

The Corporation of the Township of Guelph/Eramosa

By-law Number 35/2003

A by-law to regulate the disposal of refuse or debris within the Township of Guelph/Eramosa and repeal Guelph Township By-law 22/82.

WHEREAS Section 326(2), of the *Municipal Act, S.O. 2001, c.25*, as amended, authorizes permits municipalities to pass by-laws for special services; and

WHEREAS the Corporation of the County of Wellington has passed By-law 4547-03, being a by-law to establish, maintain and operate facilities to provide for the transfer and disposal of waste and recyclable materials; and

WHEREAS Section 126(c) of the *Municipal Act, S.O. 2001, c.25*, as amended, permits municipalities to pass by-laws prohibiting the throwing, placing, or depositing of refuse or debris on private property or on property of the municipality; and

WHEREAS it is desirable to prohibit the throwing, placing or depositing of refuse or debris in any place in the Township other than the County of Wellington landfill site.

NOW THEREFORE the Council of the Township of Guelph/Eramosa enacts as follows:

1. In this by-law, refuse and debris shall have the meanings normally ascribed to them and, without limiting the generality of the foregoing, shall include:
 - 1.1 The portions and containers of food unused or discarded in the preparation, serving and consuming thereof.
 - 1.2 All discarded material arising or resulting from the operation of households, business establishments and public places; and
 - 1.3 Brush, stones, surplus concrete or asphalt, broken concrete or asphalt.
2. **GENERAL DUTIES AND OBLIGATIONS TO COMPLY**
 - 2.1 No person shall spill, scatter, deposit, throw, cast, lay or cause to be thrown any refuse or debris on any street, lane, alley, laneway, roadway, road allowance, public or private way, or in any public square, place or private lot.
 - 2.2 Materials applied to land for agricultural purposes are exempt from the provision of this by-law.
3. **GENERAL PROVISIONS**
 - 3.1 The Municipal Law Enforcement Officer appointed by the Corporation of the Township of Guelph/Eramosa shall enforce this by-law.

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- 3.2 Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine or penalty of \$5000.00 (Five Thousand Dollars) for each offence, exclusive of the costs, as prescribed by the *Provincial Offences Act, R.S.O. 1990, cP.33*, as amended.
- 3.3 This by-law shall come into force upon receiving its short form wording and will thereupon repeal the former Township of Guelph By-law 22-82.

4. SHORT TITLE

- 4.1 This by-law may be referred to as the Dumping By-law.

READ three times and finally passed
this 16th day of **June, 2003**.

David Adsett, Mayor

Janice Sheppard, Clerk

Township of Guelph/Eramosa

Part 1 Provincial Offences Act

**By-law No. 35/2003, as amended,
a by-law regulating dumping in the
Township of Guelph/Eramosa**

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine (includes costs)
1	Throwing, placing or depositing debris.	Sec. 2.1	\$250.00

NOTE: The general penalty provision for the offences listed above is section 61 of the Provincial Offences act, R.S.O. 1990, c.P.33.