

BILL NO. 2020.47

THE CORPORATION OF THE TOWNSHIP OF RAMARA

BY-LAW NUMBER 2020.63

BEING A BYLAW TO PROHIBIT THE DUMPING OF WASTE

WHEREAS the Township of Mara Act, 1986 and Sections 11 and 69 of the Municipal Act, 2001, provides municipalities with the authority to pass bylaws with respect to regulate the use of municipal canals and transportation systems other than highways;

AND WHEREAS the provisions of the Township of Mara Act, 1986, permits the delegation of such authority of the Lagoon City Parks and Waterways Commission with respect to the regulation and maintenance of canals and waterways within the development known as Lagoon City.

AND WHEREAS the enforcement measures outlined herein are authorized under Part XIV of the Municipal Act, 2001;

AND WHEREAS this By-law is intended to establish the authority to prohibit the dumping of waste in the canals of Lagoon City;

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

PART I – DEFINITIONS

1. For the purpose of this By-law:

- a. "**Commission**" means the Lagoon City Parks and Waterways Commission.
- b. "**waste**" includes, but is not limited to, ashes, garbage, refuse, domestic waste, grass, leaves, garden clippings, garden waste, feces, earth, gravel, sand, snow and ice or any other material of which the placing, dumping or disposing or which may serve to injure, or foul any canal or waterway owned by the Township of Ramara.
- c. "**Waterways** " includes a canal, body of water, slip, lagoon.

PART II - APPLICATION OF THE BYLAW

2. This Bylaw applies to all waterways over and upon lands owned by the Corporation of the Township of Ramara and under the management and control of the Commission.

PART III – REGULATIONS

3. No person shall place, dump or dispose of waste in any canal, waterway or boat slip connected thereto, nor in any private park or walkway, owned by the Township of Ramara and under the management and control of the Lagoon City Parks and Waterways Commission.

PART IV- ENFORCEMENT AND PENALTIES

4. Every person who is convicted of an offence is liable to a fine in the amount of \$1,000.00, exclusive of costs, or otherwise as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.

5. When a person has been convicted of an offence under this By-law,

- a. the Superior Court of Justice, or
- b. any Court of competent jurisdiction thereafter,

may, in addition to any penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence.

PART V – SEVERABILITY

6. If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, the remainder of this By-law shall continue to be valid and remain in force.

PART VI – SHORT TITLE

7. This Bylaw may be referred to as the “No Dumping” By-law.

PART VII – REPEAL

8. By-law 1998.42 as amended is hereby repealed.

PART VIII – EFFECTIVE DATE

9. This By-law comes into force on the day it is passed.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 24TH DAY OF AUGUST 2020.

Basil Clarke

BASIL CLARKE, MAYOR

Jennifer Connor

JENNIFER CONNOR, CLERK