

**Bill No. 197**

**CITY OF HAMILTON**

**BY-LAW NO. 18-197**

**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.

<b>TABLE 13: BY-LAW NO. 10-118 TO REGULATE EXTERIOR PROPERTY MAINTENANCE INCLUDING VEGETATION, WASTE AND GRAFFITI</b>				
<b>ITEM</b>	<b>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</b>		<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET PENALTY</b>
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

<b>TABLE 13: BY-LAW NO. 10-118 TO REGULATE EXTERIOR PROPERTY MAINTENANCE INCLUDING VEGETATION, WASTE AND GRAFFITI</b>				
<b>ITEM</b>	<b>COLUMN 1 DESIGNATED BY- LAW &amp; SECTION</b>		<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET PENALTY</b>
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 <sup>3</sup>	\$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 13<sup>th</sup> day of July, 2018

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk