

- 2.05.2 No Owner or Occupant of property shall obstruct, or cause or permit the obstruction of a watercourse on the property.
- 2.05.3 Every Owner and Occupant of property shall keep the yard and vacant lands graded, filled up or otherwise drained so as to prevent excessive or recurrent ponding of water on the property.
- 2.05.4 Every Owner and Occupant of property shall ensure that water discharged from downspouts, sump pump outlets or other similar sources on the property is directed in such a way so as to:
- a) contain the water within the limits of the property until absorbed by the soil or drained to a swale, watercourse, storm sewer or other suitable outlet;
 - b) prevent discharge directly on any highway, sidewalk or stairs;
 - c) prevent discharge into sanitary sewers; and
 - d) prevent discharge on to neighbouring property unless the grading was designed to utilize share swales or other forms of shared overland flow to capture surface water and direct it to a storm sewer other suitable collection facility.

2.06 Waste and Littering

- 2.06.1 Every Owner and Occupant shall keep his or her yard free and clear of all waste, refuse, domestic waste, industrial waste, or any other thing that may constitute a health, fire or safety hazard.
- 2.06.2 No person shall use a yard for the depositing or keeping of waste.
- 2.06.3 Any waste kept on a yard must:
- a) be stored in a container with a tight-fitting cover and free from holes or cracks, with smooth surfaces with finishes that are impervious to water;
 - b) be kept in a manner which prevents the escape of offensive odour or waste;
 - c) not be accessible to pests, insects, animals, birds, or vermin;
 - d) not create a health, fire or safety hazard; and
 - e) not be exposed to weather conditions or wind.

2.06.4 The Owner and Occupant of property used contrary to or on which there is a contravention of subsection 2.06.1, 2.06.2 or 2.06.3 regardless of whether the use or contravention occurred prior to the enactment of this By-law, shall, at the person's own expense, clean and clear the property and cease using the property for such prohibited purposes.

2.06.5 No person shall cause or permit the throwing, placement or depositing of refuse or debris on private or public land, including a sidewalk, road, street or highway.

2.06.6 A person does not breach the provisions of this section by placing garbage out for collection on property in accordance with applicable by-laws and collection schedules, but no person shall leave garbage out contrary to such by-laws or schedules and no person shall leave such garbage on a travelled portion of the property, sidewalk, road, street or highway.

2.07 Composting Rules

2.07.1 The Owner and Occupant shall ensure that:

a) all compost is stored and kept neatly and in a contained manner so as not to allow offensive odours to affect the surrounding neighbourhood, or to attract vermin or other animals to the compost;

b) compost piles shall be no larger than:

(i) one (1 m³) cubic meter in volume; and

(ii) one point eight (1.8 m) meters in height;

c) compost shall be enclosed on all sides by concrete blocks or lumber or be maintained within a two hundred and five (205 l) liter container, a metal frame building with a concrete floor, or a commercial plastic enclosed container designed for composting.

2.08 Derelict and/or Inoperative Motor Vehicles, Trailers and Machinery

2.08.1 No Owner or Occupant of land shall use any land or structure in the Municipality for storing derelict, 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 for the purposes of repairing other vehicles.

2.08.2 No Owner or Occupant shall store, keep, place or permit the storage, keeping or placement of the following on property:

a) derelict motor vehicles;

- b) inoperative motor vehicles;
- c) detached motor vehicle parts or components unless otherwise expressly permitted; and/or
- d) wrecked, dismantled, discarded, inoperative or abandoned motor vehicles, recreational vehicles, machinery, appliances, boats, trailers, utility trailers, mobile homes or any similar vehicles, conveyances or equipment.

2.08.3 Subsections 2.08.1 and 2.08.2 do not prohibit the storage of an inoperative motor vehicle or inoperative machinery, or part of a vehicle or machinery where:

- a) the storage is reasonable necessary for the conduct of a business or trade lawfully conducted on the property;
- b) the inoperative motor vehicle, inoperative machinery or parts of a vehicle or machinery are stored in an enclosed building for a purpose other than:
 - i. wrecking or dismantling of them or salvaging parts from them for sale or other disposition; or
 - ii. a vehicle repair or machinery business purpose; or
- c) the storage in a yard is of a single vehicle which is fully and completely covered with a canvas or similar opaque, weather-resistant tarpaulin in good repair.

2.08.4 This subsection 2.08 does not prohibit the keeping of inoperative agricultural machinery and inoperative agricultural vehicles on a farm provided that the inoperative agricultural machinery or inoperative agricultural vehicles are not placed or arranged so as to create a safety or health hazard to persons on the property and, in particular, not so as to block emergency access to or from the property.

