

TOQUAHT NATION GOVERNMENT

Enacted under the Enforcement Act section 7.1

**TICKETABLE OFFENCES AMENDMENT
REGULATION NO. 1**

TNR 2/2017



This regulation enacted on May 11th, 2017

Signed *Anne Mack*
Anne Mack, ḥaʔwił of the Toquaht Nation

DEPOSITED IN THE
REGISTRY OF LAWS AND
OFFICIAL RECORDS

ON 2017 / 05 / 25

Kristen Johnson

Signature of Law Clerk

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PART 1 - INTRODUCTORY PROVISIONS

Short title

1.1 This regulation may be cited as the Ticketable Offences Amendment Regulation No. 1.

Application

1.2 This regulation amends or prescribes

- (a) certain ticketable offences,
- (b) for the purposes of section 5.2 of the Act,
 - (i) the particulars of those offences, and
 - (ii) the penalty, discounted penalty and surcharge penalty for those offences.

Definitions

1.3 In this regulation,

“Act” means the Enforcement Act.

PART 2 - TICKETABLE OFFENCES

Ticketable offences

2.1 The Compliance Notice and Ticket Regulation is amended by

- (a) repealing Schedule 2-1 and substituting Schedule 2-1 of this Regulation,
- (b) adding the following two rows to Schedule 2-2 immediately following the seventh row [*Intimidate individual to vote or refrain from voting*]:

10.2	Interfere or attempt to interfere with casting of electronic vote	\$250	\$200	\$375
10.2	Interfere or attempt to interfere with electronic voting system	\$250	\$200	\$375

- (c) repealing Schedule 2-8 and substituting Schedule 2-8 of this Regulation, and
- (d) adding Schedules 2-10 and 2-11 of this Regulation as Schedules 2-10 and 2-11 of the Compliance Notice and Ticket Regulation.

Consequential amendments

2.2 Section 4.1 and Schedule 3 of the Business Licensing Regulation are repealed.

SCHEDULE 2-1 – ELECTIONS ACT

A Provision	B Contravention	C Penalty Amount	D Discounted Penalty	E Surcharge Penalty
Elections Act TNS 1/2014				
14.1(a)	Campaign within 100m of chief electoral officer's office	\$125	\$100	\$200
14.1(b)(i)	Campaign within 100m of voting place	\$125	\$100	\$200
14.1(b)(ii)	Solicit votes within 100m of voting place	\$250	\$200	\$375
14.1(d)	Campaign using public address system within hearing distance of voting place	\$125	\$100	\$200
14.2(a)	Inducement to vote or refrain from voting	\$250	\$200	\$375
14.2(b)	Accept inducement to vote or refrain from voting	\$250	\$200	\$375
14.3(a)	Intimidate individual to vote or refrain from voting	\$250	\$200	\$375
14.4(a)(i)	Interfere or attempt to interfere with casting of electronic vote	\$250	\$200	\$375
14.4(a)(ii)	Interfere or attempt to interfere with electronic voting system	\$250	\$200	\$375
14.5(a)	Vote when not entitled to do so	\$250	\$200	\$375
14.5(b)	Vote on more than one occasion	\$250	\$200	\$375
14.5(d)	Fail to mark ballot in accordance with voter's instructions	\$250	\$200	\$375
14.9(a)	Interfere or attempt to interfere with marking of ballot	\$250	\$200	\$375
14.9(c)	Remove, cover up or alter notice without lawful authority	\$75	\$50	\$100
14.10(a)	False representation as electoral officer	\$250	\$200	\$375
14.10(d)	Impede or obstruct electoral officer in performing duties	\$250	\$200	\$375
14.11	Provide false or misleading information	\$250	\$200	\$375

SCHEDULE 2-8 – HOUSING AUTHORITY ACT

A Provision	B Contravention	C Penalty Amount	D Discounted Penalty	E Surcharge Penalty
Housing Authority Act TNS 1/2013				
8.7(b)	Occupy Toquaht social housing prior to completion of review request	\$300	\$250	\$500
8.9(a) 10.2(c)	Unauthorized sublease of Toquaht social housing	\$375	\$300	\$600
9.5 10.2(c)	Unauthorized sublease of Toquaht market housing	\$375	\$300	\$600
10.1	Unauthorized use of Toquaht housing for non-residential purposes	\$375	\$300	\$600
10.2(a)	Unauthorized transfer of right to use and occupy Toquaht housing	\$300	\$250	\$500
10.5	Unauthorized alteration to Toquaht housing	\$300	\$250	\$500
11.5(e)	Fail to give up exclusive possession of family home	\$300	\$250	\$500
11.7(a)	Interference with spousal tenancy	\$300	\$250	\$500
13.3	False representation, fraud or knowingly concealing material fact	\$375	\$300	\$600

