

**The Corporation of the Town of Grimsby  
By-law 17-17**

**A By-law respecting litter, yard waste and the maintenance of property for  
the Town of Grimsby**

**Whereas** Section 11 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, authorized municipalities to pass by-laws for requiring the owner or occupant of land to clean and clear the land, not including buildings, or to clear refuse and debris from the land, not including buildings and to regulate when and how such matters shall be done and to prohibit the depositing of refuse or debris on land without the consent of the owner or occupant of the land and to define "refuse" for the purpose of the by-law;

**And whereas** Section 128 (1) of the Municipal Act, 2001, S.O. 2001, c25, as amended, authorizes municipalities to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become public nuisances;

**And whereas** Section 131 of the Municipal Act, 2001, S.O. 2001, C.25, as amended, authorizes municipalities to prohibit and regulate the use of any land for the storage of motor vehicles for the purpose of wrecking or dismantling them or salvaging parts from them for sale or other disposition;

**And whereas** Section 446 of the Municipal Act, 2001, S.O. 2001, c25, as amended, authorizes municipalities to direct that where an owner has defaulted, the municipality may have the default remedied at the owner's expense and add the cost to the tax roll and the municipality may recover the expense incurred by adding the cost to the tax roll and collecting them in the same manner as property taxes;

**And whereas** Council desires to pass a by-law:

1. for the maintenance of yards by owners and occupants;
2. prohibiting the keeping of domestic and industrial waste on lands;
3. prohibiting littering on public and private land;
4. regulating the salvage of motor vehicles and their components with the intent of promoting proper recycling and reuse of resources, the limiting of waste and wasteful practices, the limiting or eliminating of nuisances, particularly from waste and naturalized areas to other properties in the municipality and the limiting and eliminating of other unhealthy practices and conditions arising from litter, refuse or neglect.

**Now therefore** the Council of the Corporation of the Town of Grimsby enacts as follows:

**Section 1 - General Provisions**

**1.1 Short Title**

- 1.1.1. This By-law shall be known as the "Clean Yards By-law".

**1.2 Definitions**

1.2.1 In this By-law

1. "Agricultural operation" means an agricultural operation as defined by the Farm and Food Protection Act";
2. "Town" means the Corporation of the Town of Grimsby or the geographical area of the municipality, as the context requires;

3. "Chief building official" means the Chief Building Official appointed by Council under the Building Code Act, S.O. 1992, c.23 as amended, or the person who is appointed to act in that capacity during his or her absence;
4. "Domestic waste" means any debris, rubbish, refuse, sewage, effluent, discard, or garbage of a type arising from a residence belonging to or associated with a house or residential property, which for greater certainty includes all garbage, discarded material or things, broken or dismantled things, and materials or things exposed to the elements, deteriorating or decaying on a property due to exposure or the weather, and for even greater certainty, it is hereby declared that "domestic waste" includes but is not limited to the following classes of materials regardless of the nature or condition of the material, article or thing:
  - a. broken or tom bits of twigs, splinters or rages, tree cuttings or cut limbs and brush from any shrub or tree, waste lumber, except only cut and stacked firewood for use in a fireplace on the property;
  - b. paper, paper cartons, and other paper products;
  - c. rotting vegetable matter, or rotting animal matter, unless it is contained in an appropriate composting container;
  - d. disconnected appliances, including refrigerators, stoves, dishwashers, microwaves, freezers, washers, dryers or any part or parts of such things;
  - e. electronic devices, including televisions, computers and related components, radios, amplifying devices, speakers, audio and visual players and any parts of such things;
  - f. furnaces or furnace parts, air-conditioners, ducting, pipes, heat pumps, fittings, pipes and wire;
  - g. water or fuel tanks;
  - h. inoperative vehicles or machinery, inoperative motor vehicles, and parts or accessories of such items;
  - i. inoperative bicycles, lawnmowers, engines, and mechanical tools;
  - j. accumulations, deposits, leavings or sweepings of litter, remains, rubbish, or trash or any sort, whether animal, mineral or vegetable;
  - k. broken or indoor furniture
  - l. crockery, dishes, pots and pans, and small kitchen appliances;
  - m. sewage;
  - n. animal waste product, hides, parts of carcasses other than those arising from industrial businesses legally operation on the land;
  - o. construction, demolition, repair or renovation debris or leftover from such work; and
  - p. accumulation of broken concrete, asphalt pavement, brick pavers and side walk slabs;

Domestic waste as defined in this By-law does not cease to become domestic waste by reason only that it may be commercially saleable or recyclable.

5. "Indoor furniture" means and includes any furniture intended for and made of such material that would require the furniture be sheltered from the natural elements such as rain and snow and shall include but not be limited to items such as couches, sofas, love seats, fabric covered chairs and mattresses;
6. "Industrial waste" means debris, rubbish, refuse, sewage, effluent, discard or

garbage of a type arising from industrial or commercial operations, or belonging to or associated with industry or commerce or industrial or commercial property, which for greater certainty includes all garbage, discarded material or things, broken or dismantled things, and materials or things exposed to the elements, deteriorating or decaying on the property due to exposure or the weather, and for even greater certainty it is hereby declared that "industrial waste" includes but is not limited to the following classes of material regardless of the nature or condition of the material, article or thing:

- a. debris discarded things or matter, or effluent which in whole or in part are derived from or are constituted from or consist of,
    - i. animal or vegetable matter, paper, lumber or wood; or
    - ii. mineral, metal or chemicals or fill contaminated with petrochemical or petroleum products;
  - b. piles of miscellaneous plastic, wood or metal parts, or combinations of such materials;
  - c. automotive parts not packaged for immediate shipment, inoperative vehicles, vehicle parts, inoperative mechanical equipment, mechanical parts, accessories or adjuncts to the vehicles and mechanical equipment not contained in a legal salvage yard;
  - d. motor vehicle parts, including tires, wheel rims, engines, body parts, windows, drive train components etc.;
  - e. inoperative vehicles or machinery, inoperative vehicles, and parts or accessories of such items;
  - f. piping, ducting, tubing, conduits, cable, wire and fittings or related accessories, with or without adjuncts and not packaged for immediate shipment;
  - g. material resulting from or as a part of, construction, demolition, repair or renovation projects including debris and leftovers;
  - h. rubble or fill;
  - i. bones, feathers, hides or other animal parts or carcasses;
  - j. sewage;
  - k. dust emanating from the operation of the enterprise;
  - l. ashes; and
  - m. broken bricks, concrete or asphalt.
7. "Inoperative motor vehicle" means and includes any motor vehicle other than a motor vehicle which is currently licensed, and operable and regularly driven by an owner or occupant of the property on which it is stored, unless it is permitted for the operation of a business enterprise lawfully situated on the property;
  8. "Inoperative vehicles, machinery, trailers or boats" means such items that are unable to operate as a result of being dismantled, broken or incomplete, decayed or dilapidated, and in particular includes vehicles with missing part(s), wheel(s), tire(s), engine(s), drive train or body components or window(s), unless such item is operable, not dismantled, broken or incomplete, decayed or dilapidated and its use is permitted under the zoning by-law or is necessary for the operation of a business enterprise lawfully situated on the property;
  9. "Last known address" means the address, which appears on the last revised assessment rolls of the Corporation of the Town of Grimsby
  10. "Medical Officer of Health" means the Medical Officer of Health for the Regional Municipality of Niagara;

11. "Municipally owned land" means property owned or maintained by the Corporation of the Town of Grimsby shown on the last revised assessment roll and shall include all municipal road allowances and rights of way;
12. "Naturalized area" means land or a portion of lands covered by vegetation which is landscaped and maintained with a variety of flowers or plants, with or without grasses, or left to grow a variety of indigenous plants;
13. "Occupant" means any person or persons over the age of 18 years in possession of the property;
14. "Officer" means a Municipal Law Enforcement Officer, a Building Inspector, a Fire Chief, a Deputy Fire Chief, a Fire Prevention Officer or a Health Inspector or other person appointed or employed by the City for enforcement of by-laws and includes both Police and Peace officers;
15. "Order" means any notice of non-compliance issued under this by-law;
16. "Owner" means
  - a. the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person's own account or as an agent or trustee of any other person, or who would so receive the rent if such land or premises were let, and
  - b. a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of property;
17. "Person" means and includes an individual, firm, corporation, association or partnership and includes an occupant or an owner of a property;
18. "Property" means any grounds, yard or vacant lands;
19. "Refuse" means and shall include all manner of waste, debris and sewage as provided for or defined in this by-law but does not include a building or buildings on a property, but does include parts or pieces of such structures on the property that are dismantled or are rubble, or which have become detached from a building, whether by construction, demolition, damage or deterioration and any article, thing, matter, substance or effluent that:
  - a. has been cast aside, discharged or abandoned, or
  - b. is disused from its usual and intended use, or
  - c. is used up, in whole or in part, or expanded or worn out, in whole or in part; and
  - d. shall include domestic waste and industrial waste.
20. "Regionally owned land" means property owned or maintained by the Regional Municipality of Niagara shown on the last revised assessment roll and shall include all Regional road allowances and rights of way;
21. "Sewage" means and includes any liquid waste containing human, vegetable, or mineral matter, waste that is in suspension whether domestic or industrial or any other waste whether in suspension or precipitated, but does not include roof water or storm run-off;
22. "Standing water" means any water on a property other than a natural moving body of water that exists on a permanent bases;
  - a. a body of water that is maintained in such a way so as to prevent the breeding of and/or larvae growth of mosquitos, through the operation of a re-circulation and filtration system and/or the additive of an approved substance that will prevent the breeding of and/or larvae growth of mosquitos;
  - b. any body of water containing live fish;
  - c. any body of water natural to its surrounding environment including natural ponds, bogs, marshes and wetlands;

