

Property Maintenance

Chapter 0771 Yards - Lots – Clearing

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Article 1 - Short Title

771.1.1 Citation

The short title of this Chapter is the "Waste Materials By-law."

Article 2 – Interpretation

771.2.1 City - defined

"City" means The Corporation of the City of Woodstock.

771.2.2 County - defined

"County" means The Corporation of the County of Oxford. By-law 6328-86, June 5, 1986.

771.2.3 Clean or cleared up - defined

"clean or cleared up" includes the removal of weeds or grass more than 20 centimetres in height. Any public property undergoing a naturalization program or any privately owned property undergoing a naturalization program are exempt from the requirements of this Section. All privately owned property initiating a naturalization plan is subject to the prior approval of a naturalization plan by the Parks and Recreation Department and shall not be considered exempt until such plan is approved and implemented. By-law 6328-86, June 5, 1986; By-law 7407-97, April 17, 1997; By-law 8764-12, May 17, 2012.

771.2.4 Domestic waste - defined

“domestic waste” means any article, thing, matter or any effluent belonging to or associated with a house or household or concerning or relating to the home or family that appears to be waste material; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this Section, it is hereby declared that domestic waste extends to the following classes of waste material:

- a) accumulations, deposits, leavings, litter, remains, rubbish, trash;
- b) refrigerators, freezers or other appliances, any attached hinges or latching, locking or other closing mechanisms or devices;
- c) furnaces, furnace parts, pipes, fittings to pipes, water or fuel tanks.

771.2.5 Municipal By-law Enforcement Officer – defined

“Municipal By-law Enforcement Officer” means the Municipal By-law Enforcement Officer of the City of Woodstock or his/her representative.

771.2.6 Owner - defined

“owner” means an owner, lessee or occupant of any property, grounds or yard in the City.

771.2.7 Waste material - defined

“waste material” means material or effluent that in the opinion of the Municipal By-law Enforcement Officer:

- a) appears to have been cast aside or discarded or abandoned; or
- b) appears to be worthless or useless or of no practical value; or
- c) appears to be used up, in whole or in part, or expended or worn out in whole or in part.

771.2.8 Yard - defined

“yard” means the land appurtenant to any property.

771.2.9 Yard, front - defined

“yard, front” (front yard) means that portion of the lot extending across the full width of the lot between the front lot line and the nearest main front wall of any building or structure on the lot.

771.2.10 Yard, rear - defined

“yard, rear” (rear yard) means that portion of a lot extending across the full width of the lot between the rear lot line and the nearest main rear wall of any building or structure of the lot.

771.2.11 Yard, side - defined

“yard, side” (side yard) means that portion of a lot extending from the front yard to the rear yard between the side lot line and the nearest main side wall of any building or structure on the lot.

Article 3 - General Provisions

771.3.1 Property – maintained – clean - clear

Every owner, lessee or occupant shall keep his/her grounds, yard or vacant land clean and cleared up.

771.3.2 Yard - free of debris - hazardous conditions

Every yard shall be kept clean and free from rubbish or other debris and from objects, including fences or conditions that may create a health, fire or accident hazard.

771.3.3 Noxious plants - eliminated

Heavy undergrowth and noxious plants, including ragweed, poison ivy, poison oak and poison sumac shall be eliminated from every yard.

771.3.4 Hedges - trimmed

Hedges shall be kept trimmed and made to comply with any by-law of the City in effect from time to time. By-law 6328-86, June 5, 1986.

771.3.5 Land - clear of waste - exceptions

Except as provided in Sections 771.4.1 and 771.4.2, no owner, lessee or occupant of any property shall permit the accumulation of any garbage, refuse, domestic waste, industrial waste and waste material on such property. By-law 8247-06, September 7, 2006. (See Set Fine)

771.3.6 Owner - to permit inspection

Every owner, lessee or occupant shall permit the Municipal By-law Enforcement Officer to inspect the land for the purpose of Sections 771.7.1 and 771.7.2.

771.3.7 Expenses - recovery - by City

The City may recover the expense of doing a matter or thing referred to in Section 771.7.3 by action or in like manner as municipal taxes.

Article 4 - Dumping - Disposal - Prohibited

771.4.1 Refuse - private property - without authority

No person shall throw, place or deposit refuse or debris on private property without the written authority of the owner or occupant of the property. (See Set Fine)

771.4.2 Refuse - public property - without authority

No person shall throw, place or deposit refuse or debris on City property or County property without the written authority of the City or County, and where such property is occupied by a person other than the owner, without the written authority of the occupant. (See Set Fine)

771.4.3 Land - structures - within City

No person shall use any land or structure within the City for dumping or disposing of garbage, refuse, domestic waste, industrial waste and waste material.

