

THE CORPORATION OF THE TOWNSHIP OF HILTON

BY-LAW NO. 1524-26

Being a by-law to prohibit and regulate the use of land within the Township of Hilton for dumping or disposing of any garbage, refuse or domestic or industrial waste of any kind, and prohibit the use of land within the Township of Hilton for storage and wrecking of used motor vehicles.

WHEREAS sections 10(2), paragraph 6, and 11(3), paragraph 1 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorize municipalities to pass by-laws respecting the health, safety and well-being of persons and the protection of persons and property;

AND WHEREAS section 127 of the *Municipal Act, 2001* authorizes municipalities to require the cleaning and clearing of land;

AND WHEREAS section 128 of the *Municipal Act, 2001* authorizes municipalities to prohibit and regulate public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

AND WHEREAS section 131 of the *Municipal Act, 2001* authorizes municipalities to prohibit and regulate the use of land for the storage of used motor vehicles for the purpose of wrecking or dismantling them or salvaging parts from them for sale or other disposition;

AND WHEREAS section 446 of the *Municipal Act, 2001* authorizes municipalities to enter upon land, perform work required to bring the property into compliance with a by-law, recover the costs incurred, and add such costs to the tax roll;

AND WHEREAS the Council of the Corporation of the Township of Hilton deems it desirable to regulate the disposal and accumulation of waste and the storage of derelict vehicles within the Township;

NOW THEREFORE the Council of the Corporation of the Township of Hilton hereby enacts as follows:

1. SHORT TITLE

1.1 This By-law shall be cited as the "Clean Yards By-law".

2. PURPOSE

2.1 The purpose of this By-law is to regulate the dumping, disposal and accumulation of waste within the Township of Hilton, to prohibit unauthorized dumping, and to regulate the storage of inoperative or derelict vehicles in order to protect public health, safety, property values and the natural environment.

3. DEFINITIONS

3.1 "Appellant" shall mean a person who files an appeal regarding an Order.

3.2 "Council" shall mean the Council of the Corporation of the Township of Hilton.

3.3 "Derelict Vehicle" shall mean a vehicle that is inoperative, dismantled, wrecked, discarded, abandoned, unlicensed, or incapable of being lawfully operated on a highway. Excluding vehicles that are actively undergoing restoration, repair, or maintenance within a wholly enclosed building.

3.4 "Industrial Waste" shall mean any unwanted or residual material produced by manufacturing, mining, energy production, and agricultural processes.

- 3.5 "Notice of Appeals" shall mean a written request submitted to the Clerk by a person who has been served with an Order, requesting that Council review the Order and stating the reasons for the appeal.
- 3.6 "Officer" shall mean a Municipal By-law Enforcement Officer, Road Superintendent, Police Officer, or any person appointed by Council to administer and enforce this By-law.
- 3.7 "Order" shall mean a written notice issued by an Officer requiring a person to remedy a contravention of this By-law within a specified period of time.
- 3.8 "Owner" shall mean the registered owner of land and includes any person who manages, occupies, leases, or otherwise exercises control over the property.
- 3.9 "Refuse" shall mean any article, thing, matter, or material that:
- a) has been cast aside, discarded, or abandoned, whether of any value or not;
 - b) has been used up, in whole or in part, whether of any value or not; or,
 - c) has become obsolete, worn out, deteriorated, or incapable of being used for its intended purpose, whether of any value or not.
- 3.10 "Vehicle" shall include a motor vehicle, trailer, boat, motorized snow vehicle or other mechanical power-driven equipment.
- 3.11 "Waste" shall mean any debris, rubbish, refuse, sewage, effluent, discard, or garbage of a type arising from a residence, belonging to or associated with a house or use of a house or residential property and/or from industrial or commercial operation, or belonging to or associated with industry or commerce or industrial or commercial property, which for greater certainty includes all garbage, discarded material or things, broken or dismantled things, and materials or things exposed to the elements, deteriorating or decaying on a property due to exposure to the weather.
- 3.12 "Yard" shall mean land, other than publicly owned land, around and appurtenant to the whole or part of a building (and used, or capable of being used in connection with the building).

4. GENERAL STANDARDS

- 4.1 No land within the limits of the Township of Hilton is to be used for dumping or disposing of any garbage, refuse, or domestic or industrial waste of any kind except at the facilities lawfully authorized to receive such waste.
- 4.2 No person is to permit garbage, refuse, or domestic or industrial waste to accumulate on any land which they own or control within the Township of Hilton.
- 4.3 All garbage, refuse or domestic or industrial waste is to be disposed of only at facilities lawfully authorized to receive such waste.
- 4.4 Waste left from the erection, alteration or demolition of any building or structure within the Township of Hilton is to be disposed of at the facilities lawfully authorized to receive such waste.
- 4.5 Persons disposing of any waste at the Township Garbage Disposal Site shall pay any fees established by the Village of Hilton Beach.

