-LAW TO AMEND BY-LAW 949-07 A BY-LAW TO ENACT RULES AND REGULATIONS AND TO ESTABLISH CHARGES FOR THE USE, OPERATION AND MAINTENANCE OF A SYSTEM OF WATER WORKS AND SEWAGE WORKS IN THE MUNICIPALITY OF RED LAKE

WHEREAS the Council of The Corporation of the Municipality of Red Lake approved By-Law No. 949-07 on December 4th, 2007; and

WHEREAS it was deemed necessary to amend By-Law No. 949-07;

NOW THEREFORE the Council of The Corporation of the Municipality of Red Lake hereby **ENACTS AS FOLLOWS:**

- THAT Section 2.5 shall be deleted and replaced with the following: 1.
 - Any consumer wishing to discontinue the use of water supplied from the Municipality's water works shall give notice by completing the form as per the Tariff of Fees By-Law, or the water rates or charges shall be continued until such notice is given or until the water is turned off.
- THAT Section 4.2 shall be deleted and replaced with the following: 2.
 - An application for a Private Service Connection shall be made, in writing, to the Operations Superintendent by completing the form as per the Tariff of Fees By-Law. The application shall contain the name of the owner of the premises, the present state of construction (if a new building), the date for the proposed work to be done and the name of the contractor undertaking the
- THAT Section 5.1 shall be deleted and replaced with the following: 3.
 - The application for a Private Service Connection Permit shall be accompanied by a payment, as prescribed by the Tariff of Fees By-Law as a fee for the inspection of the newly installed service(s) connection to the sewer and/or water main lateral. Where the sewer and water service connections are installed simultaneously, only one permit fee shall be charged.
- THAT Section 10.1 shall be deleted and replaced with the following: 4.
 - 10.1 Each consumer shall pay the rates, fees and charges as set out by Council for applications; permits; consumption of water and sewage; and such other services as may be provided.
- THAT Section 10.2 shall be deleted and replaced with the following: 5.
 - 10.2 Every consumer shall pay to the Municipality, on or before the due date shown on his or her water bill, the full amount of the rates and charges shown thereon.
- THAT Schedule "A" shall be deleted. 6.
- THAT Schedule "B" shall be deleted. 7.
- THAT By-Law No. 949-07 is hereby amended. 8.
- THAT By-Law No. 1215-09 is hereby repealed. 9.
- 10.

THAT this By-Law shall come into force and take effect upon the final passing hereof. READ a FIRST and SECOND TIME this 21st day of November, 2011. Phil/Vinet, Mayor Shelly L. Kocis, Clerk READ a THIRD TIME and FINALLY PASSED this 21st day of November, 2011. Phil Vinet, Mayor Shelly L. Kocis, Clerk

THE CORPORATION OF THE MUNICIPALITY OF RED LAKE

BY-LAW NO. 949-07

BEING A BY-LAW TO ENACT RULES AND REGULATIONS AND TO ESTABLISH CHARGES FOR THE USE, OPERATION AND MAINTENANCE OF A SYSTEM OF WATER WORKS AND SEWAGE WORKS IN THE MUNICIPALITY OF RED LAKE

WHEREAS Section 8(1) of the Municipal Act, S.O. 2001, c.25, as amended, enables the municipality to govern their affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

WHEREAS Section 10(1) of the Municipal Act, S.O. 2001, c.25, as amended, a singletier municipality may provide any service or thing that the Municipality considers necessary or desirable for the public.

WHEREAS Section 10(2) of the Municipal Act, S.O. 2001, c.25, as amended, enables a single-tier municipality to pass by-laws respecting environmental well-being of the municipality and the health, safety and well-being of persons; and

WHEREAS the Council of the Corporation of the Municipality of Red Lake deems it necessary and expedient to establish rules regarding internal and external connections of water and sewage to the Municipality of Red Lake Water and Sewage Systems and Establish Water and Sewage Use Restrictions in the Municipality of Red Lake;

NOW THEREFORE the Council of The Corporation of the Municipality of Red Lake hereby **ENACTS AS FOLLOWS:**

