

## **THE CORPORATION OF THE TOWNSHIP OF RAMARA**

### **BYLAW NO. 2021.46**

#### **A BYLAW TO REQUIRE AND REGULATE THE CUTTING OF GRASS AND WEEDS ON PRIVATE LAND**

**WHEREAS** pursuant to Section 9 of the Municipal Act, 2001 (the “Act”) a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

**AND WHEREAS** pursuant to Section 127 of the Act a municipality may require the owner or occupant of land to clean and clear the land, not including buildings, or to clear refuse or debris from the land, not including buildings;

**AND WHEREAS** pursuant to Section 128 of the Act a municipality may prohibit and regulate with respect to public nuisances;

**AND WHEREAS** the Council of the Corporation of the Township of Ramara (the “Township”) wishes to require and regulate the cutting of grass and weeds on private land;

**NOW THEREFORE, the Council of the Corporation of the Township of Ramara hereby enacts as follows:**

#### **1. DEFINITIONS**

1.1 “Grass and weeds” means:

- (a) All noxious weeds and local weeds designated under the Weed Control Act (Ontario); and
- (b) Any other vegetation growth that does not form part of a natural garden that has been deliberately implemented to produce ground cover, including one or more species of wildflowers, shrubs, perennials, grasses or combinations of them, whether native or non-native, consistent with a managed and natural landscape other than regularly mown grass.

1.2 “Inspector” means the Weed Inspector for the Township of Ramara appointed by Council or the Weed Inspector’s designate.

1.3 "Owner" includes:

- (a) The person for the time being managing or receiving the rent of the land, whether on the person's own account or as agent or trustee of any other person, or who would receive the rent if the lands were let; and
- (b) A lessee or occupant of the land who, under the terms of a lease, is required to repair and maintain the land.

**2. SCOPE**

- 2.1 This By-law shall apply to all properties zoned Village Residential, Hamlet and Shoreline Residential as set out in Township of Ramara Zoning Bylaw 2005.85, as amended from time to time.
- 2.2 Notwithstanding Section 2.1 as outlined above, this Bylaw shall apply to properties within the areas defined in Schedules "A" (Lagoon City), "B" (Bayshore Village), "C" (Val Harbour), "D" (Floral Park), "E" (Breachin) and "F" (Oak Point Road) of this By-law.
- 2.3 The Boundaries outlined in Section 2.2 above take precedence over zoning references.

**3. REGULATIONS**

- 3.1 The owner and occupant of private land shall cut the grass and weeds on their land if at any time after May 31st and before October 15th in any year the growth of grass and weeds exceeds 30 centimetres in height.

**4. ENFORCEMENT**

- 4.1 The Township, the Inspector and any authorized agent of the Township may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not this By-law is being complied with.
- 4.2 For the purposes of such an inspection the Township, the Inspector and any authorized agent of the Township may,
  - (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 from any person concerning a matter related to the inspection; and
  - (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.
- 4.3 An Inspector who finds private land in contravention of this By-law 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 land on which the contravention occurred to do work to correct the contravention within the time period specified in the order, but no later than 72 hours after the order is given.
- 4.4 An order given under subsection 4.3 shall set out reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred.
- 4.5 An order may be served personally on the person to whom it is directed or by prepaid mail to the last known address of that person, and if served by prepaid mail it shall be deemed to have been given on the third day after it is mailed. The Township is not required to ensure that an Order that is properly sent by prepaid mail is received by the person to whom it was sent.
- 4.6 If there is evidence that the person in possession of the land is not the assessed property owner, the order shall be served on both the assessed property owner and the person in possession of the land.
- 4.7 If the address of the owner or occupant is unknown or the Township is unable to effect service on the owner or occupant as hereinbefore provided, a placard stating the terms of the order and placed in a conspicuous place upon the land shall be deemed to be sufficient notice and given at the time it is so placed.
- 4.8 If an owner or occupant fails to comply with an order given under this By-law the Township, an Inspector or any authorized agent of the Township may enter upon the lands at any time between sunrise and sunset for the purposes of doing the things required in the order.
- 4.9 Costs incurred by the Township in doing the things required in the order may be recovered from the person directed or required to do such things by action or by adding the costs to the tax roll of the land and collecting them in the same manner as property taxes.
- 4.10 The Township may register a Notice of Lien on the land in the proper Land Registry Office for the amount of the costs, including interest.

## 5. OFFENCE

- 5.1 Any person who contravenes or fails to comply with any provision of this By-law, including failing to comply with an order made under this By-law, is guilty of an offence and liable to the fines and penalties imposed by the Provincial Offences Act (Ontario).

