



# Town of Whitby By-law # 8271-26

## Clean Community By-law

Being a By-law to require owners and occupiers of land to clean and clear land, maintain boulevards, clear snow and ice from sidewalks and roofs of buildings and to prohibit unauthorized dumping on private property or property of the Town of Whitby or any local board thereof.

Whereas Section 11(2) clauses 4, 6 and 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provide that a municipality may pass by-laws relating to public assets acquired by the municipality, the health, safety and well-being of persons, and the protection of persons and property, including consumer protection;

And Whereas Section 11(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a local municipality may pass by-laws regulating highways under its jurisdiction;

And Whereas Section 122 of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, provides that a local municipality may require the owners and occupants of buildings to remove snow and ice from the roofs of buildings and may regulate when and how the removal of snow shall be undertaken;

And Whereas Section 127 of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, provides that a local municipality may require the owner and occupants of land to clean and clear the land or to clear refuse or debris from the land, not including buildings;

And Whereas pursuant to Section 128 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, Council has declared through Council Resolution # 14-26 and through consideration of Report LS 01-26 that the disposal of garbage, refuse, waste or debris within Town-owned properties, as well as within the rights of way under the jurisdiction of the Regional Municipality of Durham or Province of Ontario, is, could become, or could cause, a public nuisance which this by-law seeks to address;

And Whereas, Sections 436 and 446 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provide that the municipality may enter onto private property to conduct inspections and undertake remedial actions;

And Whereas the Town of Whitby deems it necessary to regulate the cleaning and clearing of land, maintenance of boulevards, the clearing of snow and ice from sidewalks and roofs of buildings within the Town and to prohibit unauthorized dumping on private property or property of the Town of Whitby or any local board thereof.

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

## 1. Definitions

- 1.1 “Agricultural purposes” means land zoned for agricultural uses under the Town’s Zoning By-laws and used for cultivating soil, producing crops or for the raising of livestock as an “agricultural operation” as defined in the *Farming and Food Production Protection Act, 1998*, S.O. 1998, c. 1, as amended;
- 1.2 “Boulevard” means that part of a highway between the edge of the curb or paved/gravel shoulder of the roadway and the highway;
- 1.3 “Bridge” means a public bridge, and includes a bridge forming a part of a highway or on, over or across which a highway passes;
- 1.4 “Clean and sanitary” means clean and sanitary in the opinion of an officer;
- 1.5 “Commissioner, Community Services” means the Commissioner of Community Services for the Town or their designate;
- 1.6 “Excessive outdoor hoarding” means the collection, accumulation, and storage of items in outdoors yards on a property, which includes debris, refuse, items which would typically be stored indoors, excessive or haphazardly placed outdoor items, etc.;
- 1.7 "Expense" means the cost of carrying out the work to be done, including re-inspections and other fees as outlined by the Town of Whitby Fees and Charges By-law # 7720-17, as amended, and/or an administrative charge equal to twenty-five percent (25%) of the total costs;
- 1.8 “Fixture” means any structure or other fixture affixed or placed on the boulevard, including a utility box, newspaper vending box, bench, transit shelter, telephone box, telephone booth, transformer box or vault, hydro pole, streetlight, stoplight poles and street signs;
- 1.9 “Fixture owner” means the owner of a fixture;
- 1.10 “Graffiti” means one or more letters, symbols, numbers, etchings, inscriptions, pictorial representations or other markings that disfigure or deface a fixture howsoever made or otherwise affixed to a fixture;
- 1.11 “Ground cover” means of ground cover of grass, mulch, interlock or gravel;
- 1.12 “Hazardous condition” means a condition that is subject to the

provisions of this by-law which exists on a property and is identified by an officer as posing an immediate threat to the safety or health of persons or animals and includes conditions identified by an officer as negatively impacting neighbouring properties;

