

BY-LAW NO. 731

**BY-LAW TO RENDER THE WEARING
OF BICYCLE HELMETS OBLIGATORY
IN THE TOWN OF HAMPSTEAD**

WHEREAS notice of motion of Draft By-law no.731 was given at the Regular Council Meeting held on July 9, 2001.

ON AUGUST 13, 2001, THE MUNICIPAL COUNCIL DECREES AS FOLLOWS:

ARTICLE 1.1

Where the term "approved helmet" is used in the present By-Law, it shall mean a covering designed to protect the head of a bicycle rider of a style or model approved by the Canadian Standards Association, (CSA) or the American national Standard Institute, (ANSI), or the SNELL, (Memorial Foundation).

ARTICLE 1.2

The words "person entrusted with parental authority", for the purposes of the present By-Law shall include any adult who has parental authority over a minor who is 14 years of age or under.

ARTICLE 2

No person shall ride or drive a bicycle in the City unless wearing at the time an approved helmet in the manner in which it is intended that it be worn.

ARTICLE 2.1

No person shall skate using in-line skates or roller blades on any street, sidewalk, lane or any public place in the city unless wearing at the time such protective head gear as may be approved for that purpose by the Canadian Standards Association (C.S.A.) in the manner in which it is intended to be worn.

ARTICLE 3

No person entrusted with parental authority shall permit any person to do any of the acts described in Article 2 hereof unless such person is wearing an approved helmet in the manner in which it is intended that it be worn.

ARTICLE 4

Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.O. c. C-25-.1.:

For a first infraction: a minimum of TWENTY-FIVE DOLLARS (\$25) and a maximum of ONE THOUSAND DOLLARS (\$1,000) if the offender is a physical person or a minimum of FIFTY DOLLARS (\$50) and a maximum of TWO THOUSAND DOLLARS (\$2,000) if the offender is a moral person;

For a repeat infraction within two (2) years of the first infraction (section 236 of the code of Penal Procedure): a minimum of FIFTY DOLLARS (\$50) and a maximum of TWO THOUSAND DOLLARS (\$2,000) if the offender is a physical person or a minimum of FOUR THOUSAND DOLLARS (\$4,000) if the offender is a moral person.

If the infringement continues, the offender shall be liable to the fine and penalty above-mentioned for each day until the infringement ceases.

ARTICLE 5

This By-law shall come into force accordingly to law.

(s) Gerald Kessner
Gerald Kessner, acting Mayor

(s) Jonathan Shecter
Jonathan Shecter, Town Clerk