



# MISSISSAUGA

## THE CORPORATION OF THE CITY OF MISSISSAUGA DEBRIS AND ANTI LITTERING BY-LAW 219-85

(amended by 293-86, 1298-86, 755-87, 62-92, 303-00, 424-02, 108-19)

WHEREAS under paragraph 74 of Section 210 of the *Municipal Act*, R.S.O. 1980 chapter 302, as amended, by laws may be passed by the Council for requiring and regulating the filling up, draining, cleaning, clearing of any grounds, yard and vacant lots;

AND WHEREAS under paragraph 76 of Section 210 of the *Municipal Act*, R.S.O. 1980, c. 302 as amended by-laws may be passed by the Council for prohibiting the throwing, placing or depositing of refuse or debris on private property or on property of the municipality or any local board thereof without authority from the owner or occupant of such property;

AND WHEREAS under paragraph 7 of Section 309 of the *Municipal Act*, R.S.O. 1980 chapter 302, as amended by-laws may be passed by the Council for making regulations as to pits, precipices and deep water ad other places dangerous to travellers within the municipality;

AND WHEREAS under paragraph 39 of Section 210 of the *Municipal Act*, R.S.O. 1980 c. 302 by-laws may be passed by the Council for authorizing appointed officers to enter at all reasonable times upon property to ascertain whether the provisions of the by-law are obeyed;

AND WHEREAS Section 325 of the *Municipal Act*, R.S.O. 1980 chapter 302, as amended enables Council where it has authority to direct a thing to be done by by-law, in default of it being done, like manner as municipal taxes;

NOW THEREFORE the Council for the Corporation of the City of Mississauga ENACTS as follows:

### **DEFINITIONS**

1. In this by-law,

“*By-law Enforcement Officer*” means a person appointed by by-law as a By-law Enforcement Officer;

“*City*” means the geographic entity City of Mississauga in the Regional Municipality of Peel;

**“City property”** means any land situated within the City which is owned by the Corporation or controlled by the Corporation by lease or otherwise;

**“Commissioner”** means the Commissioner of Corporate Services or his or her designate;(1298-86, 755-87, 424-02)

**“Corporation”** means the Corporation of the City of Mississauga;

**“local board”** means any school board, public utility commission, transportation commission, public library board, local board of health, board of commissioners of police or any other board, commission, committee, board or local authority established or exercising any power or authority under any general or special Act with respect to the affairs or purposes, including school purposes, of the City or any part thereof;

**“owner”** includes the registered owner, occupant, tenant, person for the time being managing or receiving the rent of the property whether on his own account or on account of an agent or trustee of any other person, or any of the aforesaid;

**“Private Property”** means property which is privately owned and is not City property or property of a local board, property of the Regional Municipality of Peel or property of any of the Crown in Right of Ontario, the Crown in Right of Canada or any emanations thereof;

**“property”** means lands tenements and hereditaments and any estate or interest herein and any right or easement affecting the land;

**“refuse or debris”** includes but is not limited to, garbage, ashes, rubbish, builder's and building contractors refuse, other industrial waste, inoperative vehicles and motor vehicle parts and accessories.

**“Swimming Pool”** mean a body of water located outdoors, which is contained wholly or partly by artificial means and which can hold water exceeding 61mm (24 inches) in depth at any point and which includes structures known as “Hot Tubs”, “Whirlpools”, and “Spas”. (424-02)

**“Swimming Pool Water”** means any water in a Swimming Pool on Private Property; (424-02)

## **ADMINISTRATION**

2. The Commissioner shall be responsible for the administration and enforcement of this by-law.

### **THROWING OF REFUSE AND DEBRIS**

3. (1) No person shall throw, place or deposit refuse or debris upon private property or permit refuse or debris to be thrown, placed or deposited on private property without the consent of the owner of the property. (108-19)
- (2) No person shall throw, place or deposit refuse or debris on City property or permit refuse or debris to be thrown, placed or deposited on City property without the written consent of the corporation. (108-19)
- (3) No person shall throw, place or deposit refuse or debris on the property of a local board or the Regional Municipality of Peel without the written consent of the local board or the Regional Municipality of Peel.

