

THE CORPORATION OF THE TOWNSHIP OF TAY

BY-LAW NO. 94-26

Being a by-law prohibiting littering

WHEREAS pursuant to Bill 51 (An Act respecting the restructuring of the County of Simcoe) of the Legislative Assembly of the Province of Ontario, the new municipality of the Township of Tay has been created;

AND WHEREAS the new municipality of the Township of Tay is comprised of the former Municipalities of the Village of Victoria Harbour, Village of Port McNicoll and portions of the former municipalities of the Township of Tay, Township of Tiny, Township of Medonte and Township of Flos;

AND WHEREAS Section 314(5) of the Municipal Act R.S.O. 1990, Chapter M45 allows Councils to pass by-laws prohibiting the placing or depositing of litter on any highway or bridge;

AND WHEREAS Section 210(82) of the Municipal Act R.S.O. 1990, Chapter M.45 allows Councils to pass by-law prohibiting the placing or depositing of litter on private property or on property of the Municipality;

AND WHEREAS it has been deemed by the Council of the Corporation of the Township of Tay necessary to pass a by-law to prohibit littering within the new municipality;

NOW THEREFORE the Council of the Corporation of the Township of Tay enacts and it be enacted as follows:

1. For the purpose of this By-law:
 - (a) "LITTER" shall include 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.
 - (b) "PERSONS" shall include all transients, owners, tenants and occupiers of lands within the Municipality, and shall include any individual, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.
2. No person shall throw, place or deposit litter or debris on any highway or bridge within the Corporate limits of the Corporation of the Township of Tay.
3. No person shall throw, place or deposit litter on private property without authority from the owner or occupant of such property.
4. No person shall throw, place or deposit litter or debris on lands owned by the Corporation of the Township of Tay without written authority from the Council of the Corporation expressed by Resolution thereof.
5. Any person who breaches the provisions of any of Section 2, 3 or 4 hereof shall be guilty of an offence and shall pay a fine of not less than \$50.00 and not more than \$5,000.00.
6. Every provision of this by-law is declared to be severable from the remainder of the by-law and if any provision of this by-law shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder thereof.
- 7a. That By-law #24/88 of the former municipality of the Village of Port McNicoll; By-law #88/33 of the former Township of Tay; By-law #1991-20 of the former Township of Medonte and By-law #75-88 of the former Township of Tiny shall be revoked on the

date the Regional Senior Judge of the Ontario Court of Justice (Provincial Division) issues an order approving set fines for By-law 94-26.

- 7b. This By-law 1994-00 shall come into force on the date the Regional Senior Judge of the Ontario Court of Justice (Provincial Division) issues an order approving set fines for By-law 94-26.

BY-LAW READ a FIRST, SECOND and THIRD time and finally PASSED this 12th day of January, 1994.

MAYOR

CLERK