

THE CORPORATION OF THE TOWN OF
NEW TECUMSETH

BY-LAW

Number 2012-142

“REGULATING OF DONATION/COLLECTION BINS BY-LAW ”

A by-law to regulate donation/collection bins in the Town of New Tecumseth

WHEREAS Sections 10 and 11 of the *Municipal Act*, as amended, municipalities may pass a by-law to address matters related to the well being of the municipality and its inhabitants including health, safety and the protection of property;

AND WHEREAS the use and operation of donation and collection bins can have impacts on the Town and its residents including: accumulation of litter, dirt, debris, graffiti in the vicinity of donation/collection bins;

AND WHEREAS the Town of New Tecumseth wishes to regulate the placing of donation/collection bins in the Town of New Tecumseth;

NOW THEREFORE the Council of The Corporation of the Town of New Tecumseth hereby enacts as follows:

1. TITLE

This By-law shall be known as the “Regulating of Donation/Collection Bins By-law.”

2. DEFINITIONS

In this By-law the following terms have the following meanings:

“Charitable Organization” means a not for profit organization or a registered charity pursuant to *the Income Tax Act*.

“Donation/Collection Bin” means any receptacle used for the purpose of collecting donations by the public, on an ongoing basis and as part of the regular activity of the Charitable Organization.

“Municipal Law Enforcement Officer” means a person who is appointed pursuant to the provisions of the *Police Services Act*, or other provincial statute, who is actively employed in the enforcement of by-laws of the municipality, whose duties include the enforcement of by-laws on behalf of the municipality.

“Town” means the Town of New Tecumseth.

3. GENERAL PROVISIONS

3.1 That only donation/collection bins belonging to a charitable organization registered as a charity be permitted to be placed in the Town.

3.2 No person shall carry on the activity of placing a donation/collection bin within the Town, unless he or she has approval from the property owner.

3.3 That donation/collection bins not be permitted in residential zones;

3.4 That donation/collection bins not be permitted on Town property

4.0 ADMINISTRATION

- 4.1 The Clerk for the Town of New Tecumseth or his or her designate is authorized to administer the provisions of this By-law on behalf of the Town.
- 4.2 The following persons are authorized to enforce the provisions of this By-law on behalf of the Town:
 - a) Clerk or designate
 - b) Police
 - c) Any persons appointed by the Town as a Municipal Law Enforcement Officer

5.0 REGULATIONS

- 5.1 Every owner of property on which a donation/collection bin is used or located shall ensure that the donation/collection bin is clean, rust free, in good repair and free of graffiti.
- 5.2 Every owner of property on which a donation/collection bin is used or located shall ensure that all areas immediately adjacent to the drop box are clean and free of litter, refuse and debris.
- 5.3 No donation/collection bin shall be placed on any street or property owned or maintained by the Town.
- 5.4 In the event that donation/collection bins are not maintained in accordance with this By-law, the Town may issue a notice to the owner of the property on which the donation/collection box is located to rectify same, failure of which may lead to the removal of the donation/collection bin.

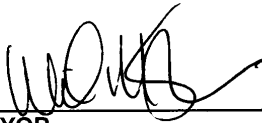
6.0 OFFENCES AND PENALTIES

- 6.1 Any person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction thereof, is liable to a fine as established pursuant to the *Municipal Act, 2001*, as amended.

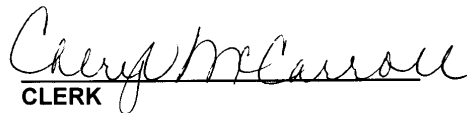
6.0 EFFECTIVE DATE

- 6.1 That this By-law shall come into force and take effect on the date of final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 12TH DAY OF NOVEMBER, 2012.



MAYOR



CLERK