

**The Corporation of the Town of Petawawa**

**By-law No. 1791/25**

**Being a By-law to Require the Owner or Occupant of Land to Clean and Clear the Land, or to Clear Refuse From the Land, not Including Buildings**

**Whereas** Section 2 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that municipalities are created by the Province of Ontario to be responsible and accountable governments with respect to matters within their jurisdiction and each municipality is given powers and duties under this *Act* and many other Acts for the purpose of providing good government with respect to those matters;

**And Whereas** Section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other *Act*;

**And Whereas** Section 127 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may,

- (a) require the owner or occupant of land to clean and clear the land, not including buildings, or to clear refuse or debris from the land, not including buildings;
- (b) regulate when and how matters required under clause (a) shall be done;
- (c) prohibit the depositing of refuse or debris on land without the consent of the owner or occupant of the land; and
- (d) define "refuse" for the purpose of this section;

**And Whereas** Section 128 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

**And Whereas** Section 129 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may prohibit and regulate with respect to odour and dust;

**And Whereas** Section 446 (1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

**And Whereas** Section 446 (2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may enter upon land at any reasonable time;

**And Whereas** Sections 435 and 436 of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended, sets out general conditions for the Powers of Entry, including that the person exercising the power may be accompanied by a person under his or her direction;

**And Whereas** Section 446 (3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may recover the costs of doing a matter or thing under Section 446 (1) from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

**And Whereas** Sections 55 (1) and (2) of the *Community Safety and Policing Act, 2019*, S.O. 2019, c. 1 Schedule 1, as amended, states that a municipality may appoint persons to enforce the by-laws of the municipality and that municipal by-law enforcement officers appointed under this section are peace officers for the purpose of enforcing municipal by-laws;

**Now Therefore the Council of the Corporation of the Town of Petawawa enacts as follows:**

## **PURPOSE AND SCOPE**

### **1.1 Purpose**

This by-law has been enacted to:

- 1.1.1** extend the useful life of individual properties;
- 1.1.2** enhance the quality of communities and neighbourhoods;
- 1.1.3** protect the safety, health and well-being of the public; and
- 1.1.4** ensure the continued enjoyment of property for residents and property owners in the Town of Petawawa.

### **1.2 Scope**

This by-law shall apply to all privately owned property in the Town of Petawawa, including those used for residential, commercial, institutional and industrial purposes.

## **DEFINITIONS**

In this by-law, the following definitions shall apply:

- 2.1** **“Accessory”** when used to describe a use, building or structure, means a use, or a detached building or structure, that is customarily incidental, subordinate and exclusively devoted to supporting the principal use, building

or structure and located on the same lot therewith. This does not include an accessory residence unless otherwise specified.

**2.2**   **“Corner Visibility Triangle”** means a triangular area formed within a corner lot by the intersecting lot lines abutting two streets, or the projections thereof, and a straight line connecting them 6 metres (19.7 feet) from their point of intersection (See Appendix A).

**2.3**   **“Graffiti”** means one or more letters, symbols, figures, etchings, scratches, inscriptions, stains, or other markings that disfigure or deface, howsoever made or otherwise affixed or applied to a building, structure, surface, or thing, but does not include an Art Mural, nor a sign authorized under the Town’s Sign By-law.

**2.4**   **“Inoperative Vehicle”** shall mean a licensed or unlicensed vehicle having damaged, deteriorated, removed, or missing parts or equipment necessary for its safe operation.

**2.5**   **“Land”** includes yards, vacant lots, or any part of a lot which is not beneath a building; and for the purpose of this by-law includes unenclosed decks, unenclosed porches, unenclosed carports, and unenclosed garages accessory to a residential use.

**2.6**   **“Lawn”** means perennial turfgrass grown for ground cover, of a type that forms a dense, uniform turf when mown, including but not limited to Kentucky bluegrass, perennial ryegrass, or fine fescue.

**2.7**   **“Natural Area”** means a defined and maintained area of vegetation that has been established through deliberate planting or a combination of deliberate planting and natural regeneration, and includes species of wildflowers, shrubs, perennials, ornamental grasses, vegetables and other edible plants, or combinations of them, consistent with a managed and natural landscape, but does not include Noxious Weeds. Land that has been neglected and left unmaintained is not considered a natural area.

**2.8**   **“Noxious weed”** means any plant species designated by Regulation 1096 of the *Weed Control Act*, R.S.O. 1990, c. W.5, as amended (See Appendix B).

