

Authority: Item 15, Economic Development &
Planning Committee
Report 09-026 (PED 09317)
CM: December 9, 2009

Bill No. 252

CITY OF HAMILTON

BY-LAW NO. 09-252

To Amend former City of Hamilton By-law No. 80-183 To Establish the Hess Village Pedestrian Mall Authority

WHEREAS the Council of the City of Hamilton enacted a by-law to establish the Hess Village Pedestrian Mall Authority being former City of Hamilton By-law No. 80-183;

AND WHEREAS under subsection 5(6) of the *City of Hamilton Act, 1999*, the former City of Hamilton By-law No. 80-183 remains in force in respect of the former City of Hamilton;

AND WHEREAS this By-law provides for housekeeping and technical amendments to the former City of Hamilton By-law No. 80-183;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 2 of former City of Hamilton By-law No. 80-183 is deleted and replaced with following new section 2:
 - 2.(1) The Hess Village Pedestrian Mall Authority shall consist of at least 3 members as appointed by the Council of the City of Hamilton from time to time, of whom at least one shall be a member of the Council of the City of Hamilton;
 - (2) The members of the Hess Village Pedestrian Mall Authority shall hold office until the expiration of the term of Council that appointed them.
 - (3) Notwithstanding subsection (2), the members of the Hess Village Pedestrian Mall Authority shall hold office until their successors have been appointed.

By-law respecting Hess Village Pedestrian Mall Authority

- (4) Where a person ceases to be a member of the Hess Village Pedestrian Mall Authority before the expiration of his or her term, Council of the City of Hamilton shall appoint another person for the remainder of his or her term.

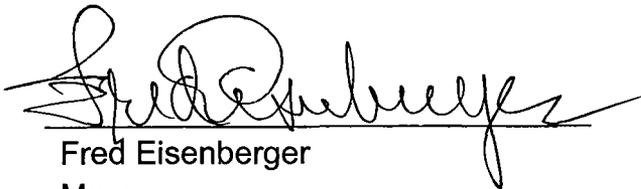
- 2. Section 4 of former City of Hamilton By-law No. 80-183 is deleted and replaced with following new section 4:
 - 4. The Hess Village Pedestrian Mall Authority is authorized to place or authorize the placing in or upon the pedestrian mall or way:
 - (a) trees, shrubs, flower beds, plants and any other things that will beautify the pedestrian mall or way;
 - (b) benches, chairs, tables, displays, exhibits and any other things for the convenience, comfort, education, refreshment, amusement or entertainment of pedestrians,

- provided that any licence, permit, approval or other type of permission required by the City of Hamilton, including an outdoor patio boulevard encroachment agreement, is first obtained from the City of Hamilton.

- 3. Sections 5 and 6 of old City of Hamilton By-law No. 80-183 are deleted.

- 4. This By-law comes into force on the date of its passing.

PASSED AND ENACTED this 9th day of December, 2009.


Fred Eisenberger
Mayor


Rose Caterini
Acting City Clerk