

Recommended minor amendments – Drafting instructions

Table 1 – List of recommended minor amendments

Item	By-law title and number	Schedule or Section to be amended	Recommended amendment
1	Animal Care and Control By-law (By-law 2003-77, as amended) Right of Entry By-law (By-law 2005-326, as amended)	Section 1	Repeal the definition of “Director” and replace it with the following definition: “Director” means the Director, By-law and Regulatory Services in the Emergency and Protective Services Department, or an authorized representative
2	Animal Care and Control By-law (By-law 2003-77, as amended)	Section 1 Sections 28, 31, 33, 34, 35	Repeal the definition of “Manager of Enforcement and Inspections” where it appears in Section 1 Repeal the expression “Manager of Enforcement and Inspections” where it appears in Sections 28, 31, 33, 34 and 35 and replace it with the expression “Director”
3	Animal Care and Control By-law (By-law 2003-77, as amended)	Section 86(e)	Repeal the expression “Canadian Association of Zoos and Aquaria (CAZA)” and replace it with the expression “Canada’s Accredited Zoos and Aquariums (CAZA)”
4	Animal Care and Control By-law (By-law 2003-77, as amended)	Section 86(g)	Repeal the expression “CAZA or the American Zoo and Aquarium Association” and replace it with the expression “Canada’s Accredited Zoos and Aquariums (CAZA) or the Association of Zoos and Aquariums (AZA)”

5	Board-Up By-law (By-law 2010-211, as amended) Heat By-law (By-law 2010-210, as amended)	Section 2(3)	Repeal the subsection and replace it with the following subsection: “Wherever this by-law refers to a person with reference to gender or gender-neutral, the intention is to read the by-law with the gender applicable to the circumstances.”
6	Heat By-law (By-law 2010-210, as amended)	Section 1	Repeal the definition of “Chief” and replace it with the following definition: “Director” means the Director, By-law and Regulatory Services in the Emergency and Protective Services Department, or an authorized representative
7	Heat By-law (By-law 2010-210, as amended)	Sections 4, 7	Repeal the expression “Chief” where it appears therein and replace it with the expression “Director”
8	Licensing by-law (By-law 2002-189, as amended)	Section 1	Add the following definition: “Smoking and Vaping By-law” means the Smoking and Vaping By-law (No 2019-241, as amended) of the City of Ottawa;
9	Licensing by-law (By-law 2002-189, as amended)	Section 1	Repeal the word “Manager” where it appears in the definition of “Chief License Inspector” and replace it with the word “Director”
10	Licensing by-law (By-law 2002-189, as amended)	Section 1	Repeal the definition of “City Solicitor” and replace it with the following definition: “City Solicitor” means the City Solicitor of the City of Ottawa, or an authorized representative;

11	Licensing by-law (By-law 2002-189, as amended)	Section 1	Repeal the definition of “Deputized Officer” and replace it with the following definition: “Deputized Officer” means an individual appointed under By-law No. 2017-180, as amended, to enforce the Traffic and Parking By-law (By-law 2017-301, as amended) on private property and the Fire Routes By-law (By-law No. 2003-499, as amended)
12	Licensing by-law (By-law 2002-189, as amended)	Section 1	Strike out the word “then” where it appears in the definition of “mobile canteen” and replace it with the word “than”
13	Licensing By-law (By-law 2002-189, as amended)	Section 1	Repeal the expression “(2005-207)” where it appears in the definition of “property standards requirements” and replace it with the expression “(2013-416, as amended)”
14	Licensing By-law (By-law 2002-189, as amended)	Section 1	Repeal the definition of “safety standards certificate” and replace it with the following definition: “safety standards certificate” means a safety standards certificate issued pursuant to Sections 100.2 to 100.8 of the Highway Traffic Act”
15	Licensing By-law (By-law 2002-189, as amended)	Section 11(5)	Add the word “and” after the expression “expiration of the license”
16	Licensing By-law (By-law 2002-189, as amended)	Section 40	Repeal the word “Chapeter” where it appears and replace with the word “Chapter”
17	Licensing By-law (By-law 2002-189, as amended)	Section 41(1)	Repeal the reference to “Municipal Act, R.S.O. 1990, Chap. M.45, as amended” and replace it with “Municipal Act, 2001, S.O. 2001, Chapter 25, as amended.”

