

THE TOWNSHIP OF MCMURRICH/MONTEITH

BY-LAW 12-2013

**A By-law to prohibit the dumping or depositing  
Of litter on lands or highways**

**WHEREAS** pursuant to Sections 10(2) Clauses 5 & 6, 127, 128 and 131 of the Municipal Act S.O. 2001, c. 25 as amended, Councils of municipalities to pass a By-law for prohibiting the depositing of refuse on private and public lands and for requiring the removal or repair of dilapidated vehicles, motor homes, fences and structures;

**AND WHEREAS** pursuant to Section 446 of the Municipal Act S.O. 2001, c.25, as amended, a municipality may enact a by-law to require that a matter or thing be done, and in default, the matter of thing may be done by the Municipality at the person's expense and further that the costs of doing will be collected under the Provincial Offences Act, R.S.O. 1990, c. P.33.

**NOW THEREFORE the Council of the Corporation of the Township of McMurrich/Monteith hereby enacts as follows:**

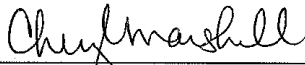
**1. DEFINITIONS:**

- a) **Litter** shall mean debris, rubbish, filth, refuse, garbage or waste matter of any kind whatsoever and without limiting the generality of the foregoing shall include animal carcasses and droppings, ashes, bottles, cans, cartons, construction materials, discarded appliances, clothing, furniture and household effects, inoperative mechanical equipment, kitchen wastes, lumber, packing materials, paper, soil, soot, stumps, automobile tires, used oil, automobile parts, snow, ice and slush, derelict trailers, cars, trucks, etc.
  - b) **Highway** includes any road, bridge, street, land or similar thoroughfare and includes such parts thereof commonly known as roadways, curbs, ditches, sidewalks, median strips, boulevards, islands and associated sewer, catch basin, water courses and retaining walls.
  - c) **Deposit** includes drop, throw, dump or randomly place or store or otherwise dispose of.
  - d) **Municipality** shall mean the Corporation of the Township of McMurrich/Monteith.
  - e) **Land** includes any ground, yard, lot or other real property whether or not occupied by a building or structure.
  - f) **Person** includes an individual, an association, a firm, a partnership or a corporation.
  - g) **Municipal By-Law Enforcement Officer** shall mean the person appointed by Council for the purpose of enforcing the by-laws of the Municipality.
2. No person shall deposit or cause to be deposited any litter on any highway within the municipality.
  3. No person shall deposit or cause to be deposited any litter on lands owned by the municipality or any local board thereof except at the waste disposal site that is operated by the Township of McMurrich/Monteith, or in receptacles approved by the municipality for that purpose.
  4. No persons shall dump, bury or dispose of refuse, domestic or industrial waste on any Township of McMurrich/Monteith property.
  5. None of the provisions of this by-law apply to the following:

- a) Where, in the normal course of garbage collection, a person deposits litter on a highway or on land owned by the municipality or any local board thereof, as part of a highway/road clean-up endeavor.
  - b) Where, in the course of using land for activities carried on in the field of general agriculture, a person deposits fertilizer, manure, straw, grass clippings or any other plant debris commonly used as compost material.
  - c) Where, in the course of engaging in home composting, a person deposits grass, tree trimmings and pruning's, garden waste and other vegetable matter in a home composter.
  - d) Where, during the course of construction on a property, construction materials are stored on that property.
6. Any person who violates any provisions of this by-law is, upon conviction, guilty of an offense and shall be liable to a fine subject to the provision of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended in Schedule "A", and will be subjected to any other penalty permitted by law for each offence. Each day such violation continues shall constitute a separate offence and shall be punishable as such.
7. No person shall hinder or obstruct an officer in the performance of his/her duties.
8. This By-law shall come into force and take effect on its passing.

BY-LAW read a first and second time on 2 day of April, 2013.

BY-LAW read a third time and finally passed and enacted this 7 day of October, 2013.



Cheryl Marshall  
Clerk-Treasurer



Glynn Robinson  
Reeve

Township of McMurrich/Monteith  
Part 1 – Provincial Offences Act  
Schedule "A" of By-Law 12-2013  
Littering By-Law

<b>ITEM #</b>	<b>COLUMN 1 SHORT FORM WORDING</b>	<b>COLUMN 2 PROVISION CREATING OR DEFINING OFFENCE</b>	<b>COLUMN 3 SET FINE</b>
1.	Depositing litter on highways within the municipality	3	\$200.00
2	Littering on any Township of McMurrich/Monteith property	4	\$200.00
3	Dumping, burying, or disposing of refuse, domestic or industrial waste on any Township of McMurrich/Monteith property	6	\$200.00
4	Storing or disposing of any derelict motor vehicles, motor homes, trailers, truck caps or automobile parts within the Township of McMurrich/Monteith	5	\$200.00
5	Obstructing the Township of McMurrich/Monteith's By-Law Enforcement Officer in the lawful exercise or power or duty.	9	\$200.00

Note: the general penalty provision for the offences listed above is Section 8 of By-law 11-2013, a certified copy of which has been filed.