

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 039-2025

A By-law to amend Fence By-law 189-2020, as amended, 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(3)(7) of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that a municipality may pass by-laws respecting structures, including fences and signs;

AND WHEREAS the City of Vaughan enacted Fence By-law 189-2020, 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 Fence 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 189-2020, as amended, as follows:

(a) delete sections 3.0(2) to 3.0(5);

(b) renumber section 3.0(1) to 3.0(7);

(c) add sections 3.0(1) to 3.0(6) 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(7) 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or other legislation shall include such statute, regulation, by-law or legislation as amended, re-enacted, replaced, or superseded.
- (4) Where any expression of time occurs or where any hour or other period of time is stated, the time referred to shall be standard time except in periods when daylight saving time is in effect, in which periods it shall be daylight saving time.
- (5) Where measurements are used in this By-law, the Metric system shall be deemed to be the official and required system of measurement. Where measurements in the Imperial system are provided, it is for convenience purposes only.
- (6) Schedule "A" referred to in this By-law shall form part of this By-law.
- (d) delete reference to "as amended" and "as amended, or its successor by-law";
- (e) 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;
- (f) delete and replace references to "*Officer*" with "*Municipal By-law Enforcement Officer*".
- (g) add the following definitions to section 3.0(7) in alphabetical order:
"Administrative Penalties By-law" refers to the *City Administrative Penalties By-law 240-2024*;
"Zoning By-law" refers to the *City Zoning By-law 001-2021*;

- (h) delete and replace reference to “Administrative Monetary Penalties By-law 063-2019” with “*Administrative Penalties By-law*”;
- (i) delete and replace reference to “administrative monetary penalties” with “administrative penalties”;
- (j) delete and replace reference to “administrative monetary penalty” with “administrative penalty”.
- (k) delete and replace reference to “Comprehensive Zoning By-law 1-88” with “Zoning By-law”.
- (l) add section 22.1:

22.1 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