- d. any body of water within a municipally owned or regionally owned storm water management facility;
  - e. any body of water contained for less than four (4) days.
23. "Turf grass" means ground cover comprised of one or more species of growing grass with or without trees, shrubbery or maintained planting beds for other vegetation;
24. "Vacant lands" means lands with no building(s) or having no land uses established;
25. "Vehicle" means an automobile, motorcycle, motor assisted bicycle, traction engine, farm tractor or farm machinery, road building machine, construction vehicle, bulldozer, backhoe, excavator, grader, asphalter, earth mover, compactor, crane, lift, skid steer, generator, welder, street car or other vehicle running only upon rails, motorized snow vehicle, off road vehicle, trailer, boat, bicycle, or any vehicle drawn propelled or driven by any kind of power, including but not limited to mechanical power, muscular power or wind power;
26. "Vehicle parts" means and shall include any component or element whether operable or not, used in the assembly, construction, maintenance or repair of a vehicle;
27. "Visual barrier" means a barrier that acts as a screen consisting of:
- a. a wall or fence;
  - b. a continuous planting of suitable and healthy trees or shrubs;
  - c. an earth berm; or
  - d. any combination of the above.
28. "Water course" means an identifiable depression in the ground in which a natural flow of water occasionally, regularly or continuously flows, even if the bed is sometimes dry, and even if the banks are sometimes overflowed or submerged;
29. "Weed" means a noxious weed designated by or under the Weed Control Act, R.S.O. 1990, c. W.5, including any weed designated as a local or noxious weed under a by-law of the Town passed under that Act;
30. "Yard" means land, other than publicly owned land, around and appurtenant to the whole or part of a building (and used, or capable of being used in connection with the building) whether or not the land is owned by the owner of the buildings.

### **1.3 Interpretation**

- 1.3.1** In this By-law statutory references are to statutes of Ontario and the regulations made thereunder and shall be deemed to refer to such statutes and regulations as amended, consolidated, re-enacted and in force from time to time
- 1.3.2** In this By-law, the numbering system shall be referenced in accordance with the following:
- |                |            |
|----------------|------------|
| 1              | section    |
| 1.1            | subsection |
| 1.1.1          | article    |
| 1.1.1(1)       | sentence   |
| 1.1.1(1)(a)    | clause     |
| 1.1.1(1)(a)(i) | sub clause |
- 1.3.3** This By-law shall be read with all changes of gender and number required by the context or circumstances.

### **1.4 Exemption**

- 1.4.1 The provisions and regulations of this By-law do not apply to materials or equipment directly related to construction works on lands on which construction is actively proceeding in accordance with a permit issued pursuant to the Building Code Act.
- 1.4.2 This By-law does not apply so as to prevent a farm, meeting the definition of "agricultural operation" under the Farming and Food Production Protection Act, 1998, **S.O.** c.1, from carrying out a normal farm practice as provided for and defined under that Act.

## **Section 2 - Applicable Provisions**

### **2.1 Maintenance of Property and Drains**

- 2.1.1 Every owner or occupant of land shall keep the vegetation on the property clean and cleared-up.
- 2.1.2 For the purpose of article 2.1.1, "clean" or "cleared-up" shall mean:
- (1) The removal of weeds from all turf grass areas, naturalized areas, buffer strip and perimeter strips;
  - (2) In turf grass areas, the cutting of grass so that its height is maintained below 200mm (8 in.) in height;
  - (3) In a naturalized area on a residentially used parcel abutting another residential parcel, the cutting of vegetation other than trees or shrubbery so that its height is maintained below 200 mm (8 in.) along a minimum one (1) meter (3.28 ft.) wide strip immediately adjacent to the lot lines and along all boundaries of the whole lot or parcel of land which strip is herein called a "buffer strip"; or
  - (4) In a naturalized area, other than an area described by sentence 2.1.2(3), the cutting of vegetation other than trees or shrubbery, so that its height is maintained below 200 mm (8 in.), along a minimum ten (10) metre (32.8 ft.) wide strip immediately adjacent to the lot line where the lot line adjoins a roadway or an occupied property, which strip is herein called a "perimeter strip".
- 2.1.3 For the purpose of sentence 2.1.2(1), weeds shall be destroyed by the following means:
- (1) Pulling or otherwise removing the plants from the soil;
  - (2) Cutting the roots or stalks of the plants before the seeds have developed sufficiently to ripen after cutting;
  - (3) Turning the soil in which the plants were growing so as to bury or kill the weeds; or
  - (4) In the case of poison ivy, treating it with a herbicide that causes the plants to be destroyed, or which prevents the growth of plants or the ripening of their seeds, provided that nothing in this clause exempts the application of such a herbicide from the requirement for any applicable permits nor does it authorize the use of any herbicide that is contrary to any municipal by-law or other law in force in Ontario.
- 2.1.4 No owner or occupant of land shall obstruct, or cause or permit the obstruction of a watercourse on the land.

2.1.5 Every owner or occupant of land on which there is a private drain shall keep the drain operational and in repair, and no owner or occupant of land shall obstruct, or cause or permit the obstruction of a private drain on the land, provided only that the subsequent connection of the property's private sewage system to a municipal sanitary sewer system to the municipal sanitary sewer in a manner approved by the Town, shall be permitted as a replacement to the private sanitary drain.

2.1.6 Article 1.1.1, does not apply to crops being grown by an agricultural operation.

## **2.2 - Standing Water**

2.2.1 Every owner or occupant of land shall keep the land free of standing water.

2.2.2 Every owner or occupant of land shall keep the land free of containers or debris capable of holding standing water in such a manner as to be exposed to the breeding of and/or larvae growth of insects.

2.2.3 Every owner or occupant of land shall ensure that any swimming pool, hot tub, wading pool, or artificial pond is maintained in proper operating conditions, and in good repair.

2.2.4 Every owner or occupant of land shall ensure that land is free and clear of excavations capable of holding standing water.

2.2.5 Every owner of land that contains a natural pond, bog, marsh and/or wetland shall, when advised by the Medical Officer of Health that a medical hazard exists, take steps contained in any order issued by the Medical Officer of Health to immediately remedy the situation.

## **2.3 - Litter**

2.3.1 No person shall cause, permit, throw, place or deposit refuse and/or debris on private land without the written authority of the owner or occupant of the land.

2.3.2 No person shall throw, place or deposit refuse and/or debris on owned or occupied land by the Town or a local board of the Town without the written authority of the Town or the local board where such land is occupied by a person other than the owner without the written authority of the occupant.

2.3.3 A person does not breach articles 2.3.1 and 2.3.2 by placing garbage out for collection on their property in accordance with municipal by-laws and collection schedules, but no person shall leave out garbage contrary to such by-laws or schedules.

2.3.4 Every owner or occupant of property shall ensure that all waste, which accumulates on their property, is:

(1) When not placed out for collection in accordance with applicable Town by-laws, in containers:

(a) Made rigid, watertight construction;

(b) Provided with a tight-fitting cover, which may be removed only when the container is empty or is being actively loaded;

(c) Maintained in good condition without holes or spillage; and

(d) Closed, or emptied, rinsed and cleaned when not in use, to prevent the escape of offensive odour or waste.

(2) Not allowed to accumulate for longer than 10 days.

2.3.5 Every owner or occupant of a property where an exterior bulk or roll-off container disposal system is used shall ensure the containers are:

- (1) Equipped with covers or similar devices which shall be readily operable but not left open except when actively being loaded;
- (2) Large enough to contain all waste generated between collections by the occupants served; and
- (3) Not loaded beyond the top of the container.

2.3.6 An owner or occupant of land shall clean or clear exterior walls of any building or structure on the land and their components so as to be free of posters, which are for the giving of notice for an event that has already occurred, or where the message contained is not readable due to damage or deterioration to the poster or its content, or where the posters are loosened, dislodged, torn or otherwise in a condition that may permit them to detach and become litter.

## **2.4 - Garbage and Waste Disposal**

2.4.1 Every owner or occupant of land shall keep the property free and clear of domestic waste or industrial waste, or any other thing in their possession that may constitute a health, fire or safety hazard to the yard or vacant lands of another person or to any municipally owned lands.