**2.9**   **“Occupant”** means any person or persons over the age of eighteen years residing at the property.

**2.10**   **“Officer”** means any Municipal Law Enforcement Officer appointed by the Council of the Corporation of the Town of Petawawa.

**2.11**   **“Owner”** means the registered Owner of the property. For the purposes of this By-law, this term may also include the Occupant.

**2.12**   **“Person”** means an individual, firm, corporation, association or partnership.

**2.13**   **“Property”** means a building or structure or part of a building or structure and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected, and includes vacant property, on which there are not structures of any kind.

**2.14**   **“Refuse”** means garbage, waste, or rubbish of any kind, including but not limited to;

- 2.14.1**   rubble, debris, earth, rocks, and stones;
- 2.14.2**   tree cuttings, limbs, and brush;
- 2.14.3**   inoperative vehicles, and/or vehicle parts;
- 2.14.4**   mechanical, electrical, and any kind of equipment or parts;
- 2.14.5**   any type of tank including a fuel tank, oil tank, or water tank;
- 2.14.6**   any and all domestic goods, furniture, or appliances;
- 2.14.7**   recyclable material such as paper, cardboard, containers, or cartons;
- 2.14.8**   material from construction or demolition projects;
- 2.14.9**   liquids or effluents;
- 2.14.10**   bones, feathers, animal hides or carcasses;
- 2.14.11**   commercial shopping carts, and;
- 2.14.12**   unlicensed donation bins;

\*even where such material has commercial value.

But does not include material being composted in accordance with section 3.8 of this by-law.

**2.15**   **“Residential Property”** means land used for residential purposes and includes vacant land but does not include Rural Property.

**2.16**   **“Rural Property”** means lands zoned Rural (RU) in the Zoning By-law of the Town of Petawawa.

**2.17**   **“Standards”** means the standards of the physical condition and of occupancy prescribed for property by this By-law.

**2.18**   **“Structure”** means anything constructed or erected, the use of which requires location on or in the ground or attached to something having location on or in the ground.

**2.19**   **“Swimming Pool”** means a privately owned outdoor structure erected or installed above ground or wholly or partly below ground, and includes a basin, chamber or tank containing or capable of containing water, and is designed to be used for swimming or wading and:

- 2.19.1**   Has a depth equal to or more than 45 centimetres at any point;
- 2.19.2**   Is not a pond or reservoir to be utilized for farming purposes;
- 2.19.3**   Includes outdoor hot tubs, whirlpools or spas;
- 2.19.4**   Excludes storm water management ponds.

**2.20**   **“Town”** means the Corporation of the Town of Petawawa.

**2.21**   **“Vehicle”** includes:

- 2.21.1**   A motor vehicle as defined in the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended;
- 2.21.2**   A trailer, including but not limited to a travel trailer, tent trailer, boat trailer, transport trailer or utility trailer;
- 2.21.3**   A boat;
- 2.21.4**   An all-terrain-vehicle;
- 2.21.5**   A motorized snow vehicle;
- 2.21.5**   Farm tractor or traction engine;
- 2.21.6**   Road building machine or other machinery;
- 2.21.7**   Any other vehicle or equipment drawn, propelled, or driven by any kind of power, including muscular power.

**2.22**   **“Yard”** means an open space on the same lot with a building or structure or excavation, unoccupied and unobstructed except as for such accessory buildings, structures or uses specifically permitted in the Zoning By-law.

**2.23** “**Yard, Exterior Side**” means a yard adjacent to a street between the nearest part of any building, structure or excavation on the lot and a street, a 0.3 metre reserve or a road allowance, extending from the front yard to the rear lot line.

**2.24** “**Yard, Front**” means a yard extending across the full width of a lot between the front lot line and the nearest part of any building, structure or excavation on the lot.

**2.25** “**Yard, Rear**” means a yard extending across the full width of a lot between the rear lot line and the nearest part of any building structure or excavation on the lot.

**2.26** “**Zoning By-law**” means any by-law administered by the Municipality passed pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P.13., as amended.

## **GENERAL PROVISIONS**

### **3.1 Standards**

**3.1.1** All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned.

**3.1.2** An owner shall ensure their land is kept clean, clear, and free from objects or conditions, that may create a public health or safety hazard, or a nuisance.

**3.1.3** An Owner shall keep their Land, including any buildings, structures, fences, and surfaces free and clear of Graffiti.

