



## THE CORPORATION OF THE CITY OF MISSISSAUGA

### Debris and Anti Littering By-Law 0219-1985

(Amended by By-laws 0293-1986, 1298-1986, 0755-1987, 0062-1992, 0303-2000, 0424-2002, 0108-2019, 0047-2022, 0214-2023, 0190-2025)

WHEREAS Sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, ("*Municipal Act, 2001*") authorize The Corporation of the City of Mississauga to pass by-laws necessary or desirable for municipal purposes; (0190-2025)

AND WHEREAS Section 123 of the *Municipal Act, 2001* provides that a local municipality may, for the purpose of public safety, regulate with respect to cliffs, pits, deep waters and other dangerous places; (0190-2025)

AND WHEREAS Section 127 of the *Municipal Act, 2001* permits a municipality to pass a by-law to require the owner or occupant of land to clean and clear the land, not including buildings, or to clear refuse or debris from the land, not including buildings, to regulate when and how this shall be done, to prohibit the depositing of refuse or debris on land without the consent of the owner or occupant of the land and to define "refuse" for the purpose of this section; (0190-2025)

AND WHEREAS Section 129 of the *Municipal Act, 2001* permits a municipality to pass a by-law to prohibit and regulate with respect to the emission of dust in the municipality; (0190-2025)

AND WHEREAS Section 142 of the *Municipal Act, 2001* permits a municipality to pass a by-law for the purposes of prohibiting or regulating the placing or dumping of fill, the removal of topsoil and the alteration of the grade of land in the municipality; (0190-2025)

AND WHEREAS subsection 429(1) of the *Municipal Act, 2001* provides that a municipality may establish a system of fines for a by-law passed under this Act; (0190-2025)

AND WHEREAS without limiting Section 11, Section 434.1 of the *Municipal Act, 2001* provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under this Act; (0190-2025)

AND WHEREAS Section 436 of the *Municipal Act, 2001* provides that a municipality may pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law or an order made pursuant to the by-law; (0190-2025)

AND WHEREAS Sections 444 and 445 of the *Municipal Act, 2001*, provide that a municipality may make an order requiring the person who contravened the by-law or who

caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity and/or to do work to correct the contravention; (0190-2025)

AND WHEREAS Section 446 of the *Municipal Act, 2001* provides that a municipality may proceed to do things at a person's expense which that person is otherwise required to do under a by-law but has failed to do and the costs incurred by a municipality may be recovered by adding the costs to the tax roll and collecting them in the same manner as property taxes; (0190-2025)

NOW THEREFORE the Council for the Corporation of the City of Mississauga ENACTS as follows:

## **DEFINITIONS**

1. In this by-law,

**"Administrative Penalty"** means a monetary penalty as set out in the City's Licensing Administrative Penalty By-law 0135-2014 (or successor) for a contravention of a designated by-law; (0190-2025)

**"By-law Enforcement Officer"** (Definition deleted by By-law 0190-2025)

**"City"** means The Corporation of the City of Mississauga or the geographic area of the City of Mississauga, as the context requires; (0190-2025)

**"City property"** means any land situated within the City which is owned by the City or controlled by the City by lease or otherwise;

**"Commissioner"** means the Commissioner appointed by Council with administrative responsibility for the City's Enforcement Division and includes their designate; (1298-1986, 0755-1987, 0424-2002, 0190-2025)

**"Corporation"** (Definition deleted by By-law 0190-2025)

**"dust"** means solid particles which may become or be airborne as a result of residential construction activities, including, but not limited to, trimming, blasting, drilling, crushing, grinding, sawing, screening, cutting, altering or moving of clay, mortar, stone, rock, stucco, concrete, tile, and insulation; (0190-2025)

**"Licensing Administrative Penalty By-law"** means the City's Licensing Administrative Penalty By-law 0135-2014, as amended (or its successor), being a by-law to establish a system of administrative penalties respecting those who have failed to comply with any part of a system of business licences established by the City; (0190-2025)

**"local board"** means any school board, public utility commission, transportation commission, public library board, local board of health, board of commissioners of police or any other board, commission, committee, board or local authority established or exercising any power or authority under any general or special Act with respect to the affairs or purposes, including school purposes, of the City or any part thereof;

**“Officer”** means a by-law enforcement officer employed by the City and/or appointed by Council to perform the duties of enforcing City by-laws, and also includes a police officer employed by the Peel Regional Police or the Ontario Provincial Police; (0190-2025)

**“owner”** includes the registered owner, occupant, tenant, person for the time being managing or receiving the rent of the property whether on his own account or on account of an agent or trustee of any other person, or any of the aforesaid;

**“Penalty Notice”** means a penalty notice given to a Person pursuant to the Licensing Administrative Penalty By-law; (0190-2025)

**“person”** includes any individual person, a corporation, a condominium corporation, including its directors and officers, a partnership, any other form of business or legal association or entity, and the heirs, executors and administrators or other legal representatives of a person, including their respective successors and assigns; (0190-2025)

**“Private Property”** means property which is privately owned and is not City property or property of a local board, property of the Regional Municipality of Peel or property of any of the Crown in Right of Ontario, the Crown in Right of Canada or any emanations thereof;

**“property”** means lands tenements and hereditaments and any estate or interest herein and any right or easement affecting the land;

**“refuse or debris”** includes but is not limited to, garbage, ashes, rubbish, builder's and building contractors refuse, other industrial waste, inoperative vehicles and motor vehicle parts and accessories.

