

THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. 74/2022

Being a By-law to appoint a Deputy Chief Building Official, Building Official / Municipal Law Enforcement Officer and Deputy Fire Chief, Prevention for the Municipality of Port Hope and Repeal By-laws 62/2019, 34/2021 and 49/2021

WHEREAS Council deems it desirable to appoint a Deputy Chief Building Official, Building Official / Municipal Law Enforcement Officer and Deputy Fire Chief, Prevention 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 Owen Richardson was offered and accepted the position of Municipal Law Enforcement Officer and Building Official effective November 28, 2022 and this By-law serves to formally appoint Owen Richardson in accordance with legislative requirements;

AND WHEREAS Adam McCurdy was offered and accepted the position of Deputy Fire Chief, Prevention effective October 31, 2022 and this By-law serves to formally appoint Adam McCurdy in accordance with legislative requirements;

AND WHEREAS David Abramczuk was offered and accepted the position of Deputy Chief Building Official effective December 12, 2022 and this By-law serves to formally appoint David Abramczuk in accordance with legislative requirements;

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

1. That Owen Richardson is hereby appointed as Building Official / Municipal Law Enforcement Officer for the Corporation of the Municipality of Port Hope.
2. That Adam McCurdy is hereby appointed as Deputy Fire Chief, Prevention for the Corporation of the Municipality of Port Hope.
3. That David Abramczuk is hereby appointed as Deputy Chief Building Official for the Corporation of the Municipality of Port Hope and shall have the same powers and authority for enforcement of the Building Code Act, the regulations and By-laws thereunder as the Chief Building Official.

4. That the Chief Building Official and Building Officials may exercise any of the powers to perform any of the duties of an inspector.
5. That the Deputy Chief Building Official, Building Official / Municipal Law Enforcement Officer and Deputy Fire Chief, Prevention shall have the same powers and authority for enforcement of the *Ontario Building Code Act, Police Services Act* and *Provincial Offences Act*.
6. That By-laws 62/2019, 34/2021 and 49/2021 are hereby repealed.
7. 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 6th day of December, 2022.

Olena Hankivsky, Mayor

Brian Gilmer, Clerk