

THE CORPORATION OF THE TOWNSHIP OF SEVERN

BY-LAW NO. 2004-61

As Amended by By-law No. 2007-144

BEING A BY-LAW TO PROHIBIT THE LITTERING OF PRIVATE OR MUNICIPAL
PROPERTY

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 8., confers broad authority on municipalities to enable them to govern their affairs as they consider appropriate;

AND WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 127.(c), provides that a local municipality may 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 this By-law;

AND WHEREAS it is deemed expedient by the Council of the Corporation of the Township of Severn to enact a By-law to prohibit littering on private or municipal property;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SEVERN HEREBY ENACTS AS FOLLOWS:

1. **Definitions**

In this By-law:

- 1.1 “**Corporation**” means the Corporation of the Township of Severn.
- 1.2 “**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 under any general or special Act with respect to the affairs or purposes, including school purposes, of the Township or any part thereof.
- 1.3 “**Owner**” includes the registered owner, occupant, tenant, person for the time being managing or receiving the rent of the property whether on his or her own account or on account of an agent or trustee or any other person, or any one of the aforesaid.
- 1.4 “**Private Property**” means property which is privately owned and is not Township property or property of a Local Board, property of the County of Simcoe or property of any of the Crown in Right of Ontario, the Crown in Right of Canada or any source thereof.

- 1.5 **“Property”** means lands, tenements and hereditaments and any estate or interest therein and any right or easement affecting the land.
- 1.6 **“Refuse or Debris”** includes but is not limited to garbage, ashes, rubbish, builders and building contractors refuse, other industrial waste, inoperative vehicles and motor vehicle parts and accessories.
- 1.7 **“Township”** means the geographic entity of the Township of Severn in the County of Simcoe.
- 1.8 **“Township Property”** means any land situated within the Township which is owned by the Corporation or controlled by the Corporation by lease or otherwise.
- 1.9 **“Domestic Waste”** includes household garbage, vegetables, fruits, furniture, clothing, household effects, septic tank liquid, wet and dry sewage, disposal sludge, contents of privy vaults, cesspools and holding tanks for human excrement.
2. No person shall throw, place or deposit refuse, debris or domestic waste upon private property without the consent of the owner of the property.
3. No person shall throw, place or deposit refuse, debris or domestic waste on Township property without the written consent of the Corporation of the Township of Severn.
4. No person shall throw, place or deposit refuse, debris or domestic waste on the property of a Local Board of the County of Simcoe which property is situated in the Township of Severn without the written consent of the Local Board or the County of Simcoe.
5. That the presence of a “No Dumping or No Littering” sign shall be deemed to indicate a lack of consent on the part of the owner.
6. That the By-law shall be enforced by a Police Officer, Police Cadet, Municipal Law Enforcement Officer or an Officer appointed for the purposes of enforcing this By-law.
7. Any person who contravenes any provisions of this By-law is guilty of an offence and upon conviction is liable to a penalty as provided for in the Provincial Offences Act, R.S.O. 1990, as amended.
8. That this By-law shall come into force and effect on the date of passing thereof.
9. That By-law No. 1998-67 be and it is hereby repealed.

By-law read a first and second time this 6th day of May, 2004.

By-law read a third time and finally passed this 6th day of May, 2004.

CORPORATION OF THE TOWNSHIP OF SEVERN

Phil Sled

MAYOR

W. Henry Sander

CLERK-TREASURER