

# THE CORPORATION OF THE TOWN OF WASAGA BEACH

## BY-LAW NO. 2023-89

A By-law to amend By-law No. 2023-74, being a by-law to prohibit vehicular nuisance events within the Municipality

**WHEREAS** Section 8 of the *Municipal Act, 2001*, as amended provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

**AND WHEREAS** Section 9 of the *Municipal Act, 2001*, as amended, grants municipalities the capacity, rights, power and privileges of a natural person for the purpose of exercising its authority under the Act;

**AND WHEREAS** Section 11(2) of the *Municipal Act* permits a municipality to pass by-laws respecting the public assets of the municipality, the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons, and the protection of persons and property;

**AND WHEREAS** Section 128 of the *Municipal Act* permits a municipality to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

**AND WHEREAS** Council of The Corporation of the Town of Wasaga Beach passed By-Law No. 2023-74, to prohibit vehicular nuisance within the Municipality, deems it expedient to amend the said by-law regarding offence provisions;

### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:**

1. That By-law 2023-74, Section 6, is hereby repealed and replaced by adding the following:

#### **6. Offence Provisions**

- 6.1 Every person who contravenes any provision of this by-law is guilty of an offence. Pursuant to the provisions of the Provincial Offences Act, R. S. O. 1990, c. P. 33 upon conviction a person is liable to a fine of not more than \$5,000, exclusive of costs, for each offence.
- 6.2 In addition to the provisions of Subsection (1), the Court in which the information is first laid and any court of competent jurisdiction thereafter, may issue an order prohibiting the contravention and repetition of the offence by the person convicted, and such order shall be in addition to any penalty imposed on the person convicted.

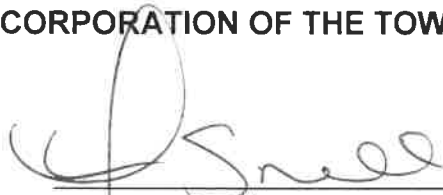
2. That By-law 2023-74, is hereby amended by adding the following section:

**7. Effective Date**

7.1 THAT this By-law shall come into force and take effect on the date of its final passing.

**BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 24<sup>TH</sup> DAY OF AUGUST, 2023.**

**THE CORPORATION OF THE TOWN OF WASAGA BEACH**



Tanya Snell, Deputy Mayor



Nicole Rubli, Director, Legislative Services & Clerk

**CERTIFIED TO BE A TRUE COPY OF:**

**RESOLUTION DATED:** Aug 24/23

**BY-LAW:** 2023-89 **DATE:** Aug 24<sup>th</sup>/23

**OTHER:** \_\_\_\_\_

**# OF PAGES:** 2 **DATE:** Aug 25/23

**SIGNATURE:** N. Rubli