

The Corporation of the Town of Tecumseh

By-Law Number 2023-050

Being a by-law to Appoint a By-Law Enforcement Officer
for the Corporation of the Town of Tecumseh

Whereas, Section 227 of the Municipal Act, 2001, S.O. 2001, c. 25 and amendments thereto provides that it is the role of the officers and employees of the municipality:

- a) To implement council's decisions and establish administrative practices and procedures to carry out council's decisions;
- b) To undertake research and provide advice to council on the policies and programs of the municipality; and
- c) To carry out other duties required under this or any Act and other duties assigned by the municipality.

And whereas, Section 15 of the Police Services Act, R.S.O. 1990 and amendments thereto allows for Councils to appoint persons to enforce the By-Laws of the municipality;

And Whereas pursuant to subsection 1(1) of the *Provincial Offences Act*, R.S.O. 1990, c.P.33 a provincial offences officer includes: a municipal law enforcement officer referred to in subsection 101 (4) of the *Municipal Act, 2001* or in subsection 79 (1) while in the discharge of their duties; a by-law enforcement officer of any municipality or its local board(s) while in the discharge of their duties, and an officer, employee or agent of any municipality or of any local board of any municipality whose responsibilities include the enforcement of a by-law, an Act or a regulation under an Act while in the discharge of their duties;

And Whereas the Attorney General of Ontario has ruled that By-law Enforcement Officers appointed by a municipality are automatically designated as Provincial Offences Officers for the purpose of enforcing the By-laws of the municipality;

And Whereas pursuant to Subsection 435(1)1 of the *Municipal Act* 2001, S.O. 2001 c. 25, the power of a municipality of entry under Sections 438 and 439, shall be exercised by an employee, officer or agent of the municipality or a member of the police force of the municipality.

And whereas, the Town of Tecumseh is desirous of appointing a By-Law Enforcement Officer;

Now therefore be it resolved that the Council of The Corporation of the Town of Tecumseh enacts as follows:

1. **That** Jason Coates shall be appointed as a By-Law Enforcement Officer for the Corporation of the Town of Tecumseh effective immediately and with full authority to enforce the by-laws of the Municipality;

2. **That** this by-law shall come into force and take effect on the date of its final passing.

Read a first, second and third time and finally passed this 11th day of April, 2023.

Gary McNamara, Mayor

Robert Auger, Clerk