

BYLAW 20107 - SPRING 2022 GENERAL REPEALING BYLAW

RECOMMENDATION

1. That Bylaw 20107 be given the appropriate readings.
2. That the City Policies listed in Attachment 3 of the May 9, 2022, Office of the City Clerk report OCC00908, be repealed.
3. That the motions listed in Attachment 4 of the May 9, 2022, Office of the City Clerk report OCC00908, be rescinded.

Purpose

This report requests that Council repeals bylaws that have expired or are otherwise no longer required, and amend clerical errors. The report also recommends that Council rescind motions that will remove the requirement to prepare a report and return to either Council or Committee.

Readings

Bylaw 20107 is ready for three readings.

A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree “That Bylaw 20107 be considered for third reading.”

Position of Administration

Administration supports this Bylaw.

Report Summary

This is a general repealing report prepared by the Office of the City Clerk, in coordination with the departments, to recommend to Council to repeal or rescind bylaws and motions that have expired, been replaced or are otherwise no longer required, and to address clerical errors. A general repealing bylaw is prepared for Council’s review twice a year.

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REPORT

This report provides for the repeal of bylaws that are no longer required, the rescission of expired or redundant motions, and the correction of non-substantive errors in bylaws. The Office of the City Clerk coordinates this review with all departments and will continue to bring similar reports to Council twice per year. Additionally, Administration continues to work through a list of potentially outdated bylaws, and will include any appropriate items for repeal in future General Repealing Bylaw reports.

The general repealing bylaw is included in Attachment 1, Bylaw 20107 and is ready for three readings.

Administration has identified two bylaws that can be repealed as they are no longer in use, and 56 bylaws that need to be amended to correct clerical errors. The Bylaws to be repealed are:

- Bylaw 4531 - A Bylaw to Provide a Temporary Public Roadway
- Bylaw 4487 - To Amend City of Edmonton Bylaw 1995 - A Bylaw to authorize a temporary crossing by a single track of the Canadian National Railway over 149th Street between 115th and 116th Avenues in the City of Edmonton

The Revision Certification is in Attachment 2, which is a list of bylaws to be repealed and is prepared by Legal Services. No action is required relative to Attachment 2.

City Policies for repeal by motion, including justification for the proposed actions, are listed in Attachment 3.

The motions for rescission by motion, including justifications for the proposed actions, are listed in Attachment 4.

COMMUNITY INSIGHTS

Community insights were not considered for this report as it is an administrative reconciliation report.

Legal Implications

The *Municipal Government Act* (MGA) allows City Council only to make revisions to its bylaws in situations where errors must be corrected, and such revisions must be done by bylaw. In addition, prior to the first reading of a revision bylaw, the City Manager must certify that the revisions were prepared in accordance with the MGA. This certification is provided in Attachment 2.

When a bylaw is revised in accordance with the MGA, the revisions operate retrospectively as well as prospectively, and the usual prescribed process for amending these bylaws, such as the requirement for a public hearing, is deemed to have been completed. As a result, neither advertising nor a public hearing are required for these corrections.

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ATTACHMENTS

1. Bylaw 20107 - General Repealing Bylaw - Spring 2022
2. Revision Certification - General Repealing Bylaw Spring 2022
3. City Policies to be Repealed
4. Motions to be Rescinded
5. Policy C464
6. Policy C527
7. Charter Bylaw 18826
8. Bylaw 20036
9. Bylaw 20031
10. Bylaw 14880
11. Bylaw 14883
12. Bylaw 15152
13. Bylaw 15156
14. Bylaw 15164
15. Bylaw 15272
16. Bylaw 15521
17. Bylaw 15522
18. Bylaw 15962
19. Bylaw 15977
20. Bylaw 15999
21. Bylaw 16000
22. Bylaw 16560
23. Bylaw 16844
24. Bylaw 16882
25. Bylaw 17079
26. Bylaw 17517
27. Bylaw 17862
28. Bylaw 17863
29. Bylaw 17980
30. Bylaw 18008
31. Bylaw 18062
32. Bylaw 18151
33. Bylaw 18283
34. Bylaw 18472
35. Bylaw 18654
36. Bylaw 18969
37. Bylaw 18730
38. Bylaw 18734
39. Bylaw 18736
40. Bylaw 18880

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41. Bylaw 18985
42. Bylaw 18986
43. Bylaw 18987
44. Bylaw 19099
45. Bylaw 19160
46. Bylaw 19161
47. Bylaw 19163
48. Bylaw 19164
49. Bylaw 19303
50. Bylaw 19365
51. Bylaw 19369
52. Bylaw 19370
53. Bylaw 19372
54. Bylaw 19375
55. Bylaw 19586
56. Bylaw 19665
57. Bylaw 19781
58. Bylaw 19979
59. Bylaw 19980
60. Bylaw 19981
61. Bylaw 19999
62. Bylaw 4531
63. Bylaw 4487

OTHERS REVIEWING THIS REPORT

- M. Plouffe, City Solicitor