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***CONSOLIDATION UPDATE: FEBRUARY 28, 2018***

**CITY OF WINNIPEG**

**CHARTER IMPLEMENTATION BY-LAW**  
**NO. 8162/2002**

**A By-law of THE CITY OF WINNIPEG to  
update certain existing by-laws and achieve  
consistency with *The City of Winnipeg  
Charter*.**

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

**Title**

1. This by-law shall be referred to as the "**Charter Implementation By-law**".

**By-law No. 1630**

2. By-law No. 1630 is repealed.

**By-law No. 4922**

3. By-law No. 4922 is repealed.  
*amended 103/2010*

**By-law No. 9872**

4. By-law No. 9872 is repealed.

**By-law No. 15516**

5. By-law No. 15516 is repealed.

**By-law No. 16286**

6. The Hotel By-law No. 16286 is repealed.

**By-law No. 16382**

7. By-law No. 16382 is repealed.

**By-law No. 16676**

8. The Interpretation By-law No. 16676 is repealed.

9. *repealed 1/2008*

10. *repealed 1/2008*

**By-law No. 19793**

11. By-law No. 19793 is hereby repealed.

**By-law No. 48/72**

12. By-law No. 48/72 is repealed.

**By-law No. 98/72**

13. The Local Improvement Regulation By-law No. 98/72 is amended

(a) in subsection 2(1)

- (i) by striking out the definition "**Act**" and substituting "**Charter** means *The City of Winnipeg Charter*";
- (i) in the definition "**flankage**" by striking "side" and substituting "*boundary*" and by adding after "which" the following: "*fronts or*";
- (ii) in the definition "**frontage**" in (i) by striking out "side" and substituting "*boundary*" and by striking out "*lot that*" and substituting "*lot that fronts or*", in (ii) by striking out "*side*" and substituting "*boundary*", and in (iii) by striking out "*sides*" and substituting "*boundaries*";
- (iii) in the definition of "**lot**", by striking out "*means any piece or parcel of land in one holding*" and substituting "*means parcel as that word is defined in the Charter*";
- (iv) in the definition of "**work**" by striking out "*means work or services which may be undertaken as a local improvement in pursuance of the Act and includes the reconstructing or renewing of any such works*" and substituting "*means works or services which may be undertaken as local improvements under the Charter and includes the reconstructing or renewing of any such works*".

(b) by adding the following after subsection 2(1):

2(2) *For the purposes of determining the sufficiency of petitions proposing local improvements and of objections to proposed local improvements, the total real property benefited shall be based on the total length of the boundary of the real property benefited that fronts or abuts any portion of the local improvement.*

(c) by adding the following after subsection 2(2):

2(3) *Except as otherwise provided by by-law, the real property benefited for the purpose of levying and imposing local improvement taxes for the following classes of local improvements:*

- (i) concrete walks*
- (ii) boulevards*
- (iii) boulevards constructed in conjunction with pavements*
- (iv) wastewater sewers*
- (v) land drainage sewers*
- (vi) combined sewers*
- (vii) watermains*
- (viii) ornamental street lighting*
- (ix) wood pole lane lighting*
- (x) standard pavements*
- (xi) granular surface roadways*
- (xii) oiled surface roadways*
- (xiii) asphalt road surfaces*

*shall be based on the length of the boundary that fronts or abuts any portion of the local improvement, taking into account any allowances provided by by-law.*

(d) by striking out "POOLED COSTS RATED FOR CERTAIN IMPROVEMENTS" and substituting "UNIFORM RATES FOR CERTAIN CLASSES OF LOCAL IMPROVEMENTS";

(e) by repealing Section 3 and substituting:

### 3.1 CONCRETE WALKS

*Whenever a concrete walk is constructed in any area of the City as a local improvement, the rate for calculating the local improvement taxes shall be a uniform rate per square meter per meter of frontage, taking into account any allowances provided by by-law, and based on the cost of constructing all concrete walks in the City in the year in which the work is done and shall be levied and imposed as follows:*

- (i) *where the work involves the construction of the first walk in the subject street, the total cost of that walk and any second walk shall be levied against the lots fronting on both sides of the street, and*
- (ii) *where there is an existing walk on one side of the subject street, the cost of which has been levied against the lots fronting on that side only, the total cost of any second walk shall be levied against the lots fronting on that side of the street on which it is constructed.*

### 3.2 BOULEVARDS

*Whenever a boulevard is constructed as a local improvement, the rate for calculating the local improvement taxes shall be a uniform rate per square meter of boulevard based on the cost of constructing all boulevards in the City in the year in which the work is done, and the total cost of constructing each boulevard shall be levied against the lots fronting on that side of the street on which the boulevard is constructed at a uniform rate per square meter according to the frontage, taking into account any allowances provided by by-law.*

### 3.3 BOULEVARDS CONSTRUCTED IN CONJUNCTION WITH PAVEMENTS

*Notwithstanding subsection (2), boulevards, regardless of width, when constructed in conjunction with concrete pavements or like permanent type pavements on residential streets, except centre boulevards, shall be advertised, constructed and imposed with such pavements at a uniform cost throughout the City and levied and imposed against the real property benefited thereby, taking into account the allowances provided by by-law.*

- (b) in section 8
  - (i) by striking out "section 385 of the Act" and substituting "412(3) of the Charter"; and
  - (ii) by striking out "land" and substituting "real property";
- (c) in section 12
  - (i) by striking out ",and such levies shall not be taken into account in computing the four-sevenths limit prescribed in subsection (1) of section 372(1) of the Act";
- (d) in section 14.1
  - (i) by striking out "clause (f) of section 106 of the Act" and substituting "subsection 240(1) of the Charter";

- (e) by adding the following immediately after section 16:

17 *The designated committee of council for appeals of local improvement taxes as may be permitted by the Charter shall be The Board of Appeal (Local Improvement Assessment Appeals) and the committee shall follow procedures in accordance with the Charter.*

14. *repealed 122/2003*

15. *repealed 150/2004*

**By-law No. 430/73**

16. By-law No. 430/73 is repealed.

**By-law No. 478/73**

17. By-law No. 478/73 is amended

- (a) by repealing the preamble and "*NOW THEREFORE*";
- (b) in section 1, by striking out everything after "by the" and substituting "*signature of the Director of Planning, Property and Development or his/her delegate.*";
- (c) in section 2, by striking out "*Director of Planning or his Deputy*" and substituting "*Director of Planning, Property and Development or his/her delegate*";
- (d) by adding the following after section 2:
- "3. *The Director of Planning, Property and Development shall be responsible for administration of this By-law and, for that purpose, has the powers of a "designated employee" under The City of Winnipeg Charter.*"
4. *This By-law shall be referred to as the "Subdivision Plan Authentication By-law".*

**By-law No. 479/73**

18. By-law No. 479/73 is amended

- (a) by striking out the preamble and "*NOW THEREFORE*";
- (b) in subsection 2(2):
- (i) by deleting "*Pursuant to section 668(4)*";

- (ii) in clause (h), by striking out "*clauses 668(3)(d) or (e) of The City of Winnipeg Act*" and substituting: "*The City of Winnipeg Charter*"
- (c) by repealing sections 3, 4 and 5 and substituting:  
  
"3. *This By-law shall be referred to as the 'Electricity and Gas Tax By-law'.*"

**By-law No. 658/74**

19. By-law No. 658/74 is repealed.

**By-law No. 692/74**

20. The Encroachment By-law No. 692/74 is amended

- (a) in section 2:
  - (i) by striking out "*established under section 20 of The City of Winnipeg Act, S.M. 1971, c. 105 and*";
  - (ii) by striking out the definition "***Board of Commissioners***";
  - (iii) by striking out the definitions "***City Solicitor***", "***Commissioner of Planning and Community Services***", "***Commissioner of Works and Operations***", "***Director of Land Surveys and Real Estate***";
  - (iv) by striking out the definition "***Designated Officer***" and substituting the following:  
  

***"Designated Officer"*** means the Director of Planning and Property Development or such other person as may be authorized in writing by the said Director to exercise some or all of the powers vested in him by this By-law;
  - (v) by striking out the definitions "***City***", "***Council***", and "***Street***";
- (b) by striking out "*Board of Commissioners*" wherever it appears in the By-law and substituting "*Chief Administrative Officer*";
- (c) in subsection 4(1)(b) by striking out "*appeal to Council within 14 days to any decision made by the Designated Officer*" and substituting "*appeal any decision made by the Designated Officer in accordance with the City of Winnipeg Charter*"
- (d) in section 9 by adding "*in accordance with the Charter*" immediately after "*the Designated Officer will give notice to the owner*";

- (e) by striking out "*Commissioner of Works and Operations*" wherever it appears in the By-law and substituting "*Director of Public Works*";
- (f) by striking out "*Director of Land Surveys and Real Estate*" wherever it appears in the By-law and substituting "*Designated Officer*";
- (g) by striking out "*Director of Land and Development Services*" wherever it appears in the By-law and substituting "*Designated Officer*";
- (h) by striking out "*Committee on Planning and Community Services*" wherever it appears in the By-law and substituting "*Standing Policy Committee on Property and Development*";

**By-law No. 783/74**

21. By-law No. 783/74 is amended

- (a) in section 2, by striking out "*In accordance with subsection 435(1) of The City of Winnipeg Act*".
- (b) in section 3, by striking out "*Act*" and substituting "*Charter*".
- (c) by repealing section 5 and substituting:

*"5. The members of the Police Service shall:*

  - (a) perform all duties assigned to the officer in relation to the preservation of peace, the prevention of crime and offences against laws in force in Manitoba and the apprehension of criminals and offenders and others who may lawfully be taken into custody;*
  - (b) execute all warrants and perform all duties that under the laws in force in Manitoba may lawfully be executed or performed by peace officers; and*
  - (c) perform such other duties and functions as may from time to time be assigned to them by the Chief of Police;*
- (d) by adding the following after section 10:

*"11. This by-law may be referred as the "Winnipeg Police Service By-law"."*

**By-law No. 789/74**

22. By-law No. 789/74 is amended

- (a) by repealing the preamble and "*NOW THEREFORE*";
- (b) by adding the following after section 8:

9. *This By-law shall be referred to as the "Voluntary Payment of Fines By-law".*

**By-law 821/74**

23. By-law No. 821/74 is amended

- (a) by striking out "*mobile house*" wherever it appears in the By-law and substituting "*mobile home*";
- (b) by striking out "*Chief Licence Inspector*" wherever it appears in the By-law and substituting "*tax collector*";
- (c) in section 3, by striking out "*, as defined in The City of Winnipeg License By-law,*"
- (d) by repealing sections 5 and 6 and substituting the following:

5(1) *The tax collector and his/her delegates may conduct inspections and take steps to administer and enforce this by-law or remedy a contravention of this by-law in accordance with The City of Winnipeg Charter and, for those purposes, have the powers of a "designated employee" under The City of Winnipeg Charter.*

5(2) *The tax collector must complete and sign all licences issued by the City and keep a register containing full particulars thereof.*

6 *Where an address for sending a notice, order, decision or other document is required, one of the following shall be used:*

- (a) *if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property; and*
- (b) *if the person to be served is the occupant of real property, the street address for that property; and*



- (c) *if the document to be served relates to a permit, licence or other document for which the person to be served has applied in writing, the address provided by the person in the application.*
- (e) by adding the following after section 7:
  - 8. *This By-law shall be known as the "Mobile Home Licence By-law".*

**By-law No. 838/74**

24. By-law No. 838/74 is amended

- (a) in section 1, by striking out "*the City Treasurer, or his deputy or his assistant deputy, and the Chief Commissioner of the City are hereby designated as persons*" and substituting "*the Chief Administrative Officer and the Chief Financial Officer are the designated employees hereby*";
- (b) in section 3, by striking out "*City Treasurer*" and substituting "*Chief Financial Officer*";
- (c) in section 3, by striking out "*where*" and substituting "*cheques must be signed by two designated employees and where*"; and
- (d) by adding the following immediately after section 5:
  - 6. *This By-law shall be referred to as the "Cheque Signing Authority By-law".*

