

THE CORPORATION OF THE TOWN OF WHITBY

BY-LAW NO. 1258-81

BEING A BY-LAW TO REGULATE, GOVERN AND PROHIBIT THE OPERATION OF
MOTORCYCLES ON TOWN PROPERTY WITHIN THE TOWN OF WHITBY

WHEREAS, the Municipal Act provides that by-laws may be passed by the Council of every Corporation providing for the use by the public of lands of which the Corporation is the owner and for the regulation of such use and the protection of such lands;

AND WHEREAS, the Council of the Corporation of the Town of Whitby deems it necessary and expedient to pass a by-law to regulate, govern and prohibit the operation of motorcycles on town property within the Town of Whitby;

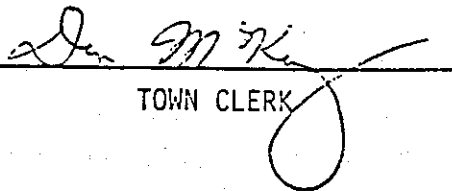
NOW THEREFORE, BE IT ENACTED AND IT IS HEREBY ENACTED as a by-law of the Corporation of the Town of Whitby by the Council thereof as follows:-

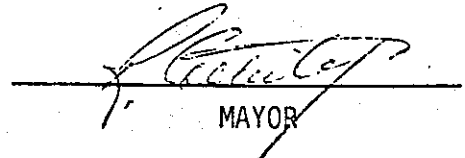
1. DEFINITIONS

- (a) "Highway" means a highway defined in the Highway Traffic Act which is under the jurisdiction of the Corporation of the Town of Whitby, including any part or parts thereof;
 - (b) "Motorcycle" means a self-propelled vehicle having a seat or saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, and includes a bicycle with a motor attached and a motor scooter;
 - (c) "Town property" means property owned, managed, or controlled by or made available by lease, agreement, or otherwise to the Town or a local board thereof, but does not include a highway.
2. That no person shall operate a motorcycle on town property except, where by means of one or more signs, it is indicated that such operation is authorized or except on such property as is designed for vehicular travel.
 3. That the provisions of Section 2. of this by-law shall not apply to members of a police force operating motorcycles while engaged in the performance of their duties.

4. That any person who contravenes any of the provisions of this by-law is guilty of an offence, and on summary conviction, is liable to a fine of not more than one thousand dollars (\$1,000.00), exclusive of costs, for each offence.
5. That by-law 382-70 be, and the same is hereby repealed.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 13TH DAY OF OCTOBER, A.D., 1981.


TOWN 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."

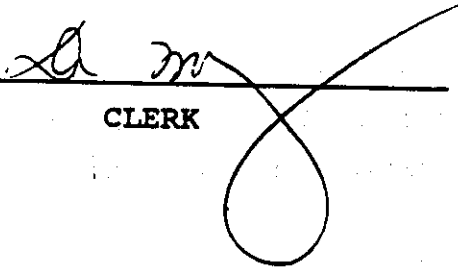
REPEAL OF EXISTING BY-LAWS

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

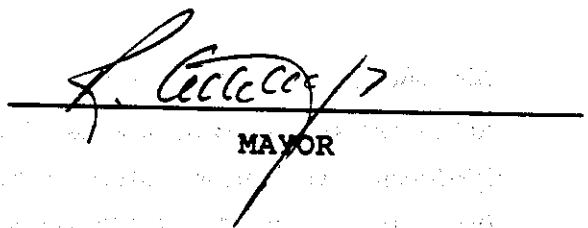
EFFECTIVE DATE

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