

Authority: Item 7, Public Works Committee
Report 18-013
CM: December 19, 2018
Ward: City Wide

Bill No. 347

CITY OF HAMILTON

BY-LAW NO. 18-347

Being a By-law to Delegate Authority to the General Manager of Public Works to Declare the Beginning and End of a Significant Weather Event for the Purposes of Administering the *Municipal Act, 2001*, O. Reg 239/02 – Minimum Maintenance Standards for Municipal Highways

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular, paragraphs 4, 5, 6, 8 and 10 of subsection 10(2) authorize by-laws respecting public assets of the municipality, the economic, social and environmental well-being of City, the safety and well-being of persons, the protection of persons and property and structures, and the services and things that the municipality is authorized to provide for the public;

AND WHEREAS section 44(1) of the *Municipal Act, 2001* states that the municipality that has jurisdiction over a highway or bridge shall keep it in a state of repair that is reasonable in the circumstances, including the character and location of the highway or bridge;

AND WHEREAS section 1(1) of O.Reg. 239/02, Minimum Maintenance Standards for Municipal Highways, under the *Municipal Act, 2001* defines a “significant weather event” as an approaching or occurring weather hazard with the potential to pose a significant danger to users of the highways within a municipality;

AND WHEREAS O.Reg. 239/02, Minimum Maintenance Standards for Municipal Highways, under the *Municipal Act, 2001* details the standards for addressing snow accumulation and ice formation that arise upon a declaration by a municipality of a significant weather event;

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. The General Manager of Public Works, or his/her designate, is hereby delegated authority to declare the beginning and end of a significant

weather event for the purposes of O.Reg. 239/02, Minimum Maintenance Standards for Municipal Highways, under the *Municipal Act, 2001*.

2. Notwithstanding any other City of Hamilton by-law, the City of Hamilton can declare the beginning and end of a significant weather event using any of the means prescribed in O.Reg. 239/02, Minimum Maintenance Standards for Municipal Highways, under the *Municipal Act, 2001*.

This by-law comes into force on the day it is passed.

PASSED this 19th day of December, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk