



# BY-LAW

NO. 2011 - 052

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**BEING A BY-LAW TO AMEND BY-LAW NO. 2009-168  
'BEING THE 2009 TAXI BY-LAW'**

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**WHEREAS** Section 8(1) 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 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** Section 23 of the said *Municipal Act* authorizes a municipality to delegate its powers and duties subject to certain restrictions;

**AND WHEREAS** the Council of The Corporation of the Municipality of Kincardine passed By-law No. 2007 - 355 policy GG. 3.7 which provides parameters for the delegation of the Council's powers and duties;

**AND WHEREAS** Council wishes to amend Section 5 of By-law No. 2009 – 168.

**NOW THEREFORE** the Council of The Corporation of the Municipality of Kincardine **ENACTS** as follows:

1. That Section 5 of By-law No. 2009-168 be hereby amended by adding the following:
  - 5.14 The Police Services Board may extend the current licence period past the expiry date if there is a possibility of there being insufficient owner/operators and drivers to provide taxi service the public.
2. This by-law shall come into full force and effect upon its final passage.

2009 Taxi Amendment By-law  
By-law No. 2011 - 052

3. This by-law may be cited as the "2009 Taxi Amendment By-law".

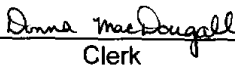
READ a FIRST and SECOND time this 6<sup>th</sup> day of April, 2011.

  
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Mayor

  
\_\_\_\_\_  
Clerk

READ a THIRD time and finally passed this 6<sup>th</sup> day of April, 2011.

  
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Mayor

  
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Clerk