18	Licensing By-law (By-law 2002-189, as amended)	Schedule 1 – Auctioneers, Section 2(a)	Remove the expression “, and” where it occurs
19	Licensing By-law (By-law 2002-189, as amended)	Schedule 3 – Public Garages, Section 3(e)	Repeal the expression “entitled “Relating to Fees”” where it appears and replace it with the expression “of this by-law”
20	Licensing By-law (By-law 2002-189, as amended)	Schedule 3 – Public Garages, Section 16	Repeal the expression “Corporation of the City of Ottawa” where it appears and replace it with the word “City”
21	Licensing By-law (By-law 2002-189, as amended)	Schedule 6, All-night dance events, Section 8(b) Schedule 7, Food Premises, Section 7 Schedule 22 – Mobile Refreshment Vehicles, Section 3(1)(f) Schedule 23 – Mobile Canteens, Section 3(1)(f) Schedule 24 – Mobile Refreshment Carts, Section 3(1)(f) Schedule 25 – Refreshment Stands, Section 3(1)(f)	Repeal the reference to “Ontario Regulation 562/90” where it appears and replace it with “Ontario Regulation 493/17”

22	Licensing By-law (By-law 2002-189, as amended)	Schedule 4 – Snow Plow Contractors	Repeal the existing Schedule 4 and replace it with a new Schedule 4 that is complete and correctly harmonized, as set out in Schedule A, below.
23	Licensing By-law (By-law 2002-189, as amended)	Schedule 6 – All-night dance events, Section 8(g) Schedule 8 – Exotic animal entertainment events, Section 7(h)	Repeal the expression “is smoke-free” where it appears and replace it with the expression “complies with the Smoking and Vaping By-law”
24	Licensing By-law (By-law 2002-189, as amended)	Schedule 8 – Exotic animal entertainment events, Section 7(a) Schedule 9 – Exotic animal rescue and education establishments, Section 8(a)	Repeal the expressions “Canadian Association of Zoos and Aquaria” and “American Zoo and Aquarium Association” and replace them with the expressions “Canada’s Accredited Zoos and Aquariums (CAZA)” and “the Association of Zoos and Aquariums (AZA)”
25	Licensing By-law (By-law 2002-189, as amended)	Schedule 12, Tobacco Vendors, Sections 4(c) and 7	Repeal any references to the “Tobacco Control Act, 1994, S.O. 1994, Chap.10” where they occur and replace them with a reference to the “Smoke-Free Ontario Act, 2017, S.O. 2017, c. 26, Sched. 3”
26	Licensing By-law (By-law 2002-189, as amended)	Schedule 13, Rickshaws, Section 19	Strike out the word “and” where it occurs in clause (d) Add the expression “; and” to the end of clause (e)

27	Licensing By-law (By-law 2002-189, as amended)	Schedule 16, Exhibitions, Section 3(1)(j) Schedule 17, Flea Markets, Section 3(1)(j)	Repeal the expression “Director of Planning and Infrastructure Approvals” and replace it with the expression “General Manager, Planning, Real Estate and Economic Development Department”
28	Licensing By-law (By-law 2002-189, as amended)	Schedule 16, Exhibitions, Section 3(1)(k) Schedule 17, Flea Markets, Section 3(1)(k)	Repeal the expression “Director of Building Services” and replace it with the expression “Chief Building Official”

