

The Corporation of the Township of Guelph/Eramosa

By-law Number 47/2010

(Consolidated Version Enacted as 47/2010)

Last consolidated on August 9, 2021. The Township of Guelph-Eramosa by-laws are provided online for convenient public reference. By-laws are consolidated on an ongoing basis, but recent amendments may not be reflected in the latest consolidated version. Check the [Amendment History](#) to get a complete listing of all pertinent regulations. For further information contact the Township's Clerk office.

A By-law to regulate the disposal of refuse, snow or debris within the Township of Guelph/Eramosa and to repeal Township Guelph/Eramosa By-law 35-2003

WHEREAS Section 326(2), of the *Municipal Act, S.O. 2001, c.25*, as amended, authorizes permits municipalities to pass by-laws for special services; and

WHEREAS the Corporation of the County of Wellington has passed By-law 4547-03, being a by-law to establish, maintain and operate facilities to provide for the transfer and disposal of waste and recyclable materials; and

WHEREAS Section 127 of the *Municipal Act, S.O. 2001, c.25*, as amended, permits municipalities to pass by-laws prohibiting the throwing, placing, or depositing of refuse or debris on private property or on property of the municipality; and

WHEREAS it is desirable to prohibit the throwing, placing or depositing of refuse or debris in any place in the Township other than the County of Wellington landfill site;

AND WHEREAS it is desirable to prohibit the throwing, placing or depositing of snow on roadways and other public thoroughfares in the Township.

NOW THEREFORE the Council of the Township of Guelph/Eramosa enacts as follows:

1. In this by-law, refuse and debris shall have the meanings normally ascribed to them and, without limiting the generality of the foregoing, shall include:
 - 1.1 The portions and containers of food unused or discarded in the preparation, serving and consuming thereof.
 - 1.2 All discarded material arising or resulting from the operation of households, business establishments and public places; and
 - 1.3 Brush, stones, surplus concrete or asphalt, broken concrete or asphalt.
2. **GENERAL DUTIES AND OBLIGATIONS TO COMPLY**
 - 2.1 No person shall spill, scatter, deposit, throw, cast, lay or cause to be thrown any refuse or debris on any street, lane, alley, laneway, roadway, road allowance, public or private way, or in any public square, place or private lot.

- 2.2 No person shall shovel, plow, deposit, throw, cast, lay or cause to be thrown any snow on any street, lane, alley, laneway, roadway, road allowance, public way, or in any public square or place.
- 2.3 Materials applied to land for agricultural purposes are exempt from the provisions of section 2.1 of this by-law.

3. GENERAL PROVISIONS

- 3.1 The Municipal Law Enforcement Officer appointed by the Corporation of the Township of Guelph/Eramosa, or a Police Officer shall enforce this by-law.
- 3.2 Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine or penalty of \$5000.00 (Five Thousand Dollars) for each offence, exclusive of the costs, as prescribed by the *Provincial Offences Act, R.S.O. 1990, cP.33*, as amended.
- 3.3 This by-law shall come into force upon the date of its passing and will thereupon repeal the former Township of Guelph/Eramosa By-law 35-2003.

4. PRESUMPTION

- 4.1 Where refuse or debris is thrown, dumped, placed, or deposited from a vehicle, the owner of the vehicle shall be presumed to have been the person who threw, placed, dumped or deposited the refuse or debris, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.
- 4.2 Where refuse or debris is thrown, dumped, placed, or deposited and the nature of the refuse or debris, any markings on the refuse or debris, or other evidence with respect to the refuse or debris, reasonably indicates its origin, the owner of the property of the refuse or debris origin shall be presumed to have been the person who threw, placed, dumped or deposited the refuse or debris, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

[Section 4 "Short Title" replaced by Section 1 of [By-law 46-2021](#) on August 9, 2021]

5. SHORT TITLE

- 5.1 This by-law may be referred to as the "Dumping By-law".

[Added by Section 2 of [By-law 46-2021](#) on August 9, 2021]

READ three times and finally passed
this 3rd day of **August, 2010.**

Chris White, Mayor

Meaghen Reid, Clerk

The Corporation of the Township of Guelph/Eramosa

Part 1 Provincial Offences Act

**By-law No 47/2010, a By-law to regulate the disposal
of refuse, snow or debris within the
Township of Guelph/Eramosa and to
repeal Township of Guelph Eramosa By-law 35-2003**

Item	Short Form Wording	Provision Creating or defining Offence	Set Fine
1	Throwing, placing or depositing debris	Section 2.1	\$450.00
2	Throwing, placing or depositing snow	Section 2.2	\$300.00

**NOTE: the general penalty provision for the offences listed above is
section 61 of the *Provincial Offences Act, R.S.O. 1990, c.P.33***