**“residential construction”** means construction activities in relation to the erection, installation, or material alteration or repair of a residential property, including decorative stonework, retaining walls and walkways; (0190-2025)

**“residential property”** means property capable of being used, designed or intended for residential use; (0190-2025)

**“Swimming Pool”** mean a body of water located outdoors, which is contained wholly or partly by artificial means and which can hold water exceeding 61mm (24 inches) in depth at any point and which includes structures known as “Hot Tubs”, “Whirlpools”, and “Spas”. (0424-2002)

**“Swimming Pool Water”** means any water in a Swimming Pool on Private Property; (0424-2002)

## **ADMINISTRATION**

2. The Commissioner shall be responsible for the administration and enforcement of this by-law.

### **THROWING OF REFUSE AND DEBRIS**

3. (1) No person shall throw, place or deposit refuse or debris upon private property or permit refuse or debris to be thrown, placed or deposited on private property without the consent of the owner of the property. (0108-2019)
- (2) No person shall throw, place or deposit refuse or debris on City property or permit refuse or debris to be thrown, placed or deposited on City property without the written consent of the City. (0108-2019)
- (3) No person shall throw, place or deposit refuse or debris on the property of a local board or the Regional Municipality of Peel without the written consent of the local board or the Regional Municipality of Peel.

### **REMOVAL OF REFUSE AND DEBRIS**

4. Where on any grounds, yard or vacant lot or property there is refuse or debris, the owner shall move such refuse and debris from the land so that the land is left in clean condition.

### **NOTICE**

5. Section deleted by By-law 0190-2025.

### **SWAMPS, MARSHES AND PONDS**

6. (1) The owner of property within the City upon which there is a swamp, marsh or pond or a collection of water which is a health or safety hazard shall, when required by the Commissioner, fill up or drain the area and keep it filled up or drained at all times.
- (2) The provisions of subsection of 1 do not apply to a natural pond and water course.

### **SWIMMING POOL WATER**

- 6.1 For the purpose of sections 6.2 to 6.4 inclusive, (0424-2002)

***“Backwash water”*** means Swimming Pool Water that runs through pool filters for the purpose of flushing out debris in the filters

***“Discharge”*** means the act of depositing, discharging, draining or causing or permitting the deposit, discharge or drainage of Swimming Pool Water.

- 6.2 (1) No Owner shall discharge Swimming Pool Water onto any property without the consent of the owner of that property.
- 6.3 (1) Notwithstanding section 6.2, Swimming Pool Water, except for Backwash Water, may be discharged onto City Property if it is discharged directly by a hose to the street in front of the Owner's property.
- (2) Swimming Pool Water discharges onto City Property under subsection (1) shall be discharged only after the Owner has:

- (i) removed all organic materials from the water; and
    - (ii) allowed the water to remain for a minimum of 7 days without the addition of any chemicals or algaecides. (0047-2022)
  - (3) Backwash water shall not be discharged onto City Property without prior authorization from the Commissioner.
- 6.4
- (1) Notwithstanding section 6.1, an Owner may discharge backwash water directly by a hose to the sanitary sewer system of the Owner's property.
  - (2) Prior to the installation of a direct connection to the sanitary sewer system for the purpose of discharging backwash water as pursuant to subsection (1), the Owner shall obtain a plumbing permit from the City's Planning and Building Department.

### **DANGEROUS PLACE**

7. The owner of property within the City upon which there is a deep precipice, deep water or other dangerous place shall:
- (a) when required by the Commissioner, fill up or drain the area and keep it filled or drained at all times, and/or
  - (b) cause the area to be enclosed with a fence of a type and height satisfactory to the Commissioner and shall keep such fence in good repair at all time.

### **TOPSOIL**

- 7A
- (1) In this section: (0293-1986)
    - (a) ***“lot”*** means a parcel of land capable in a deed of being a deed or any other document legally capable of conveying land or shown as a lot or block on a registered plan of subdivision.
    - (b) ***“topsoil”*** means that horizon in a soil profile, known as the “A” horizon containing organic material.
  - (2) No person shall fill up the ground, yard or vacant lot by the placing of fill and/or topsoil.

