

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 078-2022

A By-law of The Corporation of the City of Vaughan to amend the Temporary Outdoor Patio By-law 096-2020, as amended, to change the time frame that temporary outdoor patios may operate.

WHEREAS the World Health Organization has declared a worldwide pandemic regarding the Novel Coronavirus 19 (“COVID-19 pandemic”);

WHEREAS on March 17, 2020, a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 (“EMCPA”) related to COVID-19;

WHEREAS section 4 of the EMCPA provides that the head of council of a municipality may declare that an emergency exists in the municipality or in any part thereof and may take such action and make such orders as he or she considers necessary and are not contrary to law to implement the emergency plan of the municipality and to protect property and the health, safety and welfare of the inhabitants of the emergency area;

WHEREAS on March 17, 2020, The Corporation of the City of Vaughan declared an emergency pursuant to section 4 of the EMCPA;

WHEREAS the Province of Ontario issued Orders under the EMCPA to prohibit and regulate certain activities in the interest of public health, safety and wellbeing during the COVID-19 declared emergency;

WHEREAS on March 27, 2020, the Province of Ontario granted power to municipal law enforcement officers to enforce Orders issued by the Province under the EMCPA;

WHEREAS on July 24, 2020, the Province of Ontario designated Orders under the EMCPA to continue under the Reopening Ontario (A Flexible Response to COVID-19) Act 2020, S.O. 2020, c. 17 (the “ROA”);

WHEREAS subsection 8(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, (“Municipal Act”) provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

WHEREAS section 11(2) of the *Municipal Act* provides that a municipality may pass bylaws respecting: Economic, social and environmental well-being of the municipality; Health, safety and well-being of persons; and Protection of persons and property, including consumer protection;

WHEREAS without limiting sections 9 and 11 of the *Municipal Act*, a local municipality may prohibit and regulate matters such as dangerous places, public nuisances and business hours and closures, as well as regulate and govern real and personal property used for by a business and the person carrying it on or engaged in it;

WHEREAS The Corporation of the City of Vaughan considers it desirable to enact regulations to support the intent and purpose of the Provincial orders continued under the ROA in order to protect the health, safety and wellbeing of all persons within the jurisdictional boundaries of the City of Vaughan, by prohibiting or regulating certain activities of individuals and businesses during the COVID-19 Emergency;

WHEREAS the Province continues, through a phased approach, to permit specified businesses to resume operations under certain conditions and requirements;

WHEREAS there the list of such businesses includes eating establishments and banquet halls;

WHEREAS The Corporation of the City of Vaughan continues to consider it desirable to provide specific regulatory relief to eating establishments and banquet halls to respond to the ongoing economic challenges posed by the COVID-19 emergency measures;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. That By-law 096-2020, as amended, be further amended by replacing section 19.0(2) with the following:

This By-law shall be in force and effect until January 1, 2023 and this provision supersedes Section 2.0(2).

Enacted by City of Vaughan Council this 26th day of April, 2022.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by Item No. 6 of Report No. 19
of the Committee of the Whole
Adopted by Vaughan City Council on
April 26, 2022.