

THE CORPORATION OF THE
TOWNSHIP OF WAINFLEET

BY-LAW NO. 1275-92

Being a by-law to provide for Maintaining
Land in a Clean and Clear Condition.

WHEREAS Section 210 of The Municipal Act, R.S.O. 1990, Chapter M.45 provides that Municipal Councils may pass by-laws.

- 210 80. For requiring and regulating the filling up, draining, cleaning, clearing of any grounds, yard and vacant lots.
82. For prohibiting the throwing, placing or depositing of refuse or debris on private property or on property of the Municipality or any local board thereof without authority from the owner or occupant of such property.

NOW THEREFORE the Council of the Corporation of the Township of Wainfleet HEREBY ENACTS AS FOLLOWS:

1. In this by-law:

- (a) "inoperative motor vehicle" means a vehicle having missing parts, including tires or damaged or missing glass or deteriorated or removed metal adjunctions, which prevents its mechanical function or is not plated for the current year.
- (b) "officer" means a Township of Wainfleet By-law Enforcement Officer.
- (c) "region" means the Regional Municipality of Niagara.
- (d) "Township" means the Corporation of the Township of Wainfleet.
- (e) "waste material" means any article, thing or matter that appears to have been cast aside or discarded or abandoned, whether of any value or not, or appears to be used up in whole or in part, or expended, or worn out in whole or in part. Without restricting the generality of the foregoing, waste material shall include:
- (i) garbage, refuse, debris, litter, grass clippings, tree and garden cuttings, brush and leaves.
- (ii) containers such as crockery, dishes, glassware, bottles, plastic containers and cans.
- (iii) paper, cardboard, clothing.
- (iv) weighty or bulky materials such as stoves, refrigerators, and other such appliances, furniture, furnace parts, pipes, water or fuel tanks.
- (v) inoperative motor vehicles.
- (vi) broken concrete or asphalt pavement, patio/sidewalk slabs, unused building materials.
- (vii) materials resulting from or as part of construction, alteration, repair or demolition of any building or structure.

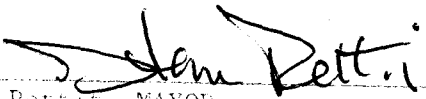
2. Every owner, lessee or occupant shall keep his grounds, yards or vacant lots free and clear of all waste materials.

3. Every owner, lessee or occupant shall fill up and restore all broken or uneven ground to a level and safe condition.
4. No person shall place any waste materials on any private property without the written authority of the owner or occupant of the property.
5. No person shall place any waste materials on Township property or Regional property without the written authority of the Township or Region and where such property is occupied by a person other than the owner, without the written authority of the occupant.
6. (a) Where an owner, lessee or occupant fails to comply with Sections 2 or 3 of this by-law, the Officer may:
 - (i) remove the waste materials,
 - (ii) fill up and restore the broken ground to a level and safe condition.
- (b) Where any waste materials are removed in accordance with subsection (a), the waste materials may be immediately disposed of by the Officer.
- (c) The Township shall recover the expense of removing any waste materials by action, or in a like manner as municipal taxes.
7. Every person who contravenes any of the provisions of this by-law is guilty of an offence and may be subject to prosecution under the Provincial Offences Act.
8. By-law No. 1260-92 shall be and is hereby repealed.
9. This by-law shall come into force, take effect and be passed on the third reading and final passage thereof.
10. The short title of this by-law is the Waste Materials By-law.

BY-LAW READ A FIRST TIME THIS 30th DAY OF SEPTEMBER, 1992.

BY-LAW READ A SECOND TIME THIS 30th DAY OF SEPTEMBER, 1992.

BY-LAW READ A THIRD TIME AND FINALLY PASSED THIS 8th DAY OF SEPTEMBER, 1992.


Stan Pettit, MAYOR


A.C. Guiler, CLERK-TREASURER