

# THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

## BY-LAW NO. 49/2021

*Being a By-law to appoint a Building Official/Municipal Law Enforcement Officer for the Municipality of Port Hope and Amend By-law 62/2019*

WHEREAS Council deems it desirable to appoint a Building Official / Municipal Law Enforcement Officer on the date of passage of this By-law;

AND WHEREAS the Building Code Act, 1992, S.O. 1992, as amended Chapter 23, Section 3(2) provides for the appointment of a Chief Building Official and such Building Officials necessary for the enforcement of the Building Code Act;

AND WHEREAS the Building Code Act, 1992, S.O. 1992, as amended provides for the appointment of a Municipal Law Enforcement Officer who has been assigned the responsibility of administering and enforcing by-laws passed pertaining to Property Standards, in accordance with Sections 15.1 to 15.8 inclusive;

AND WHEREAS pursuant to Section 15 (1) of the Police Services Act, R.S.O. 1990, as amended, Council of a municipality may appoint persons to enforce the by-laws of the municipality;

AND WHEREAS Section 15 (2) of the Police Services Act, R.S.O. 1990, as amended, defines municipal law enforcement officers as peace officers for the purpose of enforcing municipal by-laws;

AND WHEREAS the Provincial Offences Act R.S.O 1990, c. P 33 provides for the designation by a Minister of the Crown of any person or class of persons as a Provincial Offences Officer for the purposes of all or any class of offence;

AND WHEREAS Joseph da Silva was appointed by the Municipality to perform the duties of Municipal Law Enforcement Officer and Building Official effective July 31, 2021 and this By-law serves to formally appoint Joseph da Silva in accordance with legislative requirements;

NOW THEREFORE the Municipal Council of the Corporation of the Municipality of Port Hope enacts as follows:

1. That Joseph da Silva is hereby appointed as Building Official/Municipal Law Enforcement Officer for the Corporation of the Municipality of Port Hope.
2. That the Building Official/Municipal Law Enforcement Officer shall have the same powers and authority for enforcement of the Building Code Act, the regulations and By-laws thereunder as Building Official including duties as an inspector.
3. That Clause 2 of By-law 62/2019, as amended and consolidated by By-law 34/2021, is hereby amended to add the appointment Joseph da Silva.
4. That this By-law shall come into force and take effect upon the final passing thereof.

READ a FIRST, SECOND and THIRD time and finally passed in Open Council  
this 7<sup>th</sup> day of September, 2021.

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Bob Sanderson, Mayor

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Brian Gilmer, Clerk