

BYLAW 08-2021

***A BYLAW OF THE RM OF DUFFERIN #190
TO CONTROL THE DUMPING OF WASTE ON PROPERTY UNDER OWNERSHIP OR
CONTROL OF THE RURAL MUNICIPALITY OF DUFFERIN #190 PURSUANT TO
SECTION 8(2)e OF THE MUNICIPALITIES ACT***

The Council for the Rural Municipality of Dufferin #190 in the Province of Saskatchewan enacts as follows:

Short Title

1. This Bylaw may be referred to as the Littering Bylaw.

Scope

2. This Bylaw shall apply to all lands within the corporate boundaries of the Rural Municipality of Dufferin #190.

Definitions

3. In this Bylaw:
 - a) "Council" shall mean the Council of the Municipality;
 - b) "Municipality" shall mean the Rural Municipality of Dufferin #190
 - c) "litter" shall mean Litter - any solid or liquid material or product or combination of solid or liquid materials or products, including, but not limited to:
 - any rubbish, refuse, garbage, paper, package, container, bottle, can, manure, or sewage or the whole or a part of an animal carcass or the whole or part of any article, raw or processed material, Motor Vehicle or other machinery, that is disposed of; or any other material or product that is designated as litter in the Environmental Management and Protection Act, 2002 and the Regulations thereunder
 - d) "designated officer" shall mean an employee or agent of the Municipality appointed by Council to act as a municipal inspector for the purposes of this Bylaw

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Littering Generally Prohibited

4. No person shall, without written consent, throw, place, deposit or leave litter on any of the following properties:
 - a) any property owned by the Municipality unless written consent is obtained from the Municipality;
 - b) any property vested to Her Majesty the Queen in Right of Saskatchewan for the purpose of public use unless written consent is obtained from the municipality or the Ministry in charge; or
 - c) any property owned or leased by another person unless written consent is obtained from the property owner.

Enforcement of Bylaw

5. The administration and enforcement of this Bylaw is hereby delegated to the Administrator for the Rural Municipality of Dufferin #190, the Ministry of Environment, and the Royal Canadian Mounted Police;
6. The Administrator of Rural Municipality of Dufferin #190 is hereby authorized to further delegate the administration and enforcement of this Bylaw to the Assistant Administrator of the Rural Municipality of Dufferin #190

Order to Remedy Contravention

7. If a Designated Officer finds that a person is contravening this Bylaw, the Designated Officer may, by written order, require the owner or occupant of the property to which the contravention relates to remedy the contravention.
8. Orders given under this Bylaw shall comply with Section 364 of *The Municipalities Act*.
9. Orders given under Bylaw shall be served in accordance with Section 390(1)(a), (b) or (c) of *The Municipalities Act*.

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Appeal of Order to Remedy

10. A person may appeal an order made pursuant to Section 7 in accordance with Section 365 of *The Municipalities Act*.

Municipality Remediating Contraventions

11. The Municipality may, in accordance with Section 366 of *The Municipalities Act*, take whatever actions or measures are necessary to remedy a contravention of this Bylaw.
12. In an emergency, the Municipality may take whatever actions or measures are necessary to eliminate the emergency in accordance with the provisions of Section 367 of *The Municipalities Act*.

Recovery of Unpaid Expenses and Costs

13. Any unpaid expenses and costs incurred by the Municipality in remediating a contravention of this Bylaw may be recovered either:
 - a) by civil action for debt in a court of competent jurisdiction in accordance with Section 368 of *The Municipalities Act*; or
 - b) by adding the amount to the taxes on the property on which the work is done in accordance with Section 369 of *The Municipalities Act*.

Offences and Penalties

14. No person shall:
 - a) fail to comply with an order made pursuant to this Bylaw;
 - b) obstruct or interfere with any Designated Officer or any other person acting under the authority of this Bylaw; or
 - c) fail to comply with any other provision of this Bylaw.

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15. A Designated Officer who has reason to believe that a person has contravened any provision of this Bylaw may serve on that person a Notice of Violation, which Notice of Violation shall indicate that the Municipality will accept voluntary payment in the sum of:

- a) \$200.00 for a first offence;
- b) \$500.00 for a second offence; *or*
- c) \$1,000.00 for a third offence;

to be paid to the Municipality within 30 days.

16. Where the Municipality receives voluntary payment of the amount prescribed under Section 15 within the time specified, the person receiving the Notice of Violation shall not be liable to prosecution for the alleged contravention.

17. Payment of any Notice of Violation does not exempt the person from enforcement of an order pursuant to Section 7 of this Bylaw.

18. Every person who contravenes any provision of Section 15 is guilty of an offence and liable on summary conviction:

- a) in the case of an individual, to a fine of not more than \$10,000;
- b) in the case of a corporation, to a fine of not more than \$25,000; and
- c) in the case of a continuing offence, to a maximum daily fine of not more than \$2,500 per day.

Repeal Bylaw

19. Bylaw 02-2021 is hereby repealed.

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Coming Into Force

20. This Bylaw shall come into force on the day of its final passing thereof.


Introduced and read a first time the 19th day of November, 2021.

Read a second time this 19th day of November, 2021.

Read a third and final time on the unanimous consent of the Council this 19th day of November, 2021.



Reeve Russel Kirzinger



Administrator / CAO

Certified a true copy of the bylaw
Passed by the unanimous consent of
the Council present at their regular meeting
held on the 19th day of November, 2021.



Administrator

