

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 97-68

BEING A BY-LAW REQUIRING AND REGULATING
THE CLEANING AND CLEARING OF GROUNDS,
YARDS AND VACANT LOTS IN THE CITY OF
NORTH BAY.

WHEREAS the Council of The Corporation of the City of North Bay deems it advisable to enact a By-law requiring and regulating the cleaning and clearing of grounds, yards and vacant lots in the City of North Bay;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. The provisions of this By-law shall be applicable to and have full force and effect within the territorial limits of The Corporation of the City of North Bay as they now exist.
2. For the purposes of this By-law:
 - (a) "City" shall mean The Corporation of the City of North Bay.
 - (b) "Enforcement Officer" shall include:
 - (i) The Building Inspector, the Deputy Building Inspector, the City Engineer, the Deputy City Engineer, the Director of Planning and Works, the Assistant Director of Planning and Works, the City Clerk and the Deputy City Clerk, for the time being of the City.
 - (ii) All members of the Police Department of the City.
 - (iii) All members of the Fire Department of the City.
 - (c) "Council" shall mean the Council of The Corporation of the City of North Bay.
 - (d) "Owner" shall include the tenant, lessee or occupant of any grounds, yard or vacant lot in the City.
 - (e) "Person" shall include firm, partnership, company, corporation, club or organization.
 - (f) The plural shall include the singular and the singular shall include the plural and the applicable provisions of this By-law shall be construed as if the necessary grammatical and terminological changes thereby rendered necessary had been made.
3. Subject as hereinafter provided, the owner of any grounds, yard or vacant lot in the City shall clean and clear such grounds, yard or vacant lot by promptly removing therefrom all articles, objects, items, machinery, equipment, goods, chattels, effects, things, matter substances or material, more particularly set forth and described in Subparagraphs (a), (b), (c), (d), (e), (f), (g), (h) and (i) hereof and shall promptly dispose of same in accordance with the provisions of any applicable By-law of the City which from time to time may be in effect or in such place or places and in such manner as Council, from time to time, may by By-law or resolution authorize or direct.

- (a) All types of vehicles of whatsoever kind or nature, including motor vehicles, commercial motor vehicles, public vehicles, motor buses, trucks, motorized snow vehicles, any vehicle drawn, propelled or driven by any kind of power, including muscular power, cars, of electric or steam railways, trailers, semi-trailers, traction engines, self-propelled implements of husbandry, farm machinery, agricultural implements, self-propelled implements, self-propelled machines, mowing machines, road building machines, machines, engines, tractors, farm tractors, implements, motorcycles, bicycles, chassis, carriages, including any constituent or component parts of any of the foregoing, including bodies, engines, motors, platforms, truck boxes, apparatus, equipment, accessories or wheels, which have been discarded or which are in such a wrecked condition or are in such a state of disrepair or are so obsolete and non-functional that they are either worthless or have salvage value only.
- (b) All types of water craft, including vessels, motor boats, sail boats, boats, canoes or other types of water conveyances used for transport of goods, articles, passengers, or equipment, including any constituent or component parts of any of the foregoing, which have been discarded or which are in such a wrecked condition or are in such a state of disrepair or are so obsolete and non-functional that they are either worthless or have salvage value only.
- (c) All types of industrial, commercial or household machinery, appliances, engines, motors, furnaces, boilers, hot water tanks, storage tanks, apparatus, plant or equipment of whatsoever kind or nature, including any constituent or component parts of any of the foregoing which have been discarded or which are in such a wrecked condition or are in such a state of disrepair or are so obsolete and non-functional that they are either worthless or have salvage value only.
- (d) All types of agricultural machinery, plant, equipment appliances, engines, motors or apparatus of whatsoever kind or nature, ~~including~~ including any constituent or component parts of the foregoing, which have been discarded or which are in such a wrecked condition or are in such a state of disrepair or are so obsolete and non-functional that they are either worthless or have salvage value only.
- (e) All types of aircraft, including any constituent or component parts of the foregoing which have been discarded or which are in such a wrecked condition or are in such a state of disrepair or are so obsolete and non-functional that they are either worthless or have salvage value only.
- (f) All industrial, commercial, or household rubbish, rubble, wreckage, trash, litter, junk, debris, waste materials, ashes, cinders, garbage, grass clippings, rakings, sweepings, scrap metals, scrap materials and salvage of whatsoever kind or nature.
- (g) All types of wearing apparel, personal effects, articles, commodities, products, things, substances, rags, bones, bottles, glassware, crockery, containers, cans, wheels, tires, tubes, hides, feathers, papers, handbills or cardboard of whatsoever kind or nature, which have been discarded or are either worthless or have salvage value only.
- (h) All discarded fruit or vegetable produce which is worthless and unsightly.
- (i) All discarded animal or mineral matter or material which is worthless and unsightly.