29	Licensing By-law (By-law 2002-189, as amended)	<p>Section 1, definitions of “rural area” and “rural wards”</p> <p>Schedule 21 – Itinerant Sellers, Section 2(7)</p> <p>Schedule 22 – Mobile Refreshment Vehicles, Section 2(4)</p> <p>Schedule 23 – Mobile Canteens, Section 2(4)</p> <p>Schedule 24 – Mobile Refreshment Carts, Section 2(4)</p> <p>Schedule 25 – Refreshment Stands, Section 2(3)</p>	<p>Repeal the expression “Cumberland,” where it appears and replace it with the expression “Orléans South-Navan”</p> <p>Repeal the expression “Rideau-Goulbourn” where it appears and replace it with the expression “Rideau-Jock”</p>
30	Licensing By-law (By-law 2002-189, as amended)	<p>Schedule 21 – Itinerant Sellers, Section 16(11)(ii)</p> <p>Schedule 27 – Rural Itinerant Sellers, Section 42(b)</p>	Repeal the reference to By-law No. 2003-503 where it appears and replace it with a reference to the Traffic and Parking By-law (By-law 2017-301, as amended)

31	Licensing By-law (By-law 2002-189, as amended)	Schedule 27 – Rural Itinerant Sellers, Section 12(1)(h)	Repeal the expression “General Manager of Planning and Growth Management” and replace with “General Manager, Planning, Real Estate and Economic Development”
32	Licensing By-law (By-law 2002-189, as amended)	Schedule 27 – Rural Itinerant Sellers, Section 48 Schedule 28 – Rural Refreshment Vehicles, Rural Mobile Canteens and Rural Refreshment Stands, Section 19(2)	Repeal the expression “Manager of Licensing” and replace it with “Chief License Inspector”
33	Noise By-law (By-law 2017-255, as amended)	Section 1	Repeal the definition of “Manager, By-law and Regulatory Services” and replace it with the following definition: “Director” means the Director, By-law and Regulatory Services in the Emergency and Protective Services Department, or an authorized representative
34	Noise By-law (By-law 2017-255, as amended)	Section 21, 22, 23, 24	Repeal the expression “Manager, By-law and Regulatory Services” where it appears therein and replace it with the expression “Director”
35	Noise By-law (By-law 2017-255, as amended)	Section 21(5)(a)	Repeal the expression “General Manger, Planning, Infrastructure and Economic Development” and replace it with the expression “General Manager, Planning, Real Estate and Economic Development”

36	Property Standards By-law (By-law 2013-416, as amended)	Section 1	<p>Repeal the definition of “Chief Property Standards Officer” and replace it with the following definition:</p> <p>“Chief Property Standards Officer” means the person holding the position of Director of By-law and Regulatory Services in the Emergency and Protective Services Department, or an authorized representative;</p>
37	Right-of-Entry By-law (By-law 2005-326, as amended)	Section 1	<p>Repeal the definition of “Director” and replace it with the following definition:</p> <p>“Director” means the Director, By-law and Regulatory Services in the Emergency and Protective Services Department, or an authorized representative</p>
38	<p>Short Term Rental By-law (By-law 2021-104, as amended)</p> <p>Vacant Property By-law (By-law 2022-197)</p>	Section 2 (1)(d)	<p>Repeal the clause and replace it with following clause:</p> <p>“Wherever this by-law refers to a person with reference to gender or gender-neutral, the intention is to read the by-law with the gender applicable to the circumstances.”</p>
39	Temporary Signs By-law (By-law 2004-239, as amended)	Section 1	<p>Repeal the definition of “General Manager, Planning and Growth Management” and replace it with the following definition:</p> <p>“General Manager, Planning, Real Estate and Economic Development” means the General Manager of the Planning, Real Estate and Economic Development Department, or an authorized representative</p>
40	Vacant Property By-law (By-law 2022-197)	Section 39	Repeal the words “himself or herself” and substitute for the word “alone”

41	Vehicle-For-Hire By-law (By-law 2016-272, as amended)	Section 1	Repeal the definition of “Chief License Inspector” and replace it with the following definition: “Chief License Inspector” means the person in the position of Director, By-law and Regulatory Services in the Emergency and Protective Services Department, or an authorized representative
42	Vehicle-For-Hire By-law (By-law 2016-272, as amended)	Section 1	Repeal the definition of “City Clerk and Solicitor” and replace it with the following definition: “City Solicitor” means the City Solicitor of the City of Ottawa, or an authorized representative; Repeal the expression “City Clerk and Solicitor” where it appears throughout the by-law and replace it with the expression “City Solicitor”
43	Vehicle-For-Hire By-law (By-law 2016-272, as amended)	Section 2(2)	Repeal the subsection and replace with the following subsection: “Wherever this by-law refers to a person with reference to gender or gender-neutral, the intention is to read the by-law with the gender applicable to the circumstances.”
44	Vehicle-For-Hire By-law (By-law 2016-272, as amended)	Section 84, 126, 134, 140, 144	Repeal the expression “City Clerk and Solicitor” where it appears therein and replace it with the expression “City Solicitor”
45	All by-laws noted above	Staff to make the necessary numbering, punctuation, reference, or other adjustments and corrections that may be required to the affected by-laws to give effect to the minor amendments noted above	

SCHEDULE A

**SCHEDULE NO. 4
Relating to Snow Plow Contractors**

LICENSE REQUIRED

1. Every snow plow contractor shall obtain a snow plow contractor's license.

EXEMPTIONS

2. This Schedule does not apply to:
 - (a) persons engaged in the business of clearing snow with a hand-held snow shovel or with manually pushed snow-blowing equipment, and
 - (b) bona fide farmers whose primary business is not as a snow plow contractor while engaged in clearing snow within their community.

CONDITIONS FOR ISSUANCE OR RENEWAL OF A SNOW PLOW CONTRACTOR LICENSE

3. No snow plow contractor's license shall be issued or renewed unless the applicant:
 - (a) is at least eighteen (18) years of age,
 - (b) has provided an address within the National Capital Region accessible from the street to which the public has reasonable access to make inquiries in person about the business,
 - (c) has filed proof of insurance for each snow plow to be used in the business in accordance with the requirements of Sections 5 and 6,

- (d) has registered each snow plow used in the business by filing a list indicating for each snow plow, the make, model, year and the Motor Vehicle Plate Number or, where a Motor Vehicle Plate is not issued pursuant to the Highway Traffic Act (Ontario), the Vehicle Identification Number, and
- (e) has filed proof of good repair for each snow plow used in the business.

ISSUANCE OF LICENSE

4. Upon issuance of a snow plow contractor's license, the Chief License Inspector shall: furnish one (1) plate bearing an identifying number for each of the snow plows listed in clause 3(d).

INSURANCE

5. With respect to every vehicle required to be licensed under the Highway Traffic Act (Ontario), every snow plow contractor shall file proof of Motor Vehicle Liability insurance coverage subject to a limit of not less than One Million Dollars (\$1,000,000.00); such insurance coverage shall be inclusive per occurrence for bodily injury, death, accident benefits and including damage to property occasioned by any accident arising out of the plowing operation of any licensed motor vehicle to be used in the business in respect of which a license is applied for.

6. With respect to vehicles and equipment not required to be licensed under the Highway Traffic Act (Ontario), every snow plow contractor shall file proof of Comprehensive/Commercial General Liability insurance coverage subject to a limit of not less than One Million Dollars (\$1,000,000.00); such insurance coverage shall be inclusive per occurrence for bodily injury, death, accident benefits and including damage to property occasioned by any accident arising out of the plowing operation of any unlicensed vehicle and equipment to be used in the business in respect of which a license is applied for.

SIGNAGE STANDARDS

7. Every snow plow shall have attached to or painted on both sides a sign clearly showing the name and telephone number of the business in letters and figures not less than eight centimetres (8 cm) in height.

PRODUCTION OF LICENSE

8. Every snow plow operator shall surrender his or her driver's license issued under the Highway Traffic Act (Ontario) or under the law of another jurisdiction and permit for the vehicle issued under the Highway Traffic Act (Ontario) or under the law of another jurisdiction for inspection when requested by any license inspector, municipal law enforcement officer or police officer.

