

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER 38-2025

A By-law for the regulating the draining, cleaning and clearing of any land.

WHEREAS pursuant to the Municipal Act, S.O. 2001, c. 25, as amended, (the “Act”) the Town may pass a By-law for requiring and regulating the draining, cleaning and clearing of any land; and

AND WHEREAS the Council of The Corporation of the Town of Ajax deems it expedient to pass a By-law to provide for maintaining lands in a drained, clean and cleared up condition,

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF AJAX HEREBY ENACTS AS FOLLOWS:

1. SHORT TITLE

1.1 This By-law may be cited as “The Clean and Clear By-law”.

2. DEFINITIONS

2.1 In this By-law:

- (a) “debris” includes refuse, rubbish, garbage or material of any kind, including, but not limited to: inoperative mechanical equipment, inoperable vehicles, automotive parts, mechanical parts, disused furniture, earth or rock fill, yard waste, old or decayed lumber, material from demolition projects, broken or damaged items, or anything that is no longer capable of performing its original function;
- (b) “expense” means the cost of carrying out the work to be done by the notice pursuant to Section 4.2 and an administrative charge as outlined in the Town of Ajax Fee By-law;
- (c) “inoperable vehicle” means any vehicle, including a trailer, that appears by reason of its appearance, mechanical condition, or lack of valid licence plates, to be inoperative. A vehicle is an inoperable vehicle if it bears licence plates that are not registered as being attached to that vehicle and/or the licence plate registration is not current and up to date, in accordance with the records of the Ministry of Transportation;
- (d) “occupant” means any person or persons over the age of eighteen years in possession of the property;
- (e) “Officer” means a Municipal Law Enforcement Officer appointed to enforce the By-laws of the Town of Ajax;
- (f) “owner” includes the person or persons registered as the owner of a subject property in the most recent municipal tax records and/or on the deed in accordance with the records of the land registry office;
- (g) “person” includes an individual, a firm, corporation, association or partnership;
- (h) “property” means a building or structure or part of a building or structure and include the lands and premises appurtenant thereto and all mobile structures, outbuildings, fences and erections thereon, whether heretofore or hereafter erected and includes vacant property;
- (i) “Town” means The Corporation of the Town of Ajax.

3. APPLICATION

3.1 This By-law applies to all property within the Town, except property owned by or managed by the Town, by lease, agreement or otherwise.

4. GENERAL

- 4.1 Every owner or occupant shall:
- (a) Keep their land drained of standing or stagnant water;
 - (b) Keep their land free of grass or weeds that exceed 15cm in height;
 - (c) Keep their land free of debris.
- 4.2 Every owner or occupant shall comply with any notice given by an Officer pursuant to this By-law.
- 4.3 An Officer may require the owner or occupant by notice, sent by registered mail to the owner or occupant of the property, or by posting the notice in a conspicuous place at the subject property or by delivering the notice personally to the owner or occupant:
- (a) To clean, clear up or remove from the property any debris, weeds or grass; and/or
 - (b) To drain or fill up any hole, excavation or depression on the property.
- 4.4 A notice mailed to an owner shall be mailed to the address of the owner as shown in the most current tax records and/or on the deed in accordance with the records of the land registry office.
- 4.5 Where the owner or occupant fails to comply with a notice issued pursuant to this By-law the Town, in addition to other remedies:
- (a) Shall have the right to carry out the work as required in the notice and for this purpose may, with its servants and agents from time to time, enter in and upon the property,
 - (b) Shall have the right to recover the expense of carrying out the work as required in the notice by adding the expense to the tax roll and collecting such expense in the same manner as taxes, and
 - (c) Shall not be liable to compensate such owner, occupant or other person having an interest in the property by reason of anything done by or on behalf of the Town under the provisions of this By-law.

5. PENALTY

- 5.1 Any person who contravenes the provisions of this By-law, including every person who fails to perform a duty imposed herein or who performs an act prohibited herein and every director or officer of the corporation is liable to an administrative monetary penalty and fees, pursuant to the Town's Administrative Monetary Penalty System By-law, for offences that are designated, or is guilty of an offence, for any contravention, and upon conviction is liable to a fine or penalty for each offence, exclusive of costs as prescribed by the Provincial Offences Act, R.S.O. 1990, c. P.33. No person that receives an administrative penalty shall be charged with an offence under the Provincial Offences Act, R.S.O. 1990 for the same contravention and date of contravention.

6. VALIDITY

- 6.1 If a Court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this By-law and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.

7. TRANSITIONAL RULES

- 7.1 After the date of the passing of this By-law, By-law #36-2017 shall apply only to those properties in which a Notice has been issued prior to the date of passing this By-law, and then only to such properties until such time as the work required by such Notice has

been completed or any enforcement proceedings with respect to such Notice including any demolition, clearance, or repair carried out by the Town shall have been concluded.

- 7.2 This by-law shall come into force and effect when the Town has completed all legislated requirements as identified in the Municipal Act, 2001, S.O. 2001, c. 25, and all regulations associated with an Administrative Money Penalty Systems and the Town's Deputy Chief Administrative Officer has designated a commencement date.

8. REPEAL

- 8.1 Upon the effective date of this By-law, By-law #36-2017 and any amending by-laws thereto, are hereby repealed.

READ a first and second time this
Twentieth day of May, 2025

READ a third time and passed this
Twentieth day of May, 2025



Shaun Collier (May 22, 2025 08:02 EDT)

Mayor and CEO



Clerk



Corporate Services

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TOWN OF AJAX
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Jaclyn Grossi
Municipal Clerk
Corporate Services
Town of Ajax

July 14, 2025

By-law Effective Date Commencement

Pursuant to the effective date sections contained within the following By-laws, adopted by Council of the Corporation of The Town of Ajax, I, Nicole Cooper, Deputy Chief Administrative Officer for the Town of Ajax, do hereby declare the effective date of these By-laws to be July 28th, 2025:

- By-law # 31-2025 Administrative Monetary By-law
- By-law # 38-2025 Clean and Clear By-law
- By-law # 39-2025 Clean Community By-law
- By-law # 40-2025 Dog and Cat By-law
- By-law # 41-2025 Election Sign By-law
- By-law # 42-2025 Fence By-law
- By-law # 43-3025 Fireworks By-law
- By-law # 44-2025 Noise By-law
- By-law # 45-2025 Parks By-law
- By-law # 46-2025 Public Nuisance and Safety By-law
- By-law # 47-2025 Refreshment Vehicle By-law
- By-law # 48-2025 Road Occupancy By-law
- By-law # 49-2025 Temporary Sign By-law

A certified copy of this declaration shall be attached to each of these By-laws within the Town's records, for perpetuity.

Nicole Cooper
Deputy Chief Administrative Officer
Town of Ajax