## 6. EXEMPTIONS


- 6.1 Nothing in this By-law shall affect:


- (a) The application and enforcement of the Weed Control Act (Ontario) with respect to noxious weeds growing on land, including within a natural garden.
- (b) The application and enforcement of the Endangered Species Act, 2007 (Ontario).

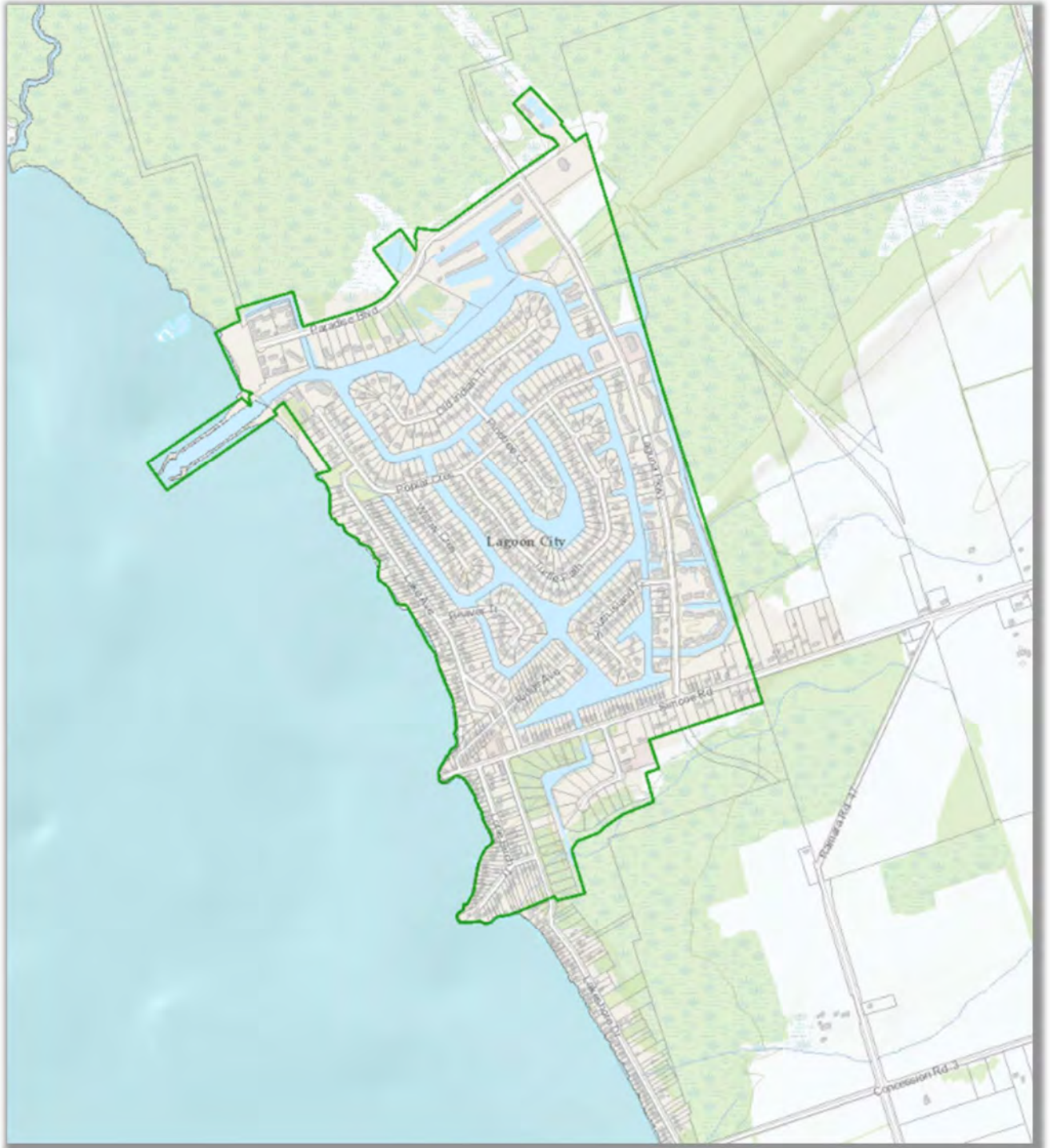
## 7. REPEAL OF PREVIOUS BYLAWS

- 7.1 By-laws 2014.36, 2014.47 and 2014.61 are hereby repealed.

**BYLAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 14<sup>TH</sup> DAY OF JUNE 2021.**

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**BASIL CLARKE, MAYOR**

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**JENNIFER CONNOR, CLERK**



SCHEDULE “B” TO BYLAW 2021.

Bayshore Village





## SCHEDULE "C" TO BYLAW 2021.

### Val Harbour



## SCHEDULE "D" TO BYLAW 2021.

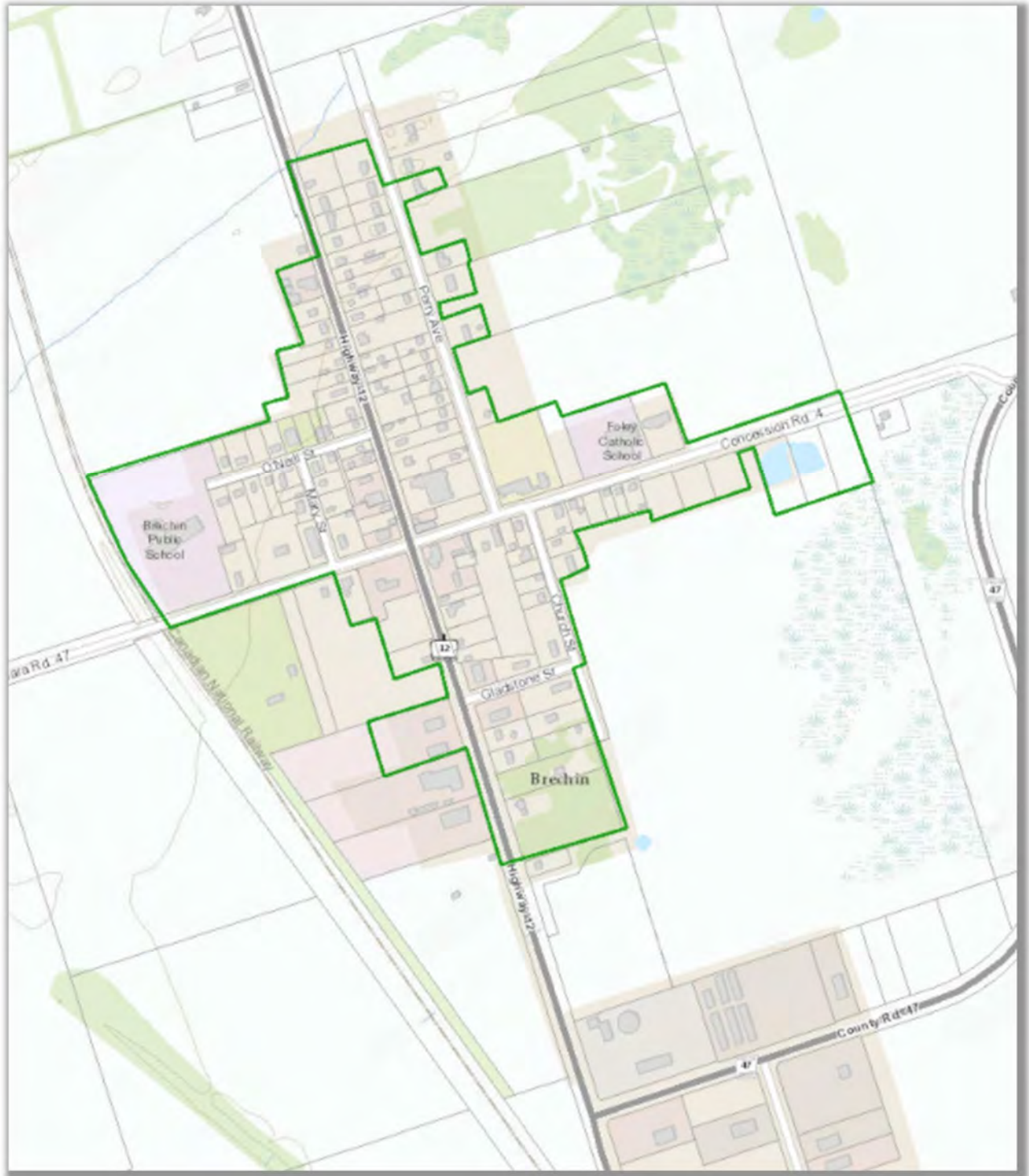
### Floral Park





## SCHEDULE "E" TO BYLAW 2021.

### Brechin



## SCHEDULE "F" TO BYLAW 2021.

### Oak Point Road

