

THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE



BY-LAW

No. 2024 -

Being a By-law to Appoint Municipal Law Enforcement Officers and Property Standards Officers for The Municipality of Kincardine

Whereas Section 8 of The Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

Whereas Section 9 of The Municipal Act, 2001, S. O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

Whereas Section 10 of The Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a lower tier municipality may pass by-laws respecting matters as set out therein; and

Whereas pursuant to The Police Services Act, R.S.O. 1990, c. P.15, Part 1, s. 15, as amended, a Municipal Council is given authority to appoint persons to enforce the by-laws of the municipality; and

Whereas the Provincial Offences Act empowers Provincial Offences Officers to issue parking tickets, Provincial Offences tickets and any summons that may be necessary to enforce by-laws; and

Whereas the Solicitor General of Ontario has designated all Municipal Law Enforcement Officers as Provincial Offences Officers; and

Whereas the Building Code Act, as amended, outlines the parameters of property standards within a municipality including the adoption of policies, committees, officers and programs; and

Whereas the Property Standards By-law for the Municipality of Kincardine states that the Council of the Municipality of Kincardine shall appoint a Property Standards Officer to be responsible for the administration and enforcement of the Property Standards By-law; and

Whereas pursuant to Section 7.1(4) of The Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, as amended, provides that a municipality may appoint officers to enforce by-laws passed pursuant to said Act; and

Whereas the Council of the Corporation of the Municipality of Kincardine, deems it necessary to appoint staff members of Municipal Support Services Inc. as Municipal Law Enforcement Officers and Property Standards Officers to fulfill the statutory and administrative duties of the positions; now therefore be it

Resolved that the Council of The Corporation of the Municipality of Kincardine
Enacts as follows:

- 1) That the following Municipal Support Services Inc. staff are hereby appointed as Municipal Law Enforcement Officers and Property Standards Officers for the Municipality of Kincardine:

Officer	Badge Number
Aiden McKay	9174
Andrew James	9127
Jack Hodgins	9191
Matthew Davidson	9115
Montana Dvernychuk	9135
Nicole Long	9113
Eric Jones	9151
Ryan Preece	9111
Tylor Thompson-Bradley	9169

- 2) That By-law No. 2023-054 and By-law No. 2023-091 and any other by-law not consistent with this by-law be hereby repealed.
- 3) That this By-law shall come into full force and effect upon its final passage.
- 4) That this By-law may be cited as the "Appointment By-law Enforcement (Municipal Support Services Inc.) 2024 By-law"

Read a First and Second Time this 10th day of January, 2024.

Read a Third Time and Finally Passed this 10th day of January, 2024.

Mayor

Clerk