### **REMOVAL OF REFUSE AND DEBRIS**

4. Where on any grounds, yard or vacant lot or property there is refuse or debris, the owner shall move such refuse and debris from the land so that the land is left in clean condition.

### **NOTICE**

5. (1) The Commissioner or a By-law Enforcement Officer may by notice sent by certified mail require the owner of property within the time specified within the notice:
  - (a) to clean, clear or remove from the property refuse and debris;
  - (b) to stop the throwing, placing or disposing of refuse and debris on the property;
- (2) Every notice referred to in subsection I shall identify the property and be addressed to the owner as shown on the last revised assessment roll.

### **SWAMPS, MARSHES AND PONDS**

6. (1) The owner of property within the City upon which there is a swamp, marsh or pond or a collection of water which is a health or safety hazard shall, when required by the Commissioner, fill up or drain the area and keep it filled up or drained at all times.
- (2) The provisions of subsection of 1 do not apply to a natural pond and water course.

### **SWIMMING POOL WATER**

- 6.1 For the purpose of sections 6.2 to 6.4 inclusive, (424-02)

**“Backwash water”** means Swimming Pool Water that runs through pool filters for the purpose of flushing out debris in the filters

**“Discharge”** means the act of depositing, discharging, draining or causing or permitting the deposit, discharge or drainage of Swimming Pool Water.

- 6.2 (1) No Owner shall discharge Swimming Pool Water onto any property without the consent of the owner of that property.
- 6.3 (1) Notwithstanding section 6.2, Swimming Pool Water, except for Backwash Water, may be discharged onto City Property if it is discharged directly by a hose to the street in front of the Owner's property.
  - (2) Swimming Pool Water discharges onto City Property under subsection (1) shall be discharged only after the Owner has:
    - (i) removed all organic materials from the water; and
    - (ii) allowed the water to remain for a minimum of 3 days without the addition of any chemicals or algaecides.
  - (3) Backwash water shall not be discharged onto City Property without prior authorization from the Commissioner.
- 6.4 (1) Notwithstanding section 6.1, an Owner may discharge backwash water directly by a hose to the sanitary sewer system of the Owner's property.
  - (2) Prior to the installation of a direct connection to the sanitary sewer system for the purpose of discharging backwash water as pursuant to subsection (1), the Owner shall obtain a plumbing permit from the City's Planning and Building Department.

**DANGEROUS PLACE**

- 7. The owner of property within the City upon which there is a deep precipice, deep water or other dangerous place shall:
  - (a) when required by the Commissioner, fill up or drain the area and keep it filled or drained at all times, and/or
  - (b) cause the area to be enclosed with a fence of a type and height satisfactory to the Commissioner and shall keep such fence in good repair at all time.

**TOPSOIL**

- 7A (1) In this section:(293-86)

- (a) **“lot”** means a parcel of land capable in a deed of being a deed or any other document legally capable of conveying land or shown as a lot or block on a registered plan of subdivision.
  - (b) **“topsoil”** means that horizon in a soil profile, known as the “A” horizon containing organic material.
- (2) No person shall fill up the ground, yard or vacant lot by the placing of fill and/or topsoil.

**ENTRY ON PREMISES**

8. A By-law Enforcement Officer may enter at all reasonable time upon any property to ascertain whether the provisions of this by-law are obeyed and to enforce and carry into effect the provisions of this by-law.

**DEFAULT**

9. Where the owner is in default of doing the matter or thing required to be done under this by-law, the commissioner may have the mater done and cost thereof shall be added to the property tax rolls of the owner and collected in the like manner as municipal taxes.

**PENALTY**

10. Every person who contravenes any of the provisions of this by-law is this by-law is guilty of an offence and on conviction is liable to a fine of not more than \$5,000.00 exclusive of costs or to imprisonment for a term of not more than 21, days, or to both.(62-92)

**SHORT TITLE**

11. This by-law may be referred to as the debris and anti littering by-law.
12. By-law 390-76 and By-law 159-80 are hereby repealed.

ENACTED and PASSED this 25th day of March 1985.

Signed by: Hazel McCallion, Mayor Terence Julian, City Clerk