

## CONSOLIDATED VERSION

This consolidation is prepared for convenience only; for accurate reference see by-laws as adopted by Council.

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### BY-LAW NUMBER 2010-103

OF

THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE BEING

A BY-LAW TO PROHIBIT THE DEPOSITING OF REFUSE OR DEBRIS ON LANDS WITHIN THE TOWNSHIP WITHOUT THE CONSENT OF THE PROPERTY OWNER OR OCCUPANT OF THE LAND.

**WHEREAS**, Section 11 of the *Municipal Act, 2001*, S.O 2001, c.25, as amended, provides that a municipality may pass a by-law with respect to the health, safety and well being of persons;

**AND WHEREAS** the Council of the Corporation of the Township of Uxbridge deems it advisable to pass a by-law to prohibit the depositing of refuse or debris within the Township of Uxbridge;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE HEREBY ENACTS A BY-LAW-AS FOLLOWS:**

#### Section 1-Definitions

1.1 In this by-law:

- (a) "Animal" shall mean any member of the animal kingdom excluding humans, and without limiting the generality of the foregoing, Animal shall include: livestock, dogs, cats, birds and reptiles.
- (b) "Council" means the Council of the Corporation of the Township of Uxbridge;
- (c) "Dog" shall mean a dog of any breed that is not less than twelve (12) weeks old
- (d) "Domestic Waste" means any article, thing, matter or effluent that is or appears to be waste material and shall include, but is not limited to,:
  - (i) ashes and dirt
  - (ii) crockery and glass
  - (iii) furnaces, water tanks, fuel tanks and includes their component parts
  - (iv) furniture
  - (v) paper and cardboard materials
  - (vi) refrigerators, freezers or other appliances;
- (e) "Donation Box" shall mean a container used for the purpose of the collection of used goods and/or clothing.
- (f) "Highway" means a common and public highway as defined in the *Highway Traffic Act*;
- (g) "Land" means any and all lands within the Township, both private and public, and includes highways, road allowances, bridges, culverts, ditches, curbs and gutters, and parks;
- (h) "Manufacturer's/Industrial Waste" shall include, but is not limited to,:
  - (i) mineral, metal or chemical products
  - (ii) material resulting from the construction, alteration, repair, demolition or removal of any building or structure, and wood or wood by-products,

- concrete, asphalt, asphalt shingles, rubble, drywall and compounds
  - (iii) mud, &and, soil, aggregate and inert fill
  - (iv) wire, piping, tubing, cable and conduit and their component parts;
- (i) "Municipal Law Enforcement Officer" means a Municipal Law Enforcement Officer appointed to enforce the by-laws of the Corporation of the Township of Uxbridge;
- (j) "Person" means an individual, business or corporate entity;
- (k) "Police Officer" means a Police Constable of the Regional Municipality of Durham, the Royal Canadian Mounted Police or the Ontario Provincial Police;
- (l) "Refuse" or "Debris" shall include, but is not limited to:
  - i) animal waste and excrement
  - ii) carcass, hides, bones or feathers of any animal or bird
  - iii) celluloid cuttings, moving picture film, combustible material
  - iv) material or thing soaked in oil or gasoline
  - v) domestic waste
  - vi) grass cuttings, leaves and vegetation
  - vii) hay, straw and manure
  - viii) manufacturer's/industrial waste
  - ix) sawdust and shavings
  - x) sewage and paper sludge
  - xi) snow and ice
  - xii) swill or organic material.
  - xiii) tree branches or roots
  - xiv) wrecked, dismantled, discarded, inoperative or abandoned machinery, vehicles, trailers, boats and their component parts, and includes vehicles that appear by reason of their appearance, mechanical condition or lack of current licence plates to be inoperable, and tires;
- (m) "Township" means the Corporation of the Township of Uxbridge.

## **Section 2- General Prohibitions**

- 2.1 No Person shall, knowingly or unknowingly, throw, place or deposit, or cause or permit or allow to be thrown, placed or deposited, any Refuse or Debris on any Land within the limits of the Township, without the written consent of the owner or occupant of the Land.
- 2.2 Every owner of an Animal shall immediately remove excrement left by the Animal on municipal property or property not owned by the owner of the Animal and dispose of it in a hygienic manner.
- 2.3 No Person shall, knowingly or unknowingly, throw, place or deposit, or cause or permit or allow to be thrown, placed or deposited, any Refuse or Debris on any Highway or bridge within the Township.
- 2.4 No Person shall, knowingly or unknowingly, obstruct any ditch or culvert or cause or permit or allow a ditch or culvert to be obstructed by throwing, placing or depositing any Refuse or Debris into any ditch or culvert on a Highway within the Township.
- 2.5 No Person shall, knowingly or unknowingly, obstruct, encumber, injure or foul, or cause or permit or allow any person to obstruct, encumber, injure or foul, a Highway or bridge within the Township.
- 2.6 During the course of the construction, erection, alteration, repair or demolition of any building, structure or thing, no person shall track or spill, or cause, permit or allow to be tracked or spilled, any Refuse or Debris onto any Land or a Highway.

- 2.7 In addition to any penalty otherwise provided by law, the owner or occupant of such Lands upon which the Refuse or Debris is being brought from or taken to shall be responsible to the Township for the cost of removing such Refuse or Debris from the Highway and the Land and for the cost of the repair of any damages to any Highway or Land, and such costs may be added to the tax roll and collected in a like manner as municipal taxes.
- 2.8 No person shall place or cause or permit or allow to be placed, any Domestic Waste or other material meant for normal municipal waste pick-up, at the roadside or other designated area for pick-up prior to seven o'clock in the evening on the preceding day of the normal waste pick-up day.
- 2.9 All containers and receptacles used for such waste shall be removed from the roadside or designated place as soon as practicable and notwithstanding the foregoing, containers and receptacles shall be removed no later than eight o'clock in the morning on the day following the normal waste pick-up day.
- 2.10 No person shall place or cause to be placed any donation box on any property without the written consent of the owner of the Land.
- 2.11 No person shall place or cause to be placed any donation box on any highway, park or property owned by the Township.
- 2.12 For the purposes of Section 2.13 of this By-law Owner shall mean:  
i the owner of the donation box; or  
ii the owner of the Land on which a donation box is placed.
- 2.13 Every owner shall maintain the exterior of any donation box, inclusive of a five (5) metre radius around said donation box, in a condition free of refuse or debris.

### **Section 3- Enforcement**

- 3.1 This by-law shall be enforced by a Municipal Law Enforcement Officer or a Police Officer.

### **Section 4- Penalties**

- 4.1 Every Person who contravenes any of the provisions 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*, R.S.O. 1990, c.P.33, as amended.

### **Section 5- Short Title**

- 5.1 This by-law may be referred to as the "Refuse By-law".

### **Section 6- Repeal of By-laws**

- 6.1 By-law' 8-42 and 89-48 are hereby repealed in their entirety.

### **Section 7- Severability**

- 7.1 If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this by-law and it is hereby declared that the remainder of this by-law shall be valid and shall remain in force.

### **Section 8- Date Effective**

- 8.1 This by-law shall come into force as of the date of its passing.