

Bill No. 398
2021

By-law No. A.-7769()-__

A by-law to amend By-law A.-7769-461 being “A by-law to delegate authority to the City Engineer or the City Engineer’s designate, Director, Roads and Transportation or Division Manager, Transportation and Roadside Operations, to declare the beginning and end of a significant weather event for the purposes of administering the *Municipal Act, 2001*, O.Reg. 239/02 - Minimum Maintenance Standards for Municipal Highways” to change Civic Administration titles to reflect the current organizational structure.

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

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 44(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, states that the municipality that has jurisdiction over a highway or bridge shall keep it in a state of repair that is reasonable in the circumstances, including the character and location of the highway or bridge;

AND WHEREAS the *Municipal Act, 2001*, O.Reg. 239/02 - Minimum Maintenance Standards for Municipal Highways establishes minimum standards of repair for highways and bridges or any class of them;

AND WHEREAS section 1(1) of the *Municipal Act 2001*, O.Reg. 239/02 - Minimum Maintenance Standards for Municipal Highways defines a “significant weather event” as an approaching or occurring weather hazard with the potential to pose a significant danger to users of the highways within a municipality;

AND WHEREAS the *Municipal Act, 2001*, O.Reg. 239/02 - Minimum Maintenance Standards for Municipal Highways details the standards for addressing snow accumulation and ice formation arising from a significant weather event;

AND WHEREAS the Council deems it appropriate to amend By-law A.-7769-461 being “A by-law to delegate authority to the City Engineer or the City Engineer’s designate, Director, Roads and Transportation or Division Manager, Transportation and Roadside Operations, to declare the beginning and end of a significant weather event for the purposes of administering the *Municipal Act, 2001*, O.Reg. 239/02 - Minimum Maintenance Standards for Municipal Highways” to change Civic Administration titles to reflect the current organizational structure;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The Minimum Maintenance Standards for Municipal Highways By-law A.-7769-461 is amended by deleting section 1 of the by-law and by replacing it with the following new section 1:

“1. The Deputy City Manager, Environment and Infrastructure or their written designate is hereby delegated the authority to declare the beginning or end of a significant weather event for the purposes of administering the

Municipal Act, 2001, O.Reg. 239/02 - Minimum Maintenance Standards for Municipal Highways."

2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council September 14, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 14, 2021
Second Reading – September 14, 2021
Third Reading – September 14, 2021