

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 182-2023

A By-law of the Corporation of the City of Vaughan to amend Anti-Graffiti By-law 46-2009, as amended, by introducing administrative monetary penalties for non-compliance with this By-law.

AND WHEREAS section 8(1) of the *Municipal Act, 2001, S.O. 2001, c. 25* (“*Municipal Act*”), as amended, provides that the powers of a municipality under this Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

AND WHEREAS section 128(1) of the *Municipal Act* provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS Council has determined that it is desirable to make amendments to By-law 46-2009, 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 Anti-Graffiti By-law 46-2009, as amended, be further amended by repealing Part 6.0 and replacing it with the following:

6.0 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 6.0(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.

6.1 Fines

- (1) Every person who is convicted of an offence under this By-law or fails to comply with a notice to comply 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 director or officer of a corporation who knowingly concurs in the contravention of a provision of this By-law or fails to comply with a notice to comply made under this By-law is guilty of an offence.
 - (3) A person who is convicted of an offence is liable on first conviction to a fine of not less than \$400 and not more than \$20,000, and is liable on subsequent convictions to a fine of not less than \$400 and not more than \$50,000.
 - (4) A corporation that is convicted of an offence is liable on first conviction to a fine of not less than \$400 and not more than \$50,000, and is liable on subsequent convictions to a fine of no less than \$400 and not more than \$100,000.
 - (5) In addition to the fines in sections 6.1(3) and 6.1(4), a person convicted of a subsequent offence is liable to a fine not more than \$1,000 for each day or part of the day on which the contravention has continued after the day on which the person was first convicted.
2. That Anti-Graffiti By-law 46-2009, as amended, be further amended by adding Part 8.1 to read as follows:

8.1 Repeal and Amendment of Other By-laws

- (1) 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