### **3.2 Lawns and Natural Areas**

**3.2.1** An owner shall ensure the lawn on their land does not exceed 20 centimetres (8 inches) in height.

**3.2.2** A 1.0-metre-wide buffer strip shall exist between any natural area and the property lines of adjacent properties and the road allowance (Appendix C). If the buffer strip contains vegetation other than trees, shrubs or hedges (i.e., ground cover plants), it must not exceed 20 centimetres (8 inches) in height or length. Rural Property is exempt from this provision.

**3.2.3** If a sidewalk exists within the municipal road allowance, the 1.0-metre-wide buffer referred to in 3.2.2 shall begin at the edge of the sidewalk closest to the adjoining private property.

- 3.2.4**      Lawn and natural area are permitted within the municipal road allowance adjoining private property and shall be maintained by the owner of the adjoining private property. The Town is only responsible for seeding the municipal road allowance should there be damage caused by municipal maintenance and snow clearing activities.
- 3.2.5**      The municipal road allowance shall remain clear of all potential obstructions that may impede municipal maintenance and snow clearing activities. This includes, but is not limited to, structures (e.g., fences, basketball nets) and landscaping features (e.g., ponds, bricks, garden edging materials, stones).
- 3.2.6**      An owner shall ensure all vegetation on their land does not exceed 0.75 metres (2.5 feet) in height within any corner visibility triangle. The aforementioned height shall be measured from the centreline grade of the adjacent street(s). See Appendix A.

### **3.3      Weeds**

Noxious weeds as defined by the *Weed Control Act*, R.S.O. 1990, c. W.5, as amended (Appendix B) shall be immediately removed from the property and properly disposed of.

### **3.4      Yard Maintenance and Refuse Deposited on Land**

- 3.4.1**      Every yard, including vacant lots, shall be kept clean and free from all refuse including:
  - 3.4.1.1**      rubbish or debris and objects or conditions that may create a health, fire, or accident hazard;
  - 3.4.1.2**      wrecked, dismantled, discarded, abandoned, or inoperative vehicles unless it is necessary for the operation of a business enterprise lawfully situated on the property and then only in an arrangement so as to prevent an unsafe or unsightly condition;
  - 3.4.1.3**      dilapidated, collapsed or partially constructed structures which are not currently under construction;
  - 3.4.1.4**      injurious infestations of pests, such as by insects, termites, or rodents; and

- 3.4.1.5** dead, decayed or damaged trees and the branches and limbs thereof which may fall and cause an accident.
- 3.4.2** Whenever landscaping hedges, fences, curbs, retaining walls or similar changes to property have been required by the Town as a condition of development or redevelopment, such works shall be undertaken and maintained to ensure continuous compliance with the Town's requirements.
- 3.4.3** Outside storage, where permitted by the Zoning By-law, shall:
  - 3.4.3.1** Not exceed the lesser of 2.44 metres (8 feet) or the height of a surrounding fence; and
  - 3.4.3.2** Be maintained to prevent an unsafe or unsightly condition out of character with the surrounding environment.
- 3.4.4** Domestic storage such as firewood, building materials, garden equipment and materials shall be stored neatly but not in the front or exterior side yards.
- 3.4.5** No owner shall:
  - 3.4.5.1** Throw, place, bring or deposit snow or ice on or immediately adjacent to a fire hydrant, sprinkler connection or fire escape;
  - 3.4.5.2** In any manner obstruct access to a fire hydrant, sprinkler connection or fire escape;
  - 3.4.5.3** Plant or place vegetation that will obstruct or restrict access to a fire hydrant, sprinkler connection or fire escape; and
  - 3.4.5.4** Construct or place any apparatus immediately adjacent to a fire hydrant, sprinkler connection, or fire escape, in a manner that obstructs access to a fire hydrant, sprinkler connection or fire escape.
- 3.4.6** Private fire hydrants and sprinkler/standpipe connections shall be maintained by the owner in operating condition in accordance with Ontario Fire Code regulations and shall be readily available and unobstructed for use at all times. The Town of Petawawa will not

undertake to clear snow on any private hydrants, sprinkler connections or fire escapes.

### **3.5      Parking Areas, Walks, and Driveways**

- 3.5.1**     All areas used for vehicular traffic, parking areas and walks shall have a surface covering of concrete, asphalt, crushed stone, gravel or a combination thereof with a stable surface and shall be kept in good repair free of dirt and litter.
- 3.5.2**     All areas used for vehicular traffic, parking spaces and other similar areas shall be maintained to afford safe passage under normal use and weather conditions.

