

THE CORPORATION OF THE MUNICIPALITY OF HASTINGS HIGHLANDS
BYLAW 2018-074

“Clean Municipality Bylaw”

Being a Bylaw of the Corporation of the Municipality of Hastings Highlands to prohibit the throwing, placing, or depositing of refuse or debris, waste material or wastes on private property or municipal property.

WHEREAS the *Municipal Act*, 2001, S.O. c. 25, Section 127, as amended, provides that Councils of local municipalities may pass Bylaws for prohibiting the throwing, placing or depositing of refuse or debris on private property or on property of the municipality or any local board thereof without authority from the owner or occupant of such property;

AND WHEREAS, the Council of the Corporation of the Municipality of Hastings Highlands deems it necessary and expedient and in the public interest to enact a Bylaw to prohibit littering of private or municipal property for all residential, commercial and industrial uses;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF HASTINGS HIGHLANDS ENACTS AS FOLLOWS;

1. APPLICATION

This Bylaw shall apply to all of the owners and occupants of property within the geographic limits of the Municipality of Hastings Highlands.

2. DEFINITIONS

For the purpose of this Bylaw:

‘Waste Disposal Site’ abbreviation (WDS) refers to any municipally owned waste site.

‘Waste Transfer Site’ abbreviation (WTS) refers to any municipally owned waste site.

‘Commercial or Industrial Waste’ means any article, thing, matter or any effluent belonging to or associated with industry or commerce or concerning or relating to manufacture or concerning or relating to any trade, business, calling or occupation that appears to be waste material.

‘Heavy pick-up wastes’ means weighty or bulky articles such as furniture, bed springs, mattresses, barrels, boxes, water and fuel tanks (empty only) and any other discarded material which would normally accumulate at a dwelling.

‘Household waste’ means ashes, garbage, rubbish, discarded material, clothing, waste

**THE CORPORATION OF THE MUNICIPALITY OF HASTINGS HIGHLANDS
BYLAW 2018-074**

paper, broken crockery, glassware, and other such articles as would normally accumulate at a dwelling, but shall not include weighty or bulky articles such as stoves, mattresses, furniture, barrels, boxes, trees, discarded truck and automobile parts, tires or batteries, manufacturer's waste, water and fuel tanks, liquid waste, straw, hay and manure, carcass of any dead or live animal, animal feces, natural soil, earth, sand, clay, gravel, stones or other excavated materials and fence wire.

'Municipal property' means any property under the jurisdiction of the Municipality.

'Municipality' means the Corporation of the Municipality of Hastings Highlands

'Person' means a natural person, unincorporated association or organization, firm, partnership, private club, corporation, agent or trustee and the heirs, executors, administrators, or other legal representatives of a person to whom the context can apply according to the Bylaw.

'Private property' means privately owned property zoned for residential, commercial or industrial use.

'Refuse or debris' shall include sand, rock, gravel, grass, weeds, liquids, domestic garbage, trees, asphalt, concrete or pieces thereof or any commercial or industrial waste.

'Waste material' shall include garbage, rubbish, discarded building materials, refuse or junk, boulders in excess of 0.028 cubic metres, trees or tree stumps, tin cans, bottles, boxes or other containers, derelict or inoperative motor vehicles, derelict, abandoned or inoperable machinery, appliances and furnishings, both household and commercial, agricultural waste or sewage, or any liquid waste accumulated from home or place of business, and animal carcasses.

'Waste' shall mean any or all of the definitions of this section for the purposes of this Bylaw, including heavy pick-up wastes, household wastes, refuse or debris and waste material.

3. OFFENCES

- 3.1** No owner shall allow or permit the creation, presence or existence of any refuse or debris, waste material or wastes in or upon any yards, vacant lots, grounds or buildings which such owner owns, rents, occupies or has an interest, whether such interest is legal or equitable.

**THE CORPORATION OF THE MUNICIPALITY OF HASTINGS HIGHLANDS
BYLAW 2018-074**

- 3.2 No person shall throw, place or deposit any refuse or debris, waste material or wastes on private property or on the property of the municipality or any local board thereof without the authority from the owner or occupant of such property.
- 3.3 No person shall enter onto WDS/WTS property other than during operating hours.
- 3.4 No person shall salvage any materials from a WDS/WTS other than designated reuse areas.
- 3.5 No person shall throw, place or deposit any type of waste on any roadway, highway or bridge or any municipally owned property that is outside of the limits of the WDS/WTS as set out in this Bylaw.

4. REMOVAL

Where the property owner or municipal authorities are required to remove any refuse or debris, waste material or wastes deposited on their property, the full costs of such removal shall be recoverable from the person responsible or the property owner responsible for such littering or discarding.

5. NOTICE UNAUTHORIZED DUMPING IN MUNICIPAL PROPERTY CONTAINERS

The municipality shall post notice that unauthorized dumping in a container or dumpster placed on municipal property is prohibited in accordance with this Bylaw.

6. INSPECTIONS

The Bylaw Enforcement Officer, or other person appointed for the purpose of enforcing this Bylaw;

- a) has the power to enter upon and examine any yards, vacant lots, grounds or buildings, other than a dwelling, at any reasonable time or times, and
- b) may be accompanied by such other person or persons as they deem necessary to properly carry out their duties under this Bylaw.

**THE CORPORATION OF THE MUNICIPALITY OF HASTINGS HIGHLANDS
BYLAW 2018-074**

7. GENERAL

- 7.1 The municipality shall not be liable to any person for any damage caused to any person or property or vehicle while at a WDS/MTS.

8. OTHER LEGISLATION

If this Bylaw conflicts with the provisions of any other Bylaw of the Municipality of Hastings Highlands, the provisions of that Bylaw prevail to the extent of the conflict.

9. VALIDITY AND SEVERABILITY

Should any section, sub-section, clause, paragraph or provision of this Bylaw be declared by a court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of any other provision of this Bylaw or of the Bylaw as a whole.

10. PENALTY

Every person who contravenes any provision of this Bylaw is guilty of an offence and on conviction is liable to a penalty as provided for in the Provincial Offences Act, R.S.O. 1990,c.P.33,.

11. SHORT TITLE

This Bylaw shall be cited as the **“Clean Municipality Bylaw.”**

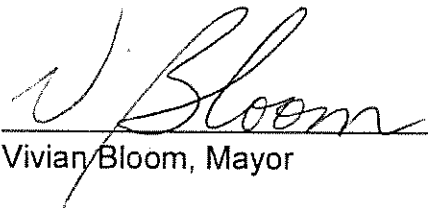
THE CORPORATION OF THE MUNICIPALITY OF HASTINGS HIGHLANDS
BYLAW 2018-074

10. FORCE AND EFFECT

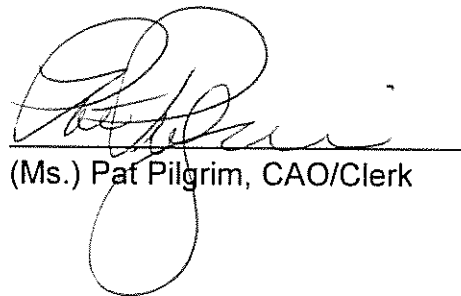
This Bylaw shall come into full force and effect upon the day of final passage thereof.

That all former bylaws pertaining to this matter are hereby repealed in particular Bylaw 2010-059.

ENACTED and PASSED in Council this 20th day of June, 2018.



Vivian Bloom, Mayor



(Ms.) Pat Pilgrim, CAO/Clerk