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### O'BRIEN'S DIVISION IX — MUNICIPAL CORPORATIONS

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**O'Brien's Encyclopedia of Forms, Eleventh Edition** is a comprehensive collection of forms and precedents covering a broad range of legal subjects. It provides, in both looseleaf and electronic formats, thousands of documents which can be easily customized to suit your individual needs. Each topical division includes authored commentary.

This release features updates to Chapter 11, By-laws and Appendix TC, Terms Contractually Defined.

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## Highlights

Highlights include updates to:

- **Chapter 11 – Bylaws** – Severance will not be available if doing so would reformulate the bylaw in such a way that it would be unclear if council would have passed the severed version. More generally, severance will not be granted if a court would be required to make inappropriate policy decisions. In *Royal City Jewellers & Loans Ltd. v. New Westminster (City)*, 2007 BCCA 398, 2007 CarswellBC 1719 (B.C. C.A.), a by-law required second hand dealers to keep registers containing detailed information respecting pawned goods and the persons from whom they were received. The British Columbia Court of Appeal found that the municipality exceeded the powers given to it by legislature when it enacted the by-law, and severance was not an appropriate remedy. The entire by-law was quashed.
- **Appendix TC – Terms Contractually Defined** – Additions and updates were made to the following terms, among others:
  - Naloxone
  - Newspaper
  - Noise
  - Notice of Complaint
  - Occupier
  - Official Plan
  - Opioids
  - Penalty Notice
  - Permanent Signs on Private Property By-law
  - Personal Information
  - Principal Residence
  - Publicly Accessible Property
  - Recreation Facility
  - Residence
  - Screening Decision
  - Semi-detached Dwelling
  - Sourcing Documentation
  - Substantial Completion
  - Taxable Assessed Value
  - Tenancy Agreement
  - Unpreventable
  - Vacant Property
  - Workplace

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