SCHEDULE 2-10 – PUBLIC ORDER, PEACE AND SAFETY ACT

A Provision	B Contravention	C Penalty Amount	D Discounted Penalty	E Surcharge Penalty
Public Order, Peace and Safety Act TNS 2/2014				
2.1	Cause or permit a disturbance	\$125	\$100	\$200
2.2	Allow an animal to cause a disturbance	\$125	\$100	\$200
2.3 2.4	Using equipment when prohibited	\$125	\$100	\$200
3.1	Commit disorderly conduct	\$250	\$200	\$375
3.2	Commit or attempt to commit vandalism of public property	\$300	\$250	\$500
3.3	Public bodily discharge	\$125	\$100	\$200
4.2	Failing to ensure no drug activity on property	\$375	\$300	\$600
5.3(a)	Failing to obey traffic control device	\$250	\$200	\$375
5.3(b)	Tampering with a traffic control device	\$250	\$200	\$375
5.4(c)	Operating a vehicle at speed exceeding allowed speed	\$250	\$200	\$375
5.5(a)	Parking a vehicle where prohibited	\$75	\$50	\$100
5.6(b)	Operating vehicle of weight exceeding allowed weight	\$250	\$200	\$375
5.7(d) 5.7(e)	Failing to carry or comply with terms of vehicle weight permit	\$250	\$200	\$375
5.8(a)	Littering from a vehicle on a highway	\$125	\$100	\$200
5.8(b)	Obstructing or damaging a highway	\$250	\$200	\$375
5.11(a) 5.11(b)	Operating a vehicle without, or failing to produce when requested, a valid licence, certificate of registration or proof of valid insurance	\$300	\$250	\$500
5.12	Dangerous operation of a vehicle	\$375	\$300	\$600

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A Provision	B Contravention	C Penalty Amount	D Discounted Penalty	E Surcharge Penalty
5.13	Failing to stop when directed by an enforcement officer	\$300	\$250	\$500
6.1 6.9(b)	No dog licence	\$100	\$50	\$300
6.6(b) 6.6(c)	No tag or collar on dog	\$50	\$25	\$150
6.7(b)	Transferring dog tag	\$100	\$50	\$300
6.8(a)	No notice of change of ownership	\$100	\$50	\$300
6.10	Too many dogs or cats	\$200	\$100	\$600
6.11	Dog at large	\$100	\$50	\$300
6.12	Dangerous dog unsecured	\$500	\$250	\$1500
6.13	Not cleaning up after dog	\$50	\$25	\$150
6.14	Possessing a sick animal	\$200	\$100	\$600
6.15	Wild animal offences	\$500	\$250	\$1500
6.16	Improper animal care	\$200	\$100	\$600

SCHEDULE 2-11 – BUSINESS LICENCING ACT

A Provision	B Contravention	C Penalty Amount	D Discounted Penalty	E Surcharge Penalty
Business Licencing Act TNS 9/2014				
2.1(a)	Carrying on a business without a valid business licence	\$500	\$250	\$1000
2.1(b), 3.5(c)	Failure to post business licence	\$50	\$25	\$100
2.1(c)	Carrying on a business while business licence is suspended	\$500	\$250	\$1000
3.1(c)	Carrying on a business on public property without approval	\$250	\$125	\$500
3.1(d)	Advertising business without holding a valid business licence	\$250	\$125	\$500
3.2(c)	Operating more than two businesses in a single residential unit	\$200	\$100	\$400
3.2(g)	Home-based business causing a nuisance	\$100	\$50	\$200
3.2(h)	Unauthorized storage of business materials around exterior of home or accessory building	\$100	\$50	\$200
3.4(b)	Providing commercial accommodation in a residential unit while not being ordinarily resident on property	\$500	\$250	\$1000
3.5(d)	Failure to have name and address painted on vehicle	\$50	\$25	\$100
3.5(e)	Failure to have lawful weight or measuring scale	\$250	\$125	\$500
3.6(c)	Allowing street vendor to occupy space in vendors market without valid business licence	\$50	\$25	\$100