

Bill No. 197

CITY OF HAMILTON

BY-LAW NO. 18-

A By-law to Amend By-law No. 17-225, being a By-law to Establish a System of Administrative Penalties

WHEREAS Council enacted a By-law to Establish a System of Administrative Penalties, being By-law No. 17-225; and

WHEREAS this By-law amends By-law No. 17-225;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The amendments in this By-law include any necessary grammatical, numbering and lettering changes.
2. Schedule A of By-law No. 17-225 is amended by adding a new Table 13 entitled BY-LAW NO. 10-118 Being a By-law to regulate Exterior Property Maintenance Including Vegetation, Waste and Graffiti.

| TABLE 13: BY-LAW NO. 10-118 TO REGULATE EXTERIOR PROPERTY MAINTENANCE INCLUDING VEGETATION, WASTE AND GRAFFITI | | | | |
|---|--|--------------|---|---------------------------------|
| ITEM | COLUMN 1 DESIGNATED BY- LAW & SECTION | | COLUMN 2 SHORT FORM WORDING | COLUMN 3 SET PENALTY |
| 1 | 10-118 | 3(1)(a) | Fail to keep vegetation clean/cleared up | \$75.00 |
| 2 | 10-118 | 4(1) | Fail to keep yard/porch free and clear of all waste | \$95.00 |
| 3 | 10-118 | 4(1.1) | Fail to keep boulevard free and clear of all waste | \$95.00 |
| 4 | 10-118 | 4(2) | Use yard of any property for depositing waste | \$95.00 |
| 5 | 10-118 | 4(5)(a)(i) | Fail to ensure waste is placed in container made of rigid, watertight construction | \$95.00 |
| 6 | 10-118 | 4(5)(a)(ii) | Fail to ensure waste is placed in container with a tight-fitting cover | \$95.00 |
| 7 | 10-118 | 4(5)(a)(iii) | Fail to ensure waste is placed in container maintained in good condition without holes or spillage | \$95.00 |
| 8 | 10-118 | 4(5)(a)(iv) | Fail to ensure waste is placed in closed or emptied, rinsed and cleaned container so as to prevent escape of offensive odour or waste | \$95.00 |
| 9 | 10-118 | 4(5)(a)(v) | Fail to ensure waste is placed in container located in rear yard | \$95.00 |
| 10 | 10-118 | 4(5)(b) | Allow waste to accumulate for longer than 10 days | \$95.00 |
| 11 | 10-118 | 4(6)(a) | Fail to ensure exterior bulk/roll-off container disposal system is equipped with operable covers | \$95.00 |
| 12 | 10-118 | 4(6)(a) | Fail to ensure cover of exterior bulk/roll-off container disposal system is not left open, except when actively loaded | \$95.00 |

| TABLE 13: BY-LAW NO. 10-118 TO REGULATE EXTERIOR PROPERTY MAINTENANCE INCLUDING VEGETATION, WASTE AND GRAFFITI | | | | |
|---|--|--------------|---|-------------------------------------|
| ITEM | COLUMN 1 DESIGNATED BY- LAW & SECTION | | COLUMN 2 SHORT FORM WORDING | COLUMN 3 SET PENALTY |
| 13 | 10-118 | 4(6)(b) | Fail to ensure exterior bulk/roll-off container disposal system is large enough to contain all waste generated between collections | \$95.00 |
| 14 | 10-118 | 4(6)(c) | Fail to ensure exterior bulk/roll-off container disposal system is not loaded beyond the top of container | \$95.00 |
| 15 | 10-118 | 4(7)(a) | Have more than 2 compost heaps on property | \$95.00 |
| 16 | 10-118 | 4(7)(b)(i) | Fail to ensure compost heap is not larger than 1 m ³ | \$95.00 |
| 17 | 10-118 | 4(7)(b)(ii) | Fail to ensure compost heap is located a minimum of 1 meter from any property line | \$95.00 |
| 18 | 10-118 | 4(7)(b)(iii) | Fail to ensure compost heap enclosed on all sides by prescribed material | \$95.00 |
| 19 | 10-118 | 5(1) | Fail to clean exterior of building/structure/erection/object on property of graffiti | \$95.00 |
| 20 | 10-118 | 6(1) | Deposit waste on property without prior written authorization | \$225.00 |
| 21 | 10-118 | 6(2) | Deposit waste on City property without prior written authorization | \$225.00 |
| 22 | 10-118 | 7(1) | Fail to keep private drain operational and in repair | \$225.00 |
| 23 | 10-118 | 7(2) | Obstruct/permit the obstruction of private drain | \$225.00 |
| 24 | 10-118 | 7(3) | Obstruct/cause/permit the obstruction of a watercourse on their property | \$325.00 |
| 25 | 10-118 | 7.1(a) | Allow water from swimming pool/hot tub/spa/water feature/rain barrel/water container to drain on to adjacent property | \$95.00 |
| 26 | 10-118 | 7.1(b) | Allow water from swimming pool/hot tub/spa/water feature/rain barrel/water container to drain into sanitary/storm sewer not in compliance with Sewer Use By-law | \$95.00 |
| 27 | 10-118 | 8(1) | Place/arrange inoperative agricultural machinery/vehicle on farm so as to create a safety/health hazard to persons on property | \$100.00 |
| 28 | 10-118 | 8(1) | Place/arrange inoperative agricultural machinery/vehicle on farm so as to block emergency access to or from property | \$100.00 |
| 29 | 10-118 | 8(1)(a) | Fail to screen inoperative agricultural machinery/vehicle on farm from view from outside property lines using wall/solid structure/hedge | \$100.00 |
| 30 | 10-118 | 8(1)(b) | Fail to keep inoperative agricultural machinery/vehicle on farm set back 100 m from property lines | \$100.00 |
| 31 | 10-118 | 9(1)(a) | Fail to ensure active well/cistern/cesspool/privy vault/pit/excavation is secured by a fence with a warning signs | \$325.00 |
| 32 | 10-118 | 9(1)(b) | Fail to ensure any well/cistern/cesspool/privy vault/pit/excavation not in active use is permanently sealed/secured by fence/cover/other means | \$325.00 |
| 33 | 10-118 | 9(2) | Fail to keep surface of steps/walks/driveways/parking spaces/similar areas of property maintained so as to afford safe passage | \$125.00 |
| 34 | 10-118 | 9(3) | Fail to keep yard of property clean/free from objects/conditions that might create health/fire/accident hazard/unsafe conditions | \$125.00 |

PASSED this 13th day of July, 2018

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk