

Authority: Item [REDACTED]
Planning Committee
Report: 13-[REDACTED] (PED12184(c))
CM: [REDACTED]

Bill No. [REDACTED]

CITY OF HAMILTON

BY-LAW NO. [REDACTED]

To Amend By-law No. 03-126

**Being a By-law for Prohibiting and Regulating the Alteration of Property Grades,
the Placing or Dumping of Fill, and the Removal of Topsoil**

WHEREAS Council enacted a by-law for Prohibiting and Regulating the Alteration of Property Grades, the Placing or Dumping of Fill, and the Removal of Topsoil being City of Hamilton By-law No. 03-126;

AND WHEREAS this By-law amends City of Hamilton By-law No. 03-126;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 23 of By-law No. 03-126 is amended by adding the following new subsection 23.3:
 - 23.3 Every person who is convicted of an offence under this By-law may be liable, in addition to the fines established under subsections 23.1 and 23.2, to a special fine, which may exceed \$100,000, designed to eliminate or reduce any economic advantage or gain from contravening this By-law or failing to comply with an order made under this By-law.
2. Section 23 of By-law No. 03-126 is amended by adding the following new subsection 23.4:
 - 23.4 Where a person has been convicted of an offence, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed by this By-law, make an order:
 - (a) prohibiting the continuation or repetition of the offence by the person convicted; and,

- (b) requiring the person convicted to correct the contravention in the manner and within the period that the court considers appropriate.

PASSED this [REDACTED] day of [REDACTED], 2014.

R. Bratina
Mayor

Rose Caterini
Clerk