



# Town of Whitby By-law # 7052-15

## Fill Control By-law Amendment

Being a By-law to amend Section 4.(2) of By-law 5849-06, known as the Fill Control By-law, to change the fees for permits under the by-law.

Whereas pursuant to Subsection 142(2) of the Municipal Act, 2001, S.O. 2001, c.25, a municipality may pass a by-law to regulate the placing or dumping of fill, the removal of topsoil and the alteration of the grade of land;

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

### 1. General

1.1. That subsection 4.(2)(j) of Fill Control By-law be added to the by-law as follows;


"the applicable road damage contribution / inspection fee as described in Schedule E, Road Damage Contribution / Inspection Fees to By-law 5849 06";

1.2. That Schedule E, Road Damage Contribution / Inspection Fees to By-law 5849-06, is hereby added to By-law 5849-06, as described in Schedule A hereto attached.

### 2. Effective Date

2.1. The provisions of this by-law shall come into force and take effect on the passing thereof.

By-law read and passed this 2nd day of November, 2015.

  
Don Mitchell, Mayor

  
Christopher Harris, Town Clerk

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## **Schedule A**

Schedule E, Road Damage Contribution / Inspections Fees to By-law 5849-06, is hereby added to By-law 5849-06:

### **Road Damage Contribution / Inspection Fees**

Applicants for permits for fill operations where more than 500 m<sup>3</sup> of material will be hauled to and from the site shall be required to pay a fee of \$1.00/m<sup>3</sup> for each m<sup>3</sup> of material prior to the issuance of a permit.

For the purpose of clarifying the provision above, should an applicant use a material which has a high water content (e.g. vacuum trucks), the \$1.00/m<sup>3</sup> fee described above shall be calculated at a rate of 4 to 1, meaning that each m<sup>3</sup> of solid material deposited on the site shall be charged at the rate \$1.00/m<sup>3</sup> multiplied by 4.