4. (a) No person shall throw, place or deposit refuse or debris on private property within the City without authority from the owner or occupant of such property.
- (b) The owner or occupant of private property within the City, who authorizes the throwing, placing or depositing of refuse or debris on such private property shall forthwith clean and clear such private property by promptly removing therefrom any such refuse or debris and such owner or occupant shall promptly dispose of such refuse or debris in accordance with the provisions of Paragraph 3 of this By-law.
5. (a) No person shall throw, place or deposit dirt, filth, glass, handbills, paper or other rubbish or refuse or the carcass of any animal on any highway or bridge within the City.
- (b) Any person who throws, places or deposits any dirt, filth, glass, handbills, paper or other rubbish or refuse or the carcass of any animal on any highway or bridge within the City shall promptly remove the same and dispose of same in accordance with Paragraph 3 of this By-law.
6. (a) It shall be the duty of the Enforcement Officer to enforce the provisions of this By-law and he shall have the right, at all reasonable times, to enter upon any grounds, yard or vacant lot for the purpose of inspecting the same and for the purpose of enforcing the provisions of this By-law.
- (b) No owner or person shall obstruct, hinder, delay or prevent an Enforcement Officer from carrying out the inspection of any grounds, yard or vacant lot or from enforcing the provisions of this By-law.
- (c) The Enforcement Officer may cause written notice to be served upon the owner of any grounds, yard or vacant lot to clean and clear any such grounds, yard or vacant lot in accordance with the applicable terms and provisions of this By-law and such notice may be served upon the owner personally or mailed by prepaid registered post addressed to the owner at his address as shown on the last revised Assessment Roll for the City and service upon the owner shall be deemed to be effective on the date of such personal service or as of the date of mailing of the notice as aforesaid.
- (d) The owner of any grounds, yard or vacant lot, upon being served with a notice as aforesaid, shall comply with such notice within the time limited in the aforesaid notice.
- (e) Where the owner of any grounds, yard or vacant lot fails to comply with any notice served upon him, pursuant to the provisions of this By-law, the Enforcement Officer is hereby authorized and empowered to take all steps and measures as may be necessary to ensure due compliance with the provisions of this By-law and the cost thereof shall be borne by such owner and shall be added to the Collector's Roll for the City and collected in a like manner as taxes. In addition thereto, the owner shall be liable to the penalty imposed by this By-law.
7. This By-law shall be subject to the following:
 - (a) The applicable provisions of any By-law or amendments thereto which are now in force in the former Township of Widdifield licencing, regulating, and governing salvage shops, salvage yards, second hand shops and dealers in second hand goods.
 - (b) The applicable provisions of any By-law or amendments thereto which are now in force in the former Townships of West Ferris, licencing, regulating and governing salvage shops, salvage yards, second hand shops and dealers in second hand goods.

(c) The applicable provisions of any By-law or amendments thereto, which from time to time may be in force in the City, licencing, regulating, and governing salvage shops, salvage yards, second hand shops and dealers in second hand goods.

8. Any ^{owner or} person convicted of a breach of any of the provisions of this By-law shall forfeit and pay, at the discretion of the convicting Magistrate, a fine or penalty not exceeding the sum of \$300.00 for each offence, exclusive of costs, to be recoverable under The Summary Convictions Act.
9. Subject as hereinbefore provided, By-law No. 2052 of the City of North Bay and any amendments thereto and By-law No. 823 of the former Township of West Ferris and any amendments thereto and any By-law of the former Township of Widdifield and any amendments thereto requiring and regulating the cleaning and clearing of grounds, yards and vacant lots shall be deemed to be and they are hereby repealed.
10. This By-law shall take effect upon the final passing thereof.

READ A FIRST TIME IN OPEN COUNCIL THIS 3RD DAY OF DECEMBER, 1968.

READ A SECOND TIME IN OPEN COUNCIL THIS 3rd DAY OF DECEMBER, 1968.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED THIS 3rd DAY OF DECEMBER, 1968.

.....
MAYOR

.....
CLERK