



TOWN OF WABUSH

ANTI-LITTER BYLAW

Pursuant to the powers vested in it by virtue of the Towns and Local Service District Act and all other powers it enables, the Town Council of Wabush in regular session convened on the 16 day of April 2025 hereby passes and enacts the following bylaw for the control and prevention of littering.

1. This bylaw may be cited as the Town of Wabush Anti-Litter Bylaw 2025.
2. Interpretations: In this bylaw unless the context otherwise requires:
 - a) "Act" means the Towns and Local Service District Act.
 - b) "Council" means the Town Council of the Town of Wabush, constituted under the provisions of the Towns and Local Service District Act.
 - c) "Authorized Receptacle" means a litter storage or collection receptacle that may be approved by Council.
 - d) "Authorized Landfill Site" means an area designated by the Town to receive residential, commercial and industrial waste or an area under a permit by the Town to receive soil from an excavation site.
 - e) "Commercial Property shall mean any building or property that is used or designed for use for business, commercial, industrial or institutional purposes or vacant land within a commercial or industrial zone.
 - f) "Enforcement Authority" means Council or its authorized administrator.
 - g) "Hand Bill" means printed or written matter, circular sample, advertisement, leaflet or paper of other than a newspaper or His Majesty's Mail.
 - h) "Litter" means any obnoxious substance, waste or unsanitary matter, refuse, garbage, rubbish, ashes, cigarette butts, street cleaning, dead animals, paper wrappings, cardboard boxes, tin cans, leaves, wood, bedding, crockery, glass bottles and glass in all forms, construction and demolition materials, excavation and landscaping debris, dead grass, lawn clippings, cement bags, and bags of all descriptions and other matter of things which if thrown or deposited as herein prohibited tends, or is likely to cause or causes unsightliness within the Town or creates a danger to health, welfare or public safety and includes abandoned vehicles, furniture and appliances.

- i) "Nuisance" means any obnoxious substance, animal waste or unsanitary matter or noise that has an unpleasant effect on the senses. (Nuisance means anything, in the opinion of Council or any Person authorized by Council, that endangers life or health, gives offence to the senses, violates the laws of decency or obstructs reasonable and comfortable use of property in any way, and includes any obnoxious substances, smoke, animal waste or unsanitary matter or noise that has an unpleasant effect on the senses.
- j) "vehicle" applies to any and all types of conveyance including, but not limited to, automobiles, trucks, vans, campers, motorhomes, recreational vehicles, trailers, buses, boats, skidoos and such conveyance designed to transport goods or materials. Overweight vehicles (over 5,000 kilograms) are not permitted on any residential property.
- k) "Owner" means the legal entity having title to a property.
- l) "Occupant" means any Person who is an agent, tenant or occupier of a property
- m) "Person" means any person, firm, partnership, association, corporation, company, Cooperator, club, society or any other corporate body or organization of any kind.
- n) "Residential Property" means a dwelling and the yard around it, and all accessory buildings, out buildings, fences, barriers, retaining walls, or other erections therein and thereon, or vacant land within a residential zone.
- o) "Waste" means rubbish, offal, slime, tailings, effluent, sludge, sewage, garbage, refuse, scrap metal, litter or other substances or waste products that would or could cause an adverse effect.
- p) "Town" means the Town of Wabush.
- q) "Unsightly property" means properties with ashes, junk yard debris or other rubbish, derelict vehicles stored on the property, lack of exterior maintenance to buildings/structures, overgrown grass, construction material/debris not stored appropriately and graffiti on the property.

3. Application

This Bylaw shall apply within the boundaries of the Town.

4. Litter

No person, firm or corporation shall deposit, throw, sweep or place any litter in or upon any street, lane, sidewalk, drain, public place, beach area, pond, river, stream, or private property within the Town, except in authorized receptacles for collection.

5. Placement of Litter in Receptacles

Persons placing litter in authorized receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, lane, sidewalk, drain, public place, beach area, pond, river, stream or private property within the Town.

6. Business Area

Persons owning or occupying places of business within the Town shall keep their parking areas free of litter.