**By-law No. 965/75**

25. *repealed 30/2017*

26. *repealed 1/2008*

27. *repealed 1/2008*

**By-law No. 1300/76**

28. By-law No. 1300/76 is amended by adding the following after section 2

- "3. *This By-law shall be referred to as the "North Henderson Highway Secondary Plan By-law".*"

29. *repealed 150/2004*

30. *repealed 1/2008*

**By-law No. No. 1474/77**

31. *repealed 55/2014*

**By-law No. 1481/77**

32. By-law No. 1481/77 is amended

- (a) by repealing the preamble;
- (b) in section 1, by striking out the definitions "**Boulevard**", "**City**", "**Council**", "**Highway**", "**Person**", and "**Street**";
- (c) in section 1.03 by striking out "'**Commissioner**' means the Commissioner of Works and Operations" and substituting "'**Director**' means the Director of Public Works";
- (d) in section 1.04 by striking out "'**Commissioner of Environment**", "**Commissioner of Finance**'" and substituting "**Chief Financial Officer**";
- (e) in section 9 by striking out "*The Board of Commissioners*" and substituting "*The Chief Administrative Officer or his/her designate*";
- (f) by adding the following after section 10:

*"11. This By-law shall be referred to as the 'Streets By-law'";*
- (g) by striking out "*Commissioner*" wherever it appears and substituting "*Director*";
- (h) by striking out "*Commissioner of Environment*" wherever it appears and substituting "*Director*";
- (i) in section 5.1 of Schedule "G", by striking out "*section 197 of The City of Winnipeg Act*" and substituting "*section 436 of The City of Winnipeg Charter*";
- (j) in section 6, by striking out "*City Solicitor*" and substituting "*Corporate Risk Manager*";
- (k) by adding the following after subsection 7.04:

**APPEALS**

- 7.1 *An appeal from an order to remedy a contravention of this By-law or a decision made under this By-law may be made in accordance with The City of Winnipeg Charter to the Standing Policy Committee on Public Works.*

**SERVICE OF DOCUMENTS**

- 7.2 *Where an address for sending a notice, order, decision or other document is required, one of the following shall be used:*
- (a) *if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property; and*
  - (b) *if the person to be served is the occupant of real property, the street address for that property; and*
  - (c) *if the document to be served relates to a permit, licence or other document for which the person to be served has applied, the address provided by the person in the application.*

33. *repealed 150/2004*

**By-law No. 1573/77**

34. The Traffic By-law No. 1573/77 is amended

- (a) in section 2(2) by:
  - (i) striking out the definitions "***boulevard***", "***Council***", and "***street***";
  - (ii) striking out the definition "***Director of Streets and Transportation***" and substituting "***Director***" means the Director of Public Works or such other person as may be authorized by the said Director to exercise some or all of the powers vested in him/her by this by-law";
- (b) in section 6.1(a), by striking out "*Committee on Works and Operations of The City of Winnipeg*" and substituting "*Standing Policy Committee on Public Works*";
- (c) by striking out "*Commissioner*" wherever it appears and substituting "*Director*";
- (d) by striking out "*Director of Streets and Transportation*" wherever it appears and substituting "*Director*";

- (e) by adding the following after section 55:

***APPEALS***

*55.1. An appeal from an order to remedy a contravention of this By-law or a decision made under this By-law may be made in accordance with The City of Winnipeg Charter to the Standing Policy Committee on Public Works.*

***SERVICE OF DOCUMENTS***

*55.2 Where an address for sending a notice, order, decision or other document is required, one of the following shall be used:*

- (a) if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property; and*
- (b) if the person to be served is the occupant of real property, the street address for that property; and*
- (c) if the document to be served relates to a permit, licence or other document for which the person to be served has applied, the address provided by the person in the application.*

**By-law No. 1735/77**

35. By-law No. 1735/77 is amended by adding the following after section 2:

- "3. This By-law shall be referred to as the "St. Vital Perimeter South Secondary Plan By-law"."*

**By-law No. 1826/77**

36. By-law No. 1826/77 is amended by adding the following after section 2:

- "3. This By-law shall be referred to as the "Metric Conversion By-law"."*

**By-law No. 1979/78**

37. The Incinerator Control By-law No. 1979/78 is amended

- (a) in section 2, by repealing the definition ***"Designated Officer"*** and substituting the following:

***"Designated Employee"*** means the Director of Water and Waste for the City of Winnipeg or an employee of the City to whom he or she has delegated authority to enforce or administer all or part of this By-law.

- (b) in subsection 6(2), by striking out *"Chief of the Fire Department as his designate"* and substituting *"Fire and Paramedic Chief."*;
- (c) in section 11, by striking out *"by the Department of Mines, Resources and Environmental Management,"* and substituting *"from time to time by the"*;
- (d) by repealing section 13;
- (e) by adding the following after section 13:

14     *The designated employee and his/her delegates may conduct inspections and take steps to administer and enforce this by-law or remedy a contravention of this by-law in accordance with The City of Winnipeg Charter and, for those purposes, have the powers of a "designated employee" under The City of Winnipeg Charter.*

15     *Any order to remedy a contravention of this By-law must be issued in accordance with The City of Winnipeg Charter.*

16     *Where an address for sending a notice, order, decision or other document is required, one of the following shall be used:*

- (a)     *if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property; and*
- (b)     *if the person to be served is the occupant of real property, the street address for that property; and*
- (c)     *if the document to be served relates to a permit, licence or other document for which the person to be served has applied, the address provided by the person in the application.*

17     *An appeal from an order to remedy a contravention of this By-law or a decision made by the Fire and Paramedic Chief may be made in accordance with The City of Winnipeg Charter to the Standing Policy Committee on Public Works.*

38. *repealed 87/2005*

**By-law No. 2118/78**

39. The Back Lane Speed By-law No. 2118/78 is amended by adding the following after section 3:

4. *This By-law shall be referred to as the "Back Lane Speed By-law".*

**By-law No. 2443/79**

40. The Pound By-law No. 2443/79 is amended

- (a) by repealing subsection 3(b) and substituting:

*"(b) The Poundkeeper, Chief License Inspector, or a Police Constable and their delegates may conduct inspections and take steps to administer and enforce this by-law or remedy a contravention of this by-law in accordance with The City of Winnipeg Charter and for those purposes, have the powers of a "designated employee" under the City of Winnipeg Charter."*

- (b) by repealing section 12 and substituting:

*"12. If any dispute arises as to the amount of damages claimed, the amount shall be determined by the Director of Community Services and an appeal from his/her decision may be made in accordance with subsection 20.1(5)."*

- (c) in clause (b) of subsection 18(2) by striking out "*Committee on Finance and Administration*" and substituting "*Standing Policy Committee on Protection and Community Services*".

- (d) by repealing subsection 20.1(2) and substituting:

*"(2) The Chief License Inspector shall serve the owner of the dog with written notice of the determination hearing at least five (5) days in advance of the hearing in accordance with The City of Winnipeg Charter. Where an address for sending a notice is required, one of the following shall be used:*

- (a) if the person to be served is the owner of the real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property; and*

- (b) *if the person to be served is the occupant of real property, the street address for that property:*

*and the notice shall include:*

- (c) *a statement of the time, place and purpose of the hearing;*
- (d) *a copy of Part II of this By-law;*
- (e) *statement that if the licensee does not attend at the hearing, the matter may be dealt with in his absence and that he will not be entitled to any further notice in the proceedings.*

- (e) by repealing subsection 20.1(5) and substituting:

*"(5) An appeal from a decision under subsection 20.1(4) may be made in accordance with The City of Winnipeg Charter to the Standing Policy Committee on Protection and Community Services."*

- (f) in clauses (a), (b) and (c) of subsection 20.1(6) and in paragraph (ii) of clause (a) of subsection 20.1(7), by striking out the words "*Committee on Finance and Administration*" and substituting "*Standing Policy Committee on Protection and Community Services*".

- (g) in clause (c) of subsection 20.1(6) by adding at the end thereof:

*"and shall be served on the owner in accordance with subsection 20.1(2)."*

- (h) in clause (a) of subsection 20.1(8), by striking out "endure" and substituting "ensure".

- (i) in clause (e) of subsection 30(3), by adding at the end:

*"The decision shall be served on the owner in accordance with subsection 20.1(2)."*

- (j) in clauses (f), (g) and (h) of subsection 30(3), by:

- (a) striking out "*Committee on Protection and Community Services*" and substituting "*Standing Policy Committee on Protection and Community Services*".
- (b) in clause (f), by adding after "Poundkeeper", the words "*in accordance with The City of Winnipeg Charter*".

- (k) in subsections 31(1), 31.1 and 31.2, by striking out "\$5,000.00" and substituting "\$1,000.00".

41. *repealed 1/2008*

**By-law No. 2690/80**

42. The Bakery By-law No. 2690/80 is repealed.

**By-law No. 2890/81**

43. By-law 2890/81 is amended

- (a) by repealing the preamble and "*NOW THEREFORE*";
- (b) by repealing section 2 and substituting the following:

*2(1) The Chief of Police and his or her delegates may conduct inspections and take steps to administer and enforce this By-law or remedy a contravention of this By-law in accordance with The City of Winnipeg Charter and, for those purposes, have the powers of a "designated employee" under The City of Winnipeg Charter.*

*2(2) Where an address for sending a notice, order, decision or other document is required, one of the following shall be used:*

- (a) if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property;*
- (b) if the person to be served is the occupant of real property, the street address for that property; and*
- (c) if the document to be served relates to a permit, licence or other document for which the person to be served has applied, the address provided by the person in the application.*

*2(3) An appeal from a decision or order made by the Chief of Police or his or her delegates may be made to the Standing Policy Committee on Protection and Community Services in accordance with The City of Winnipeg Charter, and*

- (c) by adding the following immediately after section 3:

*4. This By-law shall be referred to as the "Firearms By-law".*



**By-law No. 3215/82**

44. By-law No. 3215/82 is amended by adding the following after section 1:

"2. *This By-law shall be referred to as the "Henderson Highway Corridor Secondary Plan By-law".*"

45. *repealed 91/2008*

46. *repealed 85/2009*

**By-law No. 3349/83**

47. By-law No. 3349/83 is amended

(a) in the title, by inserting *"and"* after *"City Solicitor"* and by striking out *"and the General Manager of Winnipeg Hydro"*.

(b) by repealing the preamble;

(c) by repealing section 2; and

(d) by adding the following immediately after section 3:

4. *This By-law shall be referred to as the "Claims Settlement By-law".*

48. *repealed 91/2008*

**By-law No. 3389/83**

49. By-law No. 3389/83 is amended

(a) by repealing the preamble and substituting the following:

*"WHEREAS The City of Winnipeg has the authority to pass by-laws respecting the keeping or harbouring of animals or birds";*

- (b) by repealing section 4 and substituting the following:

"4. *The Chief Operating Officer of the Animal Services Agency Division and his/her delegates may conduct inspections and take steps to administer and enforce this by-law or remedy a contravention of this by-law in accordance with The City of Winnipeg Charter and, for those purposes, have the powers of a "designated employee" under The City of Winnipeg Charter.*"

- (c) by repealing section 5;

- (d) by adding the following after section 6:

"7. *This by-law shall be known as the "Exotic Animal By-Law".*"

**By-law No. 3422/83**

50. The Sidewalk Cleaning By-law No. 3422/83 is amended

- (a) in section 2 by:

(i) striking out the definitions "**City**", "**Person**", "**Sidewalk**", and "**Street**";

(ii) striking out the definition "**Commissioner**";

- (b) in section 8 by striking out "**Commissioner**" and substituting "**Director of Public Works**".