1. Definitions

- 1.1 "Approved Contractor" means a contractor approved by the Operations Superintendent for the installation of water and/or sewer piping from the Main or Lateral to the Premises.
- 1.2 "AWWA" means the American Water Works Association.
- 1.3 "Backwater Valve" means a valve designed to prevent reversal of flow in a gravity drainage system.
- 1.4 "Bleeder" means a piece of tubing, piping or other device attached to a Water Distribution System and allowed to run continuously to prevent freezing of the water in the system.
- 1.5 "C.B.O." means the Chief Building Official of the Municipality of Red Lake.
- 1.6 "Consumer" means the applicant for water/sewer service, and includes the owner or occupant of the Premises served
- 1.7 "Commercial User" means any Consumer who is not a Domestic User.
- 1.8 "Council" means the Council of the Corporation of the Municipality of Red Lake.
- 1.9 "Curb Stop Valve" means the connection at the street line, or easement line, which connects the lateral and the Water Service Pipe to the Premises.
- 1.10 "Designate" means the person designated, in writing, to have the authority to act under this By-Law in the absence of the Operations Superintendent.
- 1.11 "Domestic User" means the Consumer in respect of a detached or semidetached dwelling, row house, town house, church, or a municipal facility.
- 1.12 "Fire Chief" means the Fire Chief of the Municipality as appointed by Council, or designate.

1. Definitions - Continued

- 1.13 "Grinder Pump" means a pump, tank and alarm system designated to force sewage from a building sewer that is located below a level where gravity drainage can be attained, through a Low Pressure Sewer to the Lateral or Main.
- 1.14 "Heat Tracing" means, a system of electrical heating cables attached to or placed adjacent to pipes to provide supplementary heat to prevent the liquid in the pipes from freezing.
- 1.15 "Lateral" means the piping situated within the Municipal right of way or easement from the Main to the Premises.
- 1.16 "Low Pressure Sewer" means a sewage conveyance pipe or system that operates under low pressure between a Grinder pump and the Lateral.
- 1.17 "Main" means the piping and appurtenances situated within the Municipal right of way or easement for sewer and/or water installed by or owned by the Municipality and which provide service to the Lateral.
- 1.18 "Meter" means the device for measuring the quantity of water supplied to a Consumer.
- 1.19 "Ministry" means the Ministry of the Environment.
- 1.20 "Municipality" means the Corporation of the Municipality of Red Lake.
- 1.21 "Municipal Sewer Service Connection" means the piping from the property line to the main sewer line.
- 1.22 "Municipal Water Service Connection" means the piping from the Curb Stop Valve to the main water line.
- 1.23 "OBC" means the Ontario Building Code.
- 1.24 "Operations Superintendent" means the Operations Superintendent for the Municipality as appointed by the Council, or designate.
- 1.25 "Person" shall mean a Consumer.
- 1.26 "Premises" means all buildings within the property line that is serviced with water and sewer.
- 1.27 "Pressure Reducing Valve" means a device installed between the Valve and/or Meter and the Water Distribution System to restrict the water pressure to within the high pressure limit specified in Section 7.6.4. of the OBC.
- 1.28 "Private Sewer Connection" means the piping from the property line up to the Premises.
- 1.29 "Private Water Service Connection" means the piping from the Curb Stop Valve and including the Valve and/or Meter in the Premises and "Water Service Pipe" shall have the same meaning.
- 1.30 "Property Line" means the property registered in the Land Titles Office.
- 1.31 "Water Distribution System" means the assembly of pipes, fittings, valves and appurtenances that convey water from the Private Service Connection at the Valve and/or Meter and within the Premises.

General

- 2.1 This By-Law governs and regulates the operation of every water and sewage system owned or operated by the Municipality.
- 2.2 All connections to the Municipal water or sewage system shall comply with this By-Law and the OBC, and AWWA specified materials shall be used for all installations.