- 1.13 “Highway” means a common and public highway, whether assumed or unassumed, and includes a bridge, trestle, viaduct, or other structure forming part of the highway which is under the jurisdiction of the Town;
- 1.14 “Individual private residence” means including but not limited to single detached dwellings, semi-detached dwellings, link dwellings, street townhouse dwellings, back to back street townhouse dwellings, duplexes, triplexes, and converted dwellings;
- 1.15 “Injure” means any action which causes physical, biological or chemical damage;
- 1.16 “Inoperative motor vehicle” means a vehicle that is in a wrecked, dismantled, partially dismantled or abandoned condition such that it is prevented or prohibited from safe and immediate operation and includes motor vehicles that do not have current and valid licence plates attached to the vehicle unless such vehicles are covered by a fitted vehicle cover which is maintained in good condition;
- 1.17 “Long grass or weeds” includes plant species of turfgrass, sod grass, crabgrass, clover, dandelion, invasive species, or prohibited species identified in Schedule “B”;
- 1.18 “Managed Pollinator Garden” means a garden in a yard containing predominantly plant species native to southern Ontario and focused on attracting pollinators;
- 1.19 “Municipal Act” means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;
- 1.20 “Municipal property” means any land owned, occupied or operated by the Town;
- 1.21 “Naturalized property” means a property that is owned or occupied and operated by the Town of Whitby, Regional Municipality of Durham, the Provincial or Federal Government or Central Lake Ontario Conservation Authority that is left in a naturalized condition for the purposes of recreation, to protect the surrounding environment, or any woodlot as defined in the Town’s Tree Protection By-law;
- 1.22 “Occupant” means a lessee or occupant of property, but does not include an owner;
- 1.23 “Officer” means a municipal law enforcement officer appointed by the

Council of the Town to administer and enforce the provisions of this by-law;

- 1.24 “Order” means an order issued by an officer pursuant to Section 7.3 of this by-law;
- 1.25 “Owner” includes the registered owner, owner in trust, a mortgagee in possession, the person for the time being who is managing or receiving the rent of the land or premises in connection with which the land is used whether on his account, or as agent or trustee of any other person, or who would receive the rent if the land and premises were let, and shall also include a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of the property, and includes a person, firm, partnership, corporation, company, association, or organization of any kind and its principal(s);
- 1.26 “Person” includes a natural person and a corporation, including the successors, heirs, executors, administrators or other legal representatives of a person to whom the context can apply by law;
- 1.27 “Property” means any grounds, yard, parking lot, a vehicle, vacant land or other parcel of land not including any buildings;
- 1.28 “Rear yard boulevard” means a portion of a rear yard that is adjacent to Town, Regional Highway or laneway;
- 1.29 “Shall” shall be construed as imperative;
- 1.30 “Sidewalk” means a Municipal or Regional sidewalk located on a boulevard;
- 1.31 “Stagnant water” means water that is confined, standing, without inflow or outflow, and not being actively treated and/or circulated;
- 1.32 “Town” means The Corporation of the Town of Whitby or the geographic limits of the Town of Whitby, as the context requires;
- 1.33 “Utility company” means a company which supplies water, electrical, gas, cable television, internet or telephone services to a property; and,
- 1.34 “Refuse or debris” means any article, thing, matter or effluent that appears to be waste material and includes but is not limited to the following types of material: grass clippings, tree cuttings, brush, tree branches, leaves, garden refuse, earth and fill, paper, cardboard, clothing, kitchen and table waste, animal or organic waste, cans, glass, plastic containers, dishes, refrigerators, freezers, stoves, clothes washers, dryers, dish washers, microwaves or other appliances, disused furniture, furnaces, furnace parts, pipes, fittings to pipes, water

or fuel tanks, fencing materials, piping, tubing, conduits or cable, containers of any size, type or composition, rubble, broken concrete, bricks, broken asphalt, patio or sidewalk slabs, mechanical equipment, mechanical parts, accessories to mechanical equipment, paper products, lumber or wood products, chemical products, bones, feathers, hides, material resulting from, or as part of construction or demolition projects, inoperative motor vehicles, vehicle parts and accessories, vehicle tires either mounted or unmounted on rims.

## **2. Interpretation**

- 2.1 The provisions of this by-law apply to the entire Town.
- 2.2 Unless otherwise specified, references in this by-law to parts, sections, subsections, clauses and schedules are references to parts, sections, subsections, clauses and schedules in this by-law.
- 2.3 References in this by-law to any statute or statutory provision include references to that statute or statutory provision as it may from time to time be amended, extended or re-enacted.
- 2.4 This by-law shall be read with all changes in gender or number as the context requires.
- 2.5 Defined terms from Section 1 or elsewhere in this By-law shall have the same meanings whether they appear in capitalized or uncapitalized form, unless specifically stated.
- 2.6 References in this by-law to items in the plural include the singular, and references to the singular include the plural, as applicable.
- 2.7 The words “include”, “includes” or “including” are not to be read or interpreted as limiting the words, phrases or descriptions that precede it.
- 2.8 This by-law and the provisions contained within are intended to be complementary to other by-laws passed by Council and in the event that any other applicable law requires a higher standard than the provisions contained in this by-law, the higher standard shall apply.

## **3. Littering General Provisions**

- 3.1 No person shall throw, place or deposit refuse or debris on private property without authority from the owner or occupant of such property.
- 3.2 No person shall throw, place or deposit any garbage, refuse or debris on Town property, a Highway, or the property of any local board thereof, except in such identified receptacles.
- 3.3 Where available, all persons using a Town waste receptacle shall pre-

sort any garbage, refuse or debris into recyclable, non-recyclable and organic waste.

- 3.4 No person shall throw, place or deposit any household or commercial garbage, refuse or debris that is eligible for disposal through regular municipal/private waste collection in a waste receptacle within a Town Property.

#### **4. Property Maintenance**

- 4.1 Every owner or occupant of a property shall maintain their property free of excavations, trenches or ditches which present, or could present, an unsafe condition.
- 4.2 Every owner or occupant of a property shall maintain their property free of long grass or weeds exceeding fifteen centimetres (15 cm) in height.
- 4.3 Every owner or occupant of a property shall maintain their property free of refuse or debris.
- 4.4 Every owner or occupant of a property shall maintain the outdoor yards on a property free of excessive outdoor hoarding.
- 4.5 Section 4.2 of this by-law does not apply to the owner or occupant of that portion of a property that is being used for agricultural purposes.
- 4.6 Section 4.2 of this by-law does not apply to the owner or occupant of a naturalized property.
- 4.7 Notwithstanding Section 4.2, a vacant property shall maintain a three metre (3 m) buffer of vegetation from the property lines of adjacent properties (including Highways) in accordance with the following,
- a. Vegetation within the three metre (3 m) buffer shall be no greater than fifteen centimetres (15 cm) in height; and,
  - b. An Officer may determine which properties adjacent to the vacant property require the buffer.
- 4.8 Section 4.3 of this by-law does not apply to an owner or occupant of a property that has refuse or debris on the premises in proper containers suitable for collection at the next available waste collection date in accordance with the Waste Collection By-law #7812-21, as amended or Regional Municipality of Durham By-law #2024-009, as amended.
- 4.9 Section 4.3 of this by-law does not apply to an owner or occupant of a property when the refuse or debris on the property is required and used for a lawful business purpose in accordance with the Town's Zoning By-laws and any other applicable legislation.

- 4.10 Every owner or occupant of a property shall maintain their property free of stagnant water.
- 4.11 Every owner of a property in a residential zone shall maintain the entire property free of inoperative motor vehicles, except within an enclosed, permanent garage structure permitted under the applicable zoning by-law.
- 4.12 Notwithstanding Section 4.11, an owner or occupant of a property in a residential zone as defined by the Town's Zoning By-law shall have no more than one (1) inoperative motor vehicle within the garage, driveway or carport of the property, provided that such inoperative motor vehicle,
- a. If stored in a driveway or carport, is fitted with an appropriately fitting vehicle cover designed for the inoperative motor vehicle;
  - b. Does not occupy a required parking space related to the use of the property, including those parking spaces required for any additional dwelling units within the property; and,
  - c. Does not interfere with the parking of operable motor vehicles on the property.