**By-law No. 3702/84**

51. By-law No. 3702/84 is repealed.

52. *repealed 4/2011*

**By-law No. 3862/84**

53. By-law No. 3862/84 is repealed.

**By-law No. 3897/85**

54. By-law No. 3897/85 is repealed.

**By-law No. 4304/86**

55. By-law 4304/86 is amended

- (a) by striking out everything in the preamble prior to "WHEREAS the Council of the City of Winnipeg deems it expedient";
- (b) in section 1,
  - (i) by striking out the definitions "**Designated Employee**", "**Owner**", "**Person**" and "**Supervisor of Building Inspections**";
  - (ii) by adding the following in alphabetical order:

*"Designated Employee" means the Manager of Development and Inspections of the Planning, Property and Development Department or an employee of the City to whom he or she has delegated authority to enforce or administer all or part of this By-law.*

*"Person Responsible" means a person or agent of a person who owns manages or is in possession of land or a building or who is in receipt of the whole or a part of the any rents or profits therefrom, whether the rents and profits are received on the person's own account, or as agent or trustee for the another person.*

- (c) by striking out "owner" wherever it appears in the By-law and substituting "person responsible";
- (d) by striking out "Supervisor of Building Inspections" wherever it appears in the By-law and substituting "designated employee";
- (e) by repealing section 6 and substituting the following:

*The designated employee and his or her delegates may conduct inspections and take steps to administer and enforce this By-law or remedy a contravention of this By-law in accordance with The City of Winnipeg Charter and, for those purposes, have the powers of a "designated employee" under The City of Winnipeg Charter.*
- (f) by repealing sections 9, 10 and 11 and substituting the following:
  - 9 *Any order to remedy a contravention of this By-law must be issued in accordance with The City of Winnipeg Charter.*
  - 10 *Where an address for sending a notice, order, decision or other document is required, one of the following shall be used:*

- (a) *if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property;*
- (b) *if the person to be served is the occupant of real property, the street address for that property; and*
- (c) *if the document to be served relates to a permit, licence or other document for which the person to be served has applied, the address provided by the person in the application.*

*11(1) Any person responsible may apply in writing to the Commission to modify or vary an exemption from the requirements of this By-law or a decision of the designated employee.*

*11(2) The Secretary of the Commission shall notify the applicant of the time and place of the Commission's meeting to consider the application.*

- (g) by repealing section 14 and substituting the following:

*14 An appeal from a decision of the Commission or an order to remedy a contravention of this By-law may be made to the Standing Policy Committee on Planning and Community Services in accordance with The City of Winnipeg Charter.*

- (h) by repealing sections 25 and 26;

- (i) by adding the following immediately after section 27:

*28. This By-law shall be referred to as the "Residential Buildings Fire Safety By-law".*

**By-law No. 4322/86**

56. By-law No. 4322/86 is repealed.

**By-law No 4555/87**

57. The Winnipeg Building By-law No. 4555/87 is amended

- (a) in subsection 2.1, by striking out *"in the City and the Additional Zone."*

- (b) by repealing subsection 2.2 and substituting the following:

*2.2 The building construction codes or building construction standards adopted in whole or in part adopted by the Lieutenant Governor in Council by regulation pursuant to section 3 of The Buildings and Mobile Homes Act are hereby adopted by the City of Winnipeg pursuant to section 4 of The Buildings and Mobile Homes Act and the said codes and standards are incorporated into and form part of this By-law.*

- (c) by repealing subsection 3.2 and substituting the following:

*3.2 Words and phrases defined in The City of Winnipeg Charter have the same meaning in this By-law.*

- (d) in subsection 3.3, by:

- (i) striking out the definitions "**Authority Having Jurisdiction**", "**City**", "**Code**", "**Commissioner of Works and Operations**", "**Council**", "**Designated Employee**", "**Highway**", "**Owner**" and "**Person**";

- (ii) adding the following in alphabetical order:

**"Authority having jurisdiction"** means The City of Winnipeg.

**"Commission"** means the Winnipeg Building Commission established by this By-law.

**"Code"** means the building construction codes or building construction standards adopted in whole or in part adopted by the Lieutenant Governor in Council by regulation pursuant to section 3 of The Buildings and Mobile Homes Act and adopted by subsection 2.2 of this By-law.

**"Designated Employee"** means the Manager of Development and Inspections for the City of Winnipeg or an employee of the City to whom he or she has delegated authority to enforce or administer all or part of this By-law.

**"Person"** has the same meaning as it has in The City of Winnipeg Charter.

**"Person responsible"** means a person or agent of a person who owns, manages or is in possession of land or a building, or who is in receipt of the whole or part of any rents or profits therefrom, whether the rents and profits are received on the person's own account, or as agent or trustee for another person.

- (e) by striking out "*authority having jurisdiction*" wherever it appears in section 4 and thereafter in the By-law and substituting "*designated employee*";
- (f) by striking out "*Committee on Planning and Community Services*" wherever it appears in the By-law and substituting "*Standing Policy Committee on Property and Development*";
- (g) by striking out "*owner*" wherever it appears in the By-law and substituting "*person responsible*";
- (h) by repealing subsection 4.1;
- (i) by repealing subsection 5.9;
- (j) by repealing subsection 8.1 and substituting the following:

*8.1 The designated employee and his or her delegates may conduct inspections and take steps to administer and enforce this By-law or remedy a contravention of this By-law in accordance with The City of Winnipeg Charter and, for those purposes, have the powers of a "designated employee" under The City of Winnipeg Charter.*
- (k) by repealing subsection 8.4 and substituting the following:

*8.4 In addition to orders to remedy a contravention of this By-law, the designated employee may issue notices advising that a contravention of this By-law has taken place and requiring that it be rectified.*
- (l) by repealing subsection 8.8 and substituting the following:

*8.8 Any order to remedy a contravention of this By-law must be issued in accordance with The City of Winnipeg Charter.*

*8.9 Where an address for sending a notice, order, decision or other document is required, one of the following shall be used:*

  - (a) *if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property;*
  - (b) *if the person to be served is the occupant of real property, the street address for that property and*

(c) *if the document to be served relates to a permit, licence or other document for which the person to be served has applied, the address provided by the person in the application.*

(m) by repealing subsection 9.1;

(n) by repealing subsections 9.5 and 9.6 and substituting the following:

*9.5*

*9.5.1 The designated employee may issue a permit for the entire construction project or, when requested, may issue separate permits for aspects or stages of the construction project.*

*9.5.2 Separate permits for aspects or stages of the construction project may be issued only after the designated employee has approved the plans and drawings for those stages.*

*9.5.3 The fact that the designated employee issues a permit for a particular aspect or stage of the construction project does not mean that approval has been or will be given of plans for other aspects or stages of the project and an owner who proceeds with construction to the extent authorized by the permit must assume the risk that plans for other aspects or stages of the project may not be accepted by the designated employee.*

*9.6*

*9.6.1. The designated employee may issue a permit on the condition that, before specific aspects or stages of construction authorized in the permit are initiated, the owner must provide and the designated employee must approve information, plans or details of plans that are not available at the time the permit is issued.*

*9.6.2 The designated employee may issue a conditional permit under clause 9.6.1 only where the information or plans that must be provided and approved are not relevant to aspects or stages of construction which are permitted to proceed in the interim.*

*9.6.3 The fact that the designated employee issues a conditional permit under clause 9.6.1 does not mean that approval of plans or details of plans submitted as a condition of the permit has been or will be given and an owner who proceeds with construction to the extent authorized by the permit must assume the risk that plans for other aspects or stages of the project may not be approved. Similarly, where information provided pursuant to a conditional permit leads the designated employee to conclude that the plans or the permit must be altered in order to comply with the Building Code, such alterations shall be made at the owner's expense.*

- (o) by repealing section 10 and substituting the following:

**SECTION 10**

**APPEAL**

*10 An appeal from an order to remedy a contravention of this By-law or a decision made by the designated employee may be made to the Standing Policy Committee on Property and Development in accordance with The City of Winnipeg Charter.*

- (p) by repealing section 12 and substituting the following:

*12.1 Premises are in an unsafe condition when they pose a risk of harm to people, animals or neighbouring properties and, without restricting the generality of the foregoing, a property is in an unsafe condition when*

- (a) all or parts of the buildings or structures located on the premises constitute a fire hazard or are likely to fall or cause an explosion;*
- (b) the floors, stairs, walls and other structural aspects of buildings or structures located on the premises are insecure or pose a danger to people or animals who enter the buildings or structures;*
- (c) a vacant building or structure is unguarded or open so that entry can be easily gained to it; or*
- (d) wells, excavations, openings or holes located on the premises are not properly covered or guarded so that people or animals could fall into them and be trapped.*

*12.2 The owner and occupant of premises shall not permit those premises to be in an unsafe condition.*



*12.3 This section does not apply to dwellings as defined in the Vacant Dwellings By-law.*

- (q) by repealing subsection 18.4.1 and substituting the following:

**ESTABLISHMENT OF COMMISSION**

*18.1.1 The Winnipeg Building Commission is hereby established.*

- (r) by repealing clause 18.3.1(1) and substituting the following:

*18.3.1(1) An employee of the City shall serve as secretary of the Commission but shall not have the right to vote at meetings of the Commission.*

- (s) By repealing subsection 18.4.1 and substituting the following:

**AUTHORITY**

*18.4.1 The Commission is hereby authorized:*

- (a) upon application by any person or on its own initiative, to modify or vary requirements of this or another by-law that applies to the construction of a building where the Commission considers it advisable and expedient because of the proposed use of new methods or materials;*
- (b) where this or another by-law requires an alteration to be made to, or equipment to be installed in, an existing building, upon application by any person or on its own initiative, to decide, subject to The Buildings and Mobile Homes Act, whether the alteration must be made or the equipment installed; and*
- (c) to provide advice to City employees, committees of Council and Council on matters relating to this by-law.*

- (t) by repealing clause 18.5.3(4) and substituting the following:

*18.5.3(4) Decisions of the Commission shall be served in accordance with The City of Winnipeg Charter.*

- (u) by repealing clauses 18.6.1 and 18.6.2 and substituting the following:

*18.6.1 An appeal from a decision of the Winnipeg Building Commission may be made to the Standing Policy Committee on Property and Development in accordance with The City of Winnipeg Charter.*

- (v) by repealing section 25 and substituting the following:

**SECTION 25**

**OFFENCES**

25 *A failure to comply with*

- (a) *any provision of this By-law;*
- (b) *any order or decision of a designated employee or a decision of the Winnipeg Building Commission; or*
- (c) *the standards and requirements set out in the Code*

*constitutes a contravention of this By-law.*

58. *repealed 40/2005*

59. *repealed 160/2011*

**By-law No. 4676/87**

60. The Alarm By-law No. 4676/87 is amended

- (a) by adding the following immediately after section 2:

*2.1 The Chief of Police and his/her delegates may conduct inspections and take steps to administer and enforce this by-law or remedy a contravention of this by-law in accordance with The City of Winnipeg Charter and for those purposes, have the powers of a "designated employee" under The City of Winnipeg Charter.*

- (b) by adding to Clause 5(10)(b):

*The notice shall be served in accordance with The City of Winnipeg Charter. Where an address for sending a notice is required, the residential address shown on the application form attached as Schedule "A" to this by-law shall be used.*

- (c) in subsection 5(11), by:

- (i) repealing clauses (c) and (d)

- (ii) adding at the end of clause (b):

*which shall contain the information required by, and be served in accordance with The City of Winnipeg Charter. Where an address for sending a notice is required, the residential address shown on the application form attached as Schedule "A" to this by-law shall be used.*

- (d) by repealing subsection 5(12) and substituting the following:

*(12) An appeal from a notice issued under subsection 5(11) may be made within thirty (30) days in accordance with The City of Winnipeg Charter to the Standing Policy Committee on Protection and Community Services.*

61. *repealed 100/2004*

**By-law No. 4824/88**

62. The St. Boniface Museum By-law No. 4824/88 is amended by striking out the preamble.

**By-law No. 4860/88**

63. *repealed 53/2015*

**By-law No. 4884/88**

64. By-law No. 4884/88 is amended by adding the following after section 2:

"3. *This By-law shall be referred to as the "Kil-Cona Park Area (West) Secondary Plan By-law".*"

65. *repealed 1/2008*

66. *repealed 1/2008*

**By-law No. 5160/89**

67. The Food Services Establishment By-law No. 5160/89 is amended

- (a) in the definition "**Equipment**", by adding after the word "includes", the words "*grinders, food display shelving*";
- (b) in the definition "**Food Service Establishment**", by adding after the word "includes", the words "*bakeries, institutions, retail food stores*" and striking out the words "*retail food stores*" where they appear after the word "consumption";

- (c) by repealing the definition "**Medical Health Officer**";
- (d) by adding after the definition of "**Public Health Inspector**", the following definition:

*"**Retail Food Store**" means any establishment or section of an establishment where food or food products are offered for sale to the ultimate consumer."*
- (e) by repealing section 3 and substituting the following:

*"A Public Health Inspector may conduct inspections to take steps to enforce this by-law or remedy a contravention of this by-law in accordance with The City of Winnipeg Charter and for those purposes has the powers of a "designated employee" under The City of Winnipeg Charter which powers shall not be further delegated by the Public Health Inspector."*
- (f) in subsection 5.6, by adding after the word "establishment", the words "excluding retail food stores";
- (g) by adding after section 12.7:

*"12.8 Salads and other ready-to-eat foods shall be prepared in areas that are separate and with separate equipment and utensils, from raw meat processing areas."*
- (h) by adding after section 13.9:

*"13.10 Frozen food stored or on display shall be maintained at an air temperature of -18 degrees Celsius (0 degrees Fahrenheit) or less.*

*13.11 Potentially hazardous foods shall not be sold in non-packaged self-serve bulk form.*

*13.12 Foods on display for self serve purposes in non-packaged bulk form excluding raw unprocessed fruits and vegetables, shall be protected from contamination by:*

  - (a) *clearly labeled containers equipped with a close-fitting hinged or sliding lids of sanitary design;*
  - (b) *display cases equipped with an effective food guard or canopy not more than 50 cm (21 inches) above the food display surface or counter top;*

- (c) *clearly labeled gravity feed containers equipped with sanitary fittings may be used for free flowing or semi-liquid foods;*
- (d) *display units or container tops that are at least 80 cm (34 inches) above floor level;*
- (e) *distinctly separating foods, containers and dispensing utensils not intended for human consumption from those intended for human consumption;*
- (f) *utilizing dispensers such as tongs, scoops and pumps that facilitate ease of product movement;*
- (g) *provision of a program to maintain dispensing equipment and monitor customer movement in the self serve display area;*
- (h) *posting of appropriate signs in the display area to instruct the public in the proper use of dispensing equipment;*
- (i) *discarding of non-packaged bulk foods returned to the store.*

*13.13 Food sample demonstrations or promotions are subject to all applicable provision of this By-law."*

- (i) in subsection 15.2, by striking out *"Medical Health Officer"* and substituting *"Public Health Inspector"*.

- (j) by adding after subsection 20.4:

*"20.5 All retail food stores shall be provided with an adequate supply of hot water at a temperature of not less than 50 degrees Celsius for cleaning purposes.*

- (k) by adding after subsection 30.12:

*"30.13 Every retail food store shall have at least one single compartment sink supplied with hot and cold potable water in or near the retail sales area. Hand wash basins in toilet compartments shall not be acceptable for this purpose."*

- (l) by repealing section 33 and substituting:

*"33. The Public Health Inspector may enter any food service establishment for the purpose of making inspections to determine compliance with this By-law in accordance with the City of Winnipeg Charter."*

- (m) by repealing subsections 34.2 and 35.2;

- (n) by repealing section 36 and substituting:

*"Notices, Orders and Appeals"*

*36.1 An order to remedy a contravention of this By-law must be issued in accordance with The City of Winnipeg Charter.*

*36.2 A notice, decision or order shall contain the information required by and be served in accordance with The City of Winnipeg Charter.*

*36.3 Where an address for sending a notice, order, decision or other document is required, one of the following shall be used:*

- (a) if the person to be served is the owner of the real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property; or*
- (b) the street address shown on the permit or application; and*
- (c) if the person to be served is the occupant of real property, the street address for that property.*

*36.4 Notwithstanding subsection 36.2, when an emergency arises that effects the health of persons, the Public Health Inspector may:*

- (a) condemn any food or any material which in his opinion is insanitary or creates, or may create, an insanitary condition and order its immediate destruction in a manner satisfactory to the Public Health Inspector; or*
- (b) where an insanitary condition exists in a food service establishment; and*
  - (i) serve a closing notice on the operator or the person in charge;*
  - (ii) placard the premises;*

(iii) *post a copy of said closing notice in a conspicuous place in the office of the Public Health Inspector;*

(c) *upon service of such a notice, the food service establishment shall be closed immediately and not re-opened until authorization in writing by the Public Health Inspector is given;*

(d) *no person shall operate or allow the operation of a food service establishment which has been closed;*

*and there shall be no appeal from such an order or notice. Service of such an order or notice shall be effective once served in person on the owner, operator or person in charge.*

36.5 *Subject to subsection 36.4, an appeal from an order to remedy a contravention of this by-law or a notice or decision under section 5 or subsections 34.1 or 35.1 may be made in accordance with The City of Winnipeg Charter to the Standing Policy Committee on Protection and Community Services."*

(o) by repealing section 37 and substituting:

"37. *A person or corporation who contravenes a provision of the By-law is guilty of an offence and is liable upon summary conviction:*

(a) *for a first offence, to a fine of not less than \$50.00;*

(b) *for a second offence, to a fine of not less than \$100.00;*

(c) *for a third or subsequent offence, to a fine not less than \$200.00;*

(d) *notwithstanding the penalties prescribed in clause (a), (b) and (c):*

(i) *an individual may also be liable on summary conviction to imprisonment for a term not exceeding 6 months or to a fine of not more than \$1,000.00, or both;*

(ii) *a corporation may be liable on summary conviction to a fine of not more than \$5,000.00."*

68. *repealed 21/2011*

# **By-law No. 5392/90**

69. By-law No. 5392/90 is repealed.

**By-law No. 5796/91**

70. The Tax Penalty By-law No. 5796/91 is amended

- (a) in the title, by striking out "*realty*" and substituting "*real and personal property taxes*";
- (b) by repealing the preamble and "*NOW THEREFORE*";
- (c) in subsection 2(1),
  - (i) by striking out "*and (3), realty taxes*" and substituting "*, real and personal property taxes*";
  - (ii) by striking out the column heading "*Realty Taxes Due Or*" and substituting "*Real and Personal Property Taxes Due Or*";
- (d) by repealing subsection 2(2) and substituting the following:

*2(2) Supplementary taxes levied pursuant to section 341 of The City of Winnipeg Charter are due and payable on the last day of the month immediately following the month in which a supplementary tax notice is mailed by the tax collector.*
- (e) by repealing subsection 2(3);
- (f) in subsection 4(1), by striking "*penalty rate*" and substituting "*rate of interest*";
- (g) by repealing subsection 4(4);
- (h) in subsection 5(2),
  - (i) by striking out "*the 31<sup>st</sup> day of December*" and substituting "*December 31<sup>st</sup>, "*
  - (ii) by striking out "*penalty rate*" where it first appears and substituting "*rate of interest to be paid as a penalty*";; and
  - (iii) by striking out "*penalty rate*" wherever it appears thereafter and substituting "*rate of interest*";
- (i) in subsection 5(3), by striking out "*penalty rate*" and substituting "*rate of interest to be paid as a penalty*".



71. *repealed 158/2011*

**By-law No. 5888/92**

72. The Waterway By-law No. 5888/92 is amended

- (a) by repealing the first preamble clause and heading "*Explanation For Council Re: By-law No. 5888/92*".
- (b) by striking out "*an applicant*" where it appears in the second preamble clause and substituting "*any person*".
- (c) by repealing section 2.2 and substituting the following:

**2.2 "designated committee of Council"** means *The Riverbank Management Committee*:

- (d) by repealing section 2.3 and substituting the following:

**2.3 "Director"** where this term is used in this By-law means *the Director of Planning, Property and Development and his or her delegate*.

- (e) by adding the following:

**PART 3**  
**ADMINISTRATION**

**3.1** *The Director shall administer and may take steps to enforce this by-law in accordance with The City of Winnipeg Charter and for those purposes has the powers of a designated employee under The City of Winnipeg Charter*

- (f) by striking out "*designated employee*" wherever it appears and substituting "*Director*".
- (g) by renumbering Part 3 as Part 4 and renumbering sections 3.1 and 3.6 as 4.1 and 4.6.
- (h) by renumbering section 3.2 as 4.2 and striking out "*By-law No. 5675/91, being*"
- (i) by renumbering section 3.3 as 4.3 and striking out "*applicant*" and substituting "*person applying*".
- (j) by renumbering section 3.4 as 4.4 and striking out "*section 3.3*" and substituting "*section 4.3*"

- (k) by renumbering section 3.5 as 4.5 and striking out "*applicant*" and substituting "*person applying*".
- (l) by renumbering section 3.7 as 4.7 and striking out "*By-law No. 5675/91, being*"
- (m) by renumbering Part 4 as Part 5 and adding the following:

*5.1 Any order to remedy a contravention of this by-law must be issued in accordance with The City of Winnipeg Charter.*

*Where an address for sending a notice, order, decision or other document is required, one of the following shall be used:*

- (i) if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property; and*
  - (ii) if the person to be served is the occupant of real property, the street address for that property.*
- (n) by renumbering section 4.1 as 5.2 and striking out "*section 3.1*", "*section 3.2*" and "*section 4.2*" and substituting therefore "*section 4.1*", "*section 4.2*" and "*section 5.3*".
- (o) by repealing section 4.2 and substituting the following:

*5.3 Where a person who is served with an order made under section 5.2 fails to comply with such order, the Director may do or cause to be done all things necessary to carry out the order.*
- (p) by repealing section 4.3 and substituting the following:

*5.4 The cost of any work done by the City under section 5.3 may be recovered by the City in accordance with The City of Winnipeg Charter.*
- (q) by renumbering section 4.4 as 5.5;
- (r) by repealing sections 4.5, 4.6, 4.7, 4.8 and substituting therefor the following:

*5.6 Any person who contravenes or disobeys or refuses or neglects to obey any provision of this By-law for which no other penalty is herein provided is guilty of an offence and is liable on summary conviction to the following penalties which shall not exceed \$50,000:*

  - (i) for a first offence, to a fine of not less than \$1,000;*

- (ii) *for a second offence, to a fine of not less than \$2,500.00;*
  - (iii) *for a third offence, to a fine of not less than \$5,000.*
- (s) by adding 5.7 as follows:

5.7 *Notwithstanding the penalties prescribed in section 5.6, an individual may also be liable on summary conviction to imprisonment for a term not exceeding six (6) months or to both a fine specified herein and imprisonment.*
- (t) by adding 5.8 as follows:

5.8 *Where an offence occurs under this By-law and continues for more than one day, the person is guilty of a separate offence for each day the offence continues.*
- (u) by renumbering "PART 5" as "PART 6"
- (v) by repealing sections 5.1, 5.2 and 5.3 substituting the following:

6.1 *any person who is aggrieved by an order or a decision made pursuant to this by-law may in accordance with The City of Winnipeg Charter file a written notice of appeal with the office of the City Clerk, which appeal will be heard by the Riverbank Management Committee and every decision of the Riverbank Management Committee shall be final and binding.*
- (w) by repealing Part 6 and sections 6.1 and 6.2

74. *repealed 160/2011*

### **By-law No. 5894/92**

73. By-law No. 5894/92 is amended

- (a) by repealing the definitions "**board of adjustment**", "**conditional use order**", "**council**", "**variance order**" and "**zoning by-law**" in section 1 and adding the following in alphabetical order.

*"board" means the Board of Adjustment established by this By-law.*

*"conditional use order" means an order of the board in respect of an application for a conditional use*

*"**council**" means the council of the city and, where a delegation of authority is permitted, includes its delegate.*

*"**variance order**" means an order of the board or the director, in respect of an application for a variance.*

*"**zoning by-law**" has the same meaning as in The City of Winnipeg Charter."*

- (b) by adding the following definitions to section 1:

*"**conditional use**" means a use of real property that might be approved under a zoning by-law.*

*"**director**" means the Director of Planning, Property and Development and his/her delegates."*

- (c) in the definition of "**variance**" in section 1, by striking out everything after "by-law".
- (d) by striking out "*Director of Planning*" wherever it occurs and substituting "*director*".
- (e) by repealing section 4 and substituting:

*"4(1) The board shall:*

- (a) subject to section 6 of The Development Procedures By-law, hear and determine applications for all conditional uses and those variances not decided by the director, and shall make conditional use orders and variance orders accordingly, in accordance with The City of Winnipeg Charter;*
- (b) report to council on any proposed secondary plan by-law or zoning by-law referred to it by council for that purpose, and give notice of its report and recommendations and the meeting where council is to consider its report, in accordance with The City of Winnipeg Charter;*
- (c) consider and make a decision in respect of any application for approval or a plan of subdivision referred to it by council for that purpose;*
- (d) report and make recommendations to council on any other planning or development matter referred to it by council."*

- (2) *The board may approve an application for a variance subject to conditions that will ensure that any development to be carried out under the variance meets the criteria set out in The City of Winnipeg Charter.*
  - (3) *The board may approve an application for a conditional use subject to conditions that will ensure such use meets the criteria set out in The City of Winnipeg Charter."*
- (f) by repealing section 5.
- (g) in section 8, by striking out "City" and "No. 5675/91".
- (h) by repealing sections 13 and 14 and substituting:
  - "13. The board shall sit in panels of three members selected by the Chairperson.*
  - 14(a) A panel has all the powers of the board.*
  - (b) A hearing by a panel is a hearing by the board.*
  - (c) A decision of a panel is a decision of the board."*
- (i) by repealing section 18 and the Note following it and substituting:
  - "18(a) The city must give notice of a hearing by the board respecting an application for a variance or a conditional use, in accordance with The City of Winnipeg Charter.*
  - (b) The city shall give notice of any other hearing by the board in accordance with The City of Winnipeg Charter.*
  - (c) The board shall give notice of its decision on an application for a variance or a conditional use, in accordance with The City of Winnipeg Charter.*
  - (d) The board shall give notice of any other decision in accordance with The City of Winnipeg Charter.*
  - (e) Where service of a decision or notice of a hearing is to be done by sending a copy of the decision or notice, including by ordinary mail, and an address for service is required, one of the following shall be used:*
    - (i) if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property;*

- (ii) *if the person to be served is the occupant of real property, the street address for that property; or*
  - (iii) *the address for service provided by the person to be served in an application to the board or the city under this By-law."*
- (j) by repealing subsection 19(1) and substituting:

*"19(1) In addition to English, every person is entitled, upon notice, to use French in a proceeding of or before the board with respect to a matter and, where notice is given, the proceeding with respect to that matter shall be conducted or simultaneously interpreted in French."*
- (k) by striking out all references to *The City of Winnipeg Act* in Schedule "A".
- (l) by adding the following after section 19:

*"20. This by-law shall be referred to as the "Board of Adjustment By-law".*

75. *repealed 125/2007*

#### **By-law No. 5949/92**

76. By-law No. 5949/92 is amended

- (a) in the title, by striking out "*realty*" and substituting "*real property, personal property*;
- (b) in section 1, by striking out "*realty*" and substituting "*real property, personal property*";
- (c) by adding the following after section 2:

*3. This by-law shall be referred to as the "Storage of Assessment and Tax Rolls" by-law.*

#### **By-law No. 6001/92**

77. The Bio-medical Waste Sharps By-law No. 6001/92 is amended

- (a) in subsection 2.4, by striking out "*as incorporated under The City of Winnipeg Act S.M. 1989-90, c. 10, and any amendments hereafter to be made thereto*";

- (b) by repealing subsection 2.5 and substituting the following:

2.5 **"Director"** means the Director of Water and Waste for the City of Winnipeg or an employee of the City to whom the Director has delegated authority to enforce or administer all or part of this By-law.

- (c) by repealing subsection 2.8;

- (d) by striking out "Commissioner" or "Commissioner of Works and Operations" wherever these terms appear and substituting "Director";

- (e) by repealing subsection 3.1 and substituting the following:

3.1 The Director and his or her delegates may conduct inspections and take steps to administer and enforce this By-law or remedy a contravention of this By-law in accordance with The City of Winnipeg Charter and, for those purposes, have the powers of a designated employee under The City of Winnipeg Charter.

- (f) by repealing subsection 4.2 and substituting the following:

4.2 **Carrier Permits**

Upon application, the Director may issue a carrier permit if sufficient evidence is provided by the applicant to satisfy the Director that the personnel, equipment and vehicles proposed for the transportation of biomedical waste sharps are appropriate for this purpose.

- (g) by repealing subsection 4.7 and substituting the following:

4.7 **Duration of Carrier Permit**

A carrier permit is valid for two years unless suspended or revoked prior to its expiration.

4.8 **Suspension of Carrier Permit**

The Director may suspend a carrier permit immediately for a period of up to 30 days if the Director has reasonable grounds to believe that the permit holder has violated this By-law or otherwise has transported biomedical waste sharps in an unsafe manner, but must reinstate the permit as soon as he or she no longer has reasonable grounds for this belief.

#### **4.9      *Revocation of Carrier Permit***

*The Director may at any time, and must within 30 days of suspending a carrier permit, hold a hearing to determine whether a carrier permit should be revoked. A carrier permit may not be revoked without a hearing.*

#### **4.10    *Revocation Hearing Procedure***

*In conducting the revocation hearing, the Director must:*

- a) *ensure that the holder of the carrier permit has been given at least five days notice of the hearing by personal service, or by registered mail, delivery or facsimile transmission addressed to the address provided by the permit holder when applying for the permit;*
- b) *allow the permit holder to be represented by counsel, to adduce evidence and to cross-examine witnesses.*

#### **4.11    *Decision to Revoke Permit***

*The Director may revoke a carrier permit if he concludes that the permit holder poses an unacceptable risk for the future transportation of biomedical waste sharps.*

#### **4.12    *Effect of Revocation***

*A person whose permit has been revoked is not eligible to apply for another permit for a period of 1 year.*

- (h) *by repealing section 6 and substituting the following:*

#### **6.1      *Compliance Orders***

*Any order to remedy a contravention of this By-law must be issued in accordance with The City of Winnipeg Charter.*

#### **6.2      *Address for Service of Documents***

*Orders and decisions made pursuant to this By-law must be served in accordance with The City of Winnipeg Charter and where an address for sending a notice, order, decision or other document is required, one of the following shall be used:*

- (a) *if directed to a carrier, the address provided by the carrier when applying for the carrier permit may be used; and*



- (b) *if directed to a waste generating facility, the address of the waste generating facility may be used.*

## **6.2 Appeals**

*An appeal from an order to remedy a contravention of this By-law or a decision of a designated employee may be made in accordance with the City of Winnipeg Charter to the Standing Policy Committee on Public Works.*

- (i) by repealing the "Whom to Contact" Guide appended to the By-law.

78. *repealed 194/2004*

79. *repealed 200/2006*

### **By-law No. 6123/93**

80. *repealed 129/2017*

### **By-law No. 6162/93**

81. By-law No. 6162/93 is repealed.

### **By-law No. 6229/93**

82. By-law No. 6229/93 is repealed.

### **By-law No. 6283/93**

83. By-law No. 6283/93 is amended by adding the following immediately after section 2:  
3. *This By-law shall be referred to as the "Sunday and Holiday Shopping By-law".*

### **By-law No. 6311/94**

84. By-law No. 6311/94 is amended

- (a) by adding after Section 1 the following:

*1.1. This by-law shall be referred to as the "Fire Paramedic Service By-law".*

- (b) in subsection 2(1), by striking out "*In accordance with The City of Winnipeg Act there*" and substituting "There".
- (c) in subsection 2(2) by striking out "*it*" and substituting "*he/she*";

- (d) in subsection 2(2) by:
  - (i) striking out "*Association*" and substituting "*Associations*";
  - (ii) by striking out "*firefighter*" and substituting "*personnel*".
- (e) in subsection 3(3) by:
  - (i) striking out "*Association then*" and substituting "*Associations*";
  - (ii) by striking out "*The Firefighters*" and substituting "*the personnel*".
- (f) in section 11, by repealing subsections (2) and (3).
- (g) by repealing section 12.

**By-law No. 6378/94**

85. By-law No. 6378/94 is amended by adding the following after the first paragraph:

- 1. *This By-law shall be referred to as the "Airport Vicinity Protection Area Secondary Plan By-law".*

**By-law No. 6391/94**

86. By-law No. 6391/94 is amended by adding the following after the first paragraph:

- 1. *This By-law shall be referred to as the "Wilkes South Secondary Plan By-law".*

87. *repealed 200/2006*

88. *repealed 200/2006*

**By-law No. 6490/94**

89. By-law No. 6490/94 is amended

- (a) by striking out the preamble and the words "*NOW THEREFORE*".
- (b) in section 1, by striking out the word "*Act*" and substituting "*Charter*".

- (c) by adding at the end thereof, the following sections:

- "5. *An appeal from a decision under this by-law may be made in accordance with The City of Winnipeg Charter to the Standing Committee on Fiscal Issues.*
6. *This by-law shall be known as the "Refund of Excess Gas Tax By-law".*

**By-law No. 6544/94**

90. By-law No. 6544/94 is repealed.

91. *repealed 49/2008*

**By-law No. 6547/95**

92. The Winnipeg Parking Meter By-law No. 6547/95 is amended

- (a) in subsection 2(2) by striking out the definition "***Street***";
- (b) in subsection 10(e) by striking out "*pursuant to Subsection 510(2) of The City of Winnipeg Act*";
- (c) by striking out "*Commissioner of Works and Operations*" wherever it appears in the By-law and substituting "*Director of Public Works*".

93. *repealed 76/2011*

**By-law No. 6549/95**

94. The Private Parking By-law No. 6549/95 is amended

- (a) in section 1 by striking out the definition "***Person***";
- (b) by repealing the preamble and "*NOW THEREFORE*";
- (c) by adding the following after section 14:

15. *This By-law shall be referred to as the "Private Parking By-law".*

95. *repealed 91/2008*

**By-law No. 6581/95**

96. *repealed 93/2014*

**By-law No. 6726/95**

97. By-law No. 6726/95 is amended

- (a) by repealing the preamble and "*NOW THEREFORE*";
- (b) by repealing section 2;
- (c) by striking out the definition "**off-road vehicle**" and adding the following in alphabetical order:

*"**Vehicle**" means an off-road vehicle and a four-wheel drive motor vehicle, motorcycle or snow vehicle that is registered under The Highway Traffic Act and operated other than upon the roadway or shoulder, but does not include any of those vehicles registered under The Highway Traffic Act and operated upon a roadway or shoulder";*

- (d) by repealing section 4;
- (e) by striking out "*off-road vehicle*" wherever it appears in the By-law and substituting "*vehicle*".
- (f) by repealing section 8 and substituting the following:

*8. This By-law shall be administered by the Director of Community Services, who shall hereinafter be referred to as "the Director". The Director may delegate, from time to time, some or all of the powers vested in him/her by this By-law to the Chief of Police;*
- (g) by striking out "*Commissioner*" wherever it appears in the By-law and substituting "*Director*"

98. *repealed 6/2010*

**By-law No. 6927/96**

99. By-law No. 6927/96 is repealed.

**By-law No. 6928/96**

100. By-law No. 6928/96 is amended

- (a) by repealing the preamble and "*NOW THEREFORE*";
- (b) by adding the following after section 3:

4. *This by-law shall be referred to as the "Advertising Signs Business Tax By-law".*

**By-law No. 6930/96**

101. By-law No. 6930/96 is repealed.

102. *repealed 119/2004*

103. *repealed 166/2004*

**By-law No. 7026/97**

104. By-law No. 7026/97 is amended

- (a) by repealing the preamble and "*NOW THEREFORE*";
- (b) by adding the following after section 4:

5 *This by-law shall be referred to as the "Remuneration of the Members of the Board of Revision By-law".*

**By-law No. 7039/97**

105. By-law No. 7039/97 is amended

- (a) by repealing the preamble and "*NOW THEREFORE*";
- (b) by adding the following after section 1:

2. *This by-law shall be referred to as the "Veterans Associations Exemption By-law".*

**By-law No. 7070/97**

106. The Sewer By-law No. 7070/97 is amended

- (a) in Section 2, by adding the following in alphabetical order:

***"Director"** means the Director of the Water and Waste Department of the City and his or her delegates.*

- (b) in Section 2, by repealing the definition "**designated City Administrator**" ;

- (c) in Section 2, by repealing the definitions for "**owner**", "**person**", "**Sewer Utility**", and "**street**" and adding the following in alphabetical order:

**"owner"** has the same meaning as in the City of Winnipeg Charter

**"person"** has the same meaning as in the City of Winnipeg Charter

**"Sewer Utility"** means the system works, plants, equipment and service for the collection, transport, treatment and disposal of wastewater, and when applicable shall extend to and include the Director

**"street"** has the same meaning as in the City of Winnipeg Charter

- (d) by repealing section 3 and substituting the following:

### **3. Administration**

*The Director and his or her delegates may conduct inspections and take steps to administer and enforce this by-law or remedy a contravention of this By-law in accordance with the City of Winnipeg Charter and for those purposes have the powers of a designated employee under the City of Winnipeg Charter*

- (e) by repealing section 5;
- (f) in subsection 16(5) by striking out "Legal Services Division of the Corporate Services Department" and substituting "Corporate Risk Manager".
- (g) by repealing section 55 and substituting the following:

### **55 Entry and Emergencies**

*In accordance with the City of Winnipeg Charter in an emergency that affects the health or safety of persons or affects property, the Director may enter premises without notice for the purposes of:*

- (i) *inspecting any sewer apparatus or other thing connected therewith;*
- (ii) *blocking any sewer;*
- (iii) *maintaining any sewer blockage apparatus;*

(iv) *removing any sewer blockage apparatus.*

(h) by repealing Section 62 and substituting the following:

**62 Private Wastewater Disposal Systems Appeals**

*Notwithstanding section 59(1)(c) and section 60 of this Part 9 any person refused a Private Wastewater Disposal System Permit under section 57 may, in accordance with the City of Winnipeg Charter file an appeal with the Office of the City Clerk, subject to payment of the appropriate fee of appeals as listed in Schedule "A", which appeal shall be heard by the Standing Policy Committee on Public Works of the City and every decision of the Standing Policy Committee on Public Works shall be final and binding. The Standing Policy Committee on Public Works may grant the permit where, in its opinion, the proposed Private Wastewater Disposal System is compatible with the area, has no impact on adjoining property and adjacent area, has no potential for adverse public health consequences, has no adverse effect on the environment and complies with City Health and Zoning regulations.*

(i) by repealing Section 78 and substituting the following:

**78 Enforcement**

*Any order to remedy a contravention of this By-law must be issued in accordance with the City of Winnipeg Charter*

(j) by adding the following:

**78.1 Address for Service**

*Where an address for sending a notice, order, decision or other document is required, one of the following shall be used:*

- (i) *if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property; and*
- (ii) *if the person to be served is the occupant of real property, the street address for that property.*

- (k) by repealing Section 80 and substituting the following:

**80 Offences and Penalties**

*Any person who:*

- (a) hinders or interrupts, or causes or procures to be hindered or interrupted the Sewer Utility or its servants, agents, contractors, workmen or any of them, in the exercise of powers and authorities granted herein as to the wastewater system, or land drainage works or any part thereof; or*
- (b) destroys, damages, or interferes with the operation of any part of the wastewater system or land drainage works, introduces into the wastewater system or land drainage works any thing or matter that causes, or is likely to cause, damage thereto; or*
- (c) contravenes or disobeys or refuses or neglects to obey any provision of this By-law for which no other penalty is herein provided;*

*is guilty of an offence and is liable on summary conviction to the following penalties which shall not exceed \$50,000.00:*

- (i) for a first offence, to a fine of not less than \$1,000.00;*
- (ii) for a second offence, to a fine of not less than \$2,500.00;*
- (iii) for a third offence, to a fine of not less than \$5,000.00.*

- (l) by adding Section 80.1 as follows:

*80.1 Notwithstanding the penalties prescribed in section 80, an individual may also be liable on summary conviction to imprisonment for a term not exceeding six (6) months or to both a fine specified herein and imprisonment.*

- (m) by adding the Section 80.2 as follows:

*80.2 Where an offence occurs under this By-law and continues for more than one day, the person is guilty of a separate offence for each day the offence continues.*



- (n) by repealing Section 81 and substituting therefore the following:

**81 Appeals**

*In addition to any appeals under section 62 hereof, any person who is aggrieved by an order or decision made pursuant to this By-law may in accordance with the City of Winnipeg Charter file an appeal with the City Clerk's Office, subject to the payment of the appropriate fee as listed in Schedule "A", which appeal shall be heard by the Standing Policy Committee on Public Works and every decision of the Standing Policy Committee on Public Works shall be final and binding.*

**By-law No. 7075/97**

107. By-law No. 7075/97 is amended

- (a) by repealing the preamble and "*NOW THEREFORE*";
- (b) by repealing the definitions "**City Treasurer**" and "**committee**" in section 1;
- (c) by amending the definition "**realty taxes**" in section 1 by striking out "*all general and school taxes*" and substituting "*real property tax*";
- (d) by repealing sections 9, 10, 11, 12, 13, 14, 15 and 16;
- (e) by adding the following after section 8:

*8.1 The Chief Financial Officer and his/her delegates may take steps to administer and enforce this by-law and their decisions must be made in accordance with The City of Winnipeg Charter.*

*8.2 A copy of a decision made under this by-law must be given to the registered owner of the property in accordance with The City of Winnipeg Charter.*

*8.3 A decision made under this by-law may be appealed to the Standing Policy Committee on Fiscal Issues in accordance with The City of Winnipeg Charter.*

*8.4 This by-law shall be referred to as the "Unserviced Residential Premises Tax Credit By-law".*

- (f) by striking out "*realty*" wherever it appears and substituting "*real property*";

**By-law No. 7076/97**

108.

By-law No. 7076/97 is repealed.

**By-law No. 7100/97**

109. The City Organization By-law No. 7100/97 is amended

(a) in the preamble:

(i) by striking out the words "*The City of Winnipeg Act*" and substituting "*The City of Winnipeg Charter*"; and

(ii) by striking out the second paragraph and substituting:

"AND WHEREAS *The City of Winnipeg Charter* requires Council to establish and maintain the administrative structure for the city, and permits the delegation of powers and duties to employees in such manner as Council determines is desirable for the effective and efficient delivery of services to its citizens;"

(b) in clause 3 (1) (b), by striking out the words "*the annual estimates, current and capital budgets*" and substituting "*an operating or capital budget*";

(c) in clause 3(1)(g), by striking out the words "*Current Budget*" and substituting "*operating budget*";

(d) by repealing clause 3(1)(j);

(e) by repealing clause 3(1)(k);

(f) in section 4

(i) by striking out the words "*The City of Winnipeg Act*" and substituting "*The City of Winnipeg Charter*";

(ii) by repealing clause (9);

(iii) by adding the following immediately after clause (21):

(22) *Awards of contracts in accordance with existing council policy.*

(g) in section 5 by striking out the words "*pursuant to subsection 33(1) of The City of Winnipeg Act*";

- (h) by repealing section 9.1 and substituting the following:

*9.1 The Standing Committee on Fiscal Issues may approve additional appropriations to an operating budget including approval of reallocations of funds provided in an operating budget of the city for a purpose other than that set out in the budget, and approval of additional operating expenditures.*

- (i) in section 9.2,

(i) by striking out "set out" and substituting "referred to"; and

(ii) by repealing clause (a)(i) and substituting the following:

*(a)(i) conditional use orders made by the Director of Planning, Property and Development, Community Committees, or the Board of Adjustment;*

- (j) by striking out "Social Services" in section 10;

- (k) in subclauses 10(a)(i) to 10(a)(xxx),

(i) by striking out the words "Section(s)", "Subsection(s)", "Part" or "Clause(s)", wherever they appear, and the numbers or letters which follow them;

(ii) by striking out the parentheses which enclose the words listed in each subclause;

- (l) in clause 10(a), by striking out "of The City of Winnipeg Act";

- (m) by repealing clause 10(d);

- (n) by repealing clause 10(o)(i) and substituting the following:

*(o)(i) conditional use orders made by the Director of Planning, Property and Development, Community Committees, or the Board of Adjustment;*

- (o) in clause 10(o), by striking "set out" and substituting "referred to";

- (p) in subclauses 11(a)(i) to 11(a)(ix),

(i) by striking out the words "Section(s)", "Subsection(s)", "Part" or "Clause(s)", wherever they appear, and the numbers or letters which follow them;

- (ii) by striking out the parentheses which enclose the words listed in each subclause;
- (iii) by repealing subclause 11(a)(vii) and substituting:
  - (vii) *Licensing except licensing of ambulances and ambulance services;*
- (q) in clause 11(a), by striking out "*of The City of Winnipeg Act*";
- (r) in clause 11(e), by striking out "*pursuant to clause 500(e) of The City of Winnipeg Act,*"
- (s) by repealing clause 11(h);
- (t) by repealing clause 11(m) and substituting the following:
  - (m) *approval of matters relating to encroachments on City property;*
- (u) by repealing clause 11(o);
- (v) by repealing clause 11(p) and substituting the following:
  - (p) *the power to direct that Variance Orders and Conditional Use Orders granted prior to the coming into force of The City of Winnipeg Act, S.M. 1971, chapter 105, cease to have effect.*
- (w) in clause 11(r ), by striking out "*under Section 625 and Section 627(6) of The City of Winnipeg Act*";
- (x) in clause 11(w), by striking out "*Part 16 of The City of Winnipeg Act*" and substituting "*streets*";
- (y) by repealing clause 11(dd)(i) and substituting the following:
  - (dd)(i) conditional use orders made by the Director of Planning, Property and Development, Community Committees, or the Board of Adjustment;
- (z) in clause 11(dd), by striking out "*set out*" and substituting "*referred to*";
- (aa) in clauses 11(c), 11(aa), 13(g) and 13(h), by striking out "current" and substituting "operating";
- (bb) in section 13, by striking "*Hydro*";

- (cc) in subclauses 13(a)(i) to 13(a)(xii),
  - (i) by striking out the words "*Section(s)*", "*Subsection(s)*", "*Part*" or "*Clause(s)*", wherever they appear, and the numbers or letters which follow them;
  - (ii) by striking out the parentheses which enclose the words listed in each subclause;
- (dd) in clause 13(a), by striking out "*of The City of Winnipeg Act*";
- (ee) in clause 13(d), by striking out "*as provided in Section 510(1) of the Act*"
- (ff) by repealing clause 13(j)(i) and substituting the following:
  - (j)(i) *conditional use orders made by the Director of Planning, Property and Development, Community Committees, or the Board of Adjustment;*
- (gg) in clause 13(j), by striking out "*set out*" and substituting "*referred to*";
- (hh) by repealing clause 13.1(1) (a) and substituting the following:
  - (a) *conditional use orders made by the Director of Planning, Property and Development, Community Committees, or the Board of Adjustment;*
- (ii) in subsection 13.1(1), by striking out everything that appears after clause (c ) and substituting "*on a rotating basis in accordance with a Schedule adopted by resolution of Council.*";
- (jj) in subsection 13.1(2), by striking out "*set out*" and substituting "*referred to*";
- (kk) in section 15, by striking out "*such authority under Section 417 of The City of Winnipeg Act*" and substituting "*authority*";
- (ll) in clause 15(3)(d), by striking out "annual" and substituting "operating";
- (mm) in clause 15.1(3)(g), by striking out "*objections to*" and substituting "*appeals from*";
- (nn) in subsection 15.2(4), by striking out "*2001 and 2002*" wherever it appears and by striking out "current operating" and substituting "operating";
- (oo) by repealing section 15.3;
- (pp) by repealing sections 20, 21, 22 and 23;

- (qq) by adding the following immediately after section 24:

