

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 185-2023

A By-law of the Corporation of the City of Vaughan to amend Encroachment By-law 034-2017, as amended, by introducing administrative monetary penalties for non-compliance with this By-law.

WHEREAS section 8(1) of the *Municipal Act* provides that the powers of a municipality shall be interpreted broadly as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and enhance their ability to respond to municipal issues;

AND WHEREAS Council has determined that it is desirable to make amendments to By-law 034-2017, as amended, and to introduce administrative monetary penalties for non-compliance with this By-law;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. That Encroachment By-law 034-2017, as amended, be further amended by repealing Part 16.0 and replacing it with the following:

16.0 Administrative Monetary Penalties

- (1) Instead of laying a charge under the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended, for a breach of any provisions of this By-law, an officer may issue an administrative monetary penalty to the *Person* who has contravened this By-law.
- (2) If an administrative monetary penalty is issued to a *Person* under section 16.0(1), no charge shall be laid against that same *Person* for the same breach.
- (3) The amount of the administrative monetary penalty for a breach under this By-law is \$400.
- (4) A *Person* who is issued an administrative monetary penalty shall be subject to the procedures provided for in the Administrative Monetary Penalties By-

law 063-2019, as amended, or its successor by-law.

- (5) An administrative monetary penalty imposed on a *Person* that becomes a debt to the *City* under the Administrative Monetary Penalties By-law 063-2019, as amended, or its successor by-law, may be added to the municipal tax roll and collected in the same manner as municipal taxes.

16.1 Fines

- (1) Every *Person* who is convicted of an offence under this By-law is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, Chap. P.33.
 - (2) Every *Person* who contravenes this By-law is guilty of an offence and on conviction is liable to pay a fine, exclusive of *Expenses*, as provided for in the *Provincial Offences Act of Ontario*, R.S.O. 1990, c. P.33, as amended.
2. That Encroachment By-law 034-2017, as amended, be further amended by repealing Part 25.0 and replacing it with the following:

25.0 Repeal and Amendment of Other By-laws

- (1) Encroachment By-law No. 054-2016 is hereby repealed.
- (2) Schedule 1 of the Administrative Monetary Penalties By-law is hereby amended by including this By-law as a *Designated By-law*.

Voted in favour by City of Vaughan Council this 14th day of November, 2023.

Steven Del Duca, Mayor

Todd Coles, City Clerk

Authorized by Item No. 6 of Report No. 46 of the Committee of the Whole.
Report adopted by Vaughan City Council on November 14, 2023.
City Council voted in favour of this by-law on November 14, 2023.
Approved by Mayoral Decision MDC 006-2023 dated November 14, 2023.
Effective Date of By-Law: November 14, 2023