



# By-law 101

in the City of Hamilton

## Introduction:

The City of Hamilton has several By-laws to ensure property owners and occupants (tenants) maintain their properties to a minimum standard and help keep their neighbourhoods and community clean and safe. Understanding more about By-laws will help property owner(s) and occupant(s) understand their responsibilities and avoid consequences for violations of By-laws. Please review some common misunderstandings about By-laws in the following True or False questions.

**The property owner is the only person responsible for making sure long grass and weeds do not exceed 8 inches high or 20 centimetres.**

### False

Both the property owner(s) and occupant(s) are responsible if grass and weeds are longer than 20cm. The Officer investigating will immediately post an Order to Comply which lists the violation(s) and provides a deadline date for the work to be completed. Then the Officer will re-inspect after deadline date and if no action has been taken the Officer may:

- issue a ticket to either the property owner(s) or occupant(s)
- Issue a Fee For Inspection which is the responsibility of the property owner
- Send in a contractor working on behalf of the City to bring the property into compliance. The costs will be added to the property taxes.

If an Order is posted the violation(s) need to be corrected immediately. Good communication is needed between the property owner(s), occupant(s) and the Officer named on the Order so costly consequences can be avoided.



## **There are alternatives to having grass.**

### **True**

Grass is high maintenance compared to some other landscaped options. The following are some suggestions for you to consider and investigate:

- Low growing ground covers can be suitable replacements for turf and some require little water and stay green all through the seasons. Switching to ground covers will cut down on mowing, fertilizing, watering, pesticides, and erosion. Ground covers are also a great idea for those areas where grass is more difficult to grow such as in dry shade.
- Rock gardens and stone landscaping are becoming very popular because they are generally easy to create and provide the 'natural' looks that a lot of people enjoy. If you are not a plant lover and want a low maintenance

landscape design, rocks and stones may be what you are looking for.

## **Any tree planted on the front of a property can be trimmed or cut by the property owner or occupant.**

### **False**

Many trees on front lawns are actually on City Property and it is a violation of the Street Tree By-law 06-151 to; trim, cut, remove, nail, rope, wire, or fasten anything to it. To determine if a tree is on your property or on City property you need to call 905 546-2489 to have staff from Forestry determine who owns the tree before doing any work.



**Only the occupant(s) are responsible if there is a violation of the Noise By-law (03-020).**

**False**

Both the property owner(s) and occupant(s) are responsible. The following may result if violations are determined;

- Tickets issued to occupant(s) and/or property owner(s), or both
- “Fee For Inspection” costs are applied for second and any additional inspections where violations are found. These costs are the responsibility of the property owner
- Summons issued to appear in court

Loud music and voices disturb people in your neighbourhood, especially at night. It is important to know that the Noise By-Law is in effect 24 hours a day, 7 days a week.

**There is no By-law to enforce urinating in public or knocking over mail boxes, newspaper boxes or waste containers.**

**False**

There is a new By-law called the Public Nuisance By-law (#09-110) that covers these types of violations and tickets may be issued under the Provincial Offences Act.

**Snow can be left on the sidewalk surrounding your property because it will eventually melt.**

**False**

The Snow and Ice Removal By-Law (#03-296) requires snow and ice to be cleared off the sidewalk surrounding your property within 24 hours after the snow fall. Failure to clean the sidewalk of snow and ice may result in;

- A Notice to Comply being issued
- Fee for Inspection applied
- The City completing the work and adding the cost to the property taxes
- Tickets under the Provincial Offences Act up to \$5,000 for repeated violations

Keeping sidewalks and walkways clear of snow and ice improves the quality of life for all including delivery persons and those relying on mobility aids such as wheelchairs, walkers, and strollers. Taking these measures will help reduce injuries caused by slip and falls.

Helping neighbours clear snow and ice off their sidewalks is a great way to build positive relationships.

**Occupants (tenants) can call Municipal Law Enforcement as soon as there is a property standards issue i.e. damage building, plumbing, lighting, kitchen facilities etc.**

**False**

Occupants must notify the property owner(s)/ management company in writing, if possible, before calling Municipal Law Enforcement to give the owner time to fix the problem. Municipal Law Enforcement can be contacted if the problem is not corrected and staff will investigate. As part of the investigation staff will request a copy of the letter or documentation that the property owner(s)/management company was contacted about the problem.

**Illegal Dumping is caused due to the one waste collection container limit.**

**False**

Illegal dumping is an issue that most municipalities deal with, whether they have garbage limits or

not. It is against the law to put your garbage in front of another property or to dump it on City property including alleyways. Residents should report these incidents by calling 905.546.CITY (2489) so that Municipal Law Enforcement can follow up and take appropriate action. Illegal dumping is costly on City resources and can be avoided if people take the time to use green carts and blue box recycle containers properly.

## **All waste items (i.e. Blue Boxes) can be put at the curb in front of your property anytime the day before your scheduled collection.**

### **False**

Waste items are to be placed at the curb;

- after 7:00 p.m. the evening prior to your scheduled waste collection day.
- before 7:00 a.m the morning of your scheduled collection day.

All waste containers must be removed from the curb by 7:00 p.m. on the scheduled collection day.

There is a limit on the number of containers you can place at the curb each week for collection.

You are allowed one waste container.

**Please note:** There is no limit to the collection of recycled waste. If you need more information visit the waste management website at [www.hamilton.ca/waste](http://www.hamilton.ca/waste).

## **Waste Collection Containers (i.e. Blue Boxes) can be stored anywhere on the property.**

### **False**

All waste containers must be stored in the rear yard of the property or in the garage. Help improve the appearance of your neighbourhood by taking these small measures.

## **Bulk collection is provided on a seasonal, call in basis.**

### **True**

Call 905.546.CITY (2489) at least one week before your regular waste collection day to arrange for collection. There is a limit of 4 items per collection. Bulk items should be placed at the curb in the same manner as your regular waste collection.

## *For more information contact:*

### **Municipal Law Enforcement Section**

Parking and By-Law Services Division  
Planning and Economic Development Department  
Hamilton City Centre - 77 James Street North  
Main Floor, Suite 250  
Hamilton, Ontario, L8R 2K3

### **Monday - Friday**

8:30 a.m. - 4:30 p.m.  
Phone: 905.546.2782  
Email: [mle@hamilton.ca](mailto:mle@hamilton.ca)  
Website: [www.hamilton.ca/mle](http://www.hamilton.ca/mle)



Hamilton

**PARKING AND BY-LAW SERVICES DIVISION**  
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT