

CORPORATION OF THE TOWNSHIP OF EAST HAWKESBURY

BY-LAW NO. 2019-57

BEING a By-Law to amend By-Law No. 2003-58 to provide for the maintenance and occupancy of property in the Township of East Hawkesbury.

WHEREAS, Council deems it expedient to amend the Property Standards By-Law from time to time.

THEREFORE, the Council of the Corporation of the Township of East Hawkesbury enacts as follows:

1) That [Section 2- Definitions](#) be amended by adding the following definitions:

- 2.A **“Actively carried on”** means marked by present operation, engaged in full-time service and characterized by action rather than by contemplation or speculation. Any labor, operation or work performed on a building structure or motorized vehicle within the last 30 days.
- 2.C **“Construction material”** means any material which is used for construction purposes such as carpentry, insulation, plumbing, and roofing materials.
- 2.D **“Debris”** includes but is not limited to garbage, rubbish, refuse, or wrecked, decayed, dilapidated, or inoperative vehicles or machinery, and parts thereof; scattered pieces of waste or remains, detritus, refuse, rubbish, waste, waste matter, discarded matter, litter, scrap, dross, chaff, flotsam, jetsam, lumber, rubble, wreckage, spoilage.
- 2.J **“Junk”** means old or discarded articles that are considered useless or of little value. Useless things, discarded things, rubbish, clutter.
- 2.R **“Rubbish”** means waste material, litter, refuse, waste, garbage, discarded matter, debris, detritus, scrap, lumber leftovers.
- 2.R **“Rubble”** means broken concrete, brick, broken asphalt, patio or sidewalk slabs.
- 2.U **“Unsafe Condition”** means any condition that could cause undue hazard to life, limb or health of any person authorized or expected to be on or about the property.
- 2.V **“Vehicle”** means a motor vehicle, trailer, boat, motorized snow vehicle, mechanical equipment and any vehicle drawn, propelled or driven by any kind of power.
- 2.W **“Waste”** means 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 operations, 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 or the weather. Waste shall include refuse, garbage or debris of any kind whatsoever and without limiting the generality of the foregoing includes rubbish, wrecked, dismantled, inoperative or unused vehicles, machinery, boats, aircraft or mechanical equipment or any part thereof or any vehicle that does not have a current validated permit and number plates displayed thereon as required under the Highway Traffic Act, or any boat that does not have the license required under the Small Vessel Regulations, furnaces, water and

fuel tanks, furniture, refrigerators, freezers, stoves and other appliances whether operative or inoperative, pallets, glassware, plastic, cans, paper, cardboard, garden refuse, kitchen table waste, animal feces, grass clippings, leaves, trees, tree branches, earth or rock fill, snow, material from construction or demolition projects, clothing and bedding.

- 2) That **Section 3- Maintenance of Accessory Buildings and Yards** be amended by adding the following conditions:

- 3.3.7** Without limiting the generality of this Section, **maintenance** includes the removal of rubbish, garbage, waste, litter and debris.
- 3.4.3** Parking lots, driveways and other similar public access areas of a yard shall be maintained so as to afford safe passage under normal use and weather conditions and be free from health and other hazards.
- 3.4.4** Parking lots, driveways and other similar public areas of a yard shall be kept clean and free of litter, rubbish, waste, salvage, refuse, decaying or damaged trees, branches, limbs, objects or conditions that might create a health, fire, accident hazard or unsightly condition.
- 3.4.5** Surface conditions of walkways, driveways and yards shall be installed and maintained in a safe condition with non-organic ground cover so as to:
- a) Prevent ponding of storm water;
 - b) Not exhibit an unsightly appearance;
 - c) Be kept free of garbage and waste;
 - d) Be kept free of deep ruts and holes;
 - e) Provide for safe passage under normal use and weather conditions, day or night; and
 - f) Not to create a nuisance to other property.
- 3.6.1** 8. Any unsightly conditions, out of character with the surrounding environment.
- 3.6.3** Where a dwelling unit or accessory building has a solid fuel burning device, the storage in a yard of firewood shall:
- a) Not be permitted in any front yard;
 - b) Be arranged in one area neatly piled;
 - c) Be at least 1 meter from the property line.
- 3.6.4** A boat that exceeds an overall length of 5.5 m shall not be stored or placed in any front yard.
- 3.6.5** Water in a swimming pool shall be kept and maintained in a condition that is not a health or safety hazard, or is malodorous, or is a breeding place for insects.

3.7 General Requirements

- 3.7.1** The Owner of any property which does not conform to the standards in this By-Law shall repair and maintain the property to conform to the standards or shall clear the property of all buildings, structures, garbage, rubbish, waste or accumulations of such materials that present access to or exit from the property in the case of emergency, or other safety or health hazard and shall leave the property in a graded and levelled condition.
- 3.7.2** Each day of contravention to this By-Law is a distinct offence.

3.7.3 This By-Law does not apply so as to prevent a farm from meeting the definition of “agricultural operation” under the *Farming and Food Production Protection Act, 1998, R.S.O. 1998, c. 1*, from carrying out a normal farm practice as provided for and defined under said Act.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL THIS 23RD DAY OF APRIL, 2019.

Robert Kirby, Mayor

Luc Lalonde, Clerk-Treasurer

SEAL