

The Corporation of the City of Burlington

City of Burlington By-law 28-2025

A by-law to amend By-law Number 20-2009, being a by-law to provide for the licensing, regulating and governing of Public Vehicles in the City of Burlington (DGM-34-25)

Whereas section 151 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the “Act”) provides that a municipality may provide for a system of licences with respect to a business and may, among other things, prohibit the carrying on or engaging in the business without a licence; and,

Whereas section 436(1) of the *Act* provides that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine, among other things, whether or not a by-law of the municipality is being complied with; and,

Whereas Council of The Corporation of the City of Burlington deems it appropriate to amend By-law Number 20-2009 to clarify the City’s ability to exercise its power of entry in respect of inspections; and,

Now therefore Council of The Corporation of the City of Burlington hereby enacts as follows:

1. Part 5 of By-law Number 20-2009 is deleted in its entirety and replaced with the following new Part 5:

PART 5 **INSPECTION**

5.1 The Licensing Manager or an Inspector may at any reasonable time inspect any premises or vehicle used for the carrying on of any Business in respect of which a Person is licensed or required to be licensed under this By-law, and may inspect any items relating to such Business, to determine whether or not the following are being complied with:

- (a) this By-law;
- (b) a direction or order made under By-law;
- (c) a condition of a licence issued under this By-law;
- (d) an order made under section 431 of the *Municipal Act, 2001*.

5.2 The Licensing Manager or an Inspector for the purposes of an inspection

may:

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- (c) require information from any person concerning a matter related to the inspection; and
- (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

5.3 The Licensing Manager or an Inspector may undertake inspections pursuant to an order issued by a provincial judge or justice of the peace for a purpose described in subsection 5.1 and to exercise powers described in subsection 5.2 as specified in the order.

- 2. Subject to the amendments made in this By-law, in all other respects, By-law Number 20-2009 is hereby confirmed and remains unchanged.
- 3. Despite the amendments made in this By-law, By-law Number 20-2009 as it read before the amendments in section 1 above shall continue to apply to proceedings in respect of offences that occurred before its amendment.
- 4. This By-law comes into force on the date of its passing.

Passed this 20th day of May, 2025.

Enacted and passed this 20th day, of May, 2025.

Deputy Mayor Kelvin Galbraith _____

City Clerk Samantha Yew _____