



# Town of Whitby

## By-law # XXXX-25

### Amendment to Private Transportation Services By-law

Being a By-law to amend Private Transportation Services By-law # 7398-18, as amended.

Whereas the Council of The Corporation of the Town of Whitby considered Report CMS 07-25 regarding the proposed amendments to Private Transportation Services By-law # 7398-18, as amended at the Committee of Whole meeting on May 5, 2025; and,

Whereas Council deems it necessary to amend Private Transportation Services By-law # 7398-18, as amended to include an exemption to assist in providing greater accessible service in accordance with the recommendations contained in Report CMS 07-25.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

Whereas

#### 1. General

- 1.1. That the following is inserted as subsections 15.3. and 15.4 into the Private Transportation Services By-law # 7398-18, as amended.

#### **Administrative Penalty System**

- 15.3. Every person who contravenes or fails to comply with a provision of this By-law is guilty of an offence and is liable to the penalty as set out in Schedule "3" to this By-law.
- 15.4. 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 "3" 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 "3" 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 "3" 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 "3" to this By-law.

1.2. That the following is inserted as Section 16 into the Private Transportation Services By-law # 7398-18, as amended and that the remaining sections of the by-law be renumbered accordingly.

16. No provision in this By-law shall restrict, limit, or prevent the owners and drivers of a licensed accessible taxicab licensed in any lower-tier municipality in Durham Region from engaging in conveyances within any of the eight (8) Durham Region lower-tier municipalities when the purpose of the conveyance is to transport persons with a disability as defined in the *Accessibility for Ontarians with Disabilities Act, 2005* S.O. 2005, chapter 11, as amended.

1.3. That Schedule “3” be inserted to the Private Transportation Services By-law # 7398-18, as amended as described in Appendix # 1 hereto attached.

## **2. Effective Date**

2.1. This by-law shall come into force and effect on the date of its passing.

By-law read and passed this 26th day of May, 2025.

## **Appendices**

### **Appendix 1**

Schedule “3” - Private Transportation Services By-law # 7398-18, as amended  
Administrative Penalties

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Elizabeth Roy, Mayor

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Christopher Harris, Town Clerk