***Appendix “B”***

***Municipal Act, 2001*, S.O. 2001, CHAPTER 25**

**Interpretation**

**1.**  (1) In this Act,

“highway” means a common and public highway and includes any bridge, trestle, viaduct or other structure forming part of the highway and, except as otherwise provided, includes a portion of a highway; (“voie publique”)

**Broad authority, lower-tier and upper-tier municipalities**

**11**.  (1)  A lower-tier municipality and an upper-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public, subject to the rules set out in subsection (4). 2006, c. 32, Sched. A, s. 8.

**By-laws**

(2)  A lower-tier municipality and an upper-tier municipality may pass by-laws, subject to the rules set out in subsection (4), respecting the following matters:

4. Public assets of the municipality acquired for the purpose of exercising its authority under this or any other Act.

5. Economic, social and environmental well-being of the municipality.

6. Health, safety and well-being of persons.

7. Services and things that the municipality is authorized to provide under subsection (1).

**By-laws re: matters within spheres of jurisdiction**

(3)  A lower-tier municipality and an upper-tier municipality may pass by-laws, subject to the rules set out in subsection (4), respecting matters within the following spheres of jurisdiction:

1. Highways, including parking and traffic on highways.

**Rules**

(4)  The following are the rules referred to in subsections (1), (2) and (3):

2. If a sphere or part of a sphere of jurisdiction is assigned to an upper-tier municipality exclusively by the Table to this section, its lower-tier municipalities do not have the power to pass by-laws under that sphere or part and do not have the power to pass by-laws under subsection (1) or (2) that, but for this paragraph, could also be passed under that sphere or part.

TABLE

|  |  |  |  |
| --- | --- | --- | --- |
| Sphere of Jurisdiction | Part of Sphere Assigned | Upper-tier Municipality (ies) to which Part of Sphere assigned | Exclusive or Non-Exclusive Assignment |
| 1. Highways, including parking and traffic on highways | Whole sphere | All upper-tier municipalities | Non-exclusive |

**Jurisdiction**

**28.** (1) Except as otherwise provided in this Act or under section 8 of the Public Transportation and Highway Improvement Act or in a by-law passed under this Act, a municipality has jurisdiction or joint jurisdiction, as the case may be, over the following highways:

1. All highways over which it had jurisdiction or joint jurisdiction on December 31, 2002.

2. All highways established by by-law of the municipality on or after January 1, 2003.

3. All highways transferred to the municipality under this Act, the Public Transportation and Highway Improvement Act or any other Act. 2001, c. 25, s. 28 (1).