

**THE CORPORATION OF THE  
TOWNSHIP OF EDWARDSBURGH/CARDINAL**

**BY-LAW NO. 2002-20**

**“BEING A BY-LAW CONCERNING WASTE AND DEBRIS  
AND THE FILLING, DRAINING, CLEANING AND CLEARING  
OF GROUNDS, YARDS AND VACANT LOTS.”**

**WHEREAS** Section 210(44) of the Municipal Act, RSO 1990, Chapter M.45 empowers Councils of Municipalities to pass by-laws for requiring buildings and yards to be put in a safe condition to guard against fire or other dangerous risk or accidents;

**AND WHEREAS** Section 210(80) of the Municipal Act, RSO 1990, Chapter M.45 empowers Councils of Municipalities to pass by-laws for requiring and regulating the filling up, draining, cleaning and clearing of any grounds, yards and vacant lots, and the altering, relaying or repairing of private drains;

**AND WHEREAS** Section 210(82) of the Municipal Act, RSO 1990, Chapter M.45 empowers Councils of Municipalities to pass by-laws prohibiting the littering of private or municipal property;

**AND WHEREAS** Section 210(83) of the Municipal Act, RSO 1990, Chapter M.45 authorizes Councils of local Municipalities to pass by-laws for making any other regulations for sewage or drainage that may be considered necessary for sanitary purposes;

**AND WHEREAS** Section 210(136) of the Municipal Act, RSO 1990, Chapter M.45 empowers 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** Council has authority under Section 326 of the Municipal Act, RSO 1990, chapter M.45 to direct or require by by-law or otherwise that any matter or thing be done, the Council may by the same or by another by-law direct that, in default of its being done by the person directed or required to do such matter or thing shall be done at their expense, and the Corporation may recover the expense incurred in doing it by action, or the same may be recovered in like manner as municipal taxes;

NOW THEREFORE the Council of the Corporation of the Township of Edwardsburgh/Cardinal enacts as follows:

1. For the purposes of this bylaw:
  - a) **Corporation** means the Corporation of the Township of Edwardsburgh/Cardinal;
  - b) **Domestic Waste** means any article, thing, matter or any effluent belonging to or associated with a house or household or concerning or relating to the home or family that appears to be waste material; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this clause, it is hereby declared that domestic waste extends to the following classes of waste material:
    - Accumulations, deposits, leaving, litter, remains, rubbish, trash;
    - Refrigerators, freezers or other appliance, any attached hinges or latching, locking or other closing mechanism or device;

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- Furnaces, furnace parts, pipes, fittings to pipes, water or fuel tanks;
  - Inoperative motor vehicles, vehicle parts and accessories;
  - Paper, cartons;
  - Furniture;
  - Crockery;
  - Sewage.
- c) **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; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this clause, it is hereby declared that industrial waste extends to the following classes of waste materials;
- Articles, things, matter, effluent which in whole or in part or fragments thereof, are derived from or are constituted from or consist of,
    - agricultural, animal, vegetable, paper, lumber, or wood products, or
    - mineral, metal, or chemical products, whether or not the products are manufactured or otherwise processed;
  - Automotive parts, inoperative vehicles, vehicles parts, mechanical equipment, mechanical parts, accessories or adjuncts to the vehicles and mechanical equipment;
  - Piping, tubing, conduits, cable and fittings or other accessories, or adjuncts to the piping, tubing, conduits or cable;
  - Containers of any size, type or composition;
  - Material resulting from, or as part of, construction or demolition projects;
  - Rubble, inert fill;
  - Bones, feathers, hides;
  - Sewage.
- d) **Inoperative Motor Vehicle** means a vehicle having missing parts, including tires or damaged or missing glass or deteriorated or removed metal adjunctions, which prevent its mechanical function as an operating vehicle on a public highway.
- e) **Lands** means grounds, yards or vacant lots.
- f) **Last Known Address** means that address shown on the latest revised assessment roll.
- g) **Legally Operating Business** means a business that is licensed.
2. No person shall keep lands or buildings the condition of which could create a fire or accident hazard.
3. No person shall grade, fill up or drain land so as to cause recurrent ponding of water.
4. No person being the owner of land shall permit heavy undergrowth or long grass on such lands in the hamlet areas, including Spencerville and Cardinal.
5. a) No person shall use any lands or structures for dumping or disposing, or keeping of garbage, refuse or domestic or industrial waste of any kind.

- b) Notwithstanding the provisions of subsection (a), this by-law shall not be deemed to prohibit the orderly storing of automotive and mechanical equipment, salvage and similar material which is required for business purposes as part of a legally operating business or properly maintained compost piles.
6. Nothing in this by-law shall be deemed to interfere with the filling, grading or raising of land with earth or rock fill done under legal permit from the Corporation, or done as an adjunct to building operations covered by building permits issued by the Corporation, or the disposal of waste on any lands which have been designed for that purpose by the Corporation.
7. Where any lands, buildings or structures are not maintained pursuant to the requirements of this by-law, a Municipal By-law Enforcement Officer of the Corporation shall either deliver personally upon the owner or send or cause to be sent a notice by registered mail to the owner/occupant at their last known address requiring them to make the lands conform to the requirements of this by-law and the notice shall specify the time permitted for compliance. This notice is deemed to have been served 6 days after being sent by registered mail.
8. a) Where a notice has been sent pursuant to Section 7 of this by-law and the requirements of the notice have not been complied with, the Municipal By-law Enforcement Officer may:
- fill up, drain, clean or clear up the grounds, yard or vacant land;
  - repair the private drain or alter or relay the private drain;
  - remove refuse or debris;
  - provide for the sanitary disposal of sewage and drainage;
  - remove garbage, refuse or domestic or industrial waste;
  - cover over, screen, shield or enclose domestic or industrial waste;
  - remove used motor vehicles stored for the purpose of wrecking or dismantling them or salvaging parts thereof for sale or other disposal;
  - and/or elect to carry out legal prosecution pursuant to the requirements of the Provincial Offences Act.
  - the Township shall recover the expense in doing a matter or thing referred to in Subsection a) by action, or in like manner as municipal taxes.
9. Every person who contravenes any of the provisions of this By-law is guilty of an offence and on conviction is liable to a fine pursuant to the Provincial Offences Act of not more than two thousand dollars (\$2,000.00), exclusive of costs.
10. This By-law shall come into force and take effect upon its final passage.
11. This By-law repeals Township of Edwardsburgh By-law 96-04 and Village of Cardinal By-law 00-5.

Read a first and second time in open Council this 1<sup>st</sup> day of April, 2002.

Read a third and final time, passed, signed and sealed in open Council this 1<sup>st</sup> day of April, 2002.

**HEAD OF COUNCIL (-**

**CLERK (-**

