

CORPORATION OF THE TOWN OF MATTAWA



DATE: MONDAY, MARCH 13TH, 2023

Page No 62 Resolution No: 23-64

MOVED BY COUNCILLOR LAURA ROSS

SECONDED BY COUNCILLOR LOREN MICK

RESOLUTION:

BE IT RESOLVED THAT Council of the Corporation of the Town of Mattawa adopt By-Law Number 23-08 which is a by-law to amend the Clean Yards By-Law, Schedule of Fees.

Recorded Vote – Yes _____ No

Recorded Vote Requested by:

	Yea	Nay
Mayor Bélanger	<input checked="" type="checkbox"/>	_____
Councillor Gardiner	_____	_____
Councillor Sarrazin	<input checked="" type="checkbox"/>	_____
Councillor Levesque	<input checked="" type="checkbox"/>	_____
Councillor Mick	<input checked="" type="checkbox"/>	_____
Councillor Ross	<input checked="" type="checkbox"/>	_____
Councillor Thibert	<input checked="" type="checkbox"/>	_____

RA Bélanger

MAYOR

Deferred _____ Tabled _____ Lost _____ Carried

Declaration of Pecuniary Interest:

Disclosed his/her/their interest(s), vacated he/her/their seat(s), abstained from discussion and did not vote

THE CORPORATION OF THE TOWN OF MATTAWA

BY-LAW NUMBER 23-08

BEING a By-Law to amend By-Law No 21-12, being a by-law of the Town of Mattawa to provide for the maintenance of land in a clean and clear condition (Clean Yards By-law).

WHEREAS subsection 11(2) of the *Municipal Act, 2001, S.O. 2001, c 25*, as amended provides, inter alia, that a municipality may pass by-laws respecting the environmental well-being of the municipality, the health, safety and wellbeing of persons and the protection of persons and property;

AND WHEREAS Section 127 of the *Municipal Act, 2001 S.O. 2001, c 25* as amended, provides that a local municipality may require the owner or occupant of land to clean and clear land, not including buildings, or to clear refuse or debris from the land, not including buildings; regulate when and how cleaning and clearing shall be done; and prohibit the depositing of refuse or debris on land without the consent of the owner or occupant of the land;

AND WHEREAS section 128 of the *Municipal Act, 2001 S.O. 2001, c. 25* as amended provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

AND WHEREAS section 131 of the *Municipal Act, 2001, S.O. 2001, c 25* as amended provides that a local municipality may prohibit and regulate the use of any land for the storage of used motor vehicles for the purpose of wrecking or dismantling them or salvaging parts from them for sale or other disposition;

AND WHEREAS section 391 of the *Municipal Act, 2001, S.O. 2001, c 25*, as amended provides that a municipality may impose fees or charges on any persons for services or activities provided or done by or on behalf of it;

AND WHEREAS section 446 of the *Municipal Act, 2001, S.O. 2001, c 25*, as amended authorizes the municipality 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, Section 446(2) provides that a municipality may enter upon land at any reasonable time and Section 446(3) provides that the municipality may recover the costs of doing a matter or thing from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

AND WHEREAS Part XIV of the *Municipal Act, 2001, S.O. 2001, c. 25* as amended provides for the enforcement of municipality by-laws.

NOW THEREFORE the Council of the Corporation of the Town of Mattawa enacts as follows:

1. **THAT** By-Law No. 21-12, as amended, be amended as follows:
2. **THAT** Section 6 General Provisions be amended by adding section 6.12 attached hereto:

"6.12 A maximum of two thirty (30) day Compliance Date Extensions may be granted upon request and receipt of the Compliance Date Extension fees as listed in the Town of Mattawa Consolidated Fees and Charges By-law. Compliance Date Extension requests must be submitted along with the applicable fee within 48 hours of the compliance date listed in the Order.

3. **THAT** Schedule "A" Set Fine Schedule is hereby deleted in its entirety and replaced with the following Schedule "A" attached hereto.
4. **THIS** By-Law shall come into force and effect upon being passed.

READ A FIRST AND SECOND TIME this 13th day of March, 2023.

READ A THIRD TIME AND FINALLY PASSED this 13th day of March, 2023.



Mayor



Clerk

SET FINE SCHEDULE

**THE CORPORATION OF THE TOWN OF MATTAWA – SET FINES
PART 1 – PROVINCIAL OFFENCES ACT**

A By-Law to provide for the maintenance of land in a clean and clear condition.