2.4.2 No person shall use any land or structure within the Town for dumping or disposing of domestic waste or industrial waste, or any other thing in their possession that may constitute a health, fire or safety hazard to the yard or vacant lands of another person or to any municipally owned lands.

2.4.3 The owner or occupant of land used contrary to or on which there is a contravention of articles 2.4.1 and 2.4.2, regardless of whether the use or contravention occurred prior to the enactment of this by-law, shall at the persons own expense clean, clear and cease using such land or structure for such prohibited purposes.

2.4.4 Articles 2.4.1 and 2.4.2 do not apply to:

- (l) land or structures used by the Town for the purpose of dumping or disposing of waste; or
- (1) land or structures designated by by-law for the Town for the purpose of dumping or disposing of waste.

2.4.5 No person, other than the Town or its agents, without the prior authorization of the Town and except in accordance with such authorization, shall dump or dispose of garbage, refuse or domestic waste or industrial waste or any kind of lands mentioned in article 2.4.4.

2.4.6 Notwithstanding the provisions of this section, used lumber, used building materials, inoperative motor vehicles, inoperative vehicles, machinery trailers or boats, or vehicle parts may be stored on property used for an agricultural operation provided that:

- (1) such material is screened from view from any residential parcel or public highway tithing 150 m (492 ft.); and
- (2) the material used is required for use as replacement parts, vehicles or materials as part of the agricultural operation.

## **2.5 - Motor Vehicle Salvage**

2.5.1 No owner or occupant of land shall use any land or structure in the Town for



storing used or inoperative motor vehicles or vehicle parts for the purpose of wrecking or dismantling them or salvaging vehicle parts thereof for sale or other disposal including the purposes of repairing other vehicles.

- 2.5.2 Article 2.5.1 does not apply if Zoning by-laws permit the land to be used for such purposes and the owner or occupant of the land holds a current and valid license for the land issued by the Town or the body holding jurisdiction, permitting motor vehicle salvage.

## **2.6 - Health and Safety**

- 2.6.1 Every owner or occupant of property shall ensure that any well, cistern, cesspool, privy vault, pit or excavation:
- (1) In active use, is secured by a fence with a warning signs;
  - (2) Not in active use, is permanently sealed or secured by a fence, cover or other means.
- 2.6.2 Every owner or occupant of property shall keep the surfaces of steps, walks, driveways, parking spaces and similar areas of their property maintained so as to afford safe passage under their normal use.
- 2.6.3 Every owner or occupant of property shall keep the yard of their property clean and free from any objects or conditions that might create a health, fire or accident hazard or an unsafe condition

## **Section 3 - Administration and Enforcement**

### **3.1 - Enforcement**

- 3.1.1. The Chief Building Official or an Officer may inspect the land or structures, for determining whether:
- (1) properties and drains are being maintained in accordance to this by-law;
  - (2) the land or structure is used for dumping or disposing of garbage, refuse, fill, domestic waste, or industrial waste of any kind;
  - (3) the land or structure is used for the storage of used motor vehicles for the purpose of wrecking or dismantling them or salvaging parts thereof for sale or disposal;
  - (4) the owner or occupant has complied with any Order sent by the Chief Building Official or an Officer, or
  - (5) there is compliance or non-compliance with any other provision of this by-law.
- 3.1.2 The Chief Building Official or an Officer may make an Order, sent by prepaid regular mail to the last known address, posted on site or personally delivered to an owner or occupant requiring the owner or occupant with the time specified in the Order to:
- (1) clean and clear-up the property and to bring the property into compliance with the section of this by-law;
  - (2) repair or remove obstruction from private drains and ensure drainage and proper connection of private drains to storm or sewage systems of the Town or otherwise provide for the sanitary disposal of sewage or drainage from the lands;
  - (3) alter or relay a private drain or fill up any property or part of a property;
  - (4) remove obstructions from watercourses;
  - (5) clean, clear or remove from the land or structure any or all garbage, refuse, fill, inoperative motor vehicle, vehicles, machinery, trailers or boats, vehicle parts, sewage, long grass, weeds, domestic waste or industrial waste of any kind or any other thing that may constitute a health, fire or safety hazard, or public nuisance;

- (6) cease using the land or structure for the dumping or disposing of garbage, refuse, fill, inoperative motor vehicle, vehicles, machinery trailers or boats, vehicle parts, sewage, long grass, weeds domestic waste or industrial waste of any kind or any other thing that may constitute a health, fire or safety hazard, or public nuisance;
  - (7) clean or clear exterior walls of a building or structure, and their components free of posters which are:
    - (a) for an event, which has already occurred or where the message contained is unreadable, or
    - (b) loosened, dislodged, tom or otherwise in a condition that may permit them to detach and become litter; or
  - (8) indicating the time for complying with the notice and advising the owner or occupant that if the remedial action is not carried out within the time prescribed in the Order that the Town may carry out the required remedial action at the owner's expense.
- 3.1.3 Every owner or occupant shall permit the Chief Building Official or an Officer employed, upon production of identification and for the purpose of the inspection by the Town, to inspect the land or structure for the purpose of article 3.1.1.
- 3.1.4 Where the owner or occupant fails to comply with an Order issued under this By-law within the time specified for compliance, the Chief Building Official or an Officer, with such assistance by others as may be required and upon reasonable notice as may be required in one or more of the methods provided in article 3.1.2, may:
- (1) clean or clear up a property and bring it into compliance with any section of this by-law;
  - (2) repair, maintain or remove obstructions from private drains, and ensure drainage and property connection of private drains to storm or sewage systems of the Town or otherwise provide for the sanitary disposal of sewage or drainage from the land;
  - (3) alter or relay a private drain or fill-up any property or part of a property;
  - (4) remove obstructions from watercourses;
  - (5) clean, clear or remove from the land or structure any or all garbage, refuse, fill, inoperative motor vehicles, machinery, trailers or boats, vehicle parts, sewage, long grass, weeds, domestic waste or industrial waste of any kind or any other thing that may constitute a health, fire or safety hazard, or public nuisance;
  - (5) remove used motor vehicles, inoperative motor vehicles and any vehicle parts, stored for the purpose of wrecking or dismantling the materials or the salvaging parts thereof for sale or other disposal; or
  - (6) clean or clear exterior walls of a building or structure, and their components free of posters which are:
    - (a) for an event which has already occurred or where the message contained is unreadable, or
    - (b) loosened, dislodged, tom or otherwise in a condition that may permit them to detach and become litter;
  - (7) issue a fine to the owner of the property in accordance with Schedule "B" of this by-law.
- 3.1.5 Where any of the materials or things are removed in accordance with article 3.1.4, the materials or things may be immediately disposed of by the Chief Building Official or an Officer, and any recovered salvage value or

other actual recovery of money made upon such disposal shall be credited first against costs, the balance shall be refunded to the person who was in possession of the materials or things prior to their removal from the land.

3.1.6 Upon completion of the work, repairs or demolition by or on behalf of the Town, the Town shall have a lien on the land for the amount spent on the repair or demolition, and the amount shall be deemed to be municipal real property taxes and may be added by the Clerk of the municipality to the tax roll and collected in the same manner and with the same priority as municipal real property taxes as provided for by statute.

3.1.7 The Chief Building Official or an Officer is authorized to give immediate effect to any Order issued under Section 3 of this by-law, that has not been complied with by the owner, under the provisions of the Town of Grimsby Procurement Policy, as amended from time to time.

### **3.2 - Notices**

3.2.1 For the purpose of this by-law reasonable time permitted for compliance with an Order issued by the Chief Building Official or an Officer shall be as stipulated in Schedule "A" of this by-law.

3.2.2 Where an Order is required to be issued for a repeat violation, Personal Delivery and/or Posting of the Order on Site as stipulated in Schedule "A" of this by-law shall be deemed to be sufficient provided the Order issued respecting the first violation indicated that any subsequent offence would be dealt with in this manner.

### **3.3 - Offences**

3.3.1 The following penalties shall apply:

1. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is subject to a fine of not more than \$10,000 for a first offence and \$25,000 for any subsequent offence;
2. Every corporation who contravenes any provision of this by-law is guilty of an offence and upon conviction is subject to a fine of not more than \$50,000 for a first offence and \$100,000 for any subsequent offence.

3.3.2 No person shall hinder or obstruct an Officer, appointed under this by-law or employed to enforce this by-law, from carrying out an inspection of lands, nor shall any person obstruct any employee or agent authorized to carry out work for the Town specified in an Order issued hereunder.

### **3.4 - Validity**

3.4.1 Should a court of competent jurisdiction declare a part or whole of any provision of this by-law to be invalid or of no force and effect, the provision or part is deemed severable from this by-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under the law so as to protect the public by ensuring a minimum standard for maintenance and occupancy is maintained.

