

THE CORPORATION OF THE TOWN OF MILTON
BY-LAW NO. 50-91

A By-law to prohibit the dumping or depositing
of litter on lands or highways.

WHEREAS THE Municipal Act, R.S.O. 1980, Chapter 302 Section 210 Sub-Section 76 provides authority to Councils of municipalities to pass by-laws to prohibit the dumping or depositing of refuse or debris on lands or highways;

AND WHEREAS The Municipal Act, R.S.O. 1980, Chapter 302, Section 315 Subsection 5 provides authority to Councils of municipalities to pass by-laws for prohibiting the throwing, placing or depositing of dirt, filth glass, handbills, paper or other rubbish or refuse, or the carcass of any animal on any highway or bridge.

AND WHEREAS THE Council of the Corporation of the Town of Milton deems it expedient and necessary to prohibit the dumping or depositing of litter on lands or highways;

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF MILTON ENACTS AS FOLLOWS:

1) Short Title

This by-law may be cited as the "Town of Milton Littering By-law".

2) DEFINITIONS

In this by-law,

- a) Litter shall mean debris, rubbish, filth, refuse, garbage or waste matter of any kind whatsoever and without limiting the generality of the foregoing shall include animal carcasses and droppings, ashes, bottles, cans, cartons, construction materials, discarded appliances, clothing, furniture and household effects, inoperative mechanical equipment, kitchen wastes, lumber, packing materials, paper, soil, soot, tree trimmings and prunings, garden waste, stumps, branches, automobile tires, used oil, automobile parts, snow, ice and slush.
- b) Highway includes any road, bridge, street, land or similar thoroughfare and includes such parts thereof commonly known as roadways, curbs, ditches, sidewalks, median strips, boulevards, islands and associated sewer, catchbasin, water courses and retaining walls.
- c) Deposit includes drop, throw, dump or randomly place or store or otherwise dispose of.
- d) Land includes any ground, yard, lot or other real property whether or not occupied by a building or structure.
- e) Municipality shall mean the Corporation of the Town of Milton.
- f) Person includes an individual, an association, a firm, a partnership or a corporation.

- g) Municipal Law Enforcement Officer shall mean a person appointed by Council for the purpose of enforcing the by-laws of the Municipality
- 3) No person shall deposit or cause to be deposited or permit to be deposited any litter on privately owned land within the municipality.
- 4) No person shall deposit or cause to be deposited any litter on any highway within the municipality.
- 5) No person shall deposit or cause to be deposited any litter on lands owned by the municipality or any local board thereof except at a waste disposal site operated by the Regional Municipality of Halton, or in receptacles approved by the municipality for that purpose.
- 6) None of the provisions of this by-law apply to the following:
- a) Where, in the normal course of garbage collection, a person deposits litter on a highway or on land owned by the municipality or any local board thereof, in compliance with the provisions of the Town of Milton Garbage Collection & Handling By-law.
 - b) Where, in the course of using land for activities carried on in the field of general agriculture and in areas zoned for that purpose, a person deposits sewer waste as fertilizer, manure, straw, grass clippings or any other plant debris commonly used as compost material.
 - c) Where, in the course of engaging in home composting, a person deposits grass, tree trimmings and prunings, garden waste and other vegetable matter in a home composter.
 - d) Where, during the course of construction on a property, construction materials are stored on that property.
- 7) Any person who violates any provisions of this by-law is, upon conviction, guilty of an offence and shall be liable to a fine subject to the provisions of the Provincial Offences Act, R.S.O. 1980, Chapter 400, as amended and be subjected to any other penalty permitted by law for each offence. Each day such violation continues shall constitute a separate offence and shall be punishable as such.
- 8) Where a conflict arises between the requirements of this by-law and any other by-law of the Corporation of the Town of Milton, the more stringent regulations shall apply.
- 9) By-law No. 56-71 of the Corporation of the Town of Milton and all other By-laws inconsistent with this By-law are repealed.
- 10) This by-law shall come into force and take effect on its passing.

BY-LAW read a first, second and third time and finally passed and enacted this 12th day of August, 1991, AD.

Mayor G.A. Krantz

Clerk William Roberts