

AMENDED

By By-Law No. 2786-90

THE CORPORATION OF THE TOWN OF WHITBY

BY-LAW NO. 332-70

BEING A BY-LAW TO LICENSE THE RACING OF MOTORIZED SNOW VEHICLES

BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE TOWN OF WHITBY as follows:-

1. No person shall, after the passing of this By-law, race a motorized snow vehicle within the Corporate limits of the Town of Whitby without first obtaining a license issued under the provisions of this By-law.
2. No person shall, after the passing of this By-law operate a motorized snow vehicle racetrack or permit the holding of a motorized snow vehicle race on any property within the Corporate limits of The Town of Whitby owned by or within the control or possession of any such person without obtaining a license under the provisions of this By-law.
3. For the purpose of the interpretation of this By-law a motorized snow vehicle means a self-propelled vehicle designed to be driven exclusively on snow or ice or both.
4. For the purpose of the interpretation of this By-law "person" shall include a club and any incorporated body.
5. Any application for license under this By-law shall be approved by Resolution of Council and shall be issued and signed by the Clerk of The Corporation upon payment of a fee of \$50.00.
6. Any license issued under the provisions of this By-law shall be for the calendar year.
7. Any license issued under the provisions of this By-law may at any time be revoked by a special Resolution of Council.
8. The operator of a motorized snow vehicle racetrack shall have sanitary facilities satisfactory to the Medical Officer of Health of the Ontario County Health Unit.
9. The operator shall have adequate first aid equipment available and someone in attendance qualified to administer first aid at all times when the track is in active operation.
10. Each applicant for a license required by this By-law must satisfy the Council that -
 - (1) The operator of the motorized snow vehicle racetrack has present on the premises at all time, when the track is in active operation, adequate fire fighting equipment and a qualified operator the same approved by the Fire Chief of the Town of Whitby.
 - (2) That he possess a valid policy or policies of insurance covering him for public liability and property damage, such insurance to be of an amount not less than the following:
 - (a) For injury or accidental death for each person present on the premises resulting from a single mishap, \$50,000.00
 - (b) For property damage \$5,000.00

11. Any person convicted of a breach of any of the provisions of this By-law shall be liable upon conviction therefor to forfeit and pay at the discretion of the convicting Judge, a penalty not exceeding \$300.00 exclusive of costs for each offence. Every such penalty shall be recoverable under the provisions of the Summary Convictions Act.

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

9TH DAY OF MARCH A.D., 1970.


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."

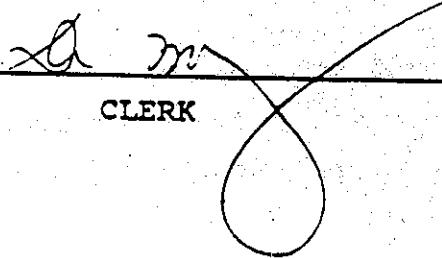
REPEAL OF EXISTING BY-LAWS

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

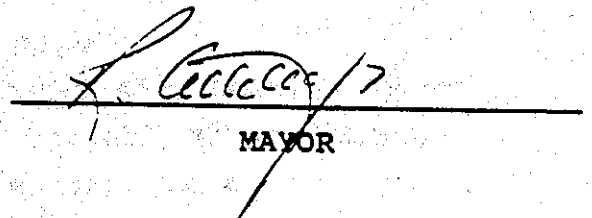
EFFECTIVE DATE

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