2. General - Continued

- 2.3 No person shall hinder, impede or obstruct an Operations Superintendent or any person authorized by Council from entering property.
- 2.4 The Operations Superintendent or any person authorized by Council for that purpose has free access, at all reasonable times, and upon reasonable notice given and request made, to all parts of every building or other premise to which any public utility is supplied for the purpose of inspecting or repairing, or of altering or disconnecting any service pipe, wire or rod, within or without the building, or for placing meters upon any service pipe or connection within or without the building as he or she considers expedient and for that purpose or for the purpose of protection or regulation the use of the meter, may set it or alter the position of it, or of any pipe, wire, rod, connection or tap, and may alter or disconnect any service pipe.
- 2.5 Any consumer wishing to discontinue the use of water supplied from the Municipality's water works shall give notice by completing the Form attached as Schedule "A", or the water rates or charges shall be continued until such notice is given or until the water is turned off.
- 2.6 No person shall turn on water when it has been turned off for the purpose of repair, construction or for any other purpose, unless duly authorized to do so by the Municipality.
- 2.7 The Operations Superintendent may, from time to time, establish standards pertaining to connections and installation procedures which shall apply from the time of issuance.

3. Health Hazards

- 3.1 In any case where a sewer or water main abuts a property, and the Medical Officer of Health has determined that it is necessary in the interests of the health of the occupants of the property, or their neighbours, or the public at large, that the premises be connected to the Municipal water or sewage system, the property owner shall, within 6 months of receiving notification by registered mail, connect the premises to the Municipal system.
- 3.2 No person shall cause or permit any foreign substances, including, without limiting the generality of the foregoing, hazardous liquids or chemicals of any kind, to enter or have contact with the water in the Municipal water systems.
- 3.3 No person shall cause or permit any foreign substances, including, without limiting the generality of the foregoing, hazardous liquids or chemical of any kind, to enter or have contact with the sewer in the Municipal sewer system.
- 3.4 Where a person has caused or permitted a foreign substance to enter or have contact with the water or sewer in the Municipal water or sewer systems, the person, or the owner or occupant of the premises shall forthwith advise the Operations Superintendent.

4. Permits

- 4.1 No person shall make any connection into the Municipality's sewer or water works system without first having obtained a permit from the Operations Superintendent and such permit shall be called a "Private Service Connection Permit".
- 4.2 An application for a Private Service Connection shall be made, in writing, to the Operations Superintendent on the form prescribed and attached as Schedule "A" to this by-law, which application shall contain the name of the owner of the premises, the present state of construction (if a new building), the date for the proposed work to be done and the name of the contractor undertaking the work.

4. Permits - Continued

- 4.3 Upon receipt of a properly completed application from the owner, or his authorized representative and any necessary fee payable to the Municipality, the Operations Superintendent shall issue a permit for the connection.
- 4.4 Where the necessary water services have already been installed and the cost of such installation fully paid, and the premises for which the supply of water is required is occupied by a tenant, the application for a supply of water to said building may be signed by the occupant of such building.

Permit Fees

5.1 The application for a Private Service Connection Permit shall be accompanied by a payment, as prescribed the attached Schedule "B", as a fee for the inspection of the newly installed service(s) connection to the sewer and/or water main lateral. Where the sewer and water service connections are installed simultaneously, only one permit fee shall be charged.

6. Sewage Connection

- 6.1 No person shall provide more than one Municipal Sewer Service Connection for each Premises.
- 6.2 Where a building occupies the entire frontage of a lot and other buildings are located in the rear of the lot, all such buildings may be serviced from the same sewer connections provided that all of the buildings belong to one owner and such owner pays the sewer rates for all of the sewage.
- 6.3 Domestic users may discharge into the sewage system from the following:
 - (a) Bathroom fixtures
 - (b) Kitchen sinks
 - (c) Laundry and washing machine wastes
 - (d) Cellar floor drainage
 - (e) Garage floor drainage (Not including detached garages, or carports)
- 6.4 All discharge into the sanitary sewer system of wastes by an industrial or commercial user shall first be approved by the Municipality.
- 6.5 No person shall allow roof water leaders, foundation weeping tile, sump pumps, or other surface or underground water collection systems to discharge into the sanitary sewer system of the Municipality.
- 6.6 The Private Sewer Service Connection from the building to the Municipal Sewer Service Connection shall be connected to the building at an elevation below the foundation footings where existing grade will permit. The piping shall be laid at sufficient depth to afford protection from frost and at uniform grade and in straight alignment, wherever possible.
- 6.7 The size of the Private Sewer Service Connection shall be in accordance with the requirements of the OBC and good engineering practice.
- 6.8 Where the main sanitary sewer system and the sewer service lateral thereto are not deep enough to permit a gravity connection at the depth proposed for the basement construction or the property is serviced by a low pressure sewer system, then the owner shall install a sewage grinder pump at his own cost. The make and model of the pump shall be approved by the Municipality.
- 6.9 The Operations Superintendent may require a consumer to purchase a sewage grinder pump for premises where the location of the sewer main makes a gravity feed service impractical.