2.09 Public Nuisances

- 2.09.1 No Owner or Occupant of property shall use the property in a manner which creates a public nuisance.
- 2.09.2 No Owner or Occupant of property shall allow a condition to develop or remain on the property in a manner which constitutes or creates a public nuisance.

3 ADMINISTRATION

- 3.01 The Municipal Clerk is assigned the responsibility for administering and enforcing this By-law and may assign duties to such persons as he or she deems necessary to carry out the provisions of this By-law.

3.02 Persons appointed or assigned for the purposes of administering or enforcing this By-law are officers; have the authority to carry out the duties of assigned to officers under this By-law; and may enforce the provisions of this By-law.

4 ENFORCEMENT

4.01 An officer may enter on property at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- a) this By-law;
- b) a direction or Order made under this By-law; or
- c) a prohibition Order made under section 431 of the *Municipal Act, 2001*.

4.02 An officer may, for the purposes of an inspection under subsection 4.01:

- a) require the production for inspection of documents or things relevant to the inspection;
- b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- c) require information in writing or otherwise as required by the officer from any person concerning a matter related to the inspection; or
- d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

4.03 An officer may undertake an inspection pursuant to an Order issued by a provincial judge or justice of the peace under section 438 of the *Act* where he or she has been prevented or is likely to be prevented from carrying out an inspection under subsections 4.01 and 4.02.

4.04 If an officer is satisfied that a contravention of this By-law has occurred, the officer may make an Order requiring the person who contravened the By-law or who caused or permitted the contravention or the Owner or Occupant of the property on which the contravention occurred to discontinue the contravening activity.

4.05 An Order under subsection 4.04 shall set out:

- a) reasonable particulars of the contravention adequate to identify the contraventions and the location of the property on which the contravention occurred; and

b) the date or dates by which there must be compliance with the Order.

4.06 If an officer is satisfied that a contravention of this By-law has occurred, he or she may make an Order requiring the person who contravened the By-law or who caused or permitted the contravention or the Owner or Occupant of the property on which the contravention occurred to do work to correct the contravention.

4.07 An Order under subsection 4.06 shall set out:

a) reasonable particulars of the contravention adequate to identify the contravention and the location of property on which the contravention occurred;

b) the work to be completed; and

c) the date or dates by which the work must be completed.

4.08 An Order to discontinue contravening activity made under subsection 4.04 or an Order to do work made under subsection 4.06 may be served:

a) by regular, registered or certified mail to the last known address of, as the case may be, the person who contravened the By-law or who caused or permitted the contravention or the Owner or Occupant of the property on which the contravention occurred, in which case it shall be deemed to have been given on the third day after it was mailed;

b) by an officer placing a placard containing the Order in a conspicuous place on the property where the contravention occurred, in which case it shall be deemed to have been given on the day of the placement of the placard on the property; or

c) personally, as the case may be, on the person who contravened the By-law or who caused or permitted the contravention or the Owner or Occupant of the property on which the contravention occurred.

4.09 Where a person does not comply with a direction, an Order or a requirement under this By-law to do a matter or thing, the Municipality Clerk, with such assistance by others as may be required, may carry out such direction, Order or requirement at the person's expense.

4.10 Without limiting its right to pursue other remedies, the Municipality may recover the costs of doing a matter or thing under subsection 4.09 by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes and such costs shall include an interest rate of 15 per cent per year commencing on the day the Municipality incurs the costs and ending on the day the costs, including the interest, are paid in full.

4.11 Where an Order has been issued by an officer under section 444 of the *Act* to discontinue an activity or where a Work Order to correct a contravention has been issued by an officer under section 445 of the said *Act*, the officer may modify the terms or requirements of the Order or Work Order, including the time within which compliance must be achieved.

4.12 Offences and Penalties

- 4.12.1 Every person who contravenes an Order under section 444 or 445 of the *Act* or who fails to comply with an Order issued under this By-law is guilty of an offence.
- 4.12.2 Any person who contravenes any provision of this By-law is liable to a fine or other penalty as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.
- 4.12.3 Any person who is in contravention of any provision of this By-law, or who contravenes an Order issued under section 444 or 445 of the *Act* is deemed to be committing a continuing offence for each day that the contravention continues.

5 EFFECTIVE DATE, REPEAL AND TRANSITIONAL RULES

5.01 Effective Date

5.01.1 This By-law shall take effect on the date of its passage.

5.02 Repeal

5.02.1 Upon passage of this By-law, the following is repealed:

The Corporation of the Municipality of Greenstone By-law No. 03-27.

ENACTED AND PASSED this 15th day of January, 2024 as witnessed by the Seal of the Corporation and the hands of its proper Officers.



Original signed and sealed by K. Miousse

Kristina Miousse, Clerk

Original signed by J. McPherson

James McPherson, Mayor