

# **The Corporation of The Municipality of South Huron**

## **By-Law #33-2022**

### **Being a By-Law to Appoint Municipal By-Law Enforcement Officers for the Corporation of the Municipality of South Huron**

Whereas subsection 8(1) of the *Municipal Act, 2001*, as amended, provides that the powers of a Municipality under the *Municipal Act, 2001* or any other *Act* shall be interpreted broadly 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*, as amended, confers upon the Municipality the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the *Municipal Act, 2001* or any other *Act*; and

Whereas section 227 of the *Municipal Act, 2001*, as amended, establishes the role of officers and employees of the Municipality to, among other things, carry out duties required under the *Municipal Act, 2001* or any other *Act* and other duties assigned by the Municipality; and

Whereas section 15 of the *Police Services Act*, as amended, authorizes a Municipal Council to appoint Municipal Law Enforcement Officers, who shall be peace officers for the purpose of enforcing Municipal By-Laws; and

Whereas the Council of the Corporation of the Municipality of South Huron deems it necessary to appoint By-Law Enforcement Officers; and

Now therefore be it resolved that the Council of the Corporation of the Municipality of South Huron enacts as follows:

1. Those persons who are employed or contracted by the Municipality of South Huron to fill the position/roles/offices identified in column 1 (Position) of Schedule A are appointed as Municipal Law Enforcement Officers for the purpose of the administration and enforcement of those municipal by-laws listed in Column 2 (Applicable By-laws) of Schedule A.
2. That By-Law #40-2015 is hereby repealed.
3. A municipal law enforcement officer appointed by this By-Law may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
  - a. a By-Law of the Corporation of the Municipality of South Huron passed under the *Municipal Act, 2001*, as amended;
  - b. a direction or order of the Corporation of the Municipality of South Huron made under the *Municipal Act, 2001*, as amended, or made under a By-Law;
  - c. a condition of a licence issued under a By-Law; or
  - d. an order made under section 431 of the *Municipal Act, 2001*, as amended.
4. A municipal law enforcement officer exercising a power of entry may:
  - a. require production for inspection of documents or things relevant to the inspection;

The Municipality of South Huron – By-Law #33-2022

- b. inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
  - c. require information from any person concerning a matter related to the inspections; and
  - d. alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples, or photographs necessary for the purposes of the inspection.
5. Subject to section 6, this By-Law prevails to the extent of any conflict between this By-Law and any other By-Law of the Corporation of the Municipality of South Huron.
6. This By-Law does not restrict any rights conferred by the *Municipal Act, 2001*, as amended, or any other *Act* or regulation, respecting entry to land.
7. That this By-Law shall come into force and effect on the date of its passing and enactment.

Read a first and second time this 16<sup>th</sup> day of May, 2022.

Read a third time and passed this 16<sup>th</sup> day of May, 2022.

George Finch, Mayor

Rebekah Msuya-Collison, Clerk

The Municipality of South Huron – By-Law #33-2022

Schedule A to By-Law #25- 2022 - Appointment of Municipal Law Enforcement Officers for the Municipality of South Huron

Name	Applicable By-Laws
Chief Building Official	All
Building Official/Building Inspector	All
Clerk	All
Deputy Clerk	All
General Manager of Infrastructure and Development	All
Manager of Transportation Services	Parking Reduced Load Limit Standing Water Require owners to remove ice and snow
Foreman, Transportation Services	Parking Reduced Load Limit Standing Water Require owners to remove ice and snow
Manager of Environmental Services	Regulate Water Services Water & Wastewater Rates and Charges Regulate Wastewater Services Regulate Waste Management Program
Fire Chief	All
Deputy Chief/Fire Prevention Officer	All