MARKHAM

By-law 2021-50

To amend By-law 2017-27 Keeping Markham Beautiful (Maintenance) being a By-law to regulate and prescribe standards for the maintenance of private property and municipal boulevards within the City of Markham
(Amendment to Keeping Markham Beautiful (Maintenance) By-law)

WHEREAS Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended ("Municipal Act") provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and,

AND WHEREAS Section 11(2)6 of the Municipal Act provides that a municipality may pass by-laws in the interest of the health, safety and well-being of its residents; and,

AND WHEREAS administrative amendments are required from time to time for enforcement purposes;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM ENACTS AS FOLLOWS:

(1)   That Section 4.0 of Keeping Markham Beautiful (Maintenance) By-law 2017-27 (General Provisions) be amended as follows:

(a)   By adding Section 4.1(a) to the General Provision clauses:
No **Owner** or **Person** shall permit **Ground Cover** to cause the erosion of the soil.

(2)   That Section 6.0 of Keeping Markham Beautiful (Maintenance) By-law 2017-27 (Dumping) be amended as follows:

(a)   By adding Section 6.6 "Rebuttable Presumption" clause:
Where dumping of any **Household Waste** or **Waste Material** on any grounds, yards or vacant lots within the City in contravention of this By-law is found, the owner of the vehicle identified by the licence plate or the VIN number shall be presumed to have dumped, placed, deposited or permitted to be dumped, placed or deposited such materials in contravention of this By-law; which presumption may be rebutted by evidence to the contrary, on a balance of probabilities.

Read a first, second, and third time and passed June 29, 2021.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

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