

THE CORPORATION OF THE TOWN OF PARRY SOUND

BY-LAW NO: 2004-4681

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Being a By-law to prohibit the throwing, placing or depositing of refuse or debris on private, on property of the municipality or on property of the municipality of any local board thereof without authority from the owner or occupant of such property

WHEREAS pursuant to section 127 of the Municipal Act, S.O. 2001, c. 25, as amended, a by-law may be passed by Council for prohibiting the depositing of refuse or debris on land without the consent of the owner or occupant of the land; and

WHEREAS the Corporation of the Town of Parry Sound deems it necessary to regulate 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 TOWN OF PARRY SOUND ENACTS AS FOLLOWS:

Definitions:

1. In this by-law,
 - a) "Corporation" means the Corporation of the Town of Parry Sound;
 - b) "Local board" means any school board, public utility commission, public library board, local board of health, board of Commissioners of police or any other board, commission, committee board or local authority under any general or special Act with respect to the affairs or purposes, including school purposes, of the Town of Parry Sound of any part thereof;
 - c) "Owner" includes the registered, occupant, tenant, person for the time being managing or receiving the rent of the property whether on his own account or on account of an agent or trustee of any other person, or any one of the aforesaid;
 - d) "Private Property" means property which is privately owned and is not Town property or property of a local board, or property of the Crown in right of Ontario, the Crown in right of Canada or any emanations thereof;
 - e) "Property" means lands, tenements and hereditaments and any estate or interest therein and any right or easement affecting the land;
 - f) "Refuse or debris" includes but is not limited to, garbage, ashes, rubbish, builder's and building contractors refuse, other industrial waste, inoperative vehicles and motor vehicle parts and accessories;

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- g) "Domestic Waste" includes household garbage, vegetables, fruits, furniture, clothing, household effects, septic tank liquor, wet and dry sewage disposal sludge, contents of privy vaults, cesspools and holding tanks for human excrement;
- h) "Town Property" means any land situated within the municipality which is owned by the Corporation or controlled by the Corporation by lease or otherwise;

Throwing of Refuse and Debris:

- 2. (i) No person shall throw, place or deposit refuse, debris or domestic waste upon private property without the consent of the owner of the property.
 - (ii) No person shall throw, place or deposit refuse, debris or domestic waste on Town property without the written consent of the Corporation.
 - (iii) No person shall throw, place or deposit refuse, debris or domestic waste on the property of a local board which property is situated in the Town of Parry Sound, without the written consent of the local board.
3. The owner of any ground, yard, vacant lot or property where there is refuse or debris, shall remove such refuse or debris from the land so that land is left in a clean condition.

Signage:

4. The presence of a "No Dumping" sign shall be deemed to indicate a lack of consent on the part of the owner.

Penalty:

5. Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine, to a maximum of \$5,000.00, as provided for under the provisions of the Provincial Offences Act, R.S.O., 1990, C.P. 33, as amended.

Severability/validity:

6. If any section or sections of this by-law or parts thereof are found by a Court of law to be illegal or beyond the powers of Council to enact, such section or sections or parts thereof shall be deemed to be severable and all other sections or parts of this by-law shall be deemed to be separate and independent therefrom and to be enacted as such.

Repeal of By-law:

7. That By-law 83-2990 is hereby revoked.

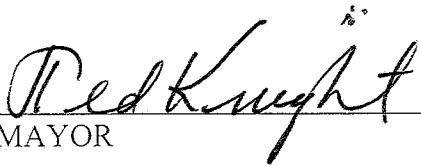
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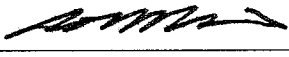
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8. That this By-law shall come into force and take effect upon the final passing thereof.

READ a **FIRST** time this 20th day of April, 2004



MAYOR


CLERK

READ a **SECOND** and **THIRD** time, PASSED, SIGNED and SEALED

this 20th day of April, 2004.


MAYOR


CLERK