

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 127-2024

A By-law of The Corporation of the City of Vaughan to amend the Administrative Monetary Penalties By-law 063-2019, as amended, to update eligibility requirements for Hearing Officers under Section 7.0 and amend the definition of Hearing Officer under Section 3.0.

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

AND WHEREAS Section 7.0(3) of By-law 063-2019, as amended, delegates authority to the City Clerk to appoint the position of Hearing Officer;

AND WHEREAS the City of Vaughan considers it advisable to update eligibility requirements for Hearing Officers under Section 7.0(4) of By-law 063-2019.

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

1. That By-law 063-2019, as amended, be amended by amending the definition of Hearing Officer, in Section 3.0 'Definitions and Interpretation' by replacing the word "Director" with "City Clerk".
2. That By-law 063-2019, as amended, be further amended by adding subsection 7.0(4)(d), as follows:
 - (d) A person acting as legal counsel or otherwise acting as a representative in a legal proceeding against the City.
3. That By-law 063-2019, as amended, be further amended by adding new subsections 7.0(5), 7.0(6), 7.0(7), 7.0(8) and 7.0(9) as follows:
 - (5) Hearing Officers cannot act or continue to act as a representative or an agent for applicants at a Hearing or any other City administrative tribunal.

- (6) Hearings Officers cannot be involved in litigation or legal proceedings against the City.
 - (7) Hearing Officers cannot act as agents for applicants or individuals appearing in Provincial Offences Court.
 - (8) Hearing Officers must be free from bankruptcy proceedings.
 - (9) Hearing Officers must have a clear criminal record as verified by a criminal record check obtained by the Hearing Officer at the request of the City.
4. That By-law 063-2019, as amended, be further amended by renumbering subsection 7.0(5) to 7.0(10).
5. This By-law shall take effect on the date it is passed by Council.

Voted in favour by City of Vaughan Council this 25th day of June, 2024.

Steven Del Duca, Mayor

Todd Coles, City Clerk

Authorized by Item No. 32 of Report No. 25 of the Committee of the Whole.
Report adopted by Vaughan City Council on June 25, 2024.
City Council voted in favour of this by-law on June 25, 2024.
Approved by Mayoral Decision MDC 008-2024 dated June 25, 2024.
Effective Date of By-Law: June 25, 2024