
Fifth Session, Forty-second Parliament
2 Charles III, 2024
Legislative Assembly of British Columbia

BILL 27

**MUNICIPALITIES ENABLING AND VALIDATING
(No. 5) AMENDMENT ACT, 2024**

Honourable Ravi Kahlon
Minister of Housing

Explanatory Notes

CLAUSE 1: *[Municipalities Enabling and Validating Act (No. 5), heading to Part 1]* adds a heading to create a Part 1.

CLAUSE 2: *[Municipalities Enabling and Validating Act (No. 5), section 1]* is consequential to amendments made by this Bill to the Act.

CLAUSE 3: *[Municipalities Enabling and Validating Act (No. 5), Part 2]* adds a new Part to the Act that

- deems the Vancouver council to have had the authority to adopt specified amending bylaws of the council,
- validates the bylaws and deems them to be effective from the day after First Reading of this Bill, and
- provides for powers and duties to be exercised or performed as if the bylaws had been validly adopted by the council under the *Vancouver Charter*.

BILL 27 – 2024

**MUNICIPALITIES ENABLING AND VALIDATING
(No. 5) AMENDMENT ACT, 2024**

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

- 1 The Municipalities Enabling and Validating Act (No. 5), S.B.C. 2023, c. 3, is amended by adding the following heading before section 1:*

PART 1 – 2023 .

- 2 Section 1 is amended by striking out “In this Act:” and substituting “In this Part:”.*

- 3 The following Part is added:*

PART 2 – 2024

Validation of City of Vancouver bylaws

- 9** (1) In this section:

“**amending bylaws**” means the following bylaws adopted or purported to be adopted by the Vancouver council on December 8, 2021:

- (a) By-law No. 13182 titled “A By-law to amend License By-law No. 4450 Regarding Vacancy Control”;
- (b) By-law No. 13183 titled “A By-law to amend the Ticket Offences By-law No. 9360 regarding vacancy control”;
- (c) By-law No. 13184 titled “A By-law to amend License By-law No. 4450 Regarding Vacancy Control”;

“**specified bylaws**” means the following bylaws of the City of Vancouver:

- (a) Licence By-law No. 4450;
- (b) Ticket Offences By-law No. 9360;

“**Vancouver council**” means the Council as defined in section 2 of the *Vancouver Charter*.

CLAUSE 3: *[Municipalities Enabling and Validating Act (No. 5), Part 2 – continued]*

- (2) Despite section 272 (1) (f) [*by-laws respecting business regulation and licensing*] of the *Vancouver Charter* insofar as it reads “except to the extent that the person is subject to regulation by some other Statute” and despite any decision of a court to the contrary made before or after this section comes into force,
- (a) the Vancouver council is conclusively deemed to have had, under section 272 (1) of the *Vancouver Charter*, the authority to adopt the amending bylaws on December 8, 2021,
 - (b) the amending bylaws are conclusively deemed to have been validly adopted by the Vancouver council under section 272 (1) of the *Vancouver Charter* and to be effective from the date this section comes into force, and
 - (c) all powers and duties in relation to the specified bylaws, as amended by the amending bylaws, may be exercised or performed effective from the date this section comes into force as if the amending bylaws had been validly adopted by the Vancouver council under section 272 (1) of the *Vancouver Charter*.
- (3) This section is retroactive to the extent necessary to give full force and effect to its provisions and must not be construed as lacking retroactive effect in relation to any matter because it makes no specific reference to that matter.

Commencement

- 4 This Act comes into force on the day after the date it receives First Reading in the Legislative Assembly.