

THE CORPORATION OF THE  
TOWNSHIP OF BLANDFORD-BLENHEIM  
BY-LAW NUMBER 1449-2004

Being a By-law to provide for maintaining land in a clean and clear condition.

**WHEREAS** Part III, of the Municipal Act, S.O. 2001, Chapter 25, and amendments thereto provides as follows:

- 127.** A local municipality may,
- (a) require the owner or occupant of land to clean and clear the land, not including buildings, or to clear refuse or debris from the land, not including buildings;
  - (b) regulate when and how matters required under clause (a) shall be done;
  - (c) prohibit the depositing of refuse or debris on land without the consent of the owner or occupant of the land; and
  - (d) define “refuse” for the purpose of this section.
- 131.** For prohibiting and regulating the use of any land for storing used motor vehicles for the purpose of wrecking or dismantling them or salvaging parts from them for sale or disposition.

**NOW THEREFORE** the Council of the Township of Blandford-Blenheim enacts as follows:

**Interpretation**

1. In this by-law:
- (a) “By-law Enforcement Officer” means the By-law Enforcement Officer of the Township of Blandford-Blenheim or his representative;
  - (b) “Township” means the Corporation of the Township of Blandford-Blenheim.
  - (c) “County” means the Corporation of the County of Oxford;
  - (d) “Domestic Waste” means any article, thing, matter or any effluent belonging to or associated with a house or household or concerning or relating to the home or family that appears to be waste material; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this clause, it is hereby declared that domestic waste extends to the following classes of waste material:
    - (i) accumulations, deposits, leavings, litter, remains, rubbish, trash;
    - (ii) refrigerators, freezers or other appliances, any attached hinges or latching, locking or other closing mechanism or device;
    - (iii) furnaces, furnace parts, pipes, fittings to pipes, water or fuel tanks.
  - (e) “Owner” means an owner, lessee or occupant of any property, grounds or yard in the Township of Blandford-Blenheim.

By-law Number **1449-2004** Cont'd.

- (f) “Waste Material” means material or effluent that, in the opinion of the By-law Enforcement Officer;
  - (i) appears to have been cast aside or discarded or abandoned;  
or
  - (ii) appears to be worthless or useless or of no practical value;  
or
  - (iii) appears to be used up, in whole or in part, or expended or worn out in whole or in part.
- (g) “Yard” means an area adjacent to a building or structure, located on the same lot as the building, structure or excavation, and which area is open, uncovered and unoccupied from the ground to the sky.
- (h) “Yard, Front” (Front Yard) means an area extending across the full width of the lot between the front lot line of the lot and the nearest part of any excavation, or main building or structure on the lot;
- (i) “Yard, Rear” (Rear Yard) means an area extending across the full width of the lot between the rear lot line of the lot and the nearest part of any excavation or main building or structure on the lot;
- (j) “Yard, Side” (Side Yard) means an area extending from the front yard to the rear yard and from the side lot line of the lot to the nearest part of any excavation or main building or structure on the lot;

**General Provisions**

- 2.
  - (1) Every owner, lessee or occupant shall keep his grounds, yard, or vacant land (located within a Residential, Mixed Use, Commercial, Industrial or Development Zone) clean and cleared up.
  - (2) For the purpose of this section, “clean or cleared up” include the cutting of weeds or grass more than 20 centimetres (8 inches) in height.
  - (3) Every yard shall be kept clean and free from rubbish or other debris and from objects including fences or conditions that may create a health, fire or accident hazard.
  - (4) Heavy undergrowth and noxious plants, including ragweed, poison ivy, poison oak, and poison sumac shall be eliminated from every yard.
  - (5) Hedges shall be kept trimmed and made to comply with any By-law of the Township in effect from time to time.
- 3.
  - (1) No person shall throw, place or deposit refuse or debris on private property without the written authority of the owner or occupant of the property.
  - (2) No person shall throw, place or deposit refuse or debris on Township property or County property without the written authority of the Township or County and where such property is occupied by a person other than the owner, without the written authority of the occupant.

By-law Number 1449-2004 Cont'd.

4. (1) Except as provided in Section 3, every owner, lessee or occupant shall keep his land free and clear of all garbage, refuse, domestic waste, industrial waste, and waste material.
- (2) No person shall use any land or structure within the Township for dumping or disposal of garbage, refuse, domestic waste, industrial waste, and waste material.
- (3) Subsections 1 and 2 do not apply to:
  - (a) land or structures used by the Township or the County used for the purpose of dumping or disposing of garbage or refuse;
  - (b) land designated by a By-law of the Township or County for the purpose of dumping or disposing of garbage or refuse.
5. No yard shall be used for the parking or storage of:
  - (a) A motor vehicle which has had part or all of its superstructure or source of motive power removed.

Notwithstanding the above, this section shall not apply to those properties commonly known as automobile wrecking yards and which operate such business under the provisions of the applicable regulations of the Township of Blandford-Blenheim Zoning By-law, as amended.

6. (1) The By-law Enforcement Officer, by notice sent by registered post served on the owner, lessee, or occupant of the land or structure, may require an owner, lessee or occupant within the time specified in the notice:
  - (a) to clean, clear or remove from the land or structure garbage, refuse or domestic or industrial waste of any kind;
  - (b) to cease using the land or structure for the dumping or disposing of garbage, refuse, or domestic or industrial waste of any kind.
- (2) Every notice sent by the By-law Enforcement Officer shall identify the land.
- (3) Every notice to an owner or lessee shall be sent to the address shown on the last revised assessment roll or to the last known address.
- (4) Every notice sent to an occupant shall be to the address of the land or to the last known address of the occupant.
7. (1) The By-law Enforcement Officer may inspect the use of any land for the purpose of determining whether:
  - (a) the land is used for dumping or disposing of garbage, refuse or domestic or industrial waste of any kind;
  - (b) the owner, lessee or occupant has complied with any notice sent by the By-law Enforcement Officer.
- (2) Every owner, lessee or occupant shall permit the By-law Enforcement Officer to inspect the land for the purpose of subsection 1.

By-law Number **1449-2004** Cont'd.

8. (1) Where any owner, lessee or occupant is in default of doing any matter or thing required to be done under this by-law, the By-law Enforcement Officer may:
    - (a) clean or clear up the grounds, yard or vacant land;
    - (b) remove refuse or debris; or
    - (c) remove garbage, refuse or domestic or industrial waste.
  - (2) Where any matters or things are removed in accordance with subsection 1, the matters or things may be immediately disposed of by the By-law Enforcement Officer.
  - (3) The Township may recover the expense of doing a matter or thing referred to in subsection 1 by action or in like manner as municipal taxes.
9. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine or penalty provided in the Provincial Offences Act.
  10. The short title of this by-law is “The Clean and Clear Yard By-law”.

By-law **READ** a **FIRST** and **SECOND** time this 1st day of September, 2004.

By-law **READ** a **THIRD** time and **ENACTED** in Open Council this 1st day of September, 2004.

Woolcott

(SEAL)

“Donald S.

Donald S. Woolcott, Mayor

“Keith Reibling”

Keith Reibling, Clerk-Administrator