7. Commercial Property Responsibility

- a) The Owner or Occupant of a Commercial Property shall keep the street, sidewalk and drainage ditch or curb and gutter abutting or adjacent to his or her property free of refuse, debris, grass clippings, litter, garbage and any unsanitary, offensive, or injurious substance or article of any kind.
- b) No Person owning or occupying a Commercial Property shall sweep into or deposit into any gutter, street or other public place within the Town, the accumulation of litter from any building or lot, or from any public or private sidewalk or driveway. Persons owning or occupying a Commercial Property within the Town shall keep the sidewalk or parking lot free of litter.
- c) Nothing in this section shall prohibit persons from watering sidewalks, gutters or streets fronting their premises in order to minimize or control the spreading and flow of dust.

8. Sweeping Litter into Gutters Prohibited

No person, firm or corporation shall sweep into or deposit into any gutter, public place, street, or drain within the Town the accumulation of litter from any building, lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

9. Litter Thrown by Persons in Vehicles

No person, firm or corporation while being a driver or passenger in a vehicle shall throw or deposit litter or any description upon any street, public places or upon any private property within the Town.

10. Truck Loads Causing Litter

No person shall drive, park or move any truck, trailer or other vehicle within the Town unless such vehicle is so constructed or loaded so as to prevent any load, contents or litter from being blown or deposited upon any street, land, public place, or private property or becoming a nuisance within the Town.

11. Disposal of Waste Materials

All litter including, but not limited to, construction, demolition, excavation, and landscaping material shall be disposed of at the Labrador West landfill site.

12. Litter in Parks

No person shall throw or deposit litter in any park within the Town except in authorized receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any street or part of the park or any other public place or private property. Where authorized receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere as provided herein.

13. Litter in Walkways

No person shall throw or deposit litter in any ditch, pond, or stream or other body of water in any park or walking trail or elsewhere in the Town.

14. Posting Notices Prohibited

No Person shall post or affix any notices, poster or other matter or device calculated to attract the attention of the public to any lamp post, public utility pole, sign pole, tree, or upon any public structure or building except as may be authorized by the Council or required by law.

15. Litter on Private Property

- a) All parts of residential property shall be kept clean of rubbish, garbage, and other debris.
- b) Properties within the Town of Wabush are to be maintained at an acceptable level. Growth of weeds and grass that are detrimental to the health, safety and welfare of the occupants or the public or by reason of not being cut regularly and are excessive compared with neighbouring properties will be considered as unacceptable. No person shall throw or deposit litter on any private property within the Town, whether the property is owned by such person or not, except that the owner or person in control of private property may maintain authorized receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk, or other public place or upon a private property. No garbage/litter may limit entry or egress to and from the property. This will include Hand Bill material delivered to residential and business locations. All Hand Bill material shall be deposited in a mailbox or in the absence of a mailbox at the front door of a residence or the door of a business. Hand Bills shall not be placed on lawns, driveways or walkways.
- c) No person shall park any type of vehicle(s) or any other item on residential lawns or green space. All Residential Properties shall be kept clean and free from visible wrecked, dismantled, inoperative, unused, unregistered or abandoned vehicles and any other

machinery or any parts thereof, except as permitted only in an approved, enclosed residential garage for the sole purpose of restoration. Repairing of vehicles on residential lawns or green space is prohibited. All vehicles shall be parked on a solid hard paved service consisting of asphalt, concrete, paving blocks, class A/stone or similar material. Recreational motorized and non motorized vehicles may only be parked on driveways in residential zoned districts during the months of June to September. During the calendar months of October to May all recreational vehicles and boats shall not be parked on driveways.

- d) Provisions of Section 15 (b) shall apply to the premises of Commercial Properties located in proximity to Residential Property and the Owner or Occupant of the same shall maintain the same in accordance with Section 15(c).

16. Litter in Watershed Area

No person, firm or corporation shall deposit, discharge or place any litter or material in or upon any watershed area within the Town that might impair the quality of water.

17. Order for Disposal of Litter

- a) If it is determined that a property falls within the definition of an unsightly property, the Town Manager or Town Clerk is empowered or authorized to order the owner or occupant of any private property within the town to, properly and immediately dispose of any or all litter located on such property. This bylaw will be explained to the property owner as well as what must be done to clean up the property. Such order shall be made by a notice signed by the Town Manager/Town Clerk and served upon the owner or occupant and shall provide a timeline for cleanup of such litter.
- b) Once an order has been issued, and the specified cleanup timeline has expired, there will be a follow up inspection of the property conducted by the bylaw enforcement officer.
- c) If sufficient cleanup of the property has not taken place after the deadline has lapsed, the town may have the property cleaned up and any costs, expenses or charges incurred by the town for cleaning up the property are recoverable from the person against whom the order was made as a debt owed to the town.