6. Sewage Connection - Continued

- 6.10 All sewage grinder pumps located on private property become, on installation, the property of the owner of the premises, and the owner or consumer shall be responsible for the cost of the installation, operation, maintenance, replacement and repair of same.
- 6.11 Where existing buildings have been demolished and the property owner proposes to utilize the existing sanitary service connection to serve a new building, the approval of the C.B.O. and Operations Superintendent shall be required. The approval of the continued use of the existing connection will be subject to the inspection of the Operations Superintendent to determine that it is in satisfactory condition and will properly serve the new building.
- 6.12 For gravity sewer service connections, a clean-out shall be installed in accordance with the OBC.
- 6.13 The consumer shall, within 10 days of a sewer connection being made to the premises, disconnect any septic tank, cesspool or similar private sewage disposal facilities, and where the private sewage disposal facilities no longer service any other premises, the same shall be cleaned, filled or removed or destroyed within 10 days of the said connection.
- 6.14 Where a building drain or a branch may be subject to backflow, a backwater valve shall be installed on every fixture drain connected to them when the fixture is located below the level of the adjoining street. Where more than one fixture is located on a storey and all are connected to the same branch, the backwater valve may be installed on the branch.
- 6.15 Every backwater valve shall be installed at the Consumer's expense and be maintained in good working order by the Consumer/Occupant.
- 6.16 No person shall remove any grinder pump or backwater valve without the approval of the Operations Superintendent.

Water Connections

- 7.1 No person shall provide more than one Municipal Water Service Connection for each premises.
- 7.2 No person shall remove water supplied to a consumer from the municipal water system from the premises to which it was supplied for purposes of sale, unless same has been authorized in writing by the Municipality.
- 7.3 Where a building occupies the entire frontage of a lot and other buildings are located in the rear of the lot, all such buildings may be supplied from one water service provided that all said buildings belong to one owner and such owner pays the water rates for all water supplied to such buildings.
- 7.4 The sizing of private water service connections shall be in accordance with the requirements of the Ministry of the Environment for the Province of Ontario, the OBC and good engineering practice.
- 7.5 No person shall connect the municipal water system to any water system that is also supplied from a well or any other source of water.
- 7.6 No person shall connect the municipal water system to a water distribution system in such a manner that foreign materials or non-potable water may enter the municipal system.
- 7.7 Where water service connections are installed in the same trench as a sanitary sewer service connection, the water service pipe must be located in accordance with Article 7.3.5.7. of the OBC.
- 7.8 No person shall open or close any valve, hydrant or gate in the street mains, or interfere with the same in any manner, except a certified operator approved by the Municipality.

7. Water Connections - Continued

- 7.9 No person shall turn off or turn on a water service except an authorized employee of the Municipality. If the Municipality is requested to turn off or turn on a water service, the service charge as detained herein is to be paid, it being understood that no water service will be turned off or turned on unless the consumer or another person authorized in writing to act on his behalf, is present on the premises.
- 7.10 No person shall remove water from any fire hydrant, without having first obtained permission in writing from the Municipality, with the exception of Municipal Fire Fighters and operating authority.
- 7.11 No testing of private fire protection facilities is permitted, unless said testing and the mode of same is approved in writing by the Operations Superintendent in co-ordination with the C.B.O. and Fire Chief.
- 7.12 Each hydrant on a private fire protection service shall be separately valved and all such hydrants shall be according to specifications approved in writing by the Municipality.
- 7.13 No person shall operate or use a private fire hydrant except in the case of fire, unless permission of the Municipality to use the same otherwise is, in writing, obtained.

8. All Connections

- 8.1 Private service connections installed to the premises shall, at all times, be maintained in good repair and without limiting the generality of the foregoing, be fully protected from frost and other damage by the elements, all of which said maintenance and protection shall be carried out at the expense of the consumer.
- 8.2 No service pipe installed from the main to the premises shall be used for any purpose other than to supply the premises.