*24.1 The City Clerk is authorized under s. 56 of the City of Winnipeg Charter to consolidate by-laws.*

- (rr) by adding the following at the end of clause 26(6):

*"and for those purposes, has the powers of a "designated employee" under The City of Winnipeg Charter."*

- (ss) in subsection 26(16), by striking out "*The City of Winnipeg Act*" and substituting "*The City of Winnipeg Charter*";

- (tt) by renumbering sections 33.1 and 33.2 as 33.2 and 33.3;

- (uu) by adding the following immediately after section 33:

*33.1 The Chief Financial Officer may invest money of the city not immediately required for its purposes and may authorize the purchase and disposal of any of the securities referred to in section 290 of The City of Winnipeg Charter.*

- (vv) in subsection 35.1(3), by striking out "*It will develop and introduce a Controllership Model shifting the accountability for processing financial transactions and monitoring of fiscal affairs to operating departments.*" and substituting "*It will provide leadership for the effective functioning of the Controllership model*";

- (ww) by repealing subsection 35.1(6);

- (xx) by repealing subsection 35.2;

- (yy) by adding the following after subsection 37(3):

*37(4) Whenever The City of Winnipeg Charter requires the designation of a hearing body, and none has been specifically designated in this or another by-law, the hearing body shall be that committee which is assigned the corresponding area of responsibility under this By-law.*

*37.1 Reallocation of funds provided in a capital budget in excess of the lesser of \$100,000 or 25% of the base budget require the approval of the appropriate Standing Committee, but otherwise the Chief Financial Officer may approve reallocations of funds within capital budgets.*

- (zz) by adding the following at the end of section 38:

*"S.M. 1989-90, c. 10, for the purposes of the continuation of the Sinking Fund Trustees, in accordance with section 520 of The City of Winnipeg Charter."*

- (aaa) Appendices "A","B" and "G" to By-law No. 7100/97 are repealed and the Appendices "A", "B" and "G" attached to this by-law are substituted.

- (bbb) Appendix "C" to By-law No. 7100/97 is amended by striking out:

*"6. The General Manager of Hydro                      6. The Director of Hydro"*

- (ccc) Appendix "C" to By-law No. 7100/97 is amended by striking out "11. The Director of Property and Development Services" in column 2, and substituting "11. The Director of Planning, Property and Development"

- (ddd) Appendix "D" to By-law No. 7100/97 is amended by striking out:

*"4. Winnipeg Hydro    4. Hydro Department"*

#### **By-law No. 7136/97**

110. By-law No. 7136/97 is amended

- (a) by striking out "*late payment charge*" wherever it appears and substituting "*late payment penalty*"; and
- (b) by adding the following immediately after section 6:

*7. This By-law shall be referred to as the "Late Payment Penalty By-law."*

#### **By-law No. 7137/97**

111. By-law No. 7137/97 is amended

- (a) by striking out the preamble and "*NOW THEREFORE*" ;
- (b) in the title, by adding "*real*" before "property"
- (c) in section 8, by adding "*real property*" before "tax credit";
- (d) by adding the following after section 14:

- "14.1 The Chief Administrative Officer and his/her delegates may take steps to administer and enforce this by-law and their decisions must be made in accordance with The City of Winnipeg Charter.*
- 14.2 A copy of a decision made under this by-law must be given to the registered owner of the building in which the residential unit is contained by delivering a copy of the decision to him/her or the person authorized by him/her to apply for a tax credit on his/her behalf.*
- 14.3 A decision made under this by-law may be appealed to the Standing Policy Committee on Property and Development in accordance with The City of Winnipeg Charter."*
- 14.4 This by-law shall be referred to as the "1998 Home Renovation Tax Assistance Program By-law"*

- (e) by repealing sections 15, 16, 17, 18, 19, 20, 21 and 22;

**By-law No. 7155/98**

112. The Heritage Conservation Tax Credit By-law No. 7155/98 is amended

- (a) by repealing the preamble and "*NOW THEREFORE,*";
- (b) by repealing the definition "**OWNER**" in section 2;
- (c) by adding the following definition in alphabetical order:

***"PROPERTY OWNER"** means a person who is the registered owner under The Real Property Act of land on which a building, erection or structure is located, or the grantee thereof in a valid conveyance registered under The Registry Act, or an agent of either such owner;*

- (d) by adding "*property*" before "owner" in clause 8(1)(a);
- (e) by repealing subsection 10(3) and substituting the following:

*"10(3) When the Designated Committee makes a recommendation to Council pursuant to subsection (2), the Clerk shall provide the applicant notice in accordance with The City of Winnipeg Charter of the date, time and place at which Council will hear representations from the applicant for or against the recommendation."; and*



- (f) by adding the following after subsection 13(2):

*"13.1 The Chief Administrative Officer and his/her delegates may take steps to administer and enforce this by-law and any decisions made shall be made in accordance with The City of Winnipeg Charter.*

*13.2 Any decisions made by Council, the Designated Committee or the Chief Administrative Officer or his/her delegates shall be given to the applicant by delivering a copy of the decision to the applicant or the agent of such applicant or by sending a copy of the decision to the applicant or the agent of such applicant, addressed to the person's address as provided in the applicant's application, in accordance with The City of Winnipeg Charter.*

*13.3 Any decisions made by the Chief Administrative Officer or his/her delegates may be appealed in accordance with The City of Winnipeg Charter to the designated Committee."*

**By-law No. 7171/98**

113. The Disabled Persons Parking By-Law No. 7171/98 is amended

- (a) by repealing the preamble and "*NOW THEREFORE*";
- (b) in subsection 1(2) by striking out the definitions "***designated parking space***" and "***motor vehicle***";
- (c) by adding the following after section 4:

*5. This By-law shall be referred to as the "Disabled Persons Parking By-law".*

**By-law No. 7199/98**

114. By-law No. 7199/98 is repealed.

**By-law No. 7200/98**

115. The Downtown Heritage Conservation Tax Credit By-law No. 7200/98 is amended

- (a) by repealing the preamble and "*NOW THEREFORE*";
- (b) by repealing the definition "***OWNER***" in section 2;

- (c) by adding the following definition in alphabetical order:

**"PROPERTY OWNER"** means a person who is the registered owner under The Real Property Act of land on which a building, erection or structure is located, or the grantee thereof in a valid conveyance registered under The Registry Act, or an agent of either such owner;

- (d) by adding "*property*" before "owner" in clause 8(1)(a);
- (e) by repealing subsections 11(4), 11(5), 11(6), 11(7) and 11(8);
- (f) by adding "*property*" before "owner" wherever it occurs in subsection 14(2);
- (g) by adding "*property*" before "owner" and "owners" wherever they occur in subsection 14(3); and
- (h) by adding the following after subsection 14(3):

*"14.1 The Chief Administrative Officer and his/her delegates may take steps to administer and enforce this by-law and any decisions made shall be made in accordance with The City of Winnipeg Charter."*

*14.2 Any decisions made by the Designated Committee or the Chief Administrative Officer or his/her delegates shall be given to the applicant by delivering a copy of the decision to the applicant or the agent of such applicant or by sending a copy of the decision to the applicant or the agent of such applicant, addressed to the person's address as provided in the applicant's application, in accordance with The City of Winnipeg Charter."*

*14.3 Any decisions made by the Chief Administrative Officer or his/her delegates may be appealed in accordance with The City of Winnipeg Charter to the designated Committee."*

**By-law No. 7230/98**

116. By-law 7230/98 is repealed.

**By-law No. 7294/98**

117. The Lot Grading By-law No. 7294/98 is amended

- (a) in section 2,
  - (i) by repealing the definitions of "**Building**", "**City**", "**Council**", "**Highway**", "**Owner**", "**Person**" and "**Street**";
  - (ii) by adding the following in alphabetical order:

*"**Structure**" means any structure used or intended for supporting or sheltering any use of occupancy and, without restricting the generality of the foregoing, includes residential, commercial and industrial structures.*
- (b) by striking out "*building*" wherever it appears in the By-law, except where it appears in the term "*building permit*", and substituting "*structure*";
- (c) in subsection 4(1), by striking out "*Property and Development Services*" and substituting "*the Planning, Property and Development Department*";
- (d) by repealing subsection 4(7) and substituting the following:

*An appeal from a decision to deny a Lot Grading Permit may be made in accordance with The City of Winnipeg Charter to the Standing Policy Committee on Public Works.*
- (e) by repealing subsection 6(3);
- (f) in subsection 6(5), by striking out "*designated City Administration*" wherever it appears and substituting "*Designated City Administrator*";
- (g) in subsections 7(3) and by striking out "*City Solicitor*" and substituting "*Corporate Risk Manager*".
- (h) by repealing section 9 and substituting the following:

**9      Enforcement**

- (1) *The Designated City Administrator and his/her delegates may conduct inspections and take steps to administer and enforce this by-law or remedy a contravention of this by-law in accordance with The City of Winnipeg Charter and, for those purposes, have the powers of a "designated employee" under The City of Winnipeg Charter.*
- (2) *An order to obtain a Lot Grading Permit or to comply with a Lot Grading Permit must be issued in accordance with The City of Winnipeg Charter.*

- (3) *Where an order to comply with this By-law is issued, it may require that the owner of property prepare or have prepared by a Professional Engineer, Architect or Landscape Architect a new or revised lot grading plan as part of the required corrective measures.*
- (4) *Where the Designated City Administrator takes actions or measures to remedy a contravention of this By-law, he or she may charge the costs against the deposit held by the City.*
- (5) *Where an address for sending a notice, order, decision or other document is required, one of the following shall be used:*
  - (a) *if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property; and*
  - (b) *if the person to be served is the occupant of real property, the street address for that property; and*
  - (c) *if the document to be served relates to a permit, licence or other document for which the person to be served has applied in writing, the address provided by the person in the application.*

- (i) by repealing section 10.

**By-law No. 7367/99**

118. *repealed 78/2015*

**By-law No. 7384/99**

119. The 1999 Home Renovation Tax Assistance Program By-law No. 7384/99 is amended

- (a) by striking out the preamble and "*NOW THEREFORE*";
- (b) in the title, by adding "*real*" before "property";

- (c) in section 9, by adding "*real property*" before "tax credit";
- (d) by adding the following after section 16:

*"16.1 The Chief Administrative Officer and his/her delegates may take steps to administer and enforce this by-law and their decisions must be made in accordance with The City of Winnipeg Charter."*

*16.2 A copy of a decision made under this by-law must be given to the registered owner of the building in which the residential unit is contained by delivering a copy of the decision to him/her or the person authorized by him/her to apply for a tax credit on his/her behalf.*

*16.3 A decision made under this by-law may be appealed to the Standing Policy Committee on Property and Development in accordance with The City of Winnipeg Charter."*

- (e) by repealing sections 17, 18, 19, 20, 21, 22, 23 and 24.

120. *repealed 6/2010*

### **By-law No. 7500/99**

121. By-law No. 7500/99 is amended

- (a) in the title of the by-law, by striking out "*development*" and substituting "*subdivision*";
- (b) by repealing the definition "**City**" in section 1 and substituting:

*"City" means, as the case requires,*

*(a) the corporation known as "The City of Winnipeg", or*

*(b) the area of the City of Winnipeg as determined under The City of Winnipeg Charter;"*

- (c) in the definition "**Development Agreement**" in section 1, by striking out "*619(1), 620, or 623(3) of The City of Winnipeg Act*" and substituting "*256(1)(b), 259 or 260(2)(b) of The City of Winnipeg Charter*";
- (d) in the definition "**Director**" in section 1, by striking out everything after "and" and substituting "*his/her delegates.*";

- (e) in the definition "**Standing Policy Committee**" in section 1, by striking out "*Part I of The City of Winnipeg Act*" and substituting "*Part 3 of The City of Winnipeg Charter*";
- (f) in the definition "**Development approval**" in section 1, and in section 18, by striking out "*The City of Winnipeg Act*" and substituting "*The City of Winnipeg Charter*";
- (g) by repealing section 22 and substituting the following:

*"22. The Director of Planning, Property and Development is responsible for the administration of this By-law and, for that purpose, has the powers of a designated employee under The City of Winnipeg Charter."*
- (h) by adding the following after section 22:

*"23. This By-law shall be referred to as the "Subdivision Standards By-law"."*

**By-law No. 7523/99**

122. The 2000 Home Renovation Tax Assistance Program By-law No. 7523/99 is amended

- (a) by striking out the preamble and "*NOW THEREFORE*";
- (b) in the title, by adding "*real*" before "property";
- (c) in section 9, by adding "*real property*" before "tax credit";
- (d) in subsection 11, by striking out "*general taxes*" and substituting "*real property taxes*";
- (e) by adding the following after section 16:

*"16.1 The Chief Administrative Officer and his/her delegates may take steps to administer and enforce this by-law and their decisions must be made in accordance with The City of Winnipeg Charter.*

*16.2 A copy of a decision made under this by-law must be given to the registered owner of the building in which the residential unit is contained by delivering a copy of the decision to him/her or the person authorized by him/her to apply for a tax credit on his/her behalf.*

*16.3 A decision made under this by-law may be appealed to the Standing Policy Committee on Property and Development in accordance with The City of Winnipeg Charter."*
- (f) by repealing sections 17, 18, 19, 20, 21, 22, 23 and 24.

**By-law No. 7600/2000**

123. The Secondary Dyke By-law No. 7600/2000 is amended

- (a) by striking out "*building*" wherever it appears in the By-law and substituting "*structure*";
- (b) by repealing subsection 2(1);
- (c) in subsection 2(2), by repealing the definitions "***construction***", "***designated committee***", "***development***" and "***owner***";
- (d) in section 3,
  - (i) by adding ", *occupant and agent for either the owner or occupant*" after "*Every owner*"; and
  - (ii) by adding "*and structures that have not been permitted under section 5*" after "*trees*";
- (e) by repealing subsection 6(4) and substituting the following:

*6(4) A decision to issue or to refuse a permit must be given to the applicant in accordance with The City of Winnipeg Charter.*
- (f) by adding the following after subsection 6(4):

*6(5) Where an address for sending a decision or other document is required, the address provided by the person in the application for a permit shall be used.*
- (g) in clause 7(a), by striking out "*owner*" and substituting "*applicant*";
- (h) by repealing section 8 and substituting the following:

*8 The designated employee may conduct inspections and take steps to administer and enforce this by-law or remedy a contravention of this by-law in accordance with The City of Winnipeg Charter and, for those purposes, have the powers of a designated employee under The City of Winnipeg Charter.*
- (i) by repealing section 9;
- (j) by repealing section 10 and substituting the following:

10. *Any order to remedy a contravention of this By-law must be issued in accordance with The City of Winnipeg Charter and where an address for sending the order is required, one of the following shall be used:*
- (a) *if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property; and*
  - (b) *if the person to be served is the occupant of real property, the street address for that property; and*
  - (c) *if the document to be served relates to a permit for which the person to be served has applied, the address provided by the person in the application.*
- (k) by repealing section 11 and substituting the following:
11. *An appeal from an order or decision of the designated employee may be made in accordance with The City of Winnipeg Charter to the Standing Policy Committee on Public Works.*
- (l) by repealing sections 12 to 15;
- (m) in the title to section 17, by striking out "*SUBORDINATE*" and substituting "*REQUIREMENTS SUPPLEMENTARY*".

**By-law No. 7610/2000**

124. By-law No. 7610/2000 is amended

- (a) by adding to the end thereof:

"3. *This by-law shall be known as the "Winnipeg Police Service Regulation By-law".*"
- (b) by amending the definition "**Committee**" in Schedule "A" of the By-law by adding at the end thereof "*and the Chief of Human Resources and Corporate Services.*"
- (c) by striking out "*Act*" in section 4 of Schedule "A" and substituting "*Charter*".
- (d) By adding after section 2.01 of Schedule "A", the following:

"2.02 *A notice, decision or order shall be served in accordance with The City of Winnipeg Charter.*"



125. *repealed 67/2010, as amended*

**By-law No. 7632/2000**

126. The CentreVenture Heritage Tax Credit By-law No. 7632/2000 is amended

- (a) by repealing the preamble and "*NOW THEREFORE*";
- (b) by repealing the definition "**OWNER**" in section 2;
- (c) by adding the following definition in alphabetical order:

**"PROPERTY OWNER"** means a person who is the registered owner under The Real Property Act of land on which a building, erection or structure is located, or the grantee thereof in a valid conveyance registered under The Registry Act, or an agent of either such owner;

- (d) by adding "Property" before "Owner" wherever it occurs in subsection 13(2);
- (e) by adding "property" before "owner" and "owners" wherever they occur in subsection 13(3); and
- (f) by adding the following after subsection 13(3):

*"13.1 The Chief Administrative Officer or his/her delegates may take steps to administer and enforce this by-law and any decisions made shall be made in accordance with The City of Winnipeg Charter.*

*13.2 Any decisions made by the Designated Committee or the Chief Administrative Officer or his/her delegates shall be given to the applicant by delivering a copy of the decision to the applicant or the agent of such applicant or by sending a copy of the decision to the applicant or the agent of such applicant, addressed to the person's address as provided in the applicant's application, in accordance with The City of Winnipeg Charter.*

*13.3 Any decisions made by the Chief Administrative Officer or his/her delegates may be appealed in accordance with The City of Winnipeg Charter to the Designated Committee."*

**By-law No. 7633/2000**

127. The Gail Parvin Hammerquist Fund By-law No. 7633/2000 is amended

- (a) by repealing the preamble and "*NOW THEREFORE*";

- (b) by repealing the definition "**OWNER**" in section 2;
- (c) by adding the following definition in alphabetical order:

***"PROPERTY OWNER"** means a person who is the registered owner under The Real Property Act of land on which a building, erection or structure is located, or the grantee thereof in a valid conveyance registered under The Registry Act, or an agent of either such owner; and*

- (d) by adding the following after subsection 12(b):

*"13(1) The Chief Administrative Officer and his/her delegates may take steps to administer and enforce this by-law and any decisions made shall be made in accordance with The City of Winnipeg Charter.*

*13(2) Any decisions made by the Chief Administrative Officer or his/her delegates shall be given to the applicant by delivering a copy of the decision to the applicant or the agent of such applicant or by sending a copy of the decision to the applicant or the agent of such applicant, addressed to the person's address as provided in the applicant's application, in accordance with The City of Winnipeg Charter.*

*13(3) Any decisions made by the Chief Administrative Officer or his/her delegates may be appealed in accordance with The City of Winnipeg Charter:*

- (a) to the Executive Policy Committee for any decision made with respect to a CentreVenture Program; or*
- (b) to the Standing Policy Committee on Property and Development for any decision made with respect to any other Program."*

#### **By-law No. 7653/2000**

128. By-law No. 7653/2000 is repealed.

#### **By-law No. 7700/2000**

129. The Obstructive Solicitation By-law No. 7700/2000 is amended

- (a) in the preamble, by striking out "*THEREFORE*"
- (b) by repealing the definition "**street**" in section 2 and substituting:

*"**street**" has the same meaning as in The City of Winnipeg Charter;"*

- (c) by repealing section 4.

130. *repealed 125/2006*

**By-law No. 7798/2001**

131. The 2001 Home Renovation Tax Assistance Program By-law No. 7798/2001 is amended

- (a) by striking out the preamble and "*NOW THEREFORE*";
- (b) in the title, by adding "*real*" before "property";
- (c) in section 9, by adding "*real property*" before "tax credit";
- (d) in subsection 11(1), by striking out "*general taxes*" and substituting "*real property taxes*";
- (e) by adding the following after section 16:

*"16.1 The Chief Administrative Officer and his/her delegates may take steps to administer and enforce this by-law and their decisions must be made in accordance with The City of Winnipeg Charter."*

*16.2 A copy of a decision made under this by-law must be given to the registered owner of the building in which the residential unit is contained by delivering a copy of the decision to him/her or the person authorized by him/her to apply for a tax credit on his/her behalf.*

*16.3 A decision made under this by-law may be appealed to the Standing Policy Committee on Property and Development in accordance with The City of Winnipeg Charter."*

- (f) by repealing sections 17, 18, 19, 20, 21, 22, 23 and 24.

**By-law No. 7943/2001**

132. The 2002 Home Renovation Tax Assistance Program By-law No. 7943/2001 is amended

- (a) by striking out the preamble and "*NOW THEREFORE*";
- (b) in the title, by adding "*real*" before "property";
- (c) in section 9, by adding "*real property*" before "tax credit";

- (d) in subsection 11(1), by striking "*general taxes*" and substituting "*real property taxes*";
- (e) by adding the following after section 16:
  - "16.1 *The Chief Administrative Officer and his/her delegates may take steps to administer and enforce this by-law and their decisions must be made in accordance with The City of Winnipeg Charter.*
  - 16.2 *A copy of a decision made under this by-law must be given to the registered owner of the building in which the residential unit is contained by delivering a copy of the decision to him/her or the person authorized by him/her to apply for a tax credit on his/her behalf.*
  - 16.3 *A decision made under this by-law may be appealed to the Standing Policy Committee on Property and Development in accordance with The City of Winnipeg Charter."*
- (f) by repealing sections 17, 18, 19, 20, 21, 22, 23 and 24.

133. *repealed 35/2004*

### **By-law No. 8058/2002**

134. The CentreVenture 2002 Heritage Tax Credit By-law No. 8058/2002 is amended

- (a) by repealing the preamble and "*NOW THEREFORE,*";
- (b) by repealing the definition "**OWNER**" in section 2;
- (c) by adding the following definition in alphabetical order:
  - "**PROPERTY OWNER**" means a person who is the registered owner under The Real Property Act of land on which a building, erection or structure is located, or the grantee thereof in a valid conveyance registered under The Registry Act, or an agent of either such owner;
- (d) by adding "*Property*" before "Owner" wherever it occurs in subsection 13(2);
- (e) by adding "*property*" before "owner" and "owners" wherever they occur in subsection 13(3);
- (f) by repealing subsections 15(1) and 15(2); and
- (g) by adding the following after section 16:

- "16.1 The Chief Administrative Officer and his/her delegates may take steps to administer and enforce this by-law and any decisions made shall be made in accordance with The City of Winnipeg Charter.*
- 16.2 Any decisions made by the Designated Committee or the Chief Administrative Officer or his/her delegates shall be given to the applicant by delivering a copy of the decision to the applicant or the agent of such applicant or by sending a copy of the decision to the applicant or the agent of such applicant, addressed to the person's address as provided in the applicant's application, in accordance with The City of Winnipeg Charter.*
- 16.3 Any decisions made by the Chief Administrative Officer or his/her delegates may be appealed in accordance with The City of Winnipeg Charter to the designated Committee."*

135. *expired May 22, 2005*

**By-law No. 8097/2002**

136. By-law No. 8097/2002 is amended by adding the following after the first paragraph:

- 1. This By-law shall be referred to as the "Airport Area West Secondary Plan By-law".*

**By-law No. 8111/2002**

137. The Business Improvement Zone Procedures By-law No. 8111/2002 is amended by adding the following immediately after section 25:

***Transition***

- 26 Council may approve a zone budget under this By-law notwithstanding the fact that the budget was approved by the zone in accordance with procedures established by a statute or a by-law that was in effect at the time the budget was approved by the zone.*

**Continuation of the Board of Adjustment**

138. The Board of Adjustment is established pursuant to subsection 273 (1) of *The City of Winnipeg Charter* and it shall continue to exercise the powers, duties and responsibilities that it had on December 31, 2002 under By-law No. 5894/92.

**CFO as Reserve Fund Manager**

139. Whenever any by-law, policy, resolution or delegation of authority relating to a reserve which has been established by the City refers to the Director of Finance or the Director of Corporate Finance as the fund manager, the reference to "*Director of Finance*" or "*Director of Corporation Finance*" shall be deemed to have been struck out, and "*Chief Financial Officer or designate*" substituted therefor.

**Coming into Force**

140. This by-law comes into force on January 1st, 2003.

**DONE AND PASSED** in Council assembled, this 11<sup>th</sup> day of December, 2002.