

AMENDED

By By-Law No. 2786-90

THE CORPORATION OF THE TOWN OF WHITBY

BY-LAW NUMBER 51-74

BEING A BY-LAW TO REGULATE THE SETTING OF FIRES IN THE TOWN OF WHITBY

The Council of the Corporation of the Town of Whitby ENACTS AS FOLLOWS:

1. No person shall light, ignite or start or cause to be lighted, ignited or started a fire of any kind whatsoever outside of the walls of a building, whether in the open air or enclosed by any permanent or portable incinerator or other device for burning garbage, rubbish or other waste material without having first obtained a written permit to do so from the Fire Chief.
2. Any person to whom a permit has been issued pursuant to paragraph 1 shall place and keep a competent, adult person in charge of the fire at all times until it is fully extinguished and shall provide such person with such appliances and equipment as may reasonably be required, having regard to the nature and location of the fire, by the Fire Chief in the permit to control the fire and to prevent it from causing damage or becoming dangerous to persons or property.
3. Anyone contravening the provisions of this By-law shall be guilty of an offence and shall be liable to a fine of not more than \$1,000.00, exclusive of costs, the amount of such fine to be recoverable under the Summary Convictions Act.
4. By-law No. 82-68 of the Corporation of the Town of Whitby is hereby repealed.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS

22ND DAY OF APRIL, A.D., 1974.


CLERK


MAYOR

THE CORPORATION OF THE TOWN OF WHITBY

BY-LAW NO. 2786-90

BEING A BY-LAW TO PROVIDE FOR THE IMPOSITION OF FINES FOR THE
CONTRAVENTION OF VARIOUS BY-LAWS OF THE CORPORATION OF THE TOWN
OF WHITBY

WHEREAS, Section 321 of the Municipal Act, R.S.O. 1980, c. 302, as amended, provides that by-laws may be passed by the councils of all municipalities for providing that any person who contravenes any by-law of the council passed under the authority of the Municipal Act is guilty of an offence;

AND WHEREAS, Section 62 of the Provincial Offences Act, R.S.O. 1980, c. 400, as amended, provides that except where otherwise expressly provided by law, every person who is convicted of an offence is liable to a fine of not more than \$5,000.00;

AND WHEREAS, the Council of the Corporation of the Town of Whitby considers it desirable to amend the fine provisions of certain by-laws in accordance with the provisions of the Municipal Act and the Provincial Offences Act;

NOW THEREFORE, the Council of the Corporation of the Town of Whitby enacts as follows:

1. The sections, subsections or clauses of the by-laws set out in Schedule "A" to this by-law are revoked and the following substituted therefor:

"Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction thereof is liable to a fine of not more than \$5,000.00, exclusive of costs, which shall be recoverable under the provisions of the Provincial Offences Act and all the provisions of the said Act shall apply to any prosecution for any offence under the provisions of this by-law."

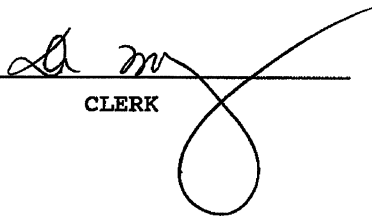
REPEAL OF EXISTING BY-LAWS

2. By-law Nos. 660-78 and 1334-82 are repealed.


EFFECTIVE DATE

3. The provisions of this by-law shall come into force and take effect on the day Section 18 of the Provincial Penalties Adjustment Act, 1989, comes into force.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 15TH DAY OF JANUARY, A.D., 1990.



CLERK



MAYOR

SCHEDULE "A"

TO

BY-LAW NO. 2786-90

<u>BY-LAW NUMBER</u>	<u>SECTION, SUBSECTION OR CLAUSE NUMBER</u>
258-69, as amended	6
280-69, as amended	5
292-70, as amended	6
326-70, as amended	5
332-70, as amended	11
378-70, as amended	9
559-71	8
661-71, as amended	29
702-72, as amended	10(b)
51-74, as amended	3
96-74, as amended	7
185-75, as amended	22
488-77, as amended	8
749-78, as amended	15
1258-81, as amended	4
1639-84	6
1745-84	11
1846-85, as amended	5
1878-85, as amended	15
1912-85	3(1)

<u>BY-LAW NUMBER</u>	<u>SECTION, SUBSECTION OR CLAUSE NUMBER</u>
2059-86	5(1)
2263-87	10
2617-89	4
2695-89	3