### **3.6      Vehicles & Vehicle Storage**

- 3.6.1**     All vehicles shall be parked on designated surfaces for parking areas described in the municipal Zoning By-law, unless otherwise exempted by this by-law.
- 3.6.2**     Notwithstanding 3.4.1.2 and 3.6.1, an owner may park inoperative vehicles on the land of a Rural Property provided:
  - 3.6.2.1**     All inoperative vehicles are screened from view from adjacent roadways and neighbouring properties; and
  - 3.6.2.2**     No more than ten (10) inoperative vehicles are parked on the property and an Environmental Compliance Approval is not otherwise required under the *Environmental Protection Act*, R.S.O. 1990, Chapter E.19, as amended to permit the storage of the vehicles.
- 3.6.3**     Notwithstanding 3.4.1.2, an owner may park one (1) inoperative vehicle on the land of a Residential Property provided:
  - 3.6.3.1**     The inoperative vehicle is actively being repaired; and
  - 3.6.3.2**     The vehicle is parked on a designated surface for a parking area.

### **3.7      Containment and Storage of Refuse**

- 3.7.1**     All garbage, refuse, and ashes shall be promptly placed in a suitable container and made available for removal in accordance with the municipal garbage collection by-law where applicable.

**3.7.2** Garbage bags shall not be stored outdoors unless adequately protected from damage.

**3.8 Compost Heaps**

**3.8.1** The owner of a Residential or Rural Property may provide for a compost heap in accordance with the health regulations, provided that the compost pile is enclosed on all sides, located in the rear yard and meets the required setback for an accessory structure in accordance with the Zoning By-law

**3.9 Drainage and Swimming Pool Water**

**3.9.1** All lands shall be graded, filled or otherwise drained to prevent the recurrent ponding of storm water or water entering onto adjacent lands.

**3.9.2** Sewage of any kind shall be discharged into the sewage system and at no time discharged onto the surface of the ground, whether into a natural or artificial surface drainage system.

**3.9.3** Roof drainage shall not be discharged onto sidewalks, stairs, or adjacent property.

**3.9.4** Storm water, sump, or swimming pool discharge, and water artificially brought on the land, shall be drained from the yard to prevent recurrent ponding or the entrance of water into a basement, cellar or onto adjacent lands.

**3.9.5** Adequate drainage shall be installed where there is recurring excessive ponding caused by surface water.

**3.9.6** Every owner shall ensure water within a swimming pool on their land is kept in a condition which is not:

**3.9.6.1** A health or safety hazard;

**3.9.6.2** Malodorous, or;

**3.9.6.3** A breeding place or habitat for animals, including insects.

## **EXEMPTIONS**

### **4.1 Active Construction and Cleaning - Exemption**

- 4.1.1** Section 3.4 of this by-law does not apply to land on which construction is proceeding under a valid building permit and where materials have been removed from an existing building and are temporarily awaiting disposal.
- 4.1.2** Section 3.4 of this by-law does not apply to land on which commercial waste bins are used to temporarily store materials awaiting disposal provided the bin is kept on the land on a temporary basis only.

### **4.2 Site Plan – Exemption**

Section 3.4 of this by-law does not apply to land where approval under the Site Plan Control By-law has been obtained that includes regulations pertaining to the containment and location of garbage.

### **4.3 Outdoor Storage – Lawful – Exemption**

Section 3.4 of this by-law does not apply to land which is lawfully used for outdoor storage of materials in compliance with the Zoning By-law and applicable regulations so long as the materials are not deemed by the Town to be refuse.

### **4.4 Normal Farm Practices – Exemption**

This by-law does not apply to normal farm practices carried on as part of an agricultural operation, as per the *Farming and Food Production and Protection Act*, 1998, S.O. 1998, c. 1, as amended.

### **4.5 Weed Control Act**

- 4.5.1** The provisions of the *Weed Control Act*, R.S.O. 1990, c. W.5, as amended with respect to the destruction of noxious weeds take precedence over this by-law where noxious weeds or weed seeds are close enough to any land used for agricultural or horticultural purposes such that they interfere with that use, as per Section 22 of the *Weed Control Act*, R.S.O. 1990, c. W.5, as amended .
- 4.5.2** All noxious weed related issues will be referred to the Weed Inspector for the County of Renfrew.

**4.5.3** The Weed Inspector may add or remove plant species from the list of noxious weeds.

## **ADMINISTRATION AND ENFORCEMENT**

### **5.1 Administration**

**5.1.1** The Clerk or said designate shall be responsible for the administration and enforcement of this by-law.

**5.1.2** Where applicable, the provisions of this by-law shall be enforced by a Municipal Law Enforcement Officer appointed by the Council of the Corporation of the Town of Petawawa.

