

**THE CORPORATION OF THE  
TOWNSHIP OF EDWARDSBURGH/CARDINAL**

**BY-LAW 2018-19**

**"A BY-LAW TO AMEND BY-LAW 2014-05 CLEAN YARDS BY-LAW"**

**WHEREAS** Sections 10(2) clauses 5 & 6, 127, 128 and 131 of the Municipal Act 2001, SO 2001 c. 25 as amended authorizes municipalities to pass by-laws for requiring the cleaning and clearing of yards, for prohibiting the depositing of refuse on private and public lands; and for prohibiting automotive wrecking yards;

**AND WHEREAS** Section 446 of the Municipal Act 2001, SO 2001 c. 25 permits a municipality to enact a by-law to require that a matter or thing be done by a person and in default, the matter or thing may be done by the municipality at the person's expense and further that the costs of doing so may be added to the tax rolls and collected in the same manner as taxes;

**AND WHEREAS** the Council of the Corporation of the Township of Edwardsburgh/Cardinal deems it desirable to amend By-law 2014-05;

**NOW THEREFORE** the Council of the Corporation of the Township of Edwardsburgh/Cardinal enacts as follows:

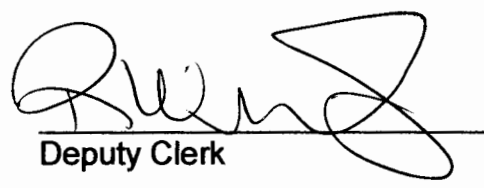
1. That Section 8 "Offences" heading is deleted and renamed as follows:  
"Penalties"
2. That Section 8.a) is deleted and replaced by the following:  
  
"Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c.P. 33, as amended."
3. That the following Section 8.b) under the "Penalties" heading is added:  
  
"A person who is convicted of an offence under this by-law is liable for each day or part of a day that the offence continues, where the minimum fine shall not exceed \$500.00 and a maximum fine of \$10,000.00 and the total of all daily fines for the offences is not limited to \$100,000.00 as provided for in Section 429(3) of the Municipal Act, SO 2001, c. 25, as amended."
4. That Section 8.b) is renumbered as Section 8.c).
5. That Section 8.d) under the "Penalties" heading is added:  
  
"Every person who contravenes this by-law, including a notice to remedy issued under this by-law is guilty of an offence."
6. That By-law 2014-05 be amended to include Appendix "C" – Set Fines attached hereto.
7. That all other provisions of by-law 2014-05 shall remain in force and effect.
8. That this By-law shall come into force and take effect on the date of passing.

Read a first and second time in open Council this 26<sup>th</sup> day of March, 2018.

Read a third and final time, passed, signed and sealed in open Council this 26<sup>th</sup> day of March, 2018.



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Mayor



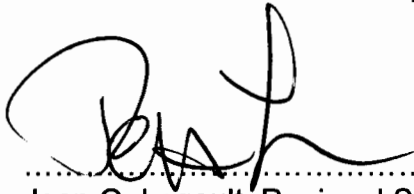
\_\_\_\_\_  
Deputy Clerk

**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. 2014-05 as amended of the Corporation of the Township of Edwardsburgh/Cardinal, attached hereto is the set fine for that offence. This Order is to take effect on May 11<sup>th</sup>, 2018.

Dated at Ottawa this 11<sup>th</sup> day of May 2018.



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Jean G. Legault, Regional Senior Justice  
Ontario Court of Justice  
East Region

Appendix "C"

Township of Edwardsburgh Cardinal

Part 1 – Provincial Offences Act

By-law 2014-05, as amended by By-law 2018-19

Clean Yard – Set Fines

| ITEM | SHORT FORM WORDING  | PROVISION CREATING OR DEFINING OFFENCE | SET FINE |
|------|---|--|----------|
| 1    | Failure to maintain property clean and free from refuse and/or debris   | 4.a                                    | \$300    |
| 2    | Failure to keep grass/vegetation cut to not exceed 20cm/8inches   | 4.b                                    | \$100    |
| 3    | Failure to keep hedges and trees adjacent to public sidewalk, walkway or roadway cut and trimmed                                    | 4.c                                    | \$200    |
| 4    | Throwing, placing, or depositing of refuse or debris on any property within the Township  | 4.d                                    | \$300    |
| 5    | Failure to keep property free and clear of infestations of injurious insects and termites   | 4.e                                    | \$300    |
| 6    | Failure to keep property free and clear of infestations of rodents, vermin and/or other pests                                       | 4.e                                    | \$300    |
| 7    | Improper storage of a motor vehicle or vehicle parts for the purpose of wrecking or salvaging parts thereof for salvage or disposal | 4.f                                    | \$300    |
| 8    | Failure to keep a swimming pool, hot tub, wading pool or artificial pond in good repair and working condition                       | 4.g                                    | \$200    |
| 9    | Obstructing an Officer  | 6                                      | \$200    |

**Note:** The general penalty section for the offences indicated above is Section 8 of By-law 2014-05, as amended by By-law 2018-19. A certified copy of which has been filed.