771.4.4 City - County - land - structures - exempted

Sections 771.3.5 and 771.4.3 do not apply to land or structures used by the City or the County used for the purpose of dumping or disposing of garbage or refuse.

771.4.5 Land - designated by by-law - exempted

Sections 771.3.5 and 771.4.3 do not apply to land designated by by-law of the City or County for the purpose of dumping or disposing of garbage or refuse. By-law 6328-86, June 5, 1986.

Article 5- Automobiles - Parking – Storage - Prohibited

771.5.1 Inoperative - not licensed

No person shall use or allow to be used any yard for the parking or storage of a motor vehicle which is not operative or which is not currently licensed pursuant to the provisions of the *Highway Traffic Act* or amendments thereto for the Province of Ontario. (See Set Fine)

771.5.2 Superstructure - motor - removed

No person shall use or allow to be used any yard for the parking or storage of a motor vehicle which has had part or all of its superstructure or source of motive power removed. By-law 8141-05, November 3, 2005.

771.5.3 Automobile wrecking yards - licensed – exemption

Notwithstanding Sections 771.5.1 and 771.5.2, this Article shall not apply to those properties commonly known as automobile wrecking yards and which hold a current licence to operate such business under the provisions of the applicable regulations of the City of Woodstock.

Article 6 – Notice

771.6.1 Land – cleaned – cleared – waste removal

The Municipal By-law Enforcement Officer, by notice sent by registered post served on the owner, lessee or occupant of the land or structure, may require an owner, lessee or occupant within the time specified in the notice to clean, clear or remove from the land or structure, garbage, refuse or

domestic or industrial waste of any kind and keep the land or structure clean and clear of garbage, refuse or domestic or industrial waste of any kind for the remainder of the calendar year. The Municipal By-law Enforcement Officer shall not be required to provide the owner, lessee or occupant of the land or structure with more than one notice under this section in any given calendar year. By-law 8961-15, February 19, 2015.

771.6.2 Cease dumping - disposing

The Municipal By-law Enforcement Officer, by notice sent by registered post served on the owner, lessee or occupant of the land or structure, may require an owner, lessee or occupant within the time specified in the notice and for the remainder of the calendar year to cease using the land or structure for the dumping or disposing of garbage, refuse or domestic or industrial waste of any kind. The Municipal By-law Enforcement Officer shall not be required to provide the owner, lessee or occupant of the land or structure with more than one notice under this section in any given calendar year. By-law 8961-15, February 19, 2015.

771.6.3 Cease dumping - land - identified

Every notice sent by the Municipal By-law Enforcement Officer shall identify the land.

771.6.4 To owner - lessee - address - last assessment roll

Every notice to an owner or lessee shall be sent to the address shown on the last revised assessment roll or to the last known address.

771.6.5 To occupant - last known address

Every notice sent to an occupant shall be to the address of the land or to the last known address of the occupant.

Article 7 - Municipal By-Law Enforcement Officer - Authority

771.7.1 Inspect - determine - dumping - disposing

The Municipal By-law Enforcement Officer may inspect the use of any land for the purpose of determining whether the land is used for dumping or disposing of garbage, refuse or domestic or industrial waste of any kind.

771.7.2 Inspect - determine - compliance - notice

The Municipal By-law Enforcement Officer may inspect the use of any land for the purpose of determining whether the owner, lessee or occupant has complied with any notice sent by the Municipal By-law Enforcement Officer.

771.7.3 Owner - in default - action

Where any owner, lessee or occupant is in default of doing any matter or thing required to be done under this Chapter, the Municipal By-law

Enforcement Officer may:

- a) clean or clear up the grounds, yard or vacant land;
- b) remove refuse or debris; or
- c) remove garbage, refuse or domestic or industrial waste.

771.7.4 Matters - things - removal - disposal

Where any matters or things are removed in accordance with Section 771.7.3, the matters or things may be immediately disposed of by the Municipal By-law Enforcement Officer. By-law 6328-86, 5 June, 1986.

Article 8 - Enforcement

771.8.1 Fine - for contravention

Every person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction is liable to a fine or penalty as provided in the *Provincial Offences Act*. By-law 7139-94, 2 June, 1994.