



LITTER REGULATIONS

PUBLISHED BY AUTHORITY

The following Regulations are enacted by the Town of Steady Brook pursuant to Section 414(2) (pp) of the *Municipalities Act 1999*, SNL 1999, c M-24, as amended.



_____, Mayor

Short Title

1. These Regulations may be cited as the Town of Steady Brook Anti-Litter Regulations.

Definitions

2. In these Regulations:

- (a) "Authorized Receptacles" shall mean a storage or collection receptacle designed for the collection of Litter.
- (b) "Commercial Property" means any property or building that is used or designed for use for business, commercial, industrial, or institutional purposes.
- (c) "Council" shall mean the Town Council of the Town of Steady Brook.
- (d) "Litter" means refuse, debris, litter, garbage or any unsanitary, offensive or injurious substance or article of any kind, including (but not limited to), any dilapidated or unsightly vehicle, machine, article, or thing.
- (e) "Municipal Enforcement Officer" means any individual appointed pursuant to Section 179 of the Act.
- (f) "Notice" has the meaning set forth in Section 9.
- (g) "Occupant" means any Person who:
 - (i) owns or resides at;
 - (ii) conducts business at;
 - (iii) is in physical possession of; or
 - (iv) has responsibility for, or has lawful control over, the condition of or activities conducted on
any real property within the jurisdiction of the Town of Steady Brook.
- (h) "Person" means a natural person or any other legal entity.
- (i) "Regulations" means these Litter Regulations.
- (j) "Removal Order" has the meaning set forth in Section 11.
- (k) "Town" means the Town of Steady Brook.

Prohibitions

3. No Person shall throw, place, dump, deposit, or permit to be thrown, placed, dumped, or deposited any Litter in or upon any public place within the Town, including (but not limited to), streets, roads, sidewalks, parks, and bodies of water.
4. No Person shall throw, place, dump, deposit, or permit to be thrown, placed, dumped, or deposited any Litter in or upon any private property within the Town, regardless of whether that Person is the Occupant of the property or not, except to the extent that the Occupant of the property maintains Authorized Receptacles for the collection of Litter in accordance with Section 8.
5. All Persons shall keep their respective property and the sidewalk fronting their property free of any Litter.
6. The Occupant of a Commercial Property shall keep the street, sidewalk, and drainage ditch, or curb and gutter abutting or adjacent to their Commercial Property, free of all Litter.
7. No person shall post or affix any notice, poster, or similar instrument to any lamp post, public utility pole, tree, or upon any public structure or building, except as may be authorized by Council or required by law.

Use of Authorized Receptacles

8. All Persons shall ensure that Litter is stored only in Authorized Receptacles and shall do so in such a manner as to prevent the Litter from being carried, deposited, or otherwise distributed throughout any public space or private property of another Person within the Town.

Disposal Notices

9. A Municipal Enforcement Officer may issue a notice in writing to an Occupant who fails to comply with these Regulations (a "**Notice**"). The Notice shall require that, within a prescribed time, the Occupant(s) dispose of any Litter located or improperly stored upon such property.
10. If an Occupant cannot be located such that a Notice cannot be served upon them despite the reasonable efforts of the Municipal Enforcement Officer and/or the Town, the Notice may be affixed or posted to any door of any building on the property or, if there are no buildings, any visible location on the property. A Notice served in accordance with this Section 10 shall be deemed to have been properly served on the Occupant after the expiration of seventy-two (72) hours after it was so posted or affixed.

Removal Orders and Enforcement

11. If an Occupant fails to comply with a Notice issued pursuant to Section 9, the Council may, by a majority vote, cause the Litter to be removed and disposed of (a "**Removal Order**").
12. The Council may also, by majority vote, require the Occupant(s) to reimburse the Town for all reasonable expenses incurred in relation to a Removal Order.

13. A Municipal Enforcement Officer or any other person duly assigned by the Council to enforce these Regulations shall be responsible for the enforcement of a Removal Order.

Penalties

14. A Person who contravenes or fails to comply with these Regulations is upon summary conviction guilty of an offence and is liable to a fine of not less than \$100 and not more than \$1,000, or to a term of imprisonment of not more than six months, or to both the fine and the imprisonment.
15. Prosecution under these Regulations may be taken summarily by any member of the Council or by any police authority or by any Person authorized by the Council.
16. Notwithstanding Section 5 of the *Provincial Offences Act*, SNL 1995 c P-31.1, any Person who violates these Regulations is upon summary conviction guilty of an offence and is liable to a fine of not more than the maximum and not less than the minimum amount prescribed for such offence in Schedule "A" attached hereto.

Coming Into Force

17. These Regulations were adopted and passed by Council at a meeting held on the 14 day of June, 2023, and are effective as of that date.