REGISTRATION OF SNOW PLOWS

9. (1) Every licensee may register additional snow plows or remove a snow plow from the register referred to in clause 3(d) by complying with the requirements set out in clauses 3(c), 3(d) and 3(e) for issuance or renewal.
- (2) Every licensee shall ensure that every snow plow used in the business is registered with the Chief License Inspector pursuant to clause 3(d) or subsection 9(1).
- (3) The Chief License Inspector shall furnish one (1) plate for each of the snow plows added to the register pursuant to subsection 9(1).
- (4) Every licensee who removes a snow plow from the register pursuant to subsection 9(1) shall return the plate furnished by the Chief License Inspector.

TRANSACTION RECORDS

10. (1) Every licensee shall ensure that a record is made in a ledger book with the entries transcribed in ink in a clear and legible manner, or in a recording system approved by the Chief License Inspector, indicating:
- (a) the municipal address of every site for which a snow plowing or snow removal contract has been entered into,

- (b) the name and address of the person who entered into the snow plowing or snow removal contract referred to in clause 10(1)(a),
 - (c) the day, month, year and time of every snow plowing or snow removal activity,
 - (d) the snow plow operator performing the snow plowing or snow removal activity, and
 - (e) the plate number of the snow plow used in performing the snow plowing or snow removal activity.
- (2) Every licensee shall ensure that the records referred to in subsection 10(1) are retained for a period of ninety (90) days.
- (3) Every licensee shall ensure that, when requested by the Chief License Inspector at any time during business hours, the records referred to in subsection 10 (1) are produced for inspection and that the Chief License Inspector is permitted to remove any transaction record from the premises for the purpose of photocopying or for use in any court or other proceedings.

GENERAL REGULATIONS

11. No licensee shall permit or allow any snow plow that is not registered with the Chief License Inspector to be used in his or her business.
12. No licensee shall use any snow plow that is not registered with the Chief License Inspector in the snow plow contractor's business.
13. Every licensee shall ensure that the plate furnished pursuant to Section 4 or clause 9(3) is securely attached to the rear of the snow plow so as to be clearly visible to the public during the currency of the license.
14. Every licensee shall ensure that:

- (a) the information on the sign referred to in Section 7 is clearly visible to the public at all times, and
- (b) the information on the plate referred to in Section 4 or subsection 9(3) is clearly visible to the public at all times.

15. (1) No licensee shall throw push, plow, dump or otherwise deposit snow or ice on a street.

- (2) Every licensee shall ensure that his or her snow plow operator does not throw, push, dump or otherwise deposit snow or ice on a street.

16. Every licensee shall return the plate furnished by the Chief License Inspector for each snow plow that is no longer in service or used in the licensee's business.

CONDITIONS FOR INSTALLATION OF DRIVEWAY MARKERS

17. No snow plow contractor shall place or permit to be placed a snow plow driveway marker on a property unless the following requirements are met:

- (a) Placement of snow plow driveway markers shall occur no earlier than October 20 and removal shall occur no later than April 30.
- (b) Snow plow driveway markers shall not be placed between a sidewalk and the travelled portion of the street.
- (c) Snow plow driveway markers including parts used to support snow plow driveway markers shall not be composed of materials other than (i) wood; (ii) plastic; (iii) fiberglass, or (iv) a combination of the above materials.
- (d) Where there is a sidewalk, snow plow driveway markers shall be placed a minimum of 0.61 metres (2 feet) from the sidewalk.

- (e) Where there is no sidewalk, snow plow driveway markers shall be placed a minimum of 1.22 metres (4 feet) from the travelled portion of the street.
- (f) The maximum height of a snow plow driveway marker shall not exceed 1.22 metres (4 feet) when measured from the ground.
- (g) The maximum width of a snow plow driveway marker shall not exceed 10.1 centimetres (4 inches).
- (h) Subject to subsection (j), a maximum of two snow plow driveway markers are permitted on a driveway with one on either side of the driveway.
- (i) Subject to subsection (j), snow plow driveway markers shall contain no advertising or other information save and except for the logo and/or telephone number of a snow plow contractor.
- (j) Despite subsections (h) and (i), two additional snow plow driveway markers are permitted on private property provided that the two additional snow plow driveway markers do not contain any advertising or other information, including the logo or phone number of snow plow contractor.