3.4.2 Where a provision of this by-law conflicts with the provision of another by-law, Act, or Regulation in force within the Town of Grimsby, the provisions that establish the higher standards to protect the health and safety of persons shall prevail.

### 3.5 - Transition Rules

- 3.5.1 After the date of the passing of this by-law, those by-laws identified under subsection 4.1 shall apply only to those properties in which an Order has been issued prior to the date of passing of this by-law, and then only to such properties until such time as the work required by such Order has been completed or any enforcement proceedings with respect to such Order, including any demolition, clearance, or repair carried out by the Town shall have been concluded.
- 3.5.2 In the recovery or enforcement of penalties and forfeitures incurred, or in any other proceeding in relation to matters in respect of a clean yards by-law of any former area municipality, including the predecessor to by-laws mentioned in subsection 4.1, the process may be continued and carried out under this by-law.

### 3.6 - Penalties

- 3.6.1 Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act R.S.O. 1990, c.P.33.
- 3.6.2 The Set Fines for offences under this by-law are described in Schedule "B" to this by-law and shall establish penalties associated with infractions of the regulations set out in the by-law.
- 3.6.3 Where an Order is required to be issued for a repeat violation, a fine shall be issued to the owner of the property in accordance with Schedule "A" of this by-law.

## **Section 4 - Repealed and Enacted**

### 4.1 - By-Laws to be Repealed

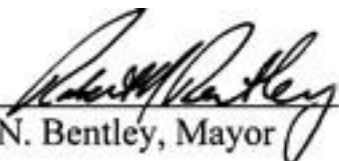
- 4.1.1. By-Law 88-5 and 17-03 of the Corporation of the Town of Grimsby and any amendments made thereto are hereby repealed.

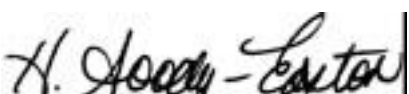
### 4.2 - Date of enactment

- 4.2.1 This By-law shall come into force and effect on the date after it is passed.

Read a first time this 6<sup>th</sup> day of February 2017

Read a second and third time and finally passed this 6<sup>th</sup> day of February 2017

  
R.N. Bentley, Mayor

  
Sandy-Easton, Town Clerk

**Schedule B to By-law 17-17**

**Being a By-law respecting litter, yard waste and the maintenance of property in the Town of Grimsby**

<b>Item #</b>	<b>Colom 1 Short Form Wording</b>	<b>Column 2 Provision creating or defining offence</b>	<b>Column 3 Set Fine</b>
1.	Owner of property fail to keep vegetation clean and cleared up	2.1.1	\$225.00
2.	Occupant of property fail to keep vegetation clean and cleared up	2.1.1	\$225.00
3.	Owner of property obstruct watercourse	2.1.4	\$325.00
4.	Occupant of property obstruct watercourse	2.1.4	\$325.00
5.	Owner of property cause obstruction of watercourse	2.1.4	\$325.00
6.	Occupant of property cause obstruction of watercourse	2.1.4	\$325.00
7.	Owner of property permit obstruction of watercourse	2.1.4	\$325.00
8.	Occupant of property permit obstruction of watercourse	2.1.4	\$325.00
9.	Owner of property fail to keep private drain operational and in repair	2.1.5	\$225.00
10.	Occupant of property fail to keep private drain operational and in repair	2.1.5	\$225.00
11.	Owner of property obstruct private drain	2.1.5	\$225.00
12.	Occupant of property obstruct private drain	2.1.5	\$225.00
13.	Owner of property permit obstruction of private drain	2.1.5	\$225.00
14.	Occupant of property permit obstruction of private drain	2.1.5	\$225.00
15.	Owner of property fail to keep land free of standing water	2.2.1	\$225.00
16.	Occupant of property fail to keep land free of standing water	2.2.1	\$225.00
17.	Owner of property fail to ensure swimming pool in proper working condition	2.2.3	\$225.00
18.	Occupant of property fail to ensure swimming pool in proper working condition	2.2.3	\$225.00
19.	Owner of property fail to ensure hot tub in proper working condition	2.2.3	\$225.00
20.	Occupant of property fail to ensure hot tub in proper working condition	2.2.3	\$225.00
21.	Owner of property fail to ensure spa in proper working condition	2.2.3	\$225.00
22.	Occupant of property fail to ensure spa in proper working condition	2.2.3	\$225.00
23.	Owner of property fail to ensure water feature in proper working condition	2.2.3	\$225.00

24.	Occupant of property fail to ensure water feature in proper working condition	2.2.3	\$225.00
25.	Owner of property fail to ensure rain barrel covered or sealed	2.2.3	\$225.00
26.	Occupant of property fail to ensure rain barrel covered or sealed	2.2.3	\$225.00
27.	Owner of property fail to ensure water contained covered or sealed	2.2.3	\$225.00
28.	Occupant of property fail to ensure water contained covered or sealed	2.2.3	\$225.00
29.	Owner of property fail to keep land free and clear of excavations capable of holding standing water	2.2.4	\$225.00
30.	Occupant of property fail to keep land free and clear of excavations capable of holding standing water	2.2.4	\$225.00
31.	Owner of property fail to comply with Medical Officer of Health	2.2.5	\$225.00
32.	Occupant of property fail to comply with Medical Officer of Health	2.2.5	\$225.00
33.	Cause, permit, throw, place or deposit refuse on private land without written authority	2.3.1	\$225.00
34.	Cause, permit, throw, place or deposit refuse on Municipal land without written authority	2.3.2	\$225.00
35.	Owner of property fail to ensure waste properly contained	2.3.4	\$225.00
36.	Occupant of property fail to ensure waste properly contained	2.3.4	\$225.00
37.	Owner of property allow waste containers to accumulate longer than 10 days	2.3.4	\$225.00
38.	Occupant allow waste containers to accumulate longer than 10 days	2.3.4	\$225.00
39.	Exterior Bulk/Roll off container - Owner of property fail to ensure container equipped with cover	2.3.5	\$225.00
40.	Exterior Bulk/Roll off container - Occupant of property fail to ensure container equipped with cover	2.3.5	\$225.00

41.	Exterior Bulk/Roll off container - Owner of property fail to ensure container large enough to contain waste	2.3.5	\$225.00
42.	Exterior Bulk/Roll off container - Occupant of property fail to ensure container large enough to contain waste	2.3.5	\$225.00
43.	Exterior Bulk/Roll off container - Owner of property fail to ensure not loaded beyond top of container	2.3.5	\$225.00
44.	Exterior Bulk/Roll off container - Occupant of property fail to ensure not loaded beyond top of container	2.3.5	\$225.00
45.	Owner of Property fail to clean exterior walls	2.3.6	\$225.00
46.	Occupant of Property fail to clean exterior walls	2.3.6	\$225.00
47.	Owner of Property fail to keep yard free and clear of waste	2.4.1	\$225.00
48.	Occupant of Property fail to keep yard free and clear of waste	2.4.1	\$225.00
49.	Deposit waste in yard	2.4.1	\$225.00
50.	Deposit waste on property without prior written authority of owner	2.4.1	\$500.00
51.	Deposit waste on property without prior written authority of occupant	2.4.1	\$500.00
52.	Owner of property fail to keep boulevard free and clear of waste	2.4.2	\$225.00
53.	Occupant of property fail to keep boulevard free and clear of waste	2.4.2	\$225.00
54.	Unauthorized person deposit waste	2.4.2	\$500.00
55.	Deposit waste on property owned by The Town without prior written authority of The Town	2.4.2	\$500.00
56.	Deposit waste on property occupied by The Town without prior written authority of TheTown	2.4.2	\$500.00
57.	Deposit waste on property owned by The Town without prior written authority of the occupant	2.4.2	\$500.00