## **5. Boulevard Maintenance**

- 5.1 No owner or occupant of a property shall install or place or permit the installation or placement of a fence, post, wall or rock on a boulevard.
- 5.2 No owner or occupant of a property shall install, place, plant or locate or permit the installation, placement, planting or locating of anything that is protruding, sharp or dangerous on a boulevard.
- 5.3 No owner or occupant shall install, place, locate or permit the installation, placement or locating of any electrical wiring or other electrical systems on or within a boulevard.
- 5.4 No owner or occupant shall install, place, locate or permit the installation, placement or locating of any plumbing pipes or other plumbing systems on or within a boulevard.
- 5.5 Sections 5.3 and 5.4 do not apply to electrical or plumbing systems installed, placed or located by a utility company.
- 5.6 Every owner or occupant of a property may landscape or improve the boulevard with hedges, shrubs, flowers or tree plantings provided that no hedge, shrub, flowers or tree plantings exceed 0.9 metres in height above the grade of the boulevard.
- a. Notwithstanding Section 5.6, no hedge, shrub, flowers or tree plantings shall be installed or located within two (2) metres of a curb

- or the edge of the travelled portion of a highway.
- b. Notwithstanding Section 5.6, no hedge, shrub, flowers or tree plantings shall be installed or located within a one (1) metre radius of a fire hydrant.
  - c. Notwithstanding Section 5.6, no hedge, shrub, flowers or tree plantings shall be placed with thirty centimetres (30 cm) of the edge of a sidewalk or have branches less than three (3 m) above a sidewalk.
- 5.7 Every owner or occupant of a property shall maintain the boulevard free of excavations, trenches or ditches which present, or could present an unsafe condition.
- 5.8 Every fixture owner shall maintain their fixtures free from graffiti.
- 5.9 Every owner or occupant of a property in an area identified as residential, commercial or industrial pursuant to the Town's Zoning By-laws shall maintain the boulevard free of long grass or weeds exceeding fifteen (15) centimetres in height.
- 5.10 Every owner or occupant of a property shall maintain the boulevard free of refuse or debris.
- 5.11 Every owner of property shall ensure that the boulevard is maintained as grass or other suitable material installed and/or approved by the Town.
- 5.12 Section 5.1 of this by-law does not apply to the owner or occupant of a property when any fence, wall, landscape rock or tree planting has been planted, placed, installed or located on a boulevard by the Town or the Regional Municipality of Durham.
- 5.13 Section 5.7 of this by-law does not apply to the owner or occupant of a property when excavations, trenches or ditches on boulevards are caused by work undertaken by the Town, Regional Municipality of Durham or a utility company.
- 5.14 Section 5.10 of this by-law does not apply to the owner or occupant of a property that has refuse or debris on boulevards in proper containers suitable for collections at the next available waste collection date in accordance with the Town of Whitby Waste Collection By-law #7812-21, as amended or Regional Municipality of Durham By-law #2024-009, as amended.
- 5.15 Nothing in Section 5 of this by-law shall be construed as preventing or limiting the creation and use of hard surface materials for bus stops, bus shelters or bus stop seating.

- 5.16 Nothing in Section 5 of this by-law shall be construed as preventing or limiting the placement of structures, electrical wiring or plumbing by the Town, the Regional Municipality of Durham, GO Transit, a utility company, Canada Post, or the placement of newspaper boxes which have been approved by the Commissioner of Community Services.
- 5.17 Unless a written agreement is in effect to the contrary, the Town shall not be held liable and no person shall have any claim against the Town for the maintenance, removal or damage of any landscaping that are placed or installed on a boulevard or on municipal property in accordance with Section 5 of this by-law.
- 5.18 Every owner/occupant shall maintain their rear yard boulevard free of long grass or weeds exceeding fifteen centimetres (15 cm) in height, except where a rear yard is adjacent a Town Highway, lane or private right of way that is not directly accessible from the private property or is maintained by the Town of Whitby.