ITEM #	COLUMN 1 SHORT FORM WORDING	COLUMN 2 PROVISION CREATING OR DEFINING OFFENCE	COLUMN 3 SET FINE
1.	Fail to keep land clear of refuse/debris	2.1(a)	\$110
2.	Fail to keep land clear of domestic waste	2.1(a)	\$110
3.	Fail to keep land clear of industrial waste	2.1(a)	\$250
4.	Fail to keep land clear of objects potentially creating a health hazard/ fire hazard	2.1(a)	\$300
5.	Fail to keep land clear of conditions potentially creating a health hazard/ fire hazard	2.1(a)	\$300
6.	Fail to keep land clear of objects potentially creating an accident hazard	2.1(a)	\$300
7.	Fail to keep land clear of conditions potentially creating an accident hazard	2.1(a)	\$300
8.	Fail to keep land clear of infestation	2.1(b)	\$110
9.	Fail to trim or cut turf grass more than 20.32 cm in height	2.1(c)	\$110
10.	Fail to trim or cut weeds more than 20.32 cm in height	2.1(c)	\$110
11.	Fail to cut vegetation more than 20.32 cm in height in a natural area within a one meter strip of lot line	2.1(d)	\$110
12.	Fail to cut vegetation more than 20.32 cm in height in a natural area within a two meter strip of a sidewalk	2.1(d)	\$110
13.	Fail to trim or cut vegetation	2.1(e)	\$110
14.	Fail to keep land free from standing/stagnant water	2.1(f)	\$110
15.	Fail to keep land free from holes/excavations	2.1(f)	\$110
16.	Fail to keep land free from dead/diseased/decayed/damaged trees	2.1(g)	\$110
17.	Fail to keep land free from overhanging hedges adjacent to public walkway	2.1(h)	\$110
18.	Fail to keep land free from overhanging trees adjacent to public walkway	2.1(h)	\$110
19.	Fail to keep land free from overhanging trees adjacent to public roadway	2.1(h)	\$110
20.	Fail to keep land free from overhanging hedges adjacent to public roadway	2.1(h)	\$110
21.	Cause an unfenced pit without a temporary barrier at least 1.2 metres in height	2.2(a)	\$110
22.	Permit an unfenced pit without a temporary barrier at least 1.2 metres in height	2.2(a)	\$110
23.	Cause an unfenced excavation without a temporary barrier of 1.2 metres in height	2.2(a)	\$200
24.	Permit an unfenced excavation without a temporary barrier of 1.2 metres in height	2.2(a)	\$200
25.	Cause an unfenced hole without a temporary barrier of 1.2 metres in height	2.2(a)	\$200

NOTE: the general penalty provision for the offenses listed above is section 11 of the By-law 21-12, as amended, a certified copy of which has been filed

SET FINE SCHEDULE

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ITEM #	COLUMN 1 SHORT FORM WORDING	COLUMN 2 PROVISION CREATING OR DEFINING OFFENCE	COLUMN 3 SET FINE
26.	Permit an unfenced hole without a temporary barrier of 1.2 metres in height	2.2(a)	\$200
27.	Fail to keep a swimming pool/hot tub in good repair	2.1(b)	\$110
28.	Fail to keep a swimming pool/hot tub in working condition	2.1(b)	\$110
29.	Fail to keep an artificial pond in good repair	2.1(b)	\$110
30.	Fail to keep an artificial pond in working condition	2.1(b)	\$110
31.	Throw refuse/debris on Town property without consent	2.2(c)	\$110
32.	Place refuse/debris on Town property without consent	2.2(c)	\$110
33.	Deposit refuse/debris on Town property without consent	2.2(c)	\$110
34.	Throw or place refuse/debris on any property without consent	2.2(d)	\$110
35.	Deposit refuse/debris on any property without consent	2.2(d)	\$110
36.	Permit composting other than allowed	4.1	\$110
37.	Store inoperative motor vehicles	5.1(a)	\$110
38.	Store unlicensed motor vehicles	5.1(b)	\$110
39.	Store vehicle parts/components	5.1(c)	\$110
40.	Store wrecked/dismantled/discarded machinery	5.1(d)	\$110
41.	Store inoperative /abandoned machinery	5.1(d)	\$110
42.	Store wrecked/dismantled/discarded/inoperative trailers	5.1(d)	\$110
43.	Store wrecked/dismantled/discarded/inoperative/abandoned boats	5.1(d)	\$110
44.	Hinder/Obstruct an officer	7.4	\$300
45.	Provide false information to an officer	8.2	\$300
46.	Provide a false statement to an officer	8.2	\$300
47.	Person does not comply with an order	8.3	\$300

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