### **5.2 Offence**

That every person who contravenes any provision of this By-law is guilty of an offence and shall, upon conviction be subject to such fines as may be provided for pursuant to the provisions of the *Provincial Offences Act*, R.S.O. 1990, c.P.33, as amended.

### **5.3 Interpretation**

In the interpretation of this by-law, words in the singular include the plural and vice-versa, words in one gender include all genders, and "person" includes an individual, body corporate, partnership, trust, and unincorporated organization.

### **5.4 Powers of the Officer**

The Officer may enter at all reasonable times upon the lands to ascertain whether the provisions of this by-law are complied with and to enforce and carry into effect the provisions of this by-law.

### **5.5 Obstruction**

No person shall obstruct, hinder or otherwise interfere with a Municipal Law Enforcement Officer, or another duly appointed individual in the lawful carrying out of their duties and responsibilities under the provisions of this By-law.

## **SEVERABILITY**

6.1 In the event any part or provision of this by-law is held invalid, the remainder of the by-law shall continue in force.

## **TRANSITIONAL RULES**

7.1 After the date of the passing of this By-law, By-law 146/2000, as amended, shall apply only to those properties in which an Order to Comply has been issued prior to the date of the passing of this By-law, and then only to such properties until such time as the work required by such Order has been completed or any enforcement proceedings with respect to such Order, including any demolition, clearance, or repair carried out by the Town shall have been concluded.

## **SHORT TITLE**

8.1 This by-law may be referred to as the “Clean Yards By-law”.

## **EFFECTIVE DATE**

9.1 This by-law comes into force on the day it is passed by Council.

By-law read a first and second time this 1<sup>st</sup> day of December 2025.

By-law read a third time and passed this 1<sup>st</sup> day of December 2025.

**Appendix “A” to By-law 1791/25**

**Corner Visibility Triangle**



## Appendix “B” to By-law 1791/25

### Noxious Weed List

This list is commonly referred to as the “noxious weed list”.

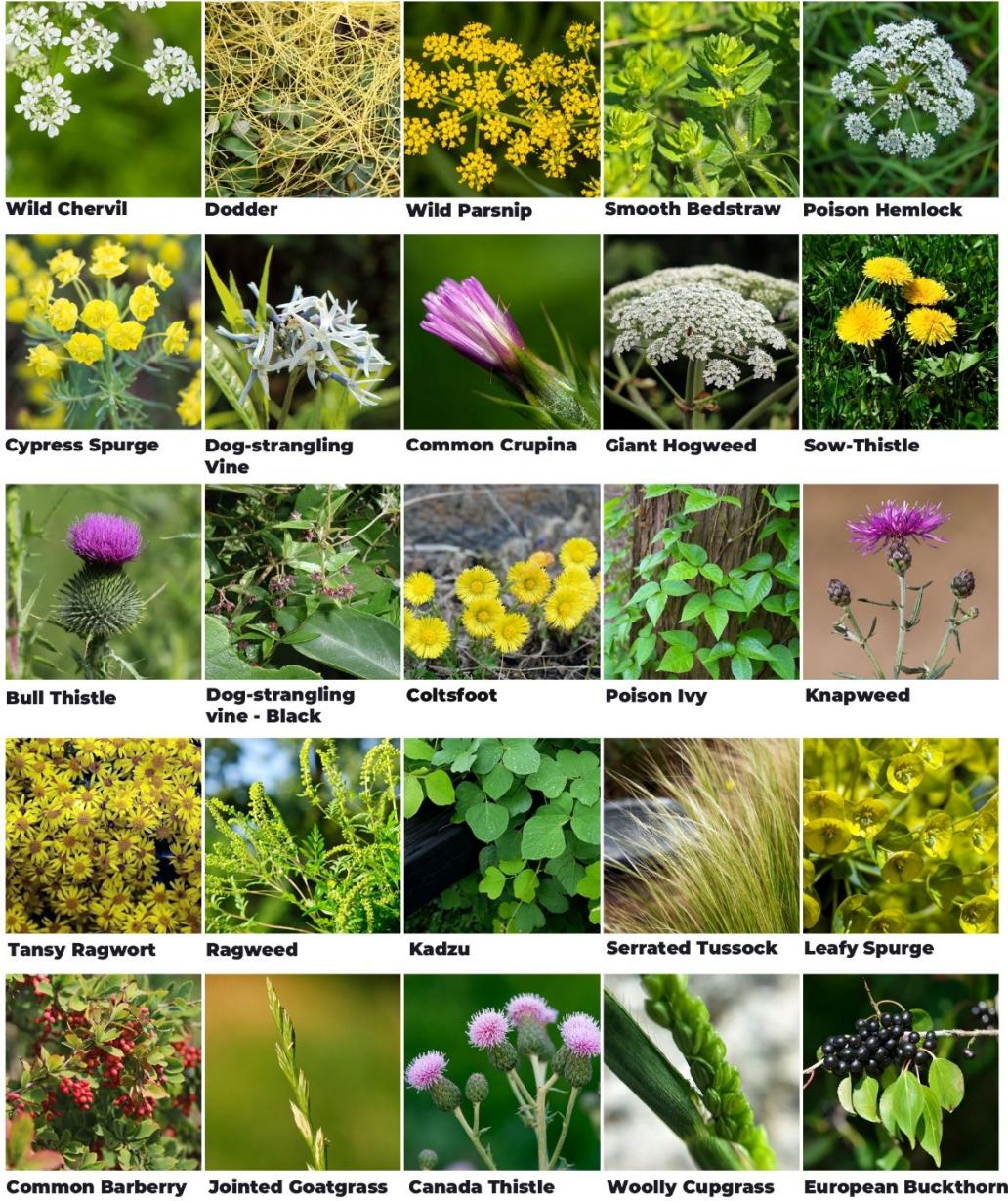
In Ontario, the following 25 weeds are designated as noxious under the *Weed Control Act*, R.S.O. 1990, c. W.5, as amended:

