

The Corporation of the City of Port Colborne

By-law No. _____

Being a By-law to Amend By-law 6665/29/19, Being a By-law to Adopt a Policy
for Encroachments on Municipal Property

Whereas Section 8(1) of the *Municipal Act, 2001*, as amended, (the "Act") provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

Whereas a municipality has the authority within its general highway powers to permit buildings and other structures to wholly or partly occupy or encroach on highways, permit the use of highways for general purposes, and pass such additional measures relating to the highways as Council deems necessary; and

Whereas at its meeting of April 9, 2024, Council approved the recommendations of Chief Administrative Office Report No. 2024-38, Subject: Encroachment Fees for Pop-up Patios;

Now therefore the Council of The Corporation of the City of Port Colborne Enacts as follows:

1. That By-law 6665/29/19, Appendix "1" to Schedule "A", Administration Fees is amended as follows:

The Non-Residential Administration Fee shall be amended to \$500, and the Annual Fee, shall be amended to \$300 for encroachments within the Canal Days footprint.

2. That By-law No. 6665/29/19, Appendix "1" to Schedule "A", Administration Fees, be further amended, by adding the following:

That the fees may be waived for businesses within the Canal Days footprint in exchange for their support in the animation and activation of Canal Days and / or other City Events to an equal or greater value.

3. That the Non-Residential Administration Fee and the Annual Fee for Encroachments located within the Canal Days footprint shall form a part of the annual Rates and Fees Charges By-law for 2025; and
4. That this by-law shall be repealed when By-law 7155/97/23, Being a By-law to Establish Fees and Charges for Various Services, is repealed.

Enacted and passed this 9th day of April, 2024.

William C. Steele
MAYOR

Carol Schofield
ACTING CITY CLERK