

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2017-21

A BY-LAW TO ESTABLISH AN INTER-MUNICIPAL PASSENGER
TRANSPORTATION SYSTEM IN THE REGION OF NIAGARA.

WHEREAS Council for The Regional Municipality of Niagara (Niagara Region) deems it expedient and beneficial to address transit issues in the region of Niagara;

WHEREAS a component of Niagara Region's Strategic Plan, "Moving People and Goods" the Niagara Transit Service Delivery and Governance Strategy (also known as inter-municipal transit), is a key deliverable;

WHEREAS Niagara Region seeks to join with the municipalities of Niagara Falls, St. Catharines, and Welland in the creation of a consolidated transit system to service Niagara;

WHEREAS the Councils of the municipalities of Niagara Falls, St. Catharines and Welland unanimously supported, in principle, the creation of a consolidated transit system within the region of Niagara;

WHEREAS under this new consolidated system, Niagara Region would plan and operate only the inter-municipal transit routes throughout the region of Niagara;

WHEREAS Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25 (the "Act"), grants exclusive jurisdiction over the operation of transit services to lower-tier municipalities in the region of Niagara; and,


WHEREAS Section 189 of the Act provides an upper-tier municipality with the ability to pass a bylaw for the transfer of all or part of a lower-tier power to the upper-tier municipality, subject to certain rules regarding consideration by the lower-tier municipalities.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

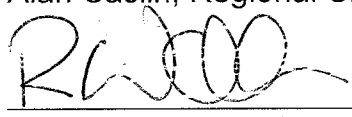
1. That in this by-law, the term "Inter-Municipal Passenger Transportation System" shall mean a public transportation services system operating between any two or more of the 12 lower-tier municipalities which comprise the region of Niagara;

2. That the power on a non-exclusive basis to establish, operate and maintain an Inter-Municipal Passenger Transportation System for the region of Niagara be transferred to Niagara Region;
3. That this bylaw shall come into force and effect on June 1, 2017, provided that:
 - a) A majority of the councils of the lower-tier municipalities forming part of the region of Niagara have passed resolutions consenting to the bylaw; and,
 - b) The total number of electors in the lower-tier municipalities that have passed resolutions form a majority of all electors in the region of Niagara as established in the revised list of electors for the municipal election held in the year 2014.
4. That Niagara Region does hereby assume from all twelve lower-tier municipalities, comprising of the region of Niagara, those parts of the lower-tier power to provide public transportation systems, other than highways, necessary to operate on a non-exclusive basis an Inter-Municipal Passenger Transportation System as contemplated by this by-law.

THE REGIONAL MUNICIPALITY OF NIAGARA



Alan Caslin, Regional Chair



Ralph Walton, Regional Clerk

Passed: March 23, 2017