18. Vehicle Impounding

Failure of the owner or occupant to remove a vehicle or other unsightly garbage from a residential or commercial property within the Town where Town officials have deemed it a "nuisance" will result in that vehicle or garbage being removed and all costs associated with such removal will be the responsibility of the owner or occupant. The Town is not obligated to contact the owner prior to removal.

19. Council May Carry Out Directions

If any notice issued and served under Section 15 is not complied with or is not so far complied with as the Council regards as reasonable within the time frames in the notice,

the Council may carry out the directions contained in the notice through its officers, agents, employees, or contractors and recover the cost of so doing as a civil debt from the person on whom the notice was served.

20. Enforcement

- a) Enforcement and prosecution under this bylaw may be undertaken by any Police Officer or by any other Person so authorized by the Enforcement Authority.
- b) It shall be the duty of the Municipal Enforcement Officer, or any person assigned by the Council to enforce this bylaw.
- c) To report the name and address of any person observed or reliably reported to have violated any of the provisions of this bylaw.
- d) To report the time and nature of the violation of the bylaw and any circumstances being relevant to the violation.
- e) Every person requested by Council or its duly authorized agents to enforce this bylaw shall upon request, forthwith give his/her proper name and address.
- f) Pursuant to Section 285 (1) of the Act, the Enforcement Authority may serve upon the Owner, Occupant, or any other Person in violation of a provision of this bylaw to serve upon the person violating any provisions of this bylaw a serially numbered notice advertising the nature of the violation and required action to conform to the standards as set out in this bylaw.
The Owner, Occupant or any Person served a notice shall carry out the directions of the Enforcement Authority referred to in Section 19(f) at the cost of the Owner, Occupant or Person within the time specified.
- g) To provide the CAO/Town Manager a duplicate of each serially numbered notice of violation.

21. Right of Entry

Pursuant to Section 51 of the Urban and Rural Planning Act, 2000, Council or its duly authorized agent have the authority to enter a property for the purposes of inspection or to carry out work as required under this bylaw.

21. Failure to Comply

- a) Pursuant to Section 285 (5) of the Act, where a Person who has been served with an order does not comply with the order or part of an order made under Section 19 (f) of this bylaw, Council may take the action it considers necessary to carry out the terms of the order and any costs, expenses or charges incurred by the Town in carrying out the term of the order are recoverable from the person against whom the order was made as a debt owed to the Town and are subject to enforcement mechanisms under Section 291.2 of the Act.
- b) Council may delegate to an official or employee of Council power to issue orders under this section.
- c) Council, its employees, servants or agents shall be saved harmless from any and all claims arising out of the action of Council, its employees, servants or agents in the

process of inspecting and/or carrying out work under this bylaw except in the case of gross negligence.

22. Penalties

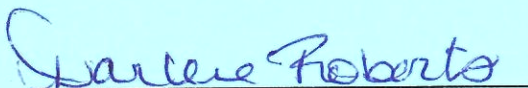
- a) Pursuant to Section 289(3) of the Act, each day upon which the same offence is committed or continued is a separate offence.
- b) Every person who is guilty of an offence under these Bylaws or who acts in contravention of or fails to comply with any provision thereof, or neglects or refuses to do so:
 - i) Shall be liable to penalties as stipulated in accordance with Section 290 of the Towns and Local Service district Act, or
 - ii) Shall be subject to an order under Section 285 (5) of the Town and Local Service District Act, or
 - iii) Shall be subject to a violation notice issued under Section 287 (1) of the Towns and Local Service District Act, or
 - iv) Shall be issued a ticket under the Provincial Offences Act in accordance with Section 288 of the Towns and Local Service District Act.

23. This Bylaw will be enforced by the Municipal Enforcement Officer, or any person appointed by Council.

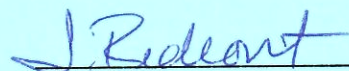
In witness whereof the seal of the Town of Wabush has been affixed herewith, and the Mayor and the Town Manager have signed this bylaw on behalf of the Wabush Town Council, this 16 day of April 2025.



Ron Barron, Mayor



Witness



Tiffanee Rideout – Town Clerk