9. Bleeders

- 9.1 No person shall allow water line bleeding unless permitted by written authority, issued by the Operations Superintendent to the consumer.
- 9.2 Should a private service connection freeze, the owner of the premises shall be responsible for the cost of thawing the line. The Operations Superintendent may authorize a method of controlled bleeding, if he deems it advisable.

10. Rates

- 10.1 Each consumer shall pay the rates, fees and charges as set out by Council for applications, permits, consumption of water, and sewage, and such other services as may be provided for therein.
- 10.2 Every consumer shall pay to the Municipality, on or before the due date shown on his or her water bill, the full amount of the rates and charges shown thereon. If the full amount is not paid on the due date, an interest rate charge of 1.25% compounded monthly will be added to the bill.
- 10.3 After 90 days the Municipality may transfer any outstanding balance of a consumer's water bill to their property taxes and the water may be turned off.
- 10.4 The supply of water by the Municipality is not to be construed in any way as a guarantee to supply sufficient quantity or quality of water to meet a consumer's requirements, and failure to supply water of such quantity and quality as may be required by a consumer shall not be construed as neglect on the part of the Municipality.

11. Water Restrictions

- 11.1 The Council authorizes the Operations Superintendent or designate the power to restrict or prohibit the consumption of water.
- 11.2 The Operations Superintendent may, by notice placed in the Municipal Newsletter or by Notice published in a newspaper having circulation in the Municipality, restrict or prohibit the consumption of water at certain times, on certain dates or for certain purposes as is deemed necessary.
- 11.3 No person shall use water supplied by the Municipal water system except in accordance with any such published water restrictions.
- 11.4 Any consumer who, after written warning, fails to comply with water restrictions, shall be subject to a fine as per Schedule "C", of this by-law, and/or the Municipality may shut off the water supply and such supply shall not be turned on until arrangements satisfactory to the Municipality have been made to ensure that the restrictions are complied with.

12. Existing Installations

- 12.1 Notwithstanding the provisions of sec. 6.1, 6.5 and 7.1 of this by-law, an installation which contravenes these provisions on the date on which this by-law is passed may be continued until such time as the premises thereon are substantially or completely reconstructed.
- 12.2 Any premises that had an existing grinder pump agreement with the Municipality, prior to the passing of this By-Law, may be exempt from Sec. 6.10.

13. Grant of Exemption

- 13.1 Notwithstanding anything contained in this by-law, any person may make application to the Operations Superintendent to be granted an exemption from any of the provisions of this by-law. The Operations Superintendent may refuse to grant any exemption or may grant the exemption applied for, or any exemption of lesser effect and any exemption granted shall be in writing.
- 13.2 The application mentioned in section 13.1 shall be made in writing and shall contain the following:
 - (a) the name and address of the applicant;
 - (b) a description of the request being made for exemption;
 - a statement of the particular provision or provisions of the by-law from which the exemption is sought;
 - (d) the reasons why the exemption should be granted; and
 - (e) a statement of the steps, if any, planned or presently being taken to bring about compliance with the by-law.
- 13.3 In deciding whether to grant the exemption, any person that may be opposed to the exemption may be given an opportunity to be heard at a meeting of the Council that may consider such matters as it sees fit.

Offences

14.1 Every person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction, is liable to a fine or penalty pursuant to the Provincial Offences Act.

15. Repeals

- 15.1 That By-Law Number 669-05 is hereby repealed.
- 15.2 That By-Law Number 943-07 is hereby repealed.

Water & Sewer Usage By-Law Continued - Page 8 of 11

16. Effective Date

16.1 This By-Law shall come into force and take effect on the date the Ministry of the Attorney General approves the Set Fines under By-Law No. 949-07

READ a FIRST and SECOND TIME this 4th day of December, 2007.

PhilVT. Vinet, Mayor

Shelly L. Kocis, Clerk

READ a THIRD TIME and FINALLY PASSED this 4th day of December, 2007.

