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Written approval for this by-law was given by Mayoral Decision MDE-2025-017
Dated October 29, 2025

Bill No. 199

CITY OF HAMILTON

BY-LAW NO. 25-199

To Amend By-law No. 10-118, as amended, Being a By-law to Regulate Exterior Property Maintenance including Vegetation, Waste and Graffiti

WHEREAS By-law 10-118 regulates exterior property maintenance including vegetation, waste and graffiti;

AND WHEREAS City Council has approved the Hamilton Biodiversity Action Plan as a guiding document for City actions to improve biodiversity across all communities in the City;

AND WHEREAS staff recommend By-law 10-118 be updated in response to the Hamilton Biodiversity Action Plan to include definitions and to make minor housekeeping amendments;

AND WHEREAS it is necessary to amend By-law 10-118, as amended;

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

1. That Section 1 of By-law 10-118 be amended by adding the following definitions in alphabetical order:

“naturalized area” means a property or a portion of a property deemed a naturalized area; an area is deemed to be a naturalized area if the property or portion of property is intentionally cultivated, designed and maintained and which includes a combination of species of plants that are deliberately implemented to produce ground cover and may consist of one or more species of wildflowers, annuals, perennials, shrubs and grasses or a combination thereof, but does not include turfgrass;

“turfgrass” means ground cover of various perennial grasses grown for lawns, of a type that forms a dense, uniform turf if mown;

2. That the definition of “ornamental plant” under Section 1 be amended by deleting the word “turf grass” and replacing it with “turfgrass”.

3. That paragraph (a) of subsection 3(1) of By-law 10-118 be deleted and replaced with:

(a) Every owner or occupant of property shall keep turfgrass and vegetation in the yard of their property clean and cleared up.

4. That paragraph (c) of subsection 3(1) of By-law 10-118 be deleted and replaced with:

(c) For the purposes of paragraph (a), to “clean” or “clear up” means:

- (i) for property located inside the urban boundary that is equal to or less than 0.4 ha in area, to keep all turfgrass and vegetation cut to a height of equal to or less than 21 cm, except:
 - 1. native or ornamental plants;
 - 2. shrubs or trees;
 - 3. cultivated fruits or vegetables;
 - 4. plants buffering or otherwise protecting a natural feature such as a watercourse; or
 - 5. naturalized area;
- (ii) for property located inside the urban boundary that is greater than 0.4 ha in area, to keep all turfgrass and vegetation within 10 m of any property line cut to a height of equal to or less than 21 cm, except:
 - 1. native or ornamental plants;
 - 2. shrubs or trees;
 - 3. cultivated fruits or vegetables;
 - 4. plants buffering or otherwise protecting a natural feature such as a watercourse; or
 - 5. naturalized area;
- (iii) to remove all noxious weeds; and
- (iv) to maintain the yard so as to prevent instability including but not limited to the erosion of the soil.

5. In all other respects, By-law 10-118 is confirmed.

6. The provisions of this By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 29th day of October, 2025.

A. Horwath
Mayor

M. Trennum
City Clerk