

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 030-2025

A By-law to amend Fortification of Land By-law 085-2024, to: reflect changes to the legislative authority for municipalities to appoint municipal by-law enforcement officers, update other definitions and clarify interpretation of the By-law.

WHEREAS subsections 11(2)6. and 11(2)8. of the *Municipal Act, 2001*, S.O. 2001, c. 25 (“*Municipal Act*”), as amended, authorizes a municipality to pass by-laws respecting the health, safety and well-being of persons and the protection of persons and property;

AND WHEREAS subsections 133(1)(a) and 133(1)(b) of the *Municipal Act* authorize a municipality that is responsible for the enforcement of the *Building Code Act, 1992*, S.O. 1992, c. 23, to regulate in respect of the fortification of and protective elements applied to land in relation to the use of the land; and to prohibit the excessive fortification of land or excessive protective elements being applied to land in relation to the use of the land;

AND WHEREAS the City of Vaughan enacted Fortification of Land By-law 085-2024, in which municipal by-law enforcement officers have the authority to enforce the by-law;

AND WHEREAS section 55 of the *Community Safety and Policing Act, 2019*, S.O. 2019, c. 1, Sched. 1 (“*Community Safety and Policing Act*”) gives municipalities the authority to appoint *Municipal By-law Enforcement Officers* and repeals and replaces the *Police Services Act*, R.S.O. 1990, c. P. 15 (“*Police Services Act*”) which previously gave municipal councils that authority;

AND WHEREAS the Council of The Corporation of the City of Vaughan deems it necessary to amend the Fortification of Land By-law to reflect this change to legislative authority and make other updates regarding definitions and interpretation of the By-law;

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

1. To amend By-law 085-2024, as follows:
 - (a) renumber section 3.0(1) to 3.0(4);

- (b) add sections 3.0(1) to 3.0(3) as follows:
- (1) In this By-law, unless the context otherwise requires, words imparting the singular number shall include the plural, and words imparting the masculine gender shall include the feminine and further, the converse of the foregoing also applies where the context requires.
 - (2) Wherever a word is used in this By-law with its first letter capitalized and the whole word italicized, the term is being used as it is defined in 3.0(4) of this By-law. Where any word appears in ordinary case, the commonly applied English language meaning is intended.
 - (3) Any reference to a statute, regulation, by-law or other legislation shall include such statute, regulation, by-law or legislation as amended, re-enacted, replaced, or superseded.
- (c) delete references to “as amended”, “as amended, or its successor by-law”, “as amended from time to time”, “as amended, or its successor act” and “as amended, or its successor regulation”;
- (d) delete and replace the definition of “Municipal Law Enforcement Officer” with:
“Municipal By-law Enforcement Officer” means a *Person* appointed as a Municipal By-law Enforcement Officer, pursuant to section 15 of the *Police Services Act*, R.S.O. 1990, c. P.15 or section 55 of the *Community Safety and Policing Act, 2019*, S.O. 2019, c. 1, Sched. 1, to enforce the provisions of this By-law;
- (e) delete and replace references to “*Municipal Law Enforcement Officer*” with “*Municipal By-law Enforcement Officer*”;
- (f) delete the definition of “Police Officer” and “Police Services Act”;
- (g) delete reference to “Police Officer” in the definition of “Law Enforcement Officer”;
- (h) add the following definition to section 3.0(4) in alphabetical order:
“Administrative Penalties By-law” refers to the *City’s Administrative Penalties By-law 240-2024*”;

- (i) delete and replace references to “Administrative Monetary Penalties By-law 063-2019, as amended, or its successor by-law” and “Administrative Monetary Penalties By-law” with “*Administrative Penalties By-law*”;
- (j) delete and replace references to “administrative monetary penalties” with “administrative penalties”;
- (k) delete and replace references to “administrative monetary penalty” with “administrative penalty”;
- (l) delete section 15.0(2); and
- (m) add section 15.1 as follows:

15.1 Designated By-law

- (1) This is a designated by-law as per Schedule 1 of the *Administrative Penalties By-law*.

Voted in favour by City of Vaughan Council this 25th day of February, 2025.

Steven Del Duca, Mayor

Todd Coles, City Clerk

Authorized by Item No. 13 of Report No. 1 of the Committee of the Whole.
Report adopted by Vaughan City Council on January 28, 2025.
City Council voted in favour of this by-law on February 25, 2025.
Approved by Mayoral Decision MDC 002-2025 dated February 25, 2025.
Effective Date of By-Law: February 25, 2025