

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

BY-LAW NO. 2010-1030

**BEING A BY-LAW TO SET FINES UNDER THE PROVINCIAL OFFENCES ACT
(LITTERING)**

WHEREAS, Section 128 (1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS, Section 180 of the *Highway Traffic Act*, R.S.O. 1990, c. H. 8, states that every person who throws or deposits or causes to be deposited any glass, nails, tacks or scraps of metal or any rubbish, refuse, waste or litter upon, along or adjacent to a highway, except in receptacles provided for the purpose, is guilty of the offence of littering the highway;

AND WHEREAS, it has been deemed by the Council of the Corporation of the Township of Lanark Highlands necessary to pass a by-law to prohibit littering on municipal highways and other lands owned by the Corporation.

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Township of Lanark Highlands enacts as follows:

1. DEFINITIONS

For the purposes of this by-law:

“Litter” - includes any material left or abandoned in a place other than a receptacle or place intended or approved for receiving such material and “littering” has a corresponding meaning.

“Receptacle” - means any barrel, bin, dumpster, or other device placed on property, by the owner or occupant of such property, for the disposal of litter.

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2. GENERAL REGULATIONS

- 2.1 No person shall throw, place or deposit litter on any highway or bridge under the jurisdiction of the Township of Lanark Highlands.
- 2.2 No person shall throw, place or deposit litter on lands owned by the Township of Lanark Highlands without written authority from the Council of the Corporation.

3. ENFORCEMENT & PENALTIES

- 3.1 Any person who breaches the provisions of this by-law shall be guilty of an offence and upon conviction is liable to a fine or penalty for each offence in accordance with Schedule "A" attached hereto.
- 3.2 The By-Law Enforcement Officers, police officers or other officers appointed by the Township of Lanark Highlands are authorized to enforce this By-Law on behalf of the Township of Lanark Highlands.

4. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

5. BY-LAWS TO BE RESCINDED

THAT, By-Law No. 2000-127 and 2006-714 is hereby rescinded.

6. BY-LAWS TO BE AMENDED

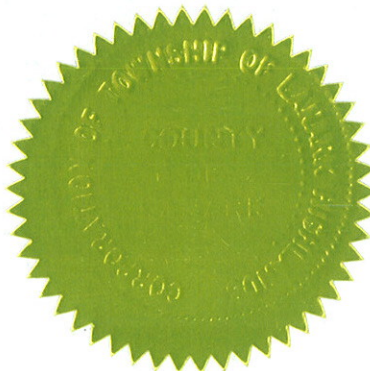
THAT, By-Law No. 2000-182 is hereby amended by removing Section 3 and Schedule "D".

7. EFFECTIVE DATE

ENACTED AND PASSED this 23rd day of March, 2010.



Bob Fletcher, Mayor


Amanda Mabo, Clerk

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SCHEDULE "A"

ITEM	Column 1 Short Form Wording	Column 2 Offence Creating Provision	Column 3 Set Fine (includes costs)
1.	Littering on Municipal Property	Section 2	\$1,000