Phil T. Vinet, Mayor

BY-LAW INDEX

Shelly L. Kocis, Clerk

Shelly L. Kocis, Clerk

Ones of Good and Goo

Schedule "A"



The Corporation of the Municipality of Red Lake MUNICIPAL OFFICE - P.O. BOX 1000 – 2 FIFTH STREET BALMERTOWN, ONTARIO POV 1CO

Phone: (807) 735-2096

Fax: (807) 735-2286

Private Water/Sewer Service Form

Property Owr	ner's Na	me:			
Phone No.:					
Account No.:		()			
Ι,		, the owner of, _			
	Full Name)			Street Address)	(Townsite)
request the fo	ollowing	work to be completed at m	ny pre	emises:	
Service:		Water/Sewer Turned On			
		Water/Sewer Turned Off			
		Cancellation of Unit (Vacano	су)	# of Units:	
		Addition of Unit (Vacancy Fi	illed)	# of Units:	-
Inspections:		Water Connection			
		Sewer Connection			
		Disconnect Water			
		Disconnect Sewer			
Other:					
		ork:			
Signature of	Reques	ting Person:			
Received by	(Munici	pal Employee):			
* Where the permit fee sh		nd sewer service connectio harged.	ns ar	re installed simultar	leously, only one
		MUNICIPAL U	SE C	NLY	
Approved By	:	. I de la companya del la companya de la companya d		Date Approved:	
Fee Receive	d:\$			Receipt No:	
Municipal Ca	shier: _				
DATE FORW	ARDED	TO OPERATIONS DEPT:			
DATE COMPL	LETED B	BY OPERATIONS DEPT:			
TURN-OFF T	IME:		TURN	-ON TIME:	
DATE ENTER	ED ON	ACCOUNT BY AR CLERK			

Schedule "B"

<u>Fees</u>

The fees listed below shall be paid prior to the completion of any inspection, connection or disconnection.

Connections & Inspections:

Normal Business Hours:

Water and/or Sewer Connection	\$25.00
Disconnect Water and/or Sewer	\$25.00
Water Turn On or Off	\$25.00

Call Out:

Connect Water and/or Sewer	\$100.00
Disconnect Water and/or Sewer	\$100.00
Water Turn On or Off	\$100.00

Schedule "C"

Set Fines

"Part 1 Provincial Offences Act"

THE CORPORATION OF THE MUNICIPALITY OF RED LAKE

Municipality of Red Lake

By-Law No. 949-07

Title: Water Use Restrictions

		restrictions		
Item #	Column 1 (Short Form Wording)	Column 2 (Provision Creating or Defining Offence)	Column 3 (Set Fines)	
1.	Obstruct entering upon property.	Sec. 2.3	\$400.00	
2.	Turn on water when prohibited.	Sec. 2.6	\$400.00	
3.	Did not connect to Municipal water system when required.	Sec. 3.1	\$400.00	
4.	Cause (Permit) foreign substance to enter or connect with water in Municipal Water system.	Sec. 3.2	\$400.00	
5.	Connect to Municipal water distribution system without permit.	Sec. 4.1	\$400.00	
6.	Connect to Municipal sewer distribution system without permit.	Sec. 4.1	\$400.00	
7.	Provide more than one Municipal Sewer Service Connection for each premises.	Sec. 6.1	\$400.00	
8.	Allow roof water leaders (foundation weeping tile)(sump pumps)(surface water) (underground water) to discharge into the sanitary sewer system of the Municipality.	Sec. 6.5	\$400.00	
9.	Remove grinder pump (backwater valve) without approval.	Sec. 6.16	\$400.00	
10.	Provide more than one Municipal Water Service Connection for each premises.	Sec. 7.1	\$400.00	
11.	Remove water supplied from the municipal water system for purpose of sale.	Sec. 7.2	\$400.00	
12.	Connect municipal water system to a well or any other source of water.	Sec. 7.5	\$400.00	
13.	Connect municipal water system in a Manner that foreign materials (non-potable water) may enter the municipal system.	Sec. 7.6	\$400.00	
14.	Open valve (hydrant)(gate) in the street mains.	Sec. 7.8	\$400.00	
15.	Turn on (off) water service without authorization.	Sec. 7.9	\$400.00	
16.	Remove water from fire hydrant without permission.	Sec. 7.10	\$400.00	
	Operate private fire hydrant when prohibited.	Sec. 7.13	\$400.00	
	Allow water line bleeding without permission.	Sec. 9.1	\$400.00	

[&]quot;Note: The general penalty provision for the offences listed above is Section 14 of By-Law 949-07, a certified copy of which has been filed and section 61 of the Provincial Offences Act, R.S.O. 1990, c. P.33.