<u>Common Name</u>	<u>Scientific Name</u>
<b>Barberry, common</b>	<i>Berberis vulgaris</i> L.
<b>Bedstraw, smooth</b>	<i>Galium mollugo</i> L.
<b>Buckthorn, European</b>	<i>Rhamnus cathartica</i> L.
<b>Chervil, wild</b>	<i>Anthriscus sylvestris</i> (L.) Hoffmann
<b>Coltsfoot</b>	<i>Tussilago farfara</i> L.
<b>Crupina, common</b>	<i>Crupina vulgaris</i> Cass.
<b>Cupgrass, woolly</b>	<i>Eriochloa villosa</i> (Thunb.) Kunth
<b>Dodder spp.</b>	<i>Cuscuta</i> spp.
<b>Dog-strangling vine</b>	<i>Vincetoxicum rossicum</i> (Kleopow) Barbar.
<b>Dog-strangling vine, black</b>	<i>Vincetoxicum nigrum</i> (L.) Moench
<b>Goatgrass, jointed</b>	<i>Aegilops cylindrica</i> Host
<b>Hogweed, giant</b>	<i>Heracleum mantegazzianum</i> Sommier & Levier
<b>Knapweed spp.</b>	<i>Centaurea</i> spp.
<b>Kudzu</b>	<i>Pueraria montana</i> (Lour.) Merr.
<b>Parsnip, wild</b>	<i>Pastinaca sativa</i> L.
<b>Poison-hemlock</b>	<i>Conium maculatum</i> L.
<b>Poison-ivy</b>	<i>Toxicodendron radicans</i> (L.) Kuntze
<b>Ragweed spp.</b>	<i>Ambrosia</i> spp.

<u>Common Name</u>	<u>Scientific Name</u>
<b>Ragwort, tansy</b>	<i>Senecio jacobaea</i> L.
<b>Sow-thistle spp.</b>	<i>Sonchus</i> spp.
<b>Spurge, cypress</b>	<i>Euphorbia cyparissias</i> L.
<b>Spurge, leafy</b>	<i>Euphorbia esula</i> L.
<b>Thistle, bull</b>	<i>Cirsium vulgare</i> (Savi) Tenore
<b>Thistle, Canada</b>	<i>Cirsium arvense</i> (L.) Scopoli
<b>Tussock, serrated</b>	<i>Nassella trichotoma</i> Hackel ex Arech.

# Photos of Noxious Weeds<sup>1</sup>

## Noxious Weeds



<sup>1</sup> Photos from County of Renfrew (<https://www.countyofrenfrew.on.ca/en/news/notice-to-residents-and-property-owners-regarding-noxious-weeds.aspx>)

## Appendix "C" to By-law 1791/25

### Natural Area

#### See Section 3.2