## **6. Clearing of snow on private property and municipal sidewalks**

- 6.1 Every owner or occupant of property shall remove snow or ice, including a windrow, from any sidewalk and from an area within a sixty centimetre (60 cm) radius of any fire hydrant on a boulevard, no later than 24 hours after the accumulation of snow or ice.
- 6.2 Every owner or occupier of a property, not including an individual private residence, shall remove snow or ice from the walkways, pathways, driveways, lanes, parking areas within or adjacent to the property no later than 24 hours after the accumulation of snow or ice.
- 6.3 If a person fails to comply with section 6.1 or 6.2, the Town may, with its servants or agents from time to time, and in a reasonable manner, enter upon property and affect such compliance at the expense of the defaulting person, and shall have the right to recover the expense costs by adding it to the tax roll and collecting it in the same manner as taxes.

## **7. Enforcement and Penalties**

- 7.1 An Officer in dealing with non-compliance of this By-law on a property may:
- a. File charges pursuant to the by-law or issue one or more immediate Administrative Penalty(ies) for any contravention observed;
  - b. Issue an Order as outlined section 7.3; or,
  - c. both.

- 7.2 Pursuant to Section 436(1) of the Municipal Act, as amended, an officer may enter on any land at any reasonable time without a warrant to determine whether or not there is compliance with the provisions contained in this by-law or with a direction or order pursuant to this by-law.
- 7.3 Where an officer is satisfied that there has been a contravention of a provision of this by-law, the officer may issue an order requiring the owner or occupant of the property to do work to the property or boulevards to correct the contravention.
- 7.4 An order issued pursuant to Section 7.3 of this by-law shall set out reasonable particulars of the contravention, the general location of the contravention, the general nature of the work required to be done to correct the contravention and the date by which the work must be done.
- 7.5 An order issued pursuant to Section 7.3 of this by-law may be served by personal delivery to the owner or occupant, or by posting the order in a conspicuous place at the subject property, or by sending it by registered mail to the last known address of the owner or the address of the owner as shown on the most recent assessment roll from the premises or by sending it by registered mail to the occupant at the last known address of the occupant.
- 7.6 Service of an order pursuant to Section 7.5 of this by-law shall be deemed to have been affected on the date that it is delivered personally, twenty-four hours after the order was posted, or three days after it was mailed as the case may be.
- 7.7 Pursuant to Section 446 of the Municipal Act, where an order has been issued under this By-law and compliance has not been achieved by the date specified in the order, the Town may cause the work set out in the order to be done.
- 7.8 The Town may recover any expense of doing any work undertaken pursuant to Section 7.7 of this by-law, from the owner or occupant by legal action or by adding the costs and administration charge to the tax roll and collecting them in the same manner as property taxes.
- 7.9 Notwithstanding Sections 7.3 to 7.6 (inclusive) of this by-law, an officer who finds a hazardous condition may enter onto any property to remove or control such hazardous condition or to limit the negative impact on neighbouring properties without the requirement of first sending an order, but an order shall be sent as soon as practical after the removal or control of the hazardous condition or after limiting the negative impact on neighbouring properties.
- 7.10 The Town may recover any expense of doing any work undertaken

pursuant to Section 7.9 of this by-law, from the owner or occupant by legal action or by adding the costs and administration charge to the tax roll and collecting them in the same manner as property taxes.

- 7.11 An order issued after the hazardous condition is remedied in accordance with Section 7.9 shall set out: (a) that the hazardous condition has been remedied; (b) the manner in which the hazardous condition was remedied; (c) any other contraventions of the by-law; and, (d) any costs payable, and shall otherwise comply with the provisions of Sections 7.3 to 7.6 (inclusive).
- 7.12 Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as set out in Section 61 of the *Provincial Offences Act*, R.S.O. 1990 c.P. 33, as amended.