### **DUST** (0190-2025)

- 7B
- (1) No person shall cause or permit dust that occurs as a result of residential construction activities to escape a residential property onto another property. (0190-2025)
  - (2) No person shall direct or cause a person to cause or permit dust that occurs as a result of residential construction activities to escape a residential property onto another property. (0190-2025)
  - (3) Subsections 7B(1) and 7B(2) do not apply if reasonable preventative measures were taken to prevent dust from escaping a residential property, to the satisfaction of the Commissioner. (0190-2025)

- (4) Reasonable preventative measures in subsection 7B(3) must include one or a combination of the following dust control measures as appropriate for the residential property and the residential construction activities being undertaken, to the satisfaction of the Commissioner: (0190-2025)
- (a) wetting the construction material;
  - (b) using a wet saw;
  - (c) using dustless saw technology;
  - (d) tarping or otherwise containing the source of dust;
  - (e) installing wind fencing or a fence filter;
  - (f) using a vacuum attachment when cutting; or
  - (g) any other preventative measure deemed by the Commissioner to be adequate in the mitigation of dust escaping a residential property based on the nature of the activity.
- (5) Section 7B does not apply to: (0190-2025)
- (a) necessary municipal work;
  - (b) work occurring on commercial and industrial properties;
  - (c) the construction of a multi-residential building, subdivision, or mixed-use development; and
  - (d) a residential demolition project for which an approved demolition permit has been issued.

### **ENTRY ON PREMISES**

Section deleted by By-law 0190-2025.

### **INSPECTIONS AND ORDERS** (0190-2025)

8. (1) An Officer may enter upon land at any reasonable time in accordance with the *Municipal Act, 2001*, S.O. 2001, c. 25, for the purpose of carrying out an inspection to determine whether or not this By-law or any orders issued pursuant to this By-law are being complied with. (0190-2025)
- (2) For the purposes of conducting an inspection pursuant to this By-law, an Officer may: (0190-2025)
- (a) require the production for inspection of documents or things relevant to the inspection;
  - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
  - (c) require information from any person concerning a matter related to the inspection; and
  - (d) alone, or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

- (3) A receipt shall be provided for any document or thing removed under subsection 8(2)(b) and the document or thing shall be promptly returned after the copies or extracts are made. (0190-2025)
- (4) No person shall prevent, hinder, or obstruct, or attempt to hinder or obstruct, an Officer who is lawfully exercising a power or performing a duty under this By-law. (0190-2025)
- (5) An Officer may make an order requiring the person who contravened this by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity or to do work to correct the contravention. (0190-2025)
- (6) An order made pursuant to subsection 8(5) shall include: (0190-2025)
  - (a) the reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred;
  - (b) the date by which there must be compliance with the order or the work to be done and the date by which the work must be done; and
  - (c) direct that if the thing or matter that is required to be done is not completed by the time set out in the order, the matter or thing will be done by the City at the person's expense and the City may recover the costs of doing the matter or thing from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.
- (7) No person shall fail to comply with an order made pursuant to subsection 8(5). (0190-2025)
- (8) Any order required to be given to or served upon a person pursuant to this By-law may be served: (0190-2025)
  - (a) personally;
  - (b) by email to the last known email address on record; or
  - (c) by registered mail to the last known mailing address on record, which service shall be deemed to be five (5) days after mailing.
- (9) If the City is unable to effect service under subsection 8(8) or the delay necessary to serve an order would result in an immediate danger to the health or safety of any person, the order may be placed in a conspicuous place upon the property and shall be deemed to be sufficiently given to or served upon the person to whom the order is directed. (0190-2025)

## **DEFAULT**

- 9. Section deleted by By-law 0190-2025.

**PENALTY** (0062-1992, 0214-2023)

10. (1) Every person who contravenes any provision of this By-law, when given a Penalty Notice, is liable to pay to the City an Administrative Penalty in the amount specified in the Licensing Administrative Penalty By-law, and shall follow the procedures for payment or review/appeal as outlined in the Licensing Administrative Penalty By-law. If a person is required to pay an Administrative Penalty, the person shall not be charged with an offence in respect of the same contravention. (0190-2025)
- (2) Notwithstanding subsection 10(1), every person who contravenes any provision of this By-law, and every director or officer of a corporation who knowingly concurs in such contravention by the corporation, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, and the *Municipal Act, 2001*, S.O. 2001, c. 25, as both may be amended from time to time. (0190-2025)
- (3) All contraventions of any provision of this By-law are designated as continuing offences. (0190-2025)
- (4) In addition to subsections 10(1), 10(2) and 10(3), any person who is charged with an offence under this By-law by the laying of an information under Part III of the *Provincial Offences Act*, R.S.O. 1990, c. P. 33 and is found guilty of the offence is liable, pursuant to the *Municipal Act, 2001*, S.O. 2001, c. 25, to the following fines: (0190-2025)
  - (a) a minimum fine of \$500 and a maximum fine not exceeding \$100,000; and
  - (b) in the case of a continuing offence, for each day or part of a day that the offence continues, a minimum fine of \$500, and a maximum fine not exceeding \$10,000, and the total of all daily fines for the offence is not limited to \$100,000.
- (5) Every person who is convicted of an offence under this By-law may be liable, in addition to the fines established under subsection 10(4)(a), to a special fine, which may exceed \$100,000, designed to eliminate or reduce any economic advantage or gain from contravening this By-law. (0190-2025)

**SHORT TITLE**

11. This by-law may be referred to as the debris and anti littering by-law.
12. By-law 390-76 and By-law 159-80 are hereby repealed.

ENACTED and PASSED this 25th day of March 1985.  
Signed by: Hazel McCallion, Mayor and Terence Julian, City Clerk.