



OFFICE CONSOLIDATION

REFUSE BY-LAW

BY-LAW NUMBER 47-03

Passed by Council on June 9, 2003

Amendments:

| By-Law Number | Date Passed | Section Amended                         |
|---------------|-------------|---|
| 16-04         | Jan 26 2004 | Section 1 – Definitions<br>Section 2.10 |

Note: This consolidation is prepared for convenience only. For accurate reference, the original by-laws should be reviewed.

## **REFUSE BY-LAW 47-03**

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| <b>Section 1</b> | <b>Definitions</b>                    |
| <b>Section 2</b> | <b>General Prohibitions</b>           |
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| <b>Section 4</b> | <b>Penalties</b>                      |
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THE CORPORATION OF THE TOWNSHIP OF SCUGOG

BY-LAW NUMBER 47-03

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

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**WHEREAS** the Municipal Act S.O. 2001, as amended, provides that the council of all municipalities may pass by-laws for prohibiting the depositing of refuse or debris on land without the consent of the owner or occupant of the land;

**NOW THEREFORE**, the Council of the Corporation of the Township of Scugog enacts as follows:

**DEFINITIONS**

**SECTION 1.**

In this by-law,

- (a) "Council" means the Council of the Corporation of the Township of Scugog;
- (b) "Domestic Garbage" 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;
- (c) "Highway" means a common and public highway as defined in the *Highway Traffic Act*;
- (d) "Land" means any and all lands, both private and public, within the Township of Scugog and includes highways, bridges, culverts, ditches and parks;
- (e) "Manufacturer's/Industrial Waste" shall include but not be limited to:
  - (a) mineral, metal or chemical products
  - (b) material resulting from construction (alteration, repair, demolition or removal) of any building or structure including: wood and wood by-products, concrete, asphalt, asphalt shingles, rubble, drywall and compounds
  - (c) mud, sand, soil, aggregate and inert fill

- (d) wire, piping, tubing, cable and conduit including their component parts;
- (f) “Municipal Law Enforcement Officer” means a Municipal Law Enforcement Officer appointed to enforce the by-laws of the Corporation of the Township of Scugog;
- (g) “Normal Waste Pick Up Day” means the day determined by the Township and Regional Waste Management Program as the day of refuse pick up by the Region.
- (h) “Person” means an individual, business or corporate entity;
- (i) “Police Officer” means a Police Constable of the Regional Municipality of Durham and of the Ontario Provincial Police;
- (j) “Peace Officer” has the same meaning as it has in The Criminal Code of Canada R.S. 1985, c. C-46, as amended;
- (k) “Refuse” or “Debris” shall include but is not limited to:
- animal waste and/or excrement
  - carcass, hides, bones or feathers of any animal or bird
  - celluloid cuttings, moving picture film, oil or gasoline soaked or any combustible material
  - Domestic garbage
  - grass cuttings and leaves
  - hay, straw and manure
  - Manufacturer’s industrial waste
  - sawdust and/or shavings
  - sewage and paper sludge
  - snow and ice
  - swill or organic material
  - tree branches or roots
  - wrecked, dismantled, discarded, inoperative or abandoned machinery, vehicles, trailers, boats and/or their component parts including tires;
- (l) “Township” means the Corporation of the Township of Scugog;

## **GENERAL PROHIBITIONS**

### **Section 2.**

- 2.1 No person shall, knowingly or unknowingly, throw, place or deposit refuse or debris on any Land, within the limits of the Township of Scugog, without the written consent of the owner or occupant of the Land.
- 2.2 No person shall, knowingly or unknowingly, permit or cause to permit any person to throw, place or deposit refuse or debris on any Land, within the limits of the Township of Scugog, without the written consent of the owner or occupant of the Land.

- 2.3 No person shall, knowingly or unknowingly, throw, place or deposit, refuse or debris on any Highway or bridge within the Township of Scugog.
- 2.4 No person shall, knowingly or unknowingly, permit or cause to permit any person to throw, place or deposit refuse or debris on any Highway or bridge within the Township of Scugog.
- 2.5 No person shall, knowingly or unknowingly, obstruct any ditch or culvert, upon any Highway within the Township of Scugog, by throwing, placing or depositing, refuse or debris into any ditch or culvert.
- 2.6 No person shall, knowingly or unknowingly, permit or cause to permit, any person to obstruct any ditch or culvert, upon any Highway within the Township of Scugog, by throwing, placing or depositing, refuse or debris into any ditch or culvert.
- 2.7 No person shall, knowingly or unknowingly, obstruct, encumber, injure or foul a Highway or bridge within the Township of Scugog.
- 2.8 No person shall, knowingly or unknowingly, permit or cause to permit any person to obstruct, encumber, injure or foul any Highway or bridge within the Township of Scugog.
- 2.9 Without limiting the generality of sections 2.7 and 2.8; every person shall take all necessary steps to prevent building material, waste or soil from being spilled or tracked onto the Highways by vehicles delivering materials to or removing materials from Lands during the course of the erection, alteration, repair or demolition of any building thereon and, in addition to any penalty otherwise provided by law, the owner or occupant of such lands shall be responsible to the Township for the cost of removing such building material, waste or soil.
- 2.10 No person shall place or cause to be placed, any domestic waste or other material meant for normal municipal waste pick up day, at the roadside or other designated area for pick up prior to four o'clock in the afternoon on the preceding day of the normal waste pick up day. 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 forenoon on the day following the normal waste pick up day.

## **ADMINISTRATION and ENFORCEMENT**

### **Section 3**

- 3.1 This by-law shall be administered by the Municipal Law Enforcement Officer.
- 3.2 This by-law shall be enforced by the Municipal Law Enforcement Officer or a Peace Officer of the Province of Ontario.

## **PENALTIES**

### **Section 4**

- 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.

## **SCHEDULES**

### **Section 5**

- 5.1 Schedule "A" (short form wording) attached hereto does not form part of this By-law.

## **SHORT TITLE**

### **Section 6**

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

## **REPEAL OF BY-LAWS**

### **Section 7**

- 7.1 By-law 22-91 is hereby repealed in its entirety.

## **SEVERABILITY**

### **Section 8**

- 8.1 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.

## **DATE EFFECTIVE**

### **Section 9**

- 9.1 This By-law shall come into force as of the date of its passing.

Read a First, Second and Third time and finally passed this 9<sup>th</sup> day of June, 2003.

(signed) Doug Moffatt  
MAYOR, Doug Moffatt

(signed) Kim Coates  
CLERK, Kim Coates

## SCHEDULE "A"

### THE CORPORATION OF THE TOWNSHIP OF SCUGOG (Being a By-law for the prohibition of the depositing of refuse or debris on land within the Township)

| SECTION | OFFENCE   | SET FINE |
|---------|---|----------|
| 2.1     | Deposit refuse on Land without consent.                                     | \$200.00 |
| 2.2     | Permit or cause to permit the depositing of refuse on Land without consent. | \$200.00 |
| 2.3     | Deposit refuse on Highway or bridge.  | \$200.00 |
| 2.4     | Permit or cause to permit the depositing of refuse on Highway or bridge.    | \$200.00 |
| 2.5     | Obstruct ditch or culvert.  | \$200.00 |
| 2.6     | Permit or cause to permit the obstruction of a ditch or culvert.            | \$200.00 |
| 2.7     | Foul Highway or bridge.   | \$200.00 |
| 2.8     | Permit or cause to permit the fouling of a Highway or bridge.               | \$200.00 |