### **Administrative Penalty System**

- 7.13 Every person who contravenes or fails to comply with a provision of this By-Law is guilty of an offence and is liable to the penalty as set out in Schedule "A" to this By-Law.
- 7.14 Tiered and Escalating Penalties: If a person receives a Penalty Notice in accordance with the Town's Administrative Penalty By-law for an offence, the person shall be liable to pay to the Town a tier one (1) administrative penalty amount for that offence as specified in Schedule "A" to this By-law. If a person receives an additional Penalty Notice for the same offence within ninety (90) calendar days or less from the date of the Penalty Notice containing a tier one (1) administrative penalty amount, the person shall be liable to pay to the Town a tier two (2) administrative penalty amount for that offence as specified in Schedule "A" to this By-law. If the person receives a subsequent Penalty Notice for the same offence within ninety (90) calendar days or less of the Penalty Notice containing a tier two (2) administrative penalty amount, the person shall be liable to pay to the Town a tier three (3) administrative penalty amount for that offence as specified in Schedule "A" to this By-law. If the person receives any subsequent Penalty Notices for the same offence within one hundred and eighty (180) calendar days or less from the date of the Penalty Notice containing a tier three (3) administrative penalty amount, the person shall be liable to pay to the Town a tier three (3) administrative penalty amount for that offence as specified in Schedule "A" to this By-law.

### **8. Offences**

- 8.1 No person shall fail to comply with an order.
- 8.2 No person shall use or occupy or allow the use or occupancy of any

property which does not comply with the provisions of this by-law.

- 8.3 No person shall injure or destroy, or permit, allow or direct a person to injure or destroy, a hedge, shrub, flower or tree planted by the Town on a boulevard or other municipal property.
- 8.4 No person shall mark, deface, wax or damage any curb, sidewalk or part of a highway.
- 8.5 No person shall leave or utilize any structure, including a basketball net, hockey net, skateboard ramp or other play structure in a manner that interferes with or obstructs safe passage on a highway or sidewalk.
- 8.6 No person shall shovel, plow or blow, or cause or permit to be shoveled, plowed or blown, any snow, slush, or ice onto or across a highway, a sidewalk or a pedestrian walkway without authorization.
- 8.7 No person shall place or deposit, or cause or permit to be placed or deposited, any leaves on the travelled portion of a highway.
- 8.8 No person shall place or deposit, or cause or permit to be placed or deposited, any grass or grass clippings on the travelled portion of a highway.
- 8.9 No person shall improve the boulevard with the addition of hard or solid materials such as concrete, interlock or asphalt on boulevard.
- 8.10 No person shall prevent, hinder or interfere or attempt to prevent, hinder or interfere with an inspection or investigation undertaken by an officer.

## **9. Exemptions**

- 9.1 Notwithstanding Section 4.2, an owner or occupier may plant or install a Managed Pollinator Garden in the front and rear yards of properties in a residential zone as defined by the Town's Zoning By-laws, subject to the following,
  - a. A Managed Pollinator Garden shall not contain any prohibited species contained in Schedule "B" such as noxious weeds, invasive species or long grass;
  - b. A Managed Pollinator Garden shall be clearly delineated by a grass buffer of at least thirty centimetres (30 cm) maintained in accordance with Section 4.2, or such other garden lining materials including interlocking paving, stamped concrete paving stones, or other suitable materials as determined by an Officer; and,
  - c. Managed Pollinator Gardens must have a one metre (1 m) grass buffer maintained in accordance with Section 4.2, or such other garden lining materials including interlocking paving, stamped

concrete paving stones, or other suitable materials as determined by an Officer, from any lot line, building or accessory structure within the property.

- 9.2 No owner or occupier shall fail to maintain a Managed Pollinator Garden in accordance with Section 9.1.

**10. Short Title**

- 10.1 This by-law may be cited as the “Clean Community By-law.”

**11. Severability**

- 11.1 Where a court of competent jurisdiction declares any section of this By-law to be invalid, or to be not in force, or without effect, it is the intention of Council in enacting this By-law that the remainder of this By-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

**12. Repeal of Existing By-law**

- 12.1 Any by-law which was in effect in the Town on the date of passage of this by-law which covers the same subject matter as this by-law shall remain in effect only for the purposes of the completion of any procedure that was commenced under that by-law.
- 12.2 By-law #6937-15, a by-law to require owners and occupiers of land to clean and clear land, maintain boulevards and clear snow and ice from sidewalks and roofs of buildings is repealed as of 11:59:59 p.m. on March 31, 2026.

