



BY-LAW

NO. 2024 –

**Being a By-law to Amend By-law 2009 – 168;
being the 2009 Taxi By-law**

Whereas sections 8 and 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provide 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 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 pursuant to the said Municipal Act, Section 11 (1), (2) and (3) where a lower-tier municipality and an upper-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public including ensuring the health, safety and well-being of persons and operating under the spheres of jurisdiction relating to business licensing; and

Whereas Section 23 of the said Municipal Act authorizes a municipality to delegate its powers and duties subject to certain restrictions; and

Whereas Section 151 (1) of the said Municipal Act authorizes a municipality to provide for a system of licences with respect to a business; and

Whereas Section 156 of the said Municipal Act authorizes a municipality, with respect to the licence of a business, to deal with specific matters with respect to taxicab owner/operators and drivers; and

Whereas the Council of The Corporation of The Municipality of Kincardine passed the Delegation of Powers and Duties Policy GG.3.7 by By-law No. 2007 - 355 which provides parameters for the delegation of the Council's powers and duties; and

Whereas Council wishes to amend Section 4.1 of By-law No. 2009 – 168; now therefore be it

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

1. That Section 4.1 of By-law No. 2009-168 be hereby deleted and replaced with the following:
 - 4.1 Council hereby delegates to the Clerk or their designate, its authority to consider all applications for taxi and vehicle licences and to regulate and govern the owners, brokers and drivers of taxicabs and limousines within the Municipality.
2. That this By-law shall come into full force and effect upon its final passage.
3. That this By-law may be cited as the "2009 Taxi Amendment (2) By-law".

Read a First, Second and Third Time and Finally passed this 26th day of June, 2024.

Mayor

Clerk