

Town of Bishop's Falls

Anti-Litter Regulations, 2010

Pursuant to the powers conferred under section 414 (2) (pp) (ii) of the *Municipalities Act, 1999* and all other powers it enabling, the Bishop's Falls Town Council, during a public meeting convened on July 20, 2010 hereby passed and enacted the following Anti-Litter Regulations.

Regulations

1. These regulations may be known as the *Anti-Litter Regulations, 2010*.
2. These regulations shall apply within the municipal boundaries of the Town of Bishop's Falls

Definitions

3. In these regulations unless the context otherwise requires:
 - a. "Act" means the *Municipalities Act, 1999*.
 - b. "Town Manager/Clerk" means the Town Manager and/or Town Clerk of the Town of Bishop's Falls.
 - c. "Council" means the Town Council of the Town of Bishop's Falls.
 - d. "Municipal Enforcement Officer" means a peace officer with powers granted under Section 179 of the Act.
 - e. "Litter" shall include;
 - i. any obnoxious substance, debris, waste or unsanitary matter, refuse, garbage, rubbish, ashes, street clearings, dead animals, leaves, wood, bedding, crockery, glass in any form, bags of all descriptions, printed or written matter, circular samples, leaflets or paper, scrap metal, or any other matter or thing that if thrown or deposited is likely to adversely affect the amenities or property within the municipality, or creates a danger to health, welfare, or public safety.
 - ii. wrecked, discarded, dismantled, inoperative, unused and/or apparently abandoned vehicles, trailers and other vehicle trailers and other machinery or any parts thereof.
 - f. "Scrap Metal" includes appliances, barrels, drums, machines, tanks, vehicles or any part thereof.
 - g. "Municipality" means the Town of Bishop's Falls.
 - h. "Person" shall mean any corporation, association, syndicate, joint stock company, partnership, club, society or individual.

Litter Prohibited

4. No person shall throw, deposit or cause to be thrown or deposited litter in or upon any public or private property.
5. No person shall throw or deposit or cause to be thrown or deposited litter on any private property within the Municipality, whether the property is owned by such persons or not, except where the person in control of private property has made arrangements for the proper disposal of the litter, at his/her expense, in accordance with these Regulations.
6. No person shall sweep into or deposit into any gutter, or other place within the Municipality, litter from any building or lot, or from any public or private sidewalk or driveway.
7. No person while in a vehicle shall throw or deposit, or cause to be thrown or deposited, litter upon any street or other public place or upon private property within the Municipality.
8. No person shall drive or move any vehicle within the Municipality, unless such vehicle is so constructed or loaded as to prevent any load or part thereof from being blown or deposited upon any public place or private property.
9. No person shall throw or deposit or cause to be thrown or deposited litter in any park or playground within the Municipality except as in a manner that may be prescribed by the Municipality.
10. No person shall throw or deposit or cause to be thrown or deposited litter in any ditch, pond or stream or any other body of water, either above or below the surface, within the Municipality.
11. No persons shall permit land under their ownership or control to be encumbered with litter.

Posting Notices Prohibited

12. No person shall post or affix, or cause to be posted or affixed, any notice, sign, poster, or other matter of devise to any lamp post, utility pole, tree, or upon any structure or building, except as may be authorized by the Council or required under law.

Scrapping of Vehicles

13. No person shall demolish, repair, or scrap any vehicle on private or public property within the Town without first having obtained a permit, in writing, from the Council for that purpose.
14. The cost of a permit referred to in section 13 shall be \$20 per vehicle and shall be valid for a period of ten (10) days from the date of issuance.
15. Where a person, who has been issued a permit in accordance with these regulations, demolishes, repairs, or scraps a vehicle within the timeframe specified in section 14, that person shall be entitled to a refund of \$20.

Order to Abate, Prohibit or Prevent Public Nuisance

16. Where a person fails to comply with these Regulations the Town Manager/Clerk shall, on authority of section 404 (1) (j) of the *Municipalities Act, 1999*, issue an Order to comply with these Regulations on that person. An Order issued under this section shall prescribe;
- (a) the section of these Regulations that the person is contravening;
 - (b) what the person must do to ensure compliance with these Regulations; and
 - (c) a date and time that the person must become in compliance with these Regulations.
17. A person who fails to comply with an Order issued under these Regulations is liable on summary conviction;
- (a) for a first offence to a fine of not less than \$100 and not more than \$500 or to a term of imprisonment of not more than one month or to both the fine and imprisonment
 - (b) for a subsequent offence to a fine of not less than \$500 and not more than \$1,000 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment

Repeal and Commencement

18. The *Town of Bishop's Falls Anti-Litter Regulations* and any amendments thereto are hereby repealed.
19. These Regulations shall come into force on July 20, 2010.

Adopted by Council during Public Meeting _____ on July 20, 2010.

Randy Drover, Town Clerk

Town Seal is Affixed Hereunto