



The Corporation of Norfolk County

By-Law 2023-14

Being a By-Law to Delegate Authority to Issue Letters of Support for Special Occasion Permits, Letters of Non-Objection and Designation of Municipal Significance.

WHEREAS Section 23.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that a municipality may delegate certain powers and duties;

AND WHEREAS Section 8(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides in part that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Council deems it appropriate to delegate authority to staff for the purposes of process efficiency;

NOW THEREFORE the Council of The Corporation of Norfolk County hereby enacts as follows:

1. GENERAL

- A) All authorities and powers delegated in this By-Law may be further designated in writing and are conveyed automatically to those performing the duties of a position in an acting or interim capacity;

2. DELEGATION OF AUTHORITY

- A) Letters of Support Special Occasion Permits
 - i) The County Clerk, or designate, shall have authority to issue letters of support for Special Occasion Permits pending the following criteria are met:
 - a) The requestor has submitted an application on the prescribed form, and required notification and sketches to all required agencies and Divisions;
 - b) In the County Clerks opinion the submission of the required request has been made in sufficient time, up to six weeks in advance of the event, to allow proper review to be conducted;

- c) All other policy requirements of the County have been complied with. This includes but is not limited to the following: Facility rental agreements, Special Events Application, Business Licensing, Noise By-Law exemptions, Zoning, Building Code requirements, Fire Code;
 - d) The Mayor and Ward Councillor(s) have been provided a minimum of 72 hours to submit an objection to the issuance.
- ii) Special Occasion Permit letter requestors may be denied for the following reasons:
- a) Failure to satisfy any components of 2 A) i);
 - b) Issuance of an objection by the Mayor or Ward Councillor(s):
 - 1. In instances where an event occurs in a ward with two Councillors one objection is sufficient to trigger denial.
 - c) Any issues raised by divisions or agencies included in the review circulation related to the required letter by the requestor;
 - d) Repeated requests from the same location or organizing body when:
 - 1. Zoning is not correct for usage;
 - 2. Requests are seen as being used as a way to temporarily open a liquor establishment;
 - 3. Past issues at the location have generated issues of concern for a division or agency in the required circulation.
- iii) All refusals issued under 2 A) i) and ii) shall be notified of their ability to appeal in writing to Council;
- iv) All refusals shall outline at least one reason in this By-Law for refusal. In order to ensure quick notification of refusal the correspondence need not be a thorough or final response;

- v) In instances where a refusal is issued and a Council meeting does not occur prior to the proposed event date an appeal of the decision in writing may be made to the Chief Administrative Officer. In this case, the Chief Administrative Officers decision shall be final.
- a) No appeal in writing shall be considered by the Chief Administrative Officer in instances where the requestor has not met the regulated notification timelines established by the Alcohol and Gaming Commission of Ontario.

B) Designation of Municipal Significance

- i) The County Clerk shall have authority to issue letter declaring events as Municipally Significant pending the following criteria are met:
 - a) All requirements as established under Section 2A) are met;
 - b) The event clearly qualifies under the established criteria and intent of the Alcohol and Gaming Commission of Ontario for designation as a Municipally Significant event;
 - c) In the opinion of the County Clerk and the Ward Councillor(s) the event is one that advances a positive image of the County and its local communities.
- ii) Appeal processes for Municipal Significance are the same as described in section 2 A);

C) Temporary Liquor License Extension

- i) The County Clerk shall have authority to issue letters extending the serving areas of businesses holding an existing liquor license.
- ii) Appeal processes for Letters of Non-Objection are the same as described in section 2 A);

3. ENACTMENT/REPEAL

- i) THAT By-law 2019-53 be repealed in its entirety.
- ii) THAT By-Law 2023-14 comes into effect upon the date of passage.

ENACTED AND PASSED this 25th day of January, 2025.

Mayor

County Clerk

Authority: Resolution 22, Budget Committee

Meeting: December 6, 2022 (December 20, 2022 Council)

Staff Report: CAO 22-091