

THE CORPORATION OF THE TOWN OF HALTON HILLS

BY-LAW NO. 93-165

A By-law to prohibit or regulate the dumping or depositing of litter, storing of used motor vehicles on lands or highways, and the dumping or disposal of waste.

WHEREAS Section 210 (82) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, provides authority to Councils of municipalities to pass by-laws to prohibit the throwing, placing, or depositing of refuse or debris on lands or highways;

AND WHEREAS Section 210 (135) of the Municipal Act, R.S.O. 1990, chapter M.45, as amended, provides authority to Councils of municipalities to pass by-laws for prohibiting or regulating and inspecting the use of any land or structures within the municipality or any defined area or areas thereof for dumping or disposing of garbage, refuse, or domestic or industrial waste of any kind;

AND WHEREAS Section 210 (136) of the Municipal Act, R.S.O. 1990, chapter M.45, as amended, provides authority to Councils of municipalities to pass by-laws for prohibiting or regulating and inspecting the use of any land or structures for storing used motor vehicles for the purpose of wrecking or dismantling them or salvaging parts thereof for sale or other disposal;

AND WHEREAS Section 326 of the Municipal Act, R.S.O. 1990, chapter M.45, as amended, provides authority to Councils of municipalities to pass by-laws to enforce performance of things required to be done under by-laws, and for recovering the expenses incurred;

AND WHEREAS the Council of the Corporation of the Town of Halton Hills deems it expedient and necessary to prohibit or regulate the dumping or depositing of litter, storing of used motor vehicles on lands or highways, and the dumping or disposal of waste;

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

1. DEFINITIONS

(a) Derelict Vehicle shall include a vehicle:

- (i) as defined by the Highway Traffic Act, R.S.O. 1990, Chapter H.8; and
- (ii) which is a motorized snow vehicle, as defined by the Motorized Snow Vehicles Act, R.S.O. 1990, Chapter M.44;

which is not stored within a structure and either

- (iii) is incomplete or partly dismantled; or

- (iv) does not meet the inspection requirements and performance standards prescribed by the Highway Traffic Act and the regulations thereunder.
 - (b) Deposit shall mean and includes dump, store, accumulate, drop, throw, place or otherwise dispose of.
 - (c) Highway shall mean and includes highway as defined under the provisions of the Highway Traffic Act, R.S.O. 1990, Chapter H.8, as amended.
 - (d) Land shall mean and include any ground, yard, lot or other real property whether or not occupied by a building or structure.
 - (e) Litter shall mean debris, rubbish, filth, refuse, or garbage of any kind whatsoever and without limiting the generality of the foregoing, shall include animal carcasses, or droppings, clothing, furniture and household effects, inoperative mechanical devices, kitchen wastes, lumber, packing materials, paper, soil, soot, used oil, vehicle tires and vehicle parts.
 - (f) Municipal Enforcement Officer shall mean a municipal law enforcement officer or any other employee of the municipality appointed for carrying out the provisions of this by-law.
 - (g) Municipality shall mean the Corporation of the Town of Halton Hills.
 - (h) Waste Matter shall mean domestic or industrial waste of any kind whatsoever and without limiting the generality of the foregoing shall include litter, and derelict vehicles.
2. No person shall deposit, cause to be deposited, or permit to be deposited any litter:
- (a) on privately owned land without first obtaining written consent from the owner or occupant of the land, or
 - (b) on a highway, or
 - (c) on lands owned or under the control of the municipality other than a waste disposal site operated by the Regional Municipality of Halton.
3. No person shall use, cause to be used, or permit to be used land owned, leased or occupied by such person to deposit or permit to be deposited waste matter and shall dispose of all waste matter in the manner prescribed by by-laws of the Municipality regarding garbage removal, collection and disposal.
4. No person shall use, cause to be used, or permit to be used land owned, leased or occupied by such person for storing derelict vehicles for the purpose of wrecking, dismantling or salvaging parts thereof for sale or other disposal.
5. The provisions of this by-law shall not apply to a salvage

salvage yard licensed by the municipality pursuant to any by-law enacted under the provisions of the Municipal Act, R.S.O. 1990, Chapter M.45, Section 233 (1), as amended.

6. Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.
7. In the event that any lands are not maintained pursuant to the requirements of the by-law, and the owner or occupant of such lands has been convicted of an offence under this by-law by a court of competent jurisdiction, the Municipal Enforcement Officer shall notify, in writing, the owner or occupant thereof, requiring such action to be taken to make the lands conform thereto within a period of fifteen (15) days of the date of such notice.
8. In the event the owner or occupant of any lands fails to conform with the requirements of this by-law within fifteen (15) days of the date of a notice given to the municipality may cause its employees to enter onto the subject property and to remove all litter and derelict vehicles stored in contravention of this by-law and all costs incurred by the municipality shall be recovered in like manner as municipal taxes.
9. — In the event of a conflict between the provisions of this and any other by-law of the Corporation of the Town of Halton Hills, the more stringent shall prevail.
10. This by-law shall come into force and take full effect on the passing thereof.
11. By-law numbers 1935-854, 1969-025, 1969-026 of the Township of Esquesing; 1910-434, 1924-565, 1958-114* 1971-1508 of the Town of Acton; 1961-020, 1962-023, 1968-064, 1972-047, 1972-063 of the Town of Georgetown; and 89-058 of the Corporation of the Town of Halton Hills are hereby repealed in their entirety.

BY-LAW read a first, second and third time and finally passed and enacted this 13th day of September, 1993.


MAYOR


CLERK

