

AMENDED

THE CORPORATION OF THE TOWN OF WHITBY

By By-Law No. 2786-90

BY-LAW NO. 258-69

BEING A BY-LAW TO PROHIBIT THE RACING OF MOTOR VEHICLES WITHIN
THE CORPORATE LIMITS OF THE TOWN OF WHITBY

The Council of the Corporation of the Town of Whitby under the authority of the Municipal Act, R.S.O. 1960, Chapter 249, Section 379, Subsection 1, Paragraph 59, ENACTS AS FOLLOWS:

1. No person shall after the passing of this By-law race a motor vehicle within the corporate limits of the Town of Whitby.
2. No person shall, after the passing of the By-law, operate a motor vehicle race track or permit the holding of a motor 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.
3. For the purpose of the interpretation of this By-law, "Motor Vehicle" shall mean an automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular power with the exception of a "motor cart".
4. For the purpose of the interpretation of this By-law, "Motor Cart" shall mean a four wheeled vehicle propelled by a two cycle or four cycle engine and having a wheelbase not greater than 50 inches and having a height not exceeding 24 inches (but not including the height of any roll bar which may be attached).
5. For the purpose of the interpretation of this By-law, "Person" shall include a club and any incorporated body.
6. Any person convicted of a breach of the provisions of this By-law shall forfeit and pay at the discretion of the convicting magistrate a penalty not exceeding the sum of \$300.00 for each offence, exclusive of costs.
7. By-law Number 1817 passed by the Corporation of the Township of Whitby on May 3, 1961, to the extent that it is inconsistent with the provisions of this By-law, is hereby repealed.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
20TH DAY OF OCTOBER, 1969.


MAYOR


CLERK

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."

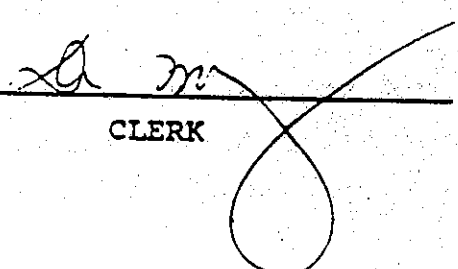
REPEAL OF EXISTING BY-LAWS

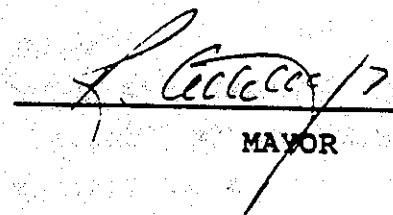
2. By-law Nos. 660-78 and 1334-82 are repealed.

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