

**THE CORPORATION OF THE
VILLAGE OF SOUTH RIVER
BY-LAW #30 -2021**

**Being a by-law to regulate the disposal of refuse or debris within the
Village of South River**

WHEREAS Section 8 of the *Municipal Act, 2001, S.O. 2001, c.25* (hereinafter referred to as the “Municipal Act”) provides that the powers of a Municipality under the Municipal Act or any other Act shall be interpreted broadly so as to confer broad authority on the Municipality to enable the Municipality to govern its affairs as it considers appropriate and to enhance the Municipality's ability to respond to Municipal issues; and

WHEREAS Section 127 of the *Municipal Act*, states, without limiting sections 9, 10 and 11, a local Municipality may,

(c) prohibit the depositing of refuse or debris on land without the consent of the owner or occupant of the land;

WHEREAS the Council of the Village of South River deems it desirable to prohibit the throwing, placing or depositing of refuse or debris in any place in the Village other than on the curb for weekly pickup.

WHEREAS it is deemed expedient that such a By-law is passed:

**NOW THEREFORE THE COUNCIL OF THE VILLAGE OF SOUTH RIVER
HEREBY ENACTS AS FOLLOWS:**

Short Title: This By-law may be sited as the Dumping By-law

1.1 Defined Area

This By-law applies to all property within the boundaries of the Village of South River.

1.2 Validity

Should any action, clause or provision of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

1.3 Effective Date

This by-law shall come into full force and effect as of the date of passing.

Section 2 Definitions

2.1: **“By-law Officer”** means a person appointed by By-law, to enforce the By-laws of the Village of South River.

2.2: **“Deposit”** means to spill, scatter, throw, cast, lay or cause to be thrown

2.3: **“Household Garbage”** means any article, thing, matter or any waste belonging to or associated with a house or household or concerning or relating to the home or family that appears to be waste material;

2.3 **“Roadway”** means a road to which the public has the right of access, this includes bridges and ditch lines.

2.4 **“Street”** means a Street, lane, alley, laneway, roadway, road allowance, for the

purpose of this By-law has the same meaning as roadway

2.6 **“Garbage”** means the animal or vegetable waste and related waste products resulting from the handling, preparation, cooking, and consumption of food and drink, as well as other solid waste materials and goods resulting from residential, commercial, institutional and industrial operations.

2.7 **“Person”** mean an individual, firm, corporation, association or partnership.

2.8 **“Village”** means the Village of South River

2.9 **“Village trash cans”** means trash cans placed in the village to collect waste produced in public places within the Village of South River such as individual wrappers, food scraps from picnics, or properly bagged dog waste

2.8 **“Waste or Waste Material”** means any article or things that appear to have been cast aside, discarded, or abandoned, or appears to be worthless, useless, or of no practical value, or appears to be used up in whole or in part or expended or worn out and shall include but is not limited to:

- i) refrigerators, freezers, or other appliances or parts thereof;
- ii) scrap metal or automotive parts;
- iii) paper, cartons, fabrics, or carpets;
- iv) furniture
- v) material resulting from, or as part of, construction or demolition projects;
- vi) rubble, inert fill and
- vii) accumulation of brush, weeds, leaves and grass clippings.

3. General Duties and Obligations to Comply

3.1 No person shall deposit waste on any on any street, or Village lot.

3.2 No person shall deposit waste on Village property without consent of the Village.

3.3 No person shall deposit waste at any public park or water access.

3.4 No person shall deposit household garbage at any public park, water access, or Village trash cans.

4. General Provisions

4.1 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.

4.2 Every person who is guilty of an offence under this by-law may, if permitted under the Provincial Offences Act, pay a set fine and the Chief Judge of the Ontario Court (Provincial Division) shall be requested to establish, pursuant to the Provincial Offences Act, set fines in accordance with Schedule “A” of this by-law.

READ A FIRST AND SECOND TIME THIS 26th DAY OF JULY 2021

READ A THIRD TIME AND FINALLY PASSED THIS 26th DAY OF JULY 2021

Mayor Jim Coleman

Don McArthur, Clerk - Administrator

Schedule A
By-law 30-2021– Dumping By-law
Part 1 Provincial Offences Act

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1	Did deposit waste on any on street, or Village lot.	Section 3.1	\$300.00
2	Did deposit waste on Village property without consent	Section 3.2	\$300.00
3	Did deposit waste at park or water access	Section 3.3	\$300.00
4	Did deposit household garbage in the Village	Section 3.4	\$300.00

Note: The general penalty provision for the offences listed above is section 4 of By-law 30-2021 a certified copy of which has been filed.