

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 043-2025

A By-law to amend the Anti-Graffiti By-law 46-2009, as amended, to: reflect changes to the legislative authority for municipalities to appoint municipal by-law enforcement officers; update certain definitions; and, clarify interpretation of the By-law.

WHEREAS section 128 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that are or could become or cause public nuisances in the opinion of Council;

AND WHEREAS the City of Vaughan has enacted the Anti-Graffiti By-law 46-2009, as amended, 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 Anti-Graffiti By-law, as amended, to reflect this change to legislative authority, as well as make other changes to provide further clarity regarding the provisions of the Anti-Graffiti By-law, as amended.

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

1. To amend By-law 46-2009, as amended, as follows:
 - (a) renumber section 3.0(1) to 3.0(4) and delete the letter(s) beside each separate definition in section 3.0(4) and list all definitions in alphabetical order;
 - (b) add the 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 reference to “as amended” and “as amended, or its successor by-law”;
 - (d) delete and replace the definition of *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) in section 5.0(1) delete and replace reference to “An *Officer*” with “A *Municipal By-law Enforcement Officer*, or a police officer appointed by the York Regional Police Service, Ontario Provincial Police, or Royal Canadian Mounted Police”;
 - (f) in section 6.0(1) delete and replace reference to “an officer” with “a *Municipal By-law Enforcement Officer*, or a police officer appointed by the York Regional Police Service, Ontario Provincial Police, or Royal Canadian Mounted Police”;
 - (g) add the following definition to section 3.0(4) in alphabetical order:
“Administrative Penalties By-law” refers to the *City Administrative Penalties By-law 240-2024*;
 - (h) delete and replace reference to “administrative monetary penalties” with “administrative penalties”;

- (i) delete and replace reference to “administrative monetary penalty” with “administrative penalty”;
- (j) delete and replace reference to “Administrative Monetary Penalties By-law 063-2019” with “*Administrative Penalties By-law*”.
- (k) delete and replace section 8.1 with the following:

8.1 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