

THE CORPORATION TOWN OF MATTAWA

COMMITTEE: BY-LAW DEPARTMENT

CHAIRPERSON: COUNCILLOR L. PERREAULT

DEPT. HEAD: WAYNE P. BELTER

TITLE: LITTERING BY-LAW

Draft By-Law Item Policy Recommendation

Mayor D. Backer and Members of Council:

The existing littering By-Law No. 92-17, as amended, has been in use for twenty years. As a housekeeping exercise the By-Law has been updated reflecting the powers of the municipality to pass By-Laws to prohibit the throwing, placing or depositing of refuse or debris on private property or on streets and property of the municipality under the Municipal Act, R.S.O., 2001.

The intent and wording of the former littering by-law has been kept intact and fines and penalties are being sought for the first time.

Recommendation:

That the Town of Mattawa adopts By-Law No. 12-17 which is a new Littering By-Law passed under the Municipal Act, R.S.O., 2001.

Respectfully recommended

Councillor L. Perreault

THE CORPORATION OF THE TOWN OF MATTAWA – SET FINE
PART1 – PROVINCIAL OFFENCES ACT

LITTERING BY-LAW NO.12-17

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
1	Unlawfully deposit, drop scatter, spill, throw any filth, Earth, ashes, garbage, paper, handbill, advertisement, Vegetables, stone, lime, sand, tin or wood in or upon a Municipal street or property.	1	\$80.00
2	Unlawfully permit or allow to permit any paper, handbill, advertisement, container or any other refuse or debris to be blown from private property on to a municipal street or property.	2	\$80.00
3	Owner or occupier to allow any part of a tree or shrub Or sapling to extend over or upon any street so as to Interfere, impede or endanger any person using the streets.	3	\$105.00

The penalty provisions for the offences indicated above is section 4 of By-Law No. 12-17. A certified copy of which has been filed.

**CORPORATION OF THE TOWN OF MATTAWA
BY-LAW NUMBER 12-17**

BEING A BY-LAW TO PROHIBIT THE LITTERING ON MUNICIPAL STREETS AND MUNICIPAL PROPERTY AND PRIVATE PROPERTY IN THE TOWN OF MATTAWA.

WHEREAS Section 127 (c) of the Municipal Act, R.S.O., 2001 empowers municipalities to pass By-Laws to prohibit the throwing, placing or depositing of refuse or debris on private property or on streets and property of the municipality.

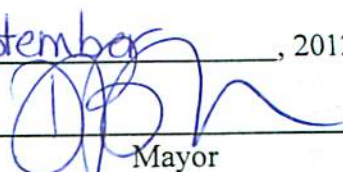
AND WHEREAS the council of the Corporation of the Town of Mattawa deems it desirable to prohibit the littering on municipal streets and municipal property as well as private property in the Town of Mattawa.

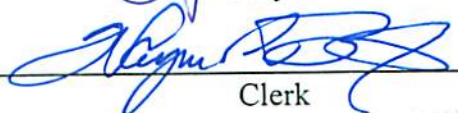
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MATTAWA ENACTS AS FOLLOWS:

1. No person shall deposit, drop, scatter, spill or throw any ashes, garbage, paper handbill advertisement or any vegetable matter, stone, lime, sand, tin or wood, in or upon a municipal street or municipal property.
2. No person shall permit or allow any paper, handbill, advertisement or any container, whether made in plastic, cardboard or paper, to be blown from private property on to a municipal street or municipal property.
3. No person being the owner or occupier of land allow any part of a tree, shrub, or sapling to extend over or upon any street so as to interfere with, impede or endanger any person using the streets.
4. Any person or persons who contravenes any provisions of this by-law is guilty of an offence and such fines shall be recoverable under the Provincial Offences Act.
5. When a person has been convicted of an offence under this by-law, the Divisional Court or competent jurisdiction thereafter may, in an addition to any other penalty imposed on the person convicted, issue and order prohibiting the continuation or repetition of the offence of the doing of any act by the person convicted directed toward the continuation or repetition of the offence.

By-Law No. 92-17 is hereby repealed.

READ, PASSED AND ADOPTED this 10th day of September, 2012.



Mayor


Clerk