Corporation of the Township of Hilton
Clean Yards By-law Cont'd

- 4.6 No unauthorized person shall light any fire, or cause any fire to be lit, at the Township Garbage Disposal Site.
- 4.7 No person may dispose of any hot ashes containing live coals at the Township Garbage Disposal Site.
- 4.8 No person shall store or permit the storage of a derelict vehicle on any property within the Township except:
 - a) within a wholly enclosed building; or
 - b) screened from public view by a fence, vegetation, or other visual barrier acceptable to the Officer;
 - c) within a lawfully established commercial or industrial operation authorized by the Township's Zoning By-law; or
 - d) as otherwise permitted by municipal by-law.
- 4.9 No motor vehicle, vehicle body, vehicle component, or vehicle part shall be disposed of at the Township Garbage Disposal Site.
- 4.10 This By-law does not apply to:
 - a) lands actively used for agricultural purposes;
 - b) construction sites where a valid building permit has been issued and work is actively progressing.

5. INSPECTION AND ORDERS

- 5.1 An Officer may enter upon land at any reasonable time for the purpose of carrying out an inspection to determine compliance with this By-law in accordance with the Municipal Act, 2001, provided that no Officer shall enter a dwelling unit without consent of the occupant or pursuant to a warrant issued by a court of competent jurisdiction.
- 5.2 Where an Officer is satisfied that a contravention exists, the Officer may issue an Order requiring the owner or occupant to remedy the contravention within a specified period. An Order may be served personally, by registered mail, by regular mail to the owner's last known address, or by posting the Order in a conspicuous place on the property.
- 5.3 If the Order is not complied with, the Township may cause the work to be completed at the owner's expense.
- 5.4 Where the Township performs any work required under this By-law, all costs incurred by the Township, including administrative costs, may be recovered from the owner and may be added to the tax roll and collected in the same manner as municipal taxes.
- 5.5 No person shall hinder, obstruct, or interfere with an Officer carrying out duties under this By-law.

6. CONTRAVENTIONS AND PENALTIES

- 6.1 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 by the *Provincial Offences Act, R.S.O. 1990, Chapter P.33*, as amended.

- 6.2 Every such penalty shall be recoverable under the provisions of the *Provincial Offences Act*.

7. SET FINES

- 7.1 The short form wording set out in Schedule "A" attached hereto shall constitute the offences designated for the purposes of proceedings commenced under Part I of the *Provincial Offences Act*.

8. SEVERABILITY

- 8.1 If any section, subsection, clause, or provision of this By-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the provision so declared invalid.

9. CONFLICTS

- 9.1 Where a provision of this By-law conflicts with the provisions of another municipal by-law, federal or provincial Act or regulation, the provision establishing the higher standard to protect the health, safety, and welfare of the public shall prevail.

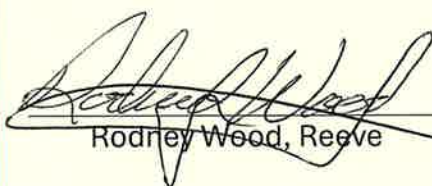
10. APPEALS

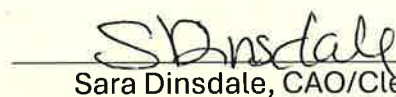
- 10.1 A person who has been served with an Order may appeal the Order to Council by filing a written Notice of Appeal with the Clerk within fourteen (14) days of service of the Order.
- 10.2 Upon receipt of a Notice of Appeal, the Clerk shall schedule the matter before Council and provide notice of the hearing to the appellant.
- 10.3 Council may confirm, modify, extend, or rescind the Order.
- 10.4 An Order remains in effect unless otherwise directed by Council.
- 10.5 The decision of Council shall be final.

11. ADMINISTRATION AND EFFECTIVE DATE

- 11.1 **THAT** Schedule "A" (Set Fines), attached hereto, shall form part of this By-law.
- 11.2 **THAT** By-law No. 608 is hereby repealed.
- 11.3 **THAT** this By-law shall come into force and take effect on the day of passing.

Read a first, second and third time and finally passed this 16th day of September 2026.


Rodney Wood, Reeve


Sara Dinsdale, CAO/Clerk-Treasurer

THE CORPORATION OF THE TOWNSHIP OF HILTON

Schedule "A" to By-law No. 1524-26

Clean Yards By-law

PART I- Provincial Offences Act

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
1	Dump waste on land	s. 4.1	\$150.00
2	Permit waste accumulation	s. 4.2	\$150.00
3	Dispose of waste at unauthorized location	s. 4.3	\$150.00
5	Store derelict vehicle	s. 4.8	\$150.00
6	Dispose of vehicle at landfill	s. 4.9	\$150.00
7	Obstruct Officer	s. 5.5	\$150.00

NOTE: The penalty provision for the offences indicated above is Section 6 of By-law 1524-26, a certified copy of which has been filed.