

The Corporation of the
TOWNSHIP OF THE ARCHIPELAGO

BY-LAW NO. 14-29 :

Being a By-law to Require and Regulate the Filling Up, Draining,
Cleaning and Clearing of any Grounds, Yards or Vacant Land
and to Repeal By-law No. 04-21

WHEREAS pursuant to section 10(2) of the *Municipal Act, 2001, S.O. 2001, c.25* as amended, provides that a single-tier municipality may pass by-laws respecting the health, safety and well-being of persons and for the economic, social and environmental well-being of the municipality;

AND WHEREAS pursuant to section 127 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, provides that a local municipality may:

- a) require the owner or occupant of land to clean and clear the land, not including buildings, or to clear refuse or debris from the land, not including buildings;
- b) regulate when and how matters required under clause (a) shall be done;
- c) define "refuse" for the purpose of section 127 of the *Municipal Act, 2001, S.O. 2001*, as amended.

AND WHEREAS pursuant to section 446 of the *Municipal Act, 2001, S.O. 2001, c. 25* as amended, a municipality that has the authority under the *Municipal Act* or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense and, the municipality may recover the costs of doing so by adding the costs to the tax roll and collecting them in the same manner as property taxes;

NOW THEREFORE BE IT ENACTED as a by-law of the Council of the Corporation of the Township of The Archipelago, as follows:

1. In this By-law:

- a) "By-Law Enforcement Officer" means the By-law Enforcement Officer of the Corporation.
- b) "Corporation" means the Corporation of the Township of The Archipelago.
- c) "Owner" includes any person registered as the owner of any grounds, yard or vacant lot and the person or persons able to exercise the rights of ownership with respect to any grounds, yard or vacant lot.
- d) "Premises" means any grounds, yard or vacant land.

- e) "Refuse" means and includes refuse, rubbish, debris, or neglected material of kind whatsoever and without limiting the generality of the foregoing includes a motor vehicle that appears by reason of its age, appearance, mechanical condition or lack of current license plates to be inoperative; inoperative mechanical equipment, machinery, automotive or mechanical parts, derelict vessel, neglected furniture, old clothing, garden refuse, earth or rock fill, old or decayed lumber, material from construction or demolition projects, and other vehicles, machinery, equipment, materials or structures apparently not in use in their existing location.

2. GENERAL PROVISIONS

- a) Every owner shall keep their premises clean of refuse.

3. NOTICE OF VIOLATION

- a) A By-law Enforcement Officer may, by notice sent by registered mail to the owner or occupant of the premises, or by posting the notice in a conspicuous place on the premises, or by delivering the notice personally to the owner or occupant, require the owner or occupant within the time specified within the notice, to clean or clear or remove from the premises, any refuse, litter, etc.
- b) A notice mailed to an owner shall be mailed to the address of the owner as shown on the last revised assessment roll or to the last known address of the owner.
- c) A notice mailed to an occupant shall be mailed to the premises or to the last known address of the occupant.

4. ENTRY ON PREMISES

- a) A By-law Enforcement Officer may enter at all reasonable times upon any premises or property to ascertain whether the provisions of this By-law are obeyed and to enforce and carry into effect the provisions of this By-law.
- b) No person shall hinder or obstruct, or attempt to hinder or obstruct, a By-law Enforcement Officer from carrying out inspections of premises or property to ensure compliance with this By-law.
- c) A By-law Enforcement Officer must upon request, display or produce property identification.

5. DEFAULT

- a) Where the owner or occupant fails to comply with a notice pursuant to this By-law, a By-Law Enforcement Officer may cause the work to be done by the notice and the Township may recover the expense of so doing by adding the costs to the tax roll and collecting them in the same manner as property taxes.

6. PENALTY

- a) Any person who contravenes any provision 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, cP.22*, as amended.

7. REPEALED

a) By-law No. 04-21 is hereby repealed.

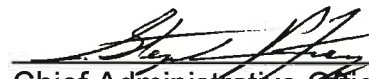
8. This By-law shall come into force and take effect on the day of the final passing thereof.

READ and FINALLY PASSED in OPEN COUNCIL this June 13th day of June, 2014.

THE CORPORATION OF THE TOWNSHIP OF THE ARCHIPELAGO



REEVE



Chief Administrative Officer/Clerk

