

Attachment 2 – Summary Table of the Proposed Amendments to the Parks By-law

Current By-law	Proposed Amendment
No definition	1.5. fish or fishing” means fishing for, catching or attempting to catch fish by any method;
1.8. “motor vehicle” means a motor vehicle within the meaning of the Highway Traffic Act, R.S.O. 1990, c.H.8 as may be amended from time to time;	1.9. “motor vehicle” includes an automobile, motorcycle, motor assisted bicycle unless otherwise indicated in the Town’s E-bike and E-scooter By-Law, and any other vehicle propelled or driven otherwise than by muscular power, but does not include an e-bike or an e-scooter, within the meaning of the Highway Traffic Act and the Town’s E-bike and E-scooter By-Law, or a wheelchair or similar assistive device used by an individual due to requiring a mobility assistance;
1.9. “motorized recreational vehicle” includes a snowmobile, go-cart, trail bike, mini bike, e-bikes, all-terrain vehicle, or similar vehicle, propelled or driven by an internal engine, but excludes wheelchair or similar assistive device used by an individual due to requiring a mobility assistance;	Delete
2.2.2. skate, roller skate, in-line skate or use a skate board in areas in a park that may cause an element of danger to those people not involved in the same game or activity in the park;	2.2.2. skateboard, bicycle roller skate, in-line skate or use a skate board scooter in areas in a park in a manner which obstructs, inconveniences or endangers other users of the park;
No provision	2.2.10. engage in any riotous, violent, threatening, or conduct or activity, create a nuisance, or in any way interfere with the peaceful enjoyment of a park or of a park building by other persons;
No provision	2.2.11. cast, throw, or in any way propel any object in such a manner as may or does endanger or cause injury or damage to any person or property;
No provision	2.2.16. Fish where signage is posted to prohibit it, and fish if not in compliance with all applicable regulatory authorities;
2.4.4. use of barbeques within Kiwanis Heydenshore Park, Cullen Central Park or Special Event;	2.4.4. use of barbeques;
2.4.5. holding a picnic, organized gathering or event for twenty persons or more within Waterfront Parks and Cullen Central Park;	2.4.5. holding a picnic, organized gathering or event for twenty persons;
2.4.7. encroaching onto park lands or make exclusive use of any portion of a park;	Delete and replace with new section 5 (see below)
2.4.10. ride, drive, stop or park a motor vehicle or motorized recreational vehicle in a park except in a designated parking lot and	2.4.10. ride, drive, stop or park a motor vehicle or motorized recreational vehicle in a park except in a designated parking lot and in a

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in a designated parking space, it being understood that the maximum permissible parking period shall be four hours when so posted;	designated parking space, it being understood that the maximum permissible parking period shall be four hours when so posted;
No provision	<p>5. Posting of Signs</p> <p>5.1. The Commissioner is authorized to post signs of permission. Regulation, restriction, warning or prohibition with respect to uses of, or activities in, any park, in accordance with the provisions of such sign as the Commissioner deems appropriate.</p>
No provision	<p>6. Encroachments and Property Line Fences</p> <p>6.1. No person shall encroach upon or take possession of any park by any means whatsoever, including, without limitation, the construction, installation or maintenance of any fence, gate, landscaping, building, structure or equipment in or upon the park unless authorized pursuant to this By-law or the Town of Whitby Town Lands Encroachment By-law #7389-18, as amended from time to time. For the purposes of this By-law, the dumping or storage of any materials, or planting, grooming, landscaping or cultivating of park property constitutes an encroachment prohibited by this section.</p>
No provision	<p>7. Failure to Abide by Posted Conditions</p> <p>7.1. It shall constitute an offence for any person, while in any park, to fail to abide by posted conditions or authorized signs placed under the authority of this By-law in or upon a park, which state conditions for use or conduct within the park.</p> <p>7.2. Where there is a conflict between this By-law and a posted condition or authorized sign placed under the authority of this By-law, the provisions contained in the posted condition or sign placed under the authority of this By-law shall prevail.</p>
No provision	<p>8. Use at Own Risk</p> <p>8.1. The use by or presence of any person in any park for any activity or purpose shall be entirely at their own risk. Such uses include all passive or active recreational activities, including, without limitation, use of any natural or artificial ice surface, snow covered surfaces, slopes/hills, swimming and use of playground equipment. It is the responsibility of the parent or guardian of any minor to ensure that the</p>

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	minor is adequately supervised at all times while on or in any park.
No provision	9.6. Every person who contravenes or fails to comply with a provision if this By-Law is guilty of an offence and is liable to the penalty as set out in Schedule "A" to this By-Law.
No provision	9.7. Tiered and Escalating Penalties: If a person receives a Penalty Notice in accordance with the Town's Administrative Penalty By-law for an offence, the person shall be liable to pay to the Town a tier one (1) administrative penalty amount for that offence as specified in Schedule "A" to this By-law. If a person receives an additional Penalty Notice for the same offence within ninety (90) calendar days or less from the date of the Penalty Notice containing a tier one (1) administrative penalty amount, the person shall be liable to pay to the Town a tier two (2) administrative penalty amount for that offence as specified in Schedule "A" to this By-law. If the person receives a subsequent Penalty Notice for the same offence within ninety (90) calendar days or less of the Penalty Notice containing a tier two (2) administrative penalty amount, the person shall be liable to pay to the Town a tier three (3) administrative penalty amount for that offence as specified in Schedule "A" to this By-law. If the person receives any subsequent Penalty Notices for the same offence within one hundred and eighty (180) calendar days or less from the date of the Penalty Notice containing a tier three (3) administrative penalty amount, the person shall be liable to pay to the Town a tier three (3) administrative penalty amount for that offence as specified in Schedule "A" to this By-law.
No Schedule A	Schedule A added