58.	Deposit waste on property occupied by The Town without prior written authority of the occupant	2.4.2	\$500.00
59.	Owner of property fail to ensure material for agricultural operation screened from view	2.4.6	\$225.00
60.	Occupant of property fail to ensure material for agricultural operation screened from view	2.4.6	\$225.00
61.	Owner of property use of land or structure to store wrecked, dismantled or salvaged vehicles	2.5.1	\$225.00
62.	Occupant of property use of land or structure to store wrecked, dismantled or salvaged vehicles	2.5.1	\$225.00
63.	Owner of property fail to ensure well in active use secured by fence with warning sign	2.6.1	\$425.00
64.	Occupant of property fail to ensure well in active use secured by fence with warning sign	2.6.1	\$425.00
65.	Owner of property fail to ensure cistern in active use secured by fence with warning sign	2.6.1	\$425.00
66.	Occupant of property fail to ensure cistern in active use secured by fence with warning sign	2.6.1	\$425.00
67.	Owner of property fail to ensure cesspool in active use secured by fence with warning sign	2.6.1	\$425.00
68.	Occupant of property fail to ensure cesspool in active use secured by fence with warning sign	2.6.1	\$425.00
69.	Owner of property fail to ensure privy vault in active use secured by fence with warning sign	2.6.1	\$425.00
70.	Occupant of property fail to ensure privy vault in active use secured by fence with warning sign	2.6.1	\$425.00
71.	Owner of property fail to ensure pit in active use secured by fence with	2.6.1	\$425.00



	warning sign		
72.	Occupant of property fail to ensure pit in active use secured by fence with warning sign	2.6.1	\$425.00
73.	Owner of property fail to ensure excavation in active use secured by fence with warning sign	2.6.1	\$425.00
74.	Occupant of property fail to ensure excavation in active use secured by fence with warning sign	2.6.1	\$425.00
75.	Owner of property fail to ensure well not in active use permanently sealed	2.6.1	\$425.00
76.	Occupant of property fail to ensure well not in active use permanently sealed	2.6.1	\$425.00
77.	Owner of property fail to ensure well not in active use secured be fence, cover or other means	2.6.1	\$425.00
78.	Occupant of property fail to ensure well not in active use secured be fence, cover or other means	2.6.1	\$425.00
79.	Owner of property fail to ensure cistern not in active use permanently sealed	2.6.1	\$425.00
80.	Occupant of property fail to ensure cistern not in active use permanently sealed	2.6.1	\$425.00
81.	Owner of property fail to ensure that cesspool not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
82.	Occupant of property fail to ensure that cesspool not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
83.	Owner of property fail to ensure that privy vault not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
84.	Occupant of property fail to ensure that privy vault not in active use is permanently sealed by a fence, cover,	2.6.1	\$425.00

	or other means		
85.	Owner of property fail to ensure that pit not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
67.	Owner of property fail to ensure cesspool in active use secured by fence with warning sign	2.6.1	\$425.00
68.	Occupant of property fail to ensure cesspool in active use secured by fence with warning sign	2.6.1	\$425.00
69.	Owner of property fail to ensure privy vault in active use secured by fence with warning sign	2.6.1	\$425.00
70.	Occupant of property fail to ensure privy vault in active use secured by fence with warning sign	2.6.1	\$425.00
71.	Owner of property fail to ensure pit in active use secured by fence with warning sign	2.6.1	\$425.00
72.	Occupant of property fail to ensure pit in active use secured by fence with warning sign	2.6.1	\$425.00
73.	Owner of property fail to ensure excavation in active use secured by fence with warning sign	2.6.1	\$425.00
74.	Occupant of property fail to ensure excavation in active use secured by fence with warning sign	2.6.1	\$425.00
75.	Owner of property fail to ensure well not in active use permanently sealed	2.6.1	\$425.00
76.	Occupant of property fail to ensure well not in active use permanently sealed	2.6.1	\$425.00
77.	Owner of property fail to ensure well not in active use secured be fence, cover or other means	2.6.1	\$425.00
78.	Occupant of property fail to ensure well not in active use secured be fence, cover or other means	2.6.1	\$425.00
79.	Owner of property fail to ensure cistern not in active use permanently sealed	2.6.1	\$425.00

80.	Occupant of property fail to ensure cistern not in active use permanently sealed	2.6.1	\$425.00
81.	Owner of property fail to ensure that cesspool not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
82.	Occupant of property fail to ensure that cesspool not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
83.	Owner of property fail to ensure that privy vault not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
84.	Occupant of property fail to ensure that privy vault not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
85.	Owner of property fail to ensure that pit not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00

### Schedule B to By-law 17-17

#### Being a By-law respecting litter, yard waste and the maintenance of property in the Town of Grimsby

Item #	Column 1 Short Form Wording	Column 2 Provision creating or defining offence	Column 3 Set Fine
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4.	Occupant of property obstruct watercourse	2.1.4	\$325.00
5.	Owner of property cause obstruction of watercourse	2.1.4	\$325.00

6.	Occupant of property cause obstruction of watercourse	2.1.4	\$325.00
7.	Owner of property permit obstruction of watercourse	2.1.4	\$325.00
8.	Occupant of property permit obstruction of watercourse	2.1.4	\$325.00
9.	Owner of property fail to keep private drain operational and in repair	2.1.5	\$225.00
10.	Occupant of property fail to keep private drain operational and in repair	2.1.5	\$225.00
11.	Owner of property obstruct private drain	2.1.5	\$225.00
12.	Occupant of property obstruct private drain	2.1.5	\$225.00
13.	Owner of property permit obstruction of private drain	2.1.5	\$225.00
14.	Occupant of property permit obstruction of private drain	2.1.5	\$225.00
15.	Owner of property fail to keep land free of standing water	2.2.1	\$225.00
16.	Occupant of property fail to keep land free of standing water	2.2.1	\$225.00
17.	Owner of property fail to ensure swimming pool in proper working condition	2.2.3	\$225.00
18.	Occupant of property fail to ensure swimming pool in proper working condition	2.2.3	\$225.00
19.	Owner of property fail to ensure hot tub in proper working condition	2.2.3	\$225.00
20.	Occupant of property fail to ensure hot tub in proper working condition	2.2.3	\$225.00
21.	Owner of property fail to ensure spa in proper working condition	2.2.3	\$225.00
22.	Occupant of property fail to ensure spa in proper working condition	2.2.3	\$225.00
23.	Owner of property fail to ensure water feature in proper working condition	2.2.3	\$225.00
24.	Occupant of property fail to ensure water feature in proper working condition	2.2.3	\$225.00

25.	Owner of property fail to ensure rain barrel covered or sealed	2.2.3	\$225.00
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35.	Owner of property fail to ensure waste properly contained	2.3.4	\$225.00
36.	Occupant of property fail to ensure waste properly contained	2.3.4	\$225.00
37.	Owner of property allow waste containers to accumulate longer than 10 days	2.3.4	\$225.00
38.	Occupant allow waste containers to accumulate longer than 10 days	2.3.4	\$225.00
39.	Exterior Bulk/Roll off container - Owner of property fail to ensure container equipped with cover	2.3.5	\$225.00
40.	Exterior Bulk/Roll off container – Occupant of property fail to ensure container equipped with cover	2.3.5	\$225.00

41.	Exterior Bulk/Roll off container - Owner of property fail to ensure container large enough to contain waste	2.3.5	\$225.00
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43.	Exterior Bulk/Roll off container - Owner of property fail to ensure not loaded beyond top of container	2.3.5	\$225.00
44.	Exterior Bulk/Roll off container - Occupant of property fail to ensure not loaded beyond top of container	2.3.5	\$225.00
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46.	Occupant of Property fail to clean exterior walls	2.3.6	\$225.00
47.	Owner of Property fail to keep yard free and clear of waste	2.4.1	\$225.00
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49.	Deposit waste in yard	2.4.1	\$225.00
50.	Deposit waste on property without prior written authority of owner	2.4.1	\$500.00
51.	Deposit waste on property without prior written authority of occupant	2.4.1	\$500.00
52.	Owner of property fail to keep boulevard free and clear of waste	2.4.2	\$225.00
53.	Occupant of property fail to keep boulevard free and clear of waste	2.4.2	\$225.00
54.	Unauthorized person deposit waste	2.4.2	\$500.00
55.	Deposit waste on property owned by The Town without prior written authority of The Town	2.4.2	\$500.00
56.	Deposit waste on property occupied by The Town without prior written	2.4.2	\$500.00

	authority of The Town		
57.	Deposit waste on property owned by The Town without prior written authority of the occupant	2.4.2	\$500.00
58.	Deposit waste on property occupied by The Town without prior written authority of the occupant	2.4.2	\$500.00
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64.	Occupant of property fail to ensure well in active use secured by fence with warning sign	2.6.1	\$425.00
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66.	Occupant of property fail to ensure cistern in active use secured by fence with warning sign	2.6.1	\$425.00
67.	Owner of property fail to ensure cesspool in active use secured by fence with warning sign	2.6.1	\$425.00
68.	Occupant of property fail to ensure cesspool in active use secured by fence with warning sign	2.6.1	\$425.00
69.	Owner of property fail to ensure privy vault in active use secured by fence	2.6.1	\$425.00

	with warning sign		
70.	Occupant of property fail to ensure privy vault in active use secured by fence with warning sign	2.6.1	\$425.00
71.	Owner of property fail to ensure pit in active use secured by fence with warning sign	2.6.1	\$425.00
72.	Occupant of property fail to ensure pit in active use secured by fence with warning sign	2.6.1	\$425.00
73.	Owner of property fail to ensure excavation in active use secured by fence with warning sign	2.6.1	\$425.00
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77.	Owner of property fail to ensure well not in active use secured be fence, cover or other means	2.6.1	\$425.00
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81.	Owner of property fail to ensure that cesspool not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
82.	Occupant of property fail to ensure that cesspool not in active use is	2.6.1	\$425.00



	permanently sealed by a fence, cover, or other means		
83.	Owner of property fail to ensure that privy vault not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
84.	Occupant of property fail to ensure that privy vault not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
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6.	Occupant of property cause obstruction of watercourse	2.1.4	\$325.00
7.	Owner of property permit obstruction of watercourse	2.1.4	\$325.00

