

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 031-2025

A By-law to amend the Backflow Prevention By-law 177-2020, 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 section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25 states that the City of Vaughan may pass by-laws relating to public utilities, including matters affecting water distribution, and for the purposes related to health, safety and well-being of persons;

AND WHEREAS the City of Vaughan enacted Backflow Prevention By-law 177-2020, 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 Backflow Prevention By-law to reflect this change in 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 177-2020, as follows:
 - (a) add section 2.(3) to 2.(4) as follows:
 - (3) In the event of a conflict between the provisions of this By-law and the provisions of any other By-law, Act or regulation, the provisions that are the most restrictive shall prevail.
 - (4) Where a court of competent jurisdiction declares any section or part of a section of this By-law invalid, the remainder of this By-law shall continue to be in force unless the court makes an order to the contrary.

- (b) delete sections 3.(2) to 3.(4);
- (c) renumber section 3.(1) to 3.(4).
- (d) add sections 3.(1) to 3.(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.(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.
- (e) in section 3.(4), delete the lettering for each separate definition and list all definitions in alphabetical order.
- (f) add the following definition to section 3.(4) in alphabetical order:

“Administrative Penalties By-law” refers to the *City Administrative Penalties By-law 240-2024*;
- (g) delete and replace reference to “Administrative Monetary Penalties By-law” with “*Administrative Penalties By-law*”.
- (h) delete and replace references to “administrative monetary penalty” with “administrative penalty”.
- (i) delete and replace references to “administrative monetary penalties” with “administrative penalties”.
- (j) 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;”

- (k) delete and replace reference to “*Municipal Law Enforcement Officer*” with “*Municipal By-law Enforcement Officer*”;
- (l) delete and replace section 22.(1) with the following:
 - (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