

# **THE CORPORATION OF THE TOWNSHIP OF WELLESLEY**

**BY-LAW NUMBER 38/2024**

## **Being a By-law to Appoint Municipal By-law Enforcement Officer; Property Standards Officer and Animal Control Officer for the Corporation of the Township of Wellesley and to Repeal By-law # 14/2024**

**WHEREAS** Section 227 of the Municipal Act S.O. 2001, as amended, provides that it is the role of the officers and employees of the municipality to carry out duties required under this or any Act and other duties assigned by the municipality, including carrying into effect any By-law of the Municipal Council;

**AND WHEREAS** Section 8 of the Municipal Act, 2001, as amended, enables municipalities to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

**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 10 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a lower tier municipality may pass by-laws respecting matters as set out therein;

**AND WHEREAS** Section 11 of the Municipal Act, 2001, as amended, provides that a municipality may pass by-laws within the spheres of jurisdiction set out therein;

**AND WHEREAS** Section 15(1) of the Police Services Act, R.S.O. 1990, Chapter P.15 states that a municipal council may appoint persons to enforce the by-laws of the municipality;

**AND WHEREAS** Section 12.2 of the Dog Owners Liability Act, R.S.O. 1990, Chapter D.16, allows for the appointment of Peace Officers;

**AND WHEREAS** the Provincial Offences Act empowers Provincial Offences Officers to issue parking tickets, Provincial Offences tickets and any summons that may be necessary to enforce by-laws;

**AND WHEREAS** the Building Code Act, as amended, outlines the parameters of property standards within a municipality including the adoption of policies, committees, officers and programs;

**AND WHEREAS** Section 5.2 of the Township's Property Standards By-law Number 5/2013 provides, in part, that the Council of the Township shall, by By-law, appoint a Property Standards Officer who shall be responsible for administering and enforcing the provisions of said By-law Number 5/2013.

**AND WHEREAS**, the Council of the Corporation of the Township of Wellesley considers it desirable and expedient to appoint staff members of Tenet Security Group Incorporated as Municipal Law Enforcement Officers, Property Standards Officers and Animal Control Officers to fulfill the statutory and administrative duties of the positions;

### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WELLESLEY ENACTS AS FOLLOWS:**

1. That staff members Phillip Wicks and Ed Pimentel of Tenet Security Group Incorporated is hereby appointed as a Municipal By-law Enforcement Officer, Property Standards Officer and Animal Control Officer for the Corporation of the Township of Wellesley;
2. That staff members Phillip Wicks and Ed Pimentel of Tenet Security Group Incorporated, shall, with respect to Corporation of the Township of Wellesley and the administration of its affairs exercise all the authority, powers and rights and shall perform all the duties and obligations of this position;

3. That this By-law shall take full force and effect September 24<sup>th</sup>, 2024;
4. That By-law No. 14/2024 be repealed;
5. Should any part, section or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or in part thereof, other than the part that was declared to be invalid.
6. Where the provisions of any other By-law, resolution or action of Council are inconsistent with this By-law, the provisions of this By-law shall prevail.

Read a first and second time this 24th day of September 2024.

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Mayor Joe Nowak

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Grace Kosch, Clerk

Read a third time and finally passed this 24th day of September 2024.

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Mayor Joe Nowak

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Grace Kosch, Clerk