8.	Occupant of property permit obstruction of watercourse	2.1.4	\$325.00
9.	Owner of property fail to keep private drain operational and in repair	2.1.5	\$225.00
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21.	Owner of property fail to ensure spa in proper working condition	2.2.3	\$225.00
22.	Occupant of property fail to ensure spa in proper working condition	2.2.3	\$225.00
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24.	Occupant of property fail to ensure water feature in proper working condition	2.2.3	\$225.00
25.	Owner of property fail to ensure rain barrel covered or sealed	2.2.3	\$225.00
26.	Occupant of property fail to ensure rain barrel covered or sealed	2.2.3	\$225.00
27.	Owner of property fail to ensure water contained covered or sealed	2.2.3	\$225.00

28.	Occupant of property fail to ensure water contained covered or sealed	2.2.3	\$225.00
29.	Owner of property fail to keep land free and clear of excavations capable of holding standing water	2.2.4	\$225.00
30.	Occupant of property fail to keep land free and clear of excavations capable of holding standing water	2.2.4	\$225.00
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41.	Exterior Bulk/Roll off container - Owner of property fail to ensure container large enough to contain waste	2.3.5	\$225.00
42.	Exterior Bulk/Roll off container - Occupant of property fail to ensure container large enough to contain	2.3.5	\$225.00

	waste		
43.	Exterior Bulk/Roll off container - Owner of property fail to ensure not loaded beyond top of container	2.3.5	\$225.00
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46.	Occupant of Property fail to clean exterior walls	2.3.6	\$225.00
47.	Owner of Property fail to keep yard free and clear of waste	2.4.1	\$225.00
48.	Occupant of Property fail to keep yard free and clear of waste	2.4.1	\$225.00
49.	Deposit waste in yard	2.4.1	\$225.00
50.	Deposit waste on property without prior written authority of owner	2.4.1	\$500.00
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57.	Deposit waste on property owned by The Town without prior written authority of the occupant	2.4.2	\$500.00
58.	Deposit waste on property occupied by The Town without prior written	2.4.2	\$500.00

	authority of the occupant		
59.	Owner of property fail to ensure material for agricultural operation screened from view	2.4.6	\$225.00
60.	Occupant of property fail to ensure material for agricultural operation screened from view	2.4.6	\$225.00
61.	Owner of property use of land or structure to store wrecked, dismantled or salvaged vehicles	2.5.1	\$225.00
62.	Occupant of property use of land or structure to store wrecked, dismantled or salvaged vehicles	2.5.1	\$225.00
63.	Owner of property fail to ensure well in active use secured by fence with warning sign	2.6.1	\$425.00
64.	Occupant of property fail to ensure well in active use secured by fence with warning sign	2.6.1	\$425.00
65.	Owner of property fail to ensure cistern in active use secured by fence with warning sign	2.6.1	\$425.00
66.	Occupant of property fail to ensure cistern in active use secured by fence with warning sign	2.6.1	\$425.00
67.	Owner of property fail to ensure cesspool in active use secured by fence with warning sign	2.6.1	\$425.00
68.	Occupant of property fail to ensure cesspool in active use secured by fence with warning sign	2.6.1	\$425.00
69.	Owner of property fail to ensure privy vault in active use secured by fence with warning sign	2.6.1	\$425.00
70.	Occupant of property fail to ensure privy vault in active use secured by fence with warning sign	2.6.1	\$425.00
71.	Owner of property fail to ensure pit in active use secured by fence with	2.6.1	\$425.00

	warning sign		
72.	Occupant of property fail to ensure pit in active use secured by fence with warning sign	2.6.1	\$425.00
73.	Owner of property fail to ensure excavation in active use secured by fence with warning sign	2.6.1	\$425.00
74.	Occupant of property fail to ensure excavation in active use secured by fence with warning sign	2.6.1	\$425.00
75.	Owner of property fail to ensure well not in active use permanently sealed	2.6.1	\$425.00
76.	Occupant of property fail to ensure well not in active use permanently sealed	2.6.1	\$425.00
77.	Owner of property fail to ensure well not in active use secured be fence, cover or other means	2.6.1	\$425.00
78.	Occupant of property fail to ensure well not in active use secured be fence, cover or other means	2.6.1	\$425.00
79.	Owner of property fail to ensure cistern not in active use permanently sealed	2.6.1	\$425.00
80.	Occupant of property fail to ensure cistern not in active use permanently sealed	2.6.1	\$425.00
81.	Owner of property fail to ensure that cesspool not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
82.	Occupant of property fail to ensure that cesspool not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
83.	Owner of property fail to ensure that privy vault not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00

84.	Occupant of property fail to ensure that privy vault not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
85.	Owner of property fail to ensure that pit not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
86.	Occupant of property fail to ensure that pit not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
87.	Owner of property fail to ensure that excavation not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
88.	Occupant of property fail to ensure that excavation not in active use is permanently sealed by a fence, cover, or other means	2.6.1	\$425.00
89.	Owner of property fail to keep steps maintained so as to afford safe passage	2.6.2	\$425.00
90.	Occupant of property fail to keep steps maintained so as to afford safe passage	2.6.2	\$425.00
91.	Owner of property fail to keep walk maintained so as to afford safe passage	2.6.2	\$425.00
92.	Occupant of property fail to keep walk maintained so as to afford safe passage	2.6.2	\$425.00
93.	Owner of property fail to keep driveway maintained so as to afford safe passage	2.6.2	\$425.00
94.	Occupant of property fail to keep driveway maintained so as to afford safe passage	2.6.2	\$425.00
95.	Owner of property fail to keep parking space maintained so as to afford safe passage	2.6.2	\$425.00

96.	Occupant of property fail to keep parking space maintained so as to afford safe passage	2.6.2	\$425.00
97.	Owner of property fail to keep yard clean and free of object or condition creating hazard or unsafe condition	2.6.3	\$350.00
98.	Occupant of property fail to keep yard clean and free of object or condition creating hazard or unsafe condition	2.6.3	\$350.00

Note: The general penalty provision for the offences listed above is Section 3.6 of By-law 17-17, a certified copy of which has been filed.

### **PROVINCIAL OFFENCES ACT**

#### **Part I**

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 17-17, as amended, for the Town of Grimsby, attached hereto is the set fine for that offence. This Order is to take effect May 12, 2017.

Dated at Hamilton, this 12th day of May, 2017.



Sharon Nicklas  
Regional Senior Justice  
Central West Region

The Corporation of the Town of Grimsby Part I Provincial  
Offences Act  
Bylaw no. 17-17 as amended by by-law 17-21:  
Respecting litter, yard waste and the maintenance of property.



ITEM#	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or defining offence	COLUMN 3 Set Fine
1.	Owner of Property fail to keep vegetation clean and cleared up	2.1.1	\$225.00
2.	Occupant of property fail to keep vegetation clean and cleared up	2.1.1	\$225.00
3.	Owner of property obstruct watercourse	2.1.4	\$325.00
4.	Occupant of property obstruct watercourse	2.1.4	\$325.00
5.	Owner of property cause obstruction of watercourse	2.1.4	\$325.00
6.	Occupant of property cause obstruction of watercourse	2.1.4	\$325.00
7.	Owner of property permit obstruction of watercourse	2.1.4	\$325.00
8.	Occupant of property permit obstruction of watercourse	2.1.4	\$325.00
9.	Owner of property fail to keep private drain operational and in repair	2.1.5	\$225.00
10.	Occupant of property fail to keep private drain operational and in repair	2.1.5	\$225.00
11.	Owner of property obstruct private drain	2.1.5	\$225.00
12.	Occupant of property obstruct private drain	2.1.5	\$225.00
13.	Owner of property permit obstruction of private drain	2.1.5	\$225.00
14.	Occupant of property permit obstruction of private drain	2.1.5	\$225.00
15.	Owner of property fail to keep land free of standing water	2.2.1	\$225.00
16.	Occupant of property fail to keep land free of standing water	2.2.1	\$225.00
17.	Owner of property fail to ensure swimming pool in proper working condition	2.2.3	\$225.00
18.	Occupant of property fail to ensure swimming pool in proper working condition	2.2.3	\$225.00
19.	Owner of property fail to ensure hot tub in proper working condition	2.2.3	\$225.00
20.	Occupant of property fail to ensure hot tub in proper working condition	2.2.3	\$225.00