**13. Effective Date**

- 13.1 This by-law shall come into force and effect at 12:00:00 a.m. on April 1st, 2026.

By-law read and passed this 9th day of March, 2026.

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Elizabeth Roy, Mayor

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Kevin Narraway, Deputy Clerk

## Schedule “A” Administrative Penalties

### Town of Whitby By-law # 8271-26

Item	Short Form Wording	By-law Section	Tier 1 (one)	Tier 2 (two)	Tier 3 (three)
1.	Throw/Place/Deposit debris/refuse on Private Property/Town Property	3.1	\$355.00	\$500.00	\$750.00
2.	Throw/Place/Deposit debris/refuse on Town Property	3.2	\$355.00	\$500.00	\$750.00
3.	Throw, Place/Deposit any household or commercial garbage, refuse or debris in a receptacle within a Town property	3.4	\$355.00	\$500.00	\$750.00
4.	Fail to maintain property free of excavations, trenches or ditches	4.1	\$500.00	\$750.00	\$1000.00
5.	Fail to maintain property free of long grass or weeds exceeding 15 cm	4.2	\$355.00	\$500.00	\$750.00
6.	Fail to maintain property free of refuse or debris	4.3	\$355.00	\$500.00	\$750.00
7.	Every owner or occupant of a property shall maintain the property free of excessive outdoor hoarding	4.4	\$500.00	\$750.00	\$1000.00
8.	Fail to maintain property free of stagnant water	4.10	\$355.00	\$500.00	\$750.00
9.	Install or permit fence, post, wall or rock on boulevard	5.1	\$355.00	\$500.00	\$750.00
10.	Install or permit protruding, sharp or dangerous object on boulevard	5.2	\$500.00	\$750.00	\$1000.00
11.	Install or permit electrical system or plumbing system on boulevard	5.3, 5.4	\$355.00	\$500.00	\$750.00
12.	Install or permit hedges, shrubs, flowers or trees exceeding 0.9 m in height on boulevard	5.6	\$355.00	\$500.00	\$750.00
13.	Install or permit hedges, shrubs, flowers or trees on boulevard within 2 m of the edge of a curb or highway	5.6 a.	\$355.00	\$500.00	\$750.00
14.	Install or permit hedges, shrubs, flowers or trees on boulevard within 1 m of a fire hydrant	5.6 b.	\$355.00	\$500.00	\$750.00

<b>Item</b>	<b>Short Form Wording</b>	<b>By-law Section</b>	<b>Tier 1 (one)</b>	<b>Tier 2 (two)</b>	<b>Tier 3 (three)</b>
15.	Allow hedges, shrubs, flowers or trees to encroach over a highway or sidewalk	5.6 c.	\$355.00	\$500.00	\$750.00
16.	Fail to maintain boulevard free of excavations, trenches or ditches	5.7	\$355.00	\$500.00	\$750.00
17.	Fixture owner – fail to maintain fixture free from graffiti	5.8	\$355.00	\$500.00	\$750.00
18.	Fail to maintain boulevard property free of long grass or weeds exceeding 15 cm	5.9	\$355.00	\$500.00	\$750.00
19.	Fail to maintain boulevard free of refuse or debris	5.10	\$355.00	\$500.00	\$750.00
20.	Fail to maintain boulevard as grass/suitable material approved by Town	5.11	\$355.00	\$500.00	\$750.00
21.	Fail to maintain rear yard boulevard property free of long grass or weeds exceeding 15 cm	5.17	\$355.00	\$500.00	\$750.00
22.	Fail to remove snow or ice from sidewalk/60 cm of fire hydrant on a boulevard	6.1	\$355.00	\$500.00	\$750.00
23.	Fail to remove snow or ice from sidewalk/60 cm of fire hydrant/walkways/pathways/driveways/lanes/parking areas.	6.2	\$355.00	\$500.00	\$750.00
24.	Fail to comply with an Order	8.1	\$500.00	\$750.00	\$1000.00
25.	Use or occupy, or allow the use or occupancy of any property which does not comply with the provisions of this by-law	8.2	\$500.00	\$750.00	\$1000.00
26.	Injure/destroy or permit/allow/direct a person to injure/destroy, a hedge, shrub/flower/tree planted by the Town on a boulevard/other municipal property	8.3	\$500.00	\$750.00	\$1000.00
27.	Mark, deface, wax or damage a curb, sidewalk or highway	8.4	\$355.00	\$500.00	\$750.00
28.	Leave or use a basketball net/hockey net/skateboard ramp/play structure in a manner that interferes/obstructs safe passage on a highway/sidewalk	8.5	\$355.00	\$500.00	\$750.00

