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## The Corporation of the Municipality of Clarington

### By-law 2021-0XX

Being a by-law to amend the Road Occupancy By-law

**WHEREAS** subsection 11(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, authorizes the Municipality to pass by-laws respecting highways under their jurisdiction;

**AND WHEREAS** the Municipality has enacted a Road Occupancy By-law 2014-022 to regulate temporary road occupancy;

**AND WHEREAS** the Municipality wishes to make certain amendments to the Road Occupancy By-law 2014-022;

**NOW THEREFORE** the Council of The Corporation of the Municipality of Clarington hereby enacts as follows:

1. The following new section is added immediately after section 2.13 of By-law 2014-022 and all remaining sections of the by-law are renumbered accordingly:
  - 2.14 No person shall contravene a condition of a permit issues under this By-law.
2. Section 5.4 of By-law 2014-022 is revoked and replaced with the following:
  - 5.4 Without limiting any other section of this By-law, every Person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine in accordance with the *Provincial Offences Act*, R.S.O. 1990, c. P.33.
3. The following new section is added immediately after section 6.1 of By-law 2014-022 and all remaining sections of the by-law are renumbered accordingly:

#### **Schedules**

- 6.2 The following Schedules are attached to and form an integral part of this by-law:

Schedule "A" – Set Fines

4. By-law 2014-022 is amended by appending to it Schedule "A" of this Amending By-law.
5. This By-law shall be effective on the date that it is passed.

Passed in Open Council this XX<sup>th</sup> day of XXXX, 2021

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Adrian Foster, Mayor

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June Gallagher, Municipal Clerk

**Schedule "A"**

**MUNICIPALITY OF CLARINGTON**

**PART I Provincial Offences Act**

**By-law #2014-022, as amended: Road Occupancy By-law**

| <b>ITEM</b> | <b>COLUMN 1<br/>Short Form Wording</b>   | <b>COLUMN 2<br/>Provision creating<br/>or defining offence</b> | <b>COLUMN 3<br/>Set Fine</b> |
|-------------|--|--|------------------------------|
| <b>1</b>    | Undertake, or permit to be undertaken, any construction activity on a Municipal highway without a permit | s. 2.1   | \$500.00                     |
| <b>2</b>    | Transport vehicles, loads, objects or structures in excess of load and dimension limits                  | s. 2.2   | \$500.00                     |
| <b>3</b>    | Contravene a condition of a permit   | s. 4.3   | \$300.00                     |

"NOTE: The penalty provision for the offences indicated above is section 5.4 of by-law no. 2014-022, as amended, a certified copy of which has been filed".