

PROPERTY MAINTENANCE

Chapter 442 GARBAGE - DISPOSAL SITES

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Article 1
INTERPRETATION

442.1.1 Person - defined

“person” means the owner or owners, lessees or occupants of such land or structures, and as defined in the *Interpretation Act*, R.S.O. 1980, chapter 219, section 30.28.

442.1.2 Industrial waste - defined

“industrial waste” means and includes all waste material from industrial and commercial corporations and/or enterprises (including construction and wrecking firms) but excepting scrap iron, metals, etc. that are collected, stored, processed and distributed from a scrap metal or junk yard licensed by the Board of Police Commissioners of the City of Brantford.

Article 2
GARBAGE

442.2.1 Accumulation - prohibited - exception - permit

No person shall permit the accumulation upon his/her premises, land or structures, of garbage, refuse or domestic or industrial waste of any kind without first having obtained a permit so to do.

442.2.2 Dumping - on highway - any lands - prohibited

No person shall deposit or dump garbage, or domestic or industrial wastes of any kind upon any highway, public or private lands, save and except such lands as may be provided by the municipality for that purpose.

442.2.3 Pollution - water course - prohibited

No person shall deposit or dump any garbage or other wastes hereinbefore mentioned, which would pollute or obstruct a natural water course.

Article 3 PERMIT - ISSUE

442.3.1 Issued - dumping - filling - exception

Permits may be issued by the Engineer to permit the dumping and filling of land with materials prohibited by the terms of this Chapter, excepting thereout inflammable wastes of any kind which shall be prohibited at all times, subject to the conditions set out in Sections 442.3.2 through 442.3.8 inclusive.

442.3.2 Time - limited - 6 months

Such permit shall be for a limited time only, not to exceed six months with provision for renewal.

442.3.3 Material - covered - minimum depth - requirements

Any such material so placed or dumped, shall be covered with earth or gravel fill at least 12 inches in depth, such covering to be done at the time or times specified by the Engineer, and subject to his/her approval.

442.3.4 Area - determined - limitations

The area of the open face of such dumping place shall be determined by the Engineer, but in any event shall not exceed ten per cent of the area of the land being filled.

442.3.5 Fencing - required - as safety consideration

The Engineer may require, in his/her sole discretion, that the dumping area shall be fenced, should the dumping become indiscriminate and uncontrollable, and/or the safety of the public is or may be endangered.

442.3.6 Sign - posted - visible

Each person so licensed shall erect or cause to be erected at least one clearly visible sign at the entrance to the property where the material is being dumped, such sign to read as follows:

“NO DUMPING ALLOWED - REGULATED LANDFILL”

442.3.7 Fees - renewal - cancellation

The person so licensed under this Chapter, shall pay to the Corporation the sum of five dollars (\$5.00) for such permit and for any renewal thereof, the sum of two dollars (\$2.00). Such permit may be cancelled for any breach or failure to comply with the hereinafter mentioned regulations.

442.3.8 Present use - continuance - prohibited

The present use of any lands or structures for purposes which are prohibited by the provisions of this Chapter, shall cease forthwith upon the passing of same, and the owner of such land shall forthwith cover any garbage or refuse in a manner approved by the Engineer and at the expense of the owners, lessees or occupants. In the case of default by the owners, lessees or occupants, the Corporation may cover such garbage or refuse at the expense of the owners, lessees or occupants.

442.3.9 Clean fill - not required - where used

No person filling low property with clean fill, such as sand, gravel and soil, shall be required to obtain a permit. By-law 4447, 15 October, 1962.

**Article 4
ENFORCEMENT****442.4.1 Fine - for contravention**

Every person who contravenes any of the provisions of this Chapter is guilty of an offence and shall, upon conviction thereof, forfeit and pay a penalty of not more than \$5,000, exclusive of costs and every such fine is recoverable under the *Provincial Offences Act*. By-law 55-92, 23 March, 1992.