

# CORPORATION OF THE TOWN OF TILLSONBURG

## By-law Number 3105

BEING A BY-LAW TO prohibit the dumping of refuse and debris on private or public property.

WHEREAS Section 130 of the Municipal Act 2001, S.O. 2001, CHAPTER 25, authorizes a municipality to regulate matters related to health, safety and well-being of the inhabitants of the municipality;

AND WHEREAS Section 425 of the Municipal Act 2001, S.O. 2001, CHAPTER 25, provides that any person who contravenes any by-law of the municipality or of the board, as the case may be, passed under the Municipal Act, S.O. 2001, is guilty of an offence.

AND WHEREAS Section 427 of the Municipal Act 2001, S.O. 2001, CHAPTER 25, provides that if a municipality has authority by by-law or otherwise to direct or require that a matter or thing be done, the municipality may, in the same or another by-law direct that, in the default of it being done by the person directed or required to do it, such matter or thing shall be done at the person's expense.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF TILLSONBURG HEREBY ENACTS AS FOLLOWS:

### **1. Definition**

In this by-law,

1. "inspector" means a person designated by the Council of the Town of Tillsonburg to enforce the provisions of its by-laws;
2. "owner" shall mean the owner or occupant or person in charge of any premises;
3. "premises" shall mean any grounds, yard or vacant lot;
4. "refuse" or "debris" shall mean any waste material of any kind and, without limiting the generality of the foregoing, shall include garbage, junk, tin cans, old or decayed lumber, discarded, deserted or inoperable machinery including automobiles and parts thereof or therefor, furniture and construction materials;

"Town" shall mean the Corporation of the Town of Tillsonburg.

### **2. Vacant Lots**

No owner shall dump, place, deposit or permit to be dumped, placed or deposited on any grounds, yards or vacant lots within the Town of Tillsonburg any refuse or debris and, without limiting the generality of the foregoing, this shall include automobiles or parts thereof.

### **3. Town-Owned Land and Private Property**

- (1) No person shall throw, place or deposit any refuse or debris on private property or on any lands owned by the Town or any local board thereof, unless such person has been authorized

by the owner or occupant to do so, or unless it is placed at the curbside on the appropriate collection day and is appropriately tagged with a valid County of Oxford bag tag.

(2) No person shall aid or assist any person to throw, place or deposit any refuse or debris on private property or public lands or permit the use of his or her property to be utilized for such a purpose.

(3) Any person who has violated subsections (1) and (2) of this section shall immediately remove or cause to be removed all refuse or debris to the satisfaction of the Town.

#### **4. Expenses**

Wherever this by-law directs or requires any matter to be done, in default of its being done by the person directed or required to do it, such matter or thing shall be done by the Town or its agents at the expense of such person, and the Town may recover all expenses so incurred by action or in like manner as municipal taxes.

#### **5. Exemption**

Nothing in this by-law shall apply to any licensed salvage yard.

#### **6. Consequences**

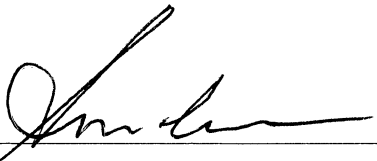
Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine in the amount provided for by section 62 of the Provincial Offences Act, or any successor legislation in substitution therefor.

#### **7. By-law Repealed**

By-law 3071 is hereby repealed.


Read a first and second time this 13th day of April, 2004.

Read a third time and finally passed this 13<sup>th</sup> day of April, 2004.



---

Mayor – Stephen Molnar



---

Clerk – Michael Graves

SCHEDULE "A"  
To By-law No. 3105

IT	COLUMN 1 Short Form Wording	COLUMN 2 Provision creating or defining offence	COLUMN 3
1.	Owner - dump debris on own lands	2	\$500.00
2.	Person - dump debris on private or public lands	3(1)	\$500.00
3.	Owner - fail to tag garbage	3(1)	\$500.00
4.	Person - assisting dumping debris on private or public lands	3(2)	\$500.00
5.	Person - fail to immediately remove debris	3(3)	\$500.00
NOTE: The penalty provision for the offences indicated above is section 6 of By-law No. 3105.			