



By-law 2021-xx

To amend A By-law 2019-53 (Water Use By-law) being a By-law to Enact Rules and Regulations Covering the Construction, Operation and Maintenance of a Waterworks System within the serviced area of the City of Markham (Amendment to Water Use By-law 2019-53)

WHEREAS Section 8 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 the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and,

WHEREAS subsection 11(3) and (4) of the Municipal Act, authorizes lower tier municipalities to pass by-laws respecting public utilities including systems that distribute Drinking Water and,

WHEREAS administrative amendments are required from time to time for enforcement purposes;

NOW THEREFORE the Council of the Corporation of the City of Markham enacts as follows:

1. THAT Section 9.0 (Public Fire Hydrants) of Water-use By-law 2019-53 be amended as follows:

1.1 By adding Section 9.0.4 “Rebuttable Presumption” clause:

Where a **Person** has operated or taken **Water** from a public fire hydrant in contravention of this By-law, the owner of the vehicle identified by the license plate or the VIN number operating or taking water from the public fire hydrant shall be presumed to have operated and/or taken the water in contravention of this By-law, which presumption may be rebutted by evidence to the contrary, on a balance of probabilities.

1.2 By adding Section 9.0.1 (a) clause:

Where an automobile, truck, or vehicle of any description is parked in contravention of this By-law, the owner of the automobile, truck, or vehicle of any description identified by the license plate or the VIN number shall be presumed to have parked in contravention of this By-law, which presumption may be rebutted by evidence to the contrary, on a balance of probabilities.

Read a first, second, and third time and passed on -----.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor