

THE CORPORATION OF THE COUNTY OF PRINCE EDWARD

BY-LAW NO. 699 -2001

BEING A BY-LAW TO REQUIRE THE OWNERS OR OCCUPANTS OF PRIVATE PROPERTY TO CUT GRASS AND WEEDS ON THEIR LANDS AND REMOVE THE CUTTINGS.

WHEREAS Municipal Act, as amended, Section 210 (80), (82), (135) and (136), and Section 326, allows municipalities to pass by-laws enforcing Property Maintenance;

AND WHEREAS the Council of the Corporation of the County of Prince Edward deems it expedient to pass a by-law requiring the cutting of grass and weeds within the County of Prince Edward;

NOW THEREFORE the Council of the Corporation of the County of Prince Edward enacts as follows:

1. In this By-law:
 - (a) "Municipal Law Enforcement Officer" shall mean a Municipal Law Enforcement Officer appointed by the Council of the Corporation;
 - (b) "Corporation" means The Corporation of the County of Prince Edward;
 - (c) "Lawn Area" means and grounds, yards or vacant lots.
 - (d) "Owner" means the owner, occupant, or person in charge of the premises;
 - (e) "Waste Material" means any waste material, including, without limiting the generality of the foregoing, wrecked, discarded, dismantled, inoperative or abandoned appliances, vehicles, machinery, furniture, tools, or parts thereof.
 - (f) "This By-law and every section, clause and provision hereof shall be read with all changes of gender or number as required in the circumstances."
2. No Owner shall permit:
 - (a) The growth of grass or weeds in excess of 20 centimetres (8 inches) in height on any lawn area; or
 - (b) The accumulation of waste material on any lawn area; and
 - (c) Subsection (b) shall not prevent an owner from maintaining a properly managed composter or compost heap.
3. When any premises are not maintained in accordance with the requirements of this By-law, the Municipal Law Enforcement Officer shall give the Owner a notice, in writing, directing the owner of the premises to make the premises conform to the requirements of this By-law and the notice shall specify the time allowed for bringing the premises into conformity but the time specified in the notice shall not be sooner than seventy-two (72) hours after the giving of the notice.


-2-

4. The notice, in writing, from the Municipal Law Enforcement Officer may be either delivered to the owner in person, or mailed by certified mail to the owner at his last known address, and shall be deemed to have been given on the day it is delivered to that address.
5. Whenever this By-law directs or requires anything to be done, in default of it being done by the person directed or required to do it, such thing may be done under the direction of the Municipal Law Enforcement Officer at the expense of the Owner and the Corporation may recover the expense incurred in doing it by action or the same may be recovered in like manner as municipal taxes.
6. Every person who causes or permits or allows any contravention of this By-law is guilty of an offense and is liable upon conviction to such penalty as is authorized by the provisions of the Provincial Offences Act, R.S.O. 1990, c.P.33.
7. If any provision or requirement of this By-law or the application thereof to any person shall to any extent be held to be invalid or unenforceable, the remainder of this By-law or the application of such provision or requirement to all persons other than those to which it is held to be invalid or unenforceable, shall not be affected thereby and it is hereby declared to be the intention of Council that each provision or requirement of this By-law shall be separately valid and enforceable to the fullest extent permitted by law.
8. THAT the provisions of this By-law shall come into effect on August 15th, 2001.

Read a first, second and third time and finally passed this 23rd day of July, 2001.



DEPUTY CLERK
Richard H. Shannon



MAYOR
James Taylor, Q.C.

