

THE CORPORATION OF THE TOWN OF ESSEX

BY-LAW #455

BEING A BY-LAW TO PROHIBIT THE DUMPING
OR DISPOSING OF GARBAGE, REFUSE, OR
DOMESTIC OR INDUSTRIAL WASTE OF ANY KIND ON
PROPERTY WITHIN THE TOWN OF ESSEX.

WHEREAS Section 210 paragraph 135 of The Municipal Act R.S.O., 1990, c. M. 45, as amended, provides that By-Laws may be passed by the Councils of local municipalities for prohibiting and regulating within the municipality for dumping or disposing of garbage, refuse, or domestic or industrial waste of any kind;

AND WHEREAS it is deemed expedient and in the public interest to prohibit and regulate the dumping or disposing of garbage, refuse, or domestic or industrial waste of any kind.

**NOW THEREFORE THE COUNCIL OF CORPORATION OF THE TOWN OF ESSEX
ENACTS AS FOLLOWS:**

1.0 DEFINITIONS

1.1 In this By-law:

“**Municipality**” means the geographical area within the municipal boundary limits of the Town of Essex.

2.0 PROHIBITED DUMPING OR DISPOSING

2.1 That from and after the final passing of this By-Law, no person shall dump, cause to dump, dispose or cause to dispose garbage, refuse or domestic or industrial waste of any kind on property within the municipality.

3.0 ENFORCEMENT

3.1 The Essex Police Service shall enforce the provisions of this By-Law or other such person or persons as designated by Council of the municipality.

4.0 PENALTIES

4.1 Every person who contravenes any provision of this By-Law is guilty of an offence and shall, upon conviction thereof, be liable to a fine of not more than \$5,000.00, recoverable under the *Provincial Offences Act*, R.S.O. c. P. 33, as amended.

4.2 The Court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation of repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

5.0 REPEAL

5.1 By-Law #1833 of the former Corporation of the Township of Colchester North and By-Law #2166 of the former Township of Colchester South, are hereby repealed.

6.0 ENACTMENT

6.1 This By-Law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST AND SECOND TIME THIS 16th DAY OF DECEMBER, 2002.

READ A THIRD TIME AND FINALLY PASSED THIS 16TH DAY OF DECEMBER, 2002.

Mayor

Clerk

