

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 051-2025

A By-law to amend Parks By-law 134-95, as amended, to: reflect changes to the legislative authority for municipalities to appoint municipal by-law enforcement officers; and, clarify Parks procedures.

WHEREAS subsections 11(2)4. and 11(2)6. of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the "*Municipal Act*") states that lower-tier municipalities may pass by-laws respecting public assets of the municipality and the health, safety and well-being of persons;

AND WHEREAS section 11(3)5. of the *Municipal Act* states that lower-tier municipalities may pass by-laws with respect to culture, parks, recreation and heritage;

AND WHEREAS the City of Vaughan enacted Parks By-law 134-95, 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 Parks By-law 134-95, as amended, to reflect this change in legislative authority, and clarify the provision of City services in Parks;

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

1. To amend By-law 134-95, as amended, as follows:

(a) add the following definition to section 1:

"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;

- (b) add “(a)” in section 2 before the text, “While in any park, no person shall enter into areas posted to prohibit or restrict admission of the public.”;
- (c) add “unless authorized by a permit” in section 2(b), after “5:59 a.m.”;
- (d) add “and authorized by a permit” in section 10, after “Policy”;
- (e) in section 11(a), delete and replace “Recreation and Culture” with “Recreation Services” and delete and replace “Fire Department” with “Fire and Rescue Service”;
- (f) delete and replace section 45(1) with the following:
 - (1) Any police officer, provincial offences officer or *Municipal By-law Enforcement Officer* is authorized to inform any person of the provisions of this By-law and to request compliance therewith;
- (g) delete and replace section 45(2), with the following:
 - (2) In addition to any other authority they may have, any police officer, provincial offences officer or *Municipal By-law Enforcement Officer*, is authorized to order any persons believed to be contravening or who has contravened any provision of this by-law:
 - (a) to desist from the activity constituting or contributing to such contravention;
 - (b) to remove from the park any animal or thing owned by or in the control of such person which the officer or employee believes is or was involved in such contravention; or
 - (c) to leave the park.
- (h) delete and replace section 45(3), with the following:
 - (3) Any police officer, provincial offences officer or *Municipal By-law Enforcement Officer* may enforce the provisions of this By-law;
- (i) delete and replace section 45(5) with the following:
 - (5) Any police officer, provincial offences officer, or *Municipal By-law Enforcement Officer* who on reasonable grounds believes that an individual is contravening, or has contravened any provision of this bylaw, may direct such individual to immediately identify themselves and produce suitable documentation to verify their identity.

- (j) delete and replace section 47, with the following:

A police officer, provincial offences officer or *Municipal By-law Enforcement Officer* may, upon discovery of any vehicle parked or standing in contravention of section 28 of this by-law may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle which may be enforced in the manner provided by the *Repair and Storage Liens Act, R.S.O. 1990, c.R.25*, as may be amended from time to time, or any successor acts thereto.

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