



## THE CORPORATION OF THE TOWNSHIP OF HILLIARD

### BY -LAW NO. 2024-08

#### BEING A BY -LAW TO PROHIBIT THE THROWING, PLACING OR DEPOSITING OF REFUSE OR DEBRIS ON ANY LAND WITHIN THE TOWNSHIP WITHOUT OWNER CONSENT

WHEREAS section 127 of the Municipal Act, 2001, S.O. 2001, c.25, permits by-laws may be passed by the Council to prohibit the depositing of refuse or debris on land without the consent of the owner or occupant of the land;

NOW THEREFORE the Municipal Council of the Corporation of the Township of Hilliard hereby enacts the following:

#### 1. Definitions

1.1 **Township** means the Corporation of the Township of Hilliard;

1.2 **Land** includes any watercourse;

1.3 **Owner** includes the registered owner, occupant, tenant, person for the time being managing or receiving the rent of the property whether on his own account or on account of an agent or trustee of any other person, or any one of the aforesaid;

1.4 **Refuse or debris** includes but is not limited to waste, rubbish, junk or disused material of any kind whatsoever and, without limiting the generality of the foregoing, includes septic tank liquor, wet and dry sewage disposal sludge, cesspools and holding tanks for human excrement, paper handbills, an inoperative motor vehicle, appliances, carcass of any dead animal, disused furniture, old clothing, garden refuse, yard waste, old or decayed lumber, material from construction or demolition projects and other vehicles, machinery, equipment, materials or structures apparently disused in their existing location

1.5 **Watercourse** means an open channel, ditch or depression either natural or artificial, in which the flow of water occurs either continuously or intermittently.

1.6 **Officer** means a Municipal Law Enforcement Officer or Police Officer.

#### 2. General Provisions

2.1 No person shall throw, place or deposit, or cause or permit to be thrown, placed or deposited refuse or debris on any land within the Township without the written consent of the owner of such land.

### **3. Enforcement**

3.1 Any officer or employee of the Township whose duties include the enforcement of this by-law, is authorized to enforce this by-law on behalf of the Township pursuant to the provisions hereof, the Municipal Act, 2001, S.O. 2001, c.25, as amended.

### **4. Offences and Penalties**

4.1 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine not exceeding \$25,000 pursuant to the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.

4.2 Pursuant to section 429(2) of the Municipal Act, all contraventions of this by-law or orders issued under this by-law are designated as multiple offences and continuing offences. A multiple offence is an offence in respect of two (2) or more acts or omissions each of which separately constitutes an offence and is a contravention of the same provision of this by-law.

### **5. Fine**

<b>Item</b>	<b>COLUMN 1 Short form wording</b>	<b>COLUMN 2 Offence creating provision or Defining offence</b>	<b>COLUMN 3 Set fine</b>
1	Throw, place, deposit or permit or aid in depositing of waste on any property within the Township.	Section 2.1	\$250

**READ A FIRST, SECOND AND THIRD TIME in Open Council and finally passed under the hands of Reeve, Clerk and Seal of the Corporation on this 26<sup>th</sup> day of March, 2024.**

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Reeve

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Clerk