21.	Owner of property fail to ensure water feature in proper working condition	2.2.3	\$225.00
22.	Occupant of property fail to ensure water feature in proper working condition	2.2.3	\$225.00
23.	Owner of property fail to keep land free and clear of excavations capable of holding standing water	2.2.4	\$225.00
24.	Occupant of property fail to keep land free and clear of excavations capable of holding standing water	2.2.4	\$225.00
25.	Owner of property fail to comply with Medical Officer of Health	2.2.5	\$225.00
26.	Occupant of property fail to comply with Medical Officer of Health	2.2.5	\$225.00
27.	Cause, permit, throw, place or deposit refuse on private land without written authority	2.3.1	\$225.00
28.	Cause, permit, throw, place or deposit refuse on Municipal land without written authority	2.3.2	\$225.00
29.	Owner of property fail to ensure waste properly contained	2.3.4(1)	\$225.00
30.	Occupant of property fail to ensure waste properly contained	2.3.4(1)	\$225.00
31.	Owner of property allow waste containers to accumulate longer than 10 days	2.3.4(2)	\$225.00
32.	Occupant allow waste containers to accumulate longer than 10 days	2.3.4(2)	\$225.00
33.	Exterior Bulk/Roll off container - Owner of property fail to ensure container equipped with cover	2.3.5(1)	\$225.00
34.	Exterior Bulk/Roll off container - Occupant of property fail to ensure container equipped with cover	2.3.5(1)	\$225.00
35.	Exterior Bulk/Roll off container - Owner of property fail to ensure container large enough to contain waste	2.3.5(2)	\$225.00
36.	Exterior Bulk/Roll off container - Occupant of property fail to ensure container large enough to contain waste	2.3.5(2)	\$225.00

37.	Exterior Bulk/Roll off container - Owner of property fail to ensure not loaded beyond top of container	2.3.5(3)	\$225.00
38.	Exterior Bulk/Roll off container - Occupant of property fail to ensure not loaded beyond top of container	2.3.5(3)	\$225.00
39.	Owner of Property fail to clean exterior walls	2.3.6	\$225.00
40.	Occupant of Property fail to clean exterior walls	2.3.6	\$225.00
41.	Owner of Property fail to keep yard free and clear of waste	2.4.1	\$225.00
42.	Occupant of Property fail to keep yard free and clear of waste	2.4.1	\$225.00
43.	Unauthorized person deposit waste	2.4.2	\$500.00
44.	Deposit waste on property owned by The Town	2.4.2	\$500.00
45.	Deposit waste on property occupied by The Town	2.4.2	\$500.00
46.	Owner of property fail to ensure material for agricultural operation screened from view	2.4.6	\$225.00
47.	Occupant of property fail to ensure material for agricultural operation screened from view	2.4.6	\$225.00
48.	Owner of property use of land or structure to store wrecked, dismantled or salvaged vehicles	2.5.1	\$225.00
49.	Occupant of property use of land or structure to store wrecked, dismantled or salvaged vehicles	2.5.1	\$225.00
50.	Owner of property fail to ensure well in active use secured by fence with warning sign	2.6.1(1)	\$425.00
51.	Occupant of property fail to ensure well in active use secured by fence with warning sign	2.6.1(1)	\$425.00
52.	Owner of property fail to ensure cistern in active use secured by fence with warning sign	2.6.1(1)	\$425.00

53.	Occupant of property fail to ensure cistern in active use secured by fence with warning sign	2.6.1(1)	\$425.00
54.	Owner of property fail to ensure cesspool in active use secured by fence with warning sign	2.6.1(1)	\$425.00
55.	Occupant of property fail to ensure cesspool in active use secured by fence with warning sign	2.6.1(1)	\$425.00
56.	Owner of property fail to ensure privy vault in active use secured by fence with warning sign	2.6.1(1)	\$425.00
57.	Occupant of property fail to ensure privy vault in active use secured by fence with warning sign	2.6.1(1)	\$425.00
58.	Owner of property fail to ensure pit in active use secured by fence with warning sign	2.6.1(1)	\$425.00
59.	Occupant of property fail to ensure pit in active use secured by fence with warning sign	2.6.1(1)	\$425.00
60.	Owner of property fail to ensure excavation in active use secured by fence with warning sign	2.6.1(1)	\$425.00
61.	Occupant of property fail to ensure excavation in active use secured by fence with warning sign	2.6.1(1)	\$425.00
62.	Owner of property fail to ensure well not in active use permanently sealed	2.6.1(2)	\$425.00
63.	Occupant of property fail to ensure well not in active use permanently sealed	2.6.1(2)	\$425.00
64.	Owner of property fail to ensure well not in active use secured be fence, cover or other means	2.6.1(2)	\$425.00
65.	Occupant of property fail to ensure well not in active use secured be fence, cover or other means	2.6.1(2)	\$425.00
66.	Owner of property fail to ensure cistern not in active use permanently sealed	2.6.1(2)	\$425.00
67.	Occupant of property fail to ensure cistern not in active use permanently sealed	2.6.1(2)	\$425.00
68.	Owner of property fail to ensure that cesspool not in active use is	2.6.1(2)	\$425.00

	permanently sealed by a fence, cover, or other means		
69.	Occupant of property fail to ensure that cesspool not in active use is permanently sealed by a fence, cover, or other means	2.6.1(2)	\$425.00
70.	Owner of property fail to ensure that privy vault not in active use is permanently sealed by a fence, cover, or other means	2.6.1(2)	\$425.00
71.	Occupant of property fail to ensure that privy vault not in active use is permanently sealed by a fence, cover, or other means	2.6.1(2)	\$425.00
72.	Owner of property fail to ensure that pit not in active use is permanently sealed by a fence, cover, or other means	2.6.1(2)	\$425.00
73.	Occupant of property fail to ensure that pit not in active use is permanently sealed by a fence, cover, or other means	2.6.1(2)	\$425.00
74.	Owner of property fail to ensure that excavation not in active use is permanently sealed by a fence, cover, or other means	2.6.1(2)	\$425.00
75.	Occupant of property fail to ensure that excavation not in active use is permanently sealed by a fence, cover, or other means	2.6.1(2)	\$425.00
76.	Owner of property fail to keep steps maintained so as to afford safe passage	2.6.2	\$425.00
77.	Occupant of property fail to keep steps maintained so as to afford safe passage	2.6.2	\$425.00
78.	Owner of property fail to keep walk maintained so as to afford safe passage	2.6.2	\$425.00
79.	Occupant of property fail to keep walk maintained so as to afford safe passage	2.6.2	\$425.00
80.	Owner of property fail to keep driveway maintained so as to afford safe passage	2.6.2	\$425.00

81.	Occupant of property fail to keep driveway maintained so as to afford safe passage	2.6.2	\$425.00
82.	Owner of property fail to keep parking space maintained so as to afford safe passage	2.6.2	\$425.00
83.	Occupant of property fail to keep parking space maintained so as to afford safe passage	2.6.2	\$425.00
84.	Owner of property fail to keep yard clean and free of object or condition creating hazard or unsafe condition	2.6.3	\$350.00
85.	Occupant of property fail to keep yard clean and free of object or condition creating hazard or unsafe condition	2.6.3	\$350.00

NOTE: the general penalty provision for the offences listed above is section 3.6 of the Bylaw 17-17, as amended, a certified copy of which has been filed.

## **The Corporation of the Town of Grimsby**

### **By-law 17-21**

#### **A By-law to amend By-law 17-17; being a By-law respecting litter, yard waste and the maintenance of property in the Town of Grimsby**

**Whereas** the Council of the Town of Grimsby deems it expedient to amend By-law 17-17 being a By-law to regulate litter, yard waste and the maintenance of property in the Town;

**And further** that Section 2.4.6 be amended by removing;

2.4.6. Notwithstanding the provisions of this Section, used lumber, used building materials, inoperative motor vehicles, inoperative vehicles, machinery trailers or boats, or vehicle parts may be stored on property used for an agricultural operation provided that:

**And further** that Section 2.4.6 be replaced with:

2.4.6. Notwithstanding the provisions of this Section, no owner or occupant shall allow used lumber, used building materials, inoperative motor vehicles, inoperative vehicles, machinery trailers or boats, or vehicle parts to be stored on property used for an agricultural operation

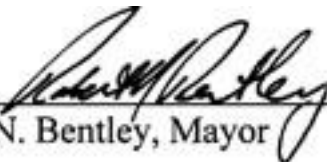
except when:

**Now therefore** the Council of the Corporation of the Town of Grimsby enacts as follows:

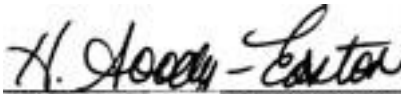
1. That all other sections of By-law 17-17 shall be deemed to remain in force.
2. That this By-law shall take effect at such time as properly worded signs have been erected and are on display.

