

THE CORPORATION OF THE TOWNSHIP OF ADJALA-TOSORONTIO

BY-LAW 04-52

A BY-LAW TO REQUIRE THE OWNER OR OCCUPANT TO CLEAN AND CLEAR THE LAND

Clean and Clear By-law

WHEREAS pursuant to section 127 of the Municipal act, 2001, Chapter 25, as amended, a local municipality may require the owner or occupant of land to clean and clear the land, not including buildings, or to clear refuse or debris from the land, not including buildings;

NOW THEREFORE the Council of the Corporation of the Township of Adjala-Tosorontio hereby enacts as follows:

1. In this By-law:
 - a) “Township” means the Corporation of the Township of Adjala-Tosorontio;
 - b) “Expense” means the cost of carrying out the work to be done by the notice pursuant to section 3(a) and a 25% administrative charge;
 - c) “Litter” includes any material left or abandoned in a place other than a receptacle or place intended or approved for receiving such material;
 - d) “Occupant” means any person who is in control of any grounds, yard or vacant lot;
 - e) “Officer” means a Municipal Law Enforcement Officer appointed by the Council of the Corporation of Adjala-Tosorontio;
 - f) “Owner” includes any person registered as the owner of any grounds, yard or vacant lot and the person or persons able to exercise the rights of ownership with respect to any grounds, yard or vacant lot;
 - g) “Persons” means an individual, firm corporation, association or partnership;
 - h) “Premises” means any grounds, yard or vacant lot;
 - i) “Refuse” includes debris, rubbish or material of any kind and without limiting the generality of the foregoing, includes a vehicle that appears by reason of its appearance, mechanical condition or lack of current licence plates to be inoperative, inoperative mechanical equipment, automotive and mechanical parts, disused furniture, garden refuse, earth or rock fill, old or decayed lumber, or materials from construction or demolition projects, discarded appliances, fuel tanks, furnace parts, old vehicle tires mounted or unmounted on rims;
2.
 - a) Every owner or occupant shall keep his or her premises clean or cleared and shall comply with any notice given by a Municipal Law Enforcement Officer pursuant to section 3(a) of this By-law;
 - b) For the purpose of section 2(a), “clean or cleared” includes the trimming or cutting of weeds or grass more than fifteen centimetres (6 inches);

3.
 - a) An Officer may, by notice, sent by mail to the owner or occupant of the premises, or by posting the notice in a conspicuous place on the premises, or by delivering the notice personally to the owner or occupant, require the owner or occupant within the time specified with the notice to clean or clear or remove from the premises any refuse, litter, weeds or grass;
 - b) A notice mailed to an owner shall be mailed to the address of the owner as shown on the last revised assessment roll or to the last known address of the owner;
 - c) A notice mailed to an occupant shall be mailed to the premises or to the last known address of the occupant;
 - d) No person shall obstruct, hinder or in any way interfere with any municipal employee, Provincial Offences Officer while that person is inspecting for compliance with the provisions of this By-law;
 - e) The Municipality will only respond to complaints in writing relating to the enforcement of this By-law;
4.
 - a) Where the owner or occupant fails to comply with a notice pursuant to the By-law, an Officer may cause the work to be done by the notice and the Township may recover the cost of so doing by adding the cost to the tax roll and collecting them in a like manner as municipal taxes;
 - b) Any person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine or penalty for each offence, exclusive of costs, as prescribed by the Provincial Offences Act;
5.
 - a) This By-law only applies to settlement areas and plans of subdivisions within the Township;
 - b) Section 3 of this By-law does not apply to land on which construction is proceeding under a building permit and municipal owned property;
6. THAT, notwithstanding anything contrary to the rules of procedure, this By-law be introduced and read a first and second time and be considered read a third time and finally passed this 16th day of August 2004.

“Tom Walsh”
MAYOR TOM WALSH

“Brenda Colquhoun”
CLERK BRENDA COLQUHOUN