29.	Shovel, plow or blow snow on highway	8.6	\$355.00	\$500.00	\$750.00
30.	Cause/permit to be shoveled, plowed or blown, snow across highway	8.6	\$355.00	\$500.00	\$750.00
31.	Place or deposit leaves on a highway	8.7	\$355.00	\$500.00	\$750.00
32.	Place or deposit grass clippings on a highway	8.8	\$355.00	\$500.00	\$750.00
33.	Install/Permit to be installed hard or solid material on boulevard	8.9	\$355.00	\$500.00	\$750.00
34.	Prevent/hinder/interfere or attempt to prevent/hinder/interfere with inspection/investigation	8.10	\$500.00	\$750.00	\$1000.00
35.	Fail to maintain a managed pollinator garden	9.2	\$355.00	\$500.00	\$750.00

# Schedule “B” Prohibited Plant List

## Town of Whitby By-law # 8271-26

<b>Common Name</b>	<b>Scientific Name</b>
1. Barberry, common	<i>Berberis vulgaris</i> L.
2. Bedstraw, smooth	<i>Galium mollugo</i> L.
3. Buckthorn, European	<i>Rhamnus cathartica</i> L.
4. Chervil, wild	<i>Anthriscus sylvestris</i> (L.) Hoffmann
5. Coltsfoot	<i>Tussilago farfara</i> L.
6. Crupina, common	<i>Crupina vulgaris</i> Cass.
7. Cupgrass, woolly	<i>Eriochloa villosa</i> (Thunb.) Kunth
8. Dodder spp.	<i>Cuscuta</i> spp.
9. Dog-strangling vine <i>Barbar.</i>	<i>Vincetoxicum rossicum</i> (Kleopow)
10. Dog-strangling vine, black	<i>Vincetoxicum nigrum</i> (L.) Moench
11. Goatgrass, jointed	<i>Aegilops cylindrica</i> Host
12. Hogweed, giant <i>Levier</i>	<i>Heracleum mantegazzianum</i> Sommier &
13. Knapweed spp.	<i>Centaurea</i> spp.
14. Kudzu	<i>Pueraria montana</i> (Lour.) Merr.
15. Parsnip, wild	<i>Pastinaca sativa</i> L.
16. Poison-hemlock	<i>Conium maculatum</i> L.
17. Poison-ivy	<i>Toxicodendron radicans</i> (L.) Kuntze
18. Ragweed	spp. <i>Ambrosia</i> spp.
19. Ragwort, tansy	<i>Senecio jacobaea</i> L.
20. Sow-thistle spp.	<i>Sonchus</i> spp.
21. Spurge, cypress	<i>Euphorbia cyparissias</i> L.
22. Spurge, leafy	<i>Euphorbia esula</i> L.
23. Thistle, bull	<i>Cirsium vulgare</i> (Savi) Tenore
24. Thistle, Canada	<i>Cirsium arvense</i> (L.) Scopoli
25. Tussock, serrated	<i>Nassella trichotoma</i> Hackel ex Arech.
26. Goutweed	<i>Aegopodium podagraria</i>
27. English Ivy	<i>Hedera helix</i>
28. Periwinkle	<i>Vinca minor</i>
29. Japanese Barberry	<i>Berberis thunbergii</i>
30. Lily-of-the-Valley	<i>Convallaria majalis</i>
31. Winged Euonymus / Burning Bush	<i>Euonymus alatus</i>
32. European Black Alder	<i>Alnus glutinosa</i>
33. Autumn Olive	<i>Elaeagnus umbellata</i>