Read a first time this 21<sup>st</sup> day of February 2017

Read a second and third time and finally passed this 21<sup>st</sup> day of February 2017

  
R.N. Bentley, Mayor

Mayor Bob Bentley

  
Sandy-Easton, Town Clerk

Town Clerk H. Sandy Easton

### Schedule B to By-law 17-21

**A By-law to amend By-law 17-17; being a By-law respecting litter, yard waste and the maintenance of property in the Town of Grimsby**

Item #	Column 1 Short Form Wording	Column 2 Provision creating or defining offence	Column 3 Set Fine
1.	Owner of Property fail to keep vegetation clean and cleared up	2.1.1	\$225.00
2.	Occupant of property fail to keep vegetation clean and cleared up	2.1.1	\$225.00
3.	Owner of property obstruct watercourse	2.1.4	\$325.00

4.	Occupant of property obstruct watercourse	2.1.4	\$325.00
5.	Owner of property cause obstruction of watercourse	2.1.4	\$325.00
6.	Occupant of property cause obstruction of watercourse	2.1.4	\$325.00
7.	Owner of property permit obstruction of watercourse	2.1.4	\$325.00
8.	Occupant of property permit obstruction of watercourse	2.1.4	\$325.00
9.	Owner of property fail to keep private drain operational and in repair	2.1.5	\$225.00
10.	Occupant of property fail to keep private drain operational and in repair	2.1.5	\$225.00
11.	Owner of property obstruct private drain	2.1.5	\$225.00
12.	Occupant of property obstruct private drain	2.1.5	\$225.00
13.	Owner of property permit obstruction of private drain	2.1.5	\$225.00
14.	Occupant of property permit obstruction of private drain	2.1.5	\$225.00
15.	Owner of property fail to keep land free of standing water	2.2.1	\$225.00
16.	Occupant of property fail to keep land free of standing water	2.2.1	\$225.00
17.	Owner of property fail to ensure swimming pool in proper working condition	2.2.3	\$225.00
18.	Occupant of property fail to ensure swimming pool in proper working condition	2.2.3	\$225.00
19.	Owner of property fail to ensure hot tub in proper working condition	2.2.3	\$225.00
20.	Occupant of property fail to ensure hot tub in proper working condition	2.2.3	\$225.00
21.	Owner of property fail to ensure water feature in proper working condition	2.2.3	\$225.00
22.	Occupant of property fail to ensure water feature in proper working condition	2.2.3	\$225.00
23.	Owner of property fail to keep land free and clear of excavations capable of holding standing water	2.2.4	\$225.00



24.	Occupant of property fail to keep land free and clear of excavations capable of holding standing water	2.2.4	\$225.00
25.	Owner of property fail to comply with Medical Officer of Health	2.2.5	\$225.00
26.	Occupant of property fail to comply with Medical Officer of Health	2.2.5	\$225.00
27.	Cause, permit, throw, place or deposit refuse on private land without written authority	2.3.1	\$225.00
28.	Cause, permit, throw, place or deposit refuse on Municipal land without written authority	2.3.2	\$225.00
29.	Owner of property fail to ensure waste properly contained	2.3.4(1)	\$225.00
30.	Occupant of property fail to ensure waste properly contained	2.3.4(1)	\$225.00
31.	Owner of property allow waste containers to accumulate longer than 10 days	2.3.4(2)	\$225.00
32.	Occupant allow waste containers to accumulate longer than 10 days	2.3.4(2)	\$225.00
33.	Exterior Bulk/Roll off container - Owner of property fail to ensure container equipped with cover	2.3.5(1)	\$225.00
34.	Exterior Bulk/Roll off container – Occupant of property fail to ensure container equipped with cover	2.3.5(1)	\$225.00
35.	Exterior Bulk/Roll off container - Owner of property fail to ensure container large enough to contain waste	2.3.5(2)	\$225.00
36.	Exterior Bulk/Roll off container – Occupant of property fail to ensure container large enough to contain waste	2.3.5(2)	\$225.00
37.	Exterior Bulk/Roll off container - Owner of property fail to ensure not loaded beyond top of container	2.3.5(3)	\$225.00

38.	Exterior Bulk/Roll off container - Occupant of property fail to ensure not loaded beyond top of container	2.3.5(3)	\$225.00
39.	Owner of Property fail to clean exterior walls	2.3.6	\$225.00
40.	Occupant of Property fail to clean exterior walls	2.3.6	\$225.00
41.	Owner of Property fail to keep yard free and clear of waste	2.4.1	\$225.00
42.	Occupant of Property fail to keep yard free and clear of waste	2.4.1	\$225.00
43.	Unauthorized person deposit waste	2.4.2	\$500.00
44.	Deposit waste on property owned by The Town	2.4.2	\$500.00
45.	Deposit waste on property occupied by The Town	2.4.2	\$500.00
46.	Owner of property fail to ensure material for agricultural operation screened from view	2.4.6	\$225.00
47.	Occupant of property fail to ensure material for agricultural operation screened from view	2.4.6	\$225.00
48.	Owner of property use of land or structure to store wrecked, dismantled or salvaged vehicles	2.5.1	\$225.00
49.	Occupant of property use of land or structure to store wrecked, dismantled or salvaged vehicles	2.5.1	\$225.00
50.	Owner of property fail to ensure well in active use secured by fence with warning sign	2.6.1(1)	\$425.00
51.	Occupant of property fail to ensure well in active use secured by fence with warning sign	2.6.1(1)	\$425.00
52.	Owner of property fail to ensure cistern in	2.6.1(1)	\$425.00

	active use secured by fence with warning sign		
53.	Occupant of property fail to ensure cistern in active use secured by fence with warning sign	2.6.1(1)	\$425.00
54.	Owner of property fail to ensure cesspool in active use secured by fence with warning sign	2.6.1(1)	\$425.00
55.	Occupant of property fail to ensure cesspool in active use secured by fence with warning sign	2.6.1(1)	\$425.00
56.	Owner of property fail to ensure privy vault in active use secured by fence with warning sign	2.6.1(1)	\$425.00
57.	Occupant of property fail to ensure privy vault in active use secured by fence with warning sign	2.6.1(1)	\$425.00
58.	Owner of property fail to ensure pit in active use secured by fence with warning sign	2.6.1(1)	\$425.00
59.	Occupant of property fail to ensure pit in active use secured by fence with warning sign	2.6.1(1)	\$425.00
60.	Owner of property fail to ensure excavation in active use secured by fence with warning sign	2.6.1(1)	\$425.00
61.	Occupant of property fail to ensure excavation in active use secured by fence with warning sign	2.6.1(1)	\$425.00
62.	Owner of property fail to ensure well not in active use permanently sealed	2.6.1(2)	\$425.00
63.	Occupant of property fail to ensure well not in active use permanently sealed	2.6.1(2)	\$425.00
64.	Owner of property fail to ensure well not in active use secured be fence, cover or other means	2.6.1(2)	\$425.00
65.	Occupant of property fail to ensure well not in active use secured be fence, cover or	2.6.1(2)	\$425.00

	other means		
66.	Owner of property fail to ensure cistern not in active use permanently sealed	2.6.1(2)	\$425.00
67.	Occupant of property fail to ensure cistern not in active use permanently sealed	2.6.1(2)	\$425.00
68.	Owner of property fail to ensure that cesspool not in active use is permanently sealed by a fence, cover, or other means	2.6.1(2)	\$425.00
69.	Occupant of property fail to ensure that cesspool not in active use is permanently sealed by a fence, cover, or other means	2.6.1(2)	\$425.00
70.	Owner of property fail to ensure that privy vault not in active use is permanently sealed by a fence, cover, or other means	2.6.1(2)	\$425.00
71.	Occupant of property fail to ensure that privy vault not in active use is permanently sealed by a fence, cover, or other means	2.6.1(2)	\$425.00
72.	Owner of property fail to ensure that pit not in active use is permanently sealed by a fence, cover, or other means	2.6.1(2)	\$425.00
73.	Occupant of property fail to ensure that pit not in active use is permanently sealed by a fence, cover, or other means	2.6.1(2)	\$425.00
74.	Owner of property fail to ensure that excavation not in active use is permanently sealed by a fence, cover, or other means	2.6.1(2)	\$425.00
75.	Occupant of property fail to ensure that excavation not in active use is permanently sealed by a fence, cover, or other means	2.6.1(2)	\$425.00

76.	Owner of property fail to keep steps maintained so as to afford safe passage	2.6.2	\$425.00
77.	Occupant of property fail to keep steps maintained so as to afford safe passage	2.6.2	\$425.00
78.	Owner of property fail to keep walk maintained so as to afford safe passage	2.6.2	\$425.00
79.	Occupant of property fail to keep walk maintained so as to afford safe passage	2.6.2	\$425.00
80.	Owner of property fail to keep driveway maintained so as to afford safe passage	2.6.2	\$425.00
81.	Occupant of property fail to keep driveway maintained so as to afford safe passage	2.6.2	\$425.00
82.	Owner of property fail to keep parking space maintained so as to afford safe passage	2.6.2	\$425.00
83.	Occupant of property fail to keep parking space maintained so as to afford safe passage	2.6.2	\$425.00
84.	Owner of property fail to keep yard clean and free of object or condition creating hazard or unsafe condition	2.6.3	\$350.00
85.	Occupant of property fail to keep yard clean and free of object or condition creating hazard or unsafe condition	2.6.3	\$350.00

Note: The general penalty provision for the offences listed above is Section 3.6 of the By-law 17-17, as amended, a certified copy of which has been filed.