

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2023-062

ROAD CLOSING & SALE POLICY AMENDMENT

WHEREAS, Section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a lower-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

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 the Municipal Act or any other Act;

AND WHEREAS, Section 5 (3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS, Section 391 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may impose fees or charges on persons,

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and
- (c) for the use of its property including property under its control;

AND WHEREAS, the Council of the Corporation of Tay Valley Township enacted and passed By-Law No. 2020-055, a Road Closing and Sale Policy;

AND WHEREAS, the Council of the Corporation of Tay Valley Township deems it expedient to amend By-Law No. 2020-055;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of Tay Valley Township enacts as follows:

1. GENERAL REGULATIONS

- 1.1 **THAT**, Section 4.1 Written Request of the Road Closing & Sale Policy, attached as Schedule "A" to By-Law No. 2020-055, be amended to replace the non-refundable fee of \$300 with \$650.

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2. ULTRA VIRES

2.1 Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

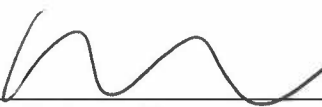
3. BY-LAW AMENDED

3.1 THAT, By-Law No. 2020-055 be amended.

4. EFFECTIVE DATE

4.1 THAT, this by-law shall come into force and effect as of the 1st day of January 2024.

4.2 ENACTED AND PASSED this 12th day of December, 2023.



Rob Rainer, Reeve





Amanda Mabo, Clerk