

**The Rural Municipality of Ritchot
By-Law No. 16-95**

**A by-law to control the depositing
of construction and demolition wastes**

WHEREAS The Municipal Act provides as follows:

"345(1) The council of any municipality may, pass by-laws, not inconsistent with The Public Health Act or any other Act of the Legislature or of the Parliament of Canada, or with regulations or orders duly made under any such Act,...
(c) for prohibiting, restricting, controlling, and regulating the placing or depositing of dirt, manure, paper, filth, rubbish, or other refuse on any private or public property, including a highway;"

AND WHEREAS the uncontrolled depositing of construction and demolition wastes is of concern to council, and it is of the view that effective control measures must be taken in the public interest;

NOW THEREFORE the Council of the Rural Municipality of Ritchot, duly assembled, enacts as a by-law as follows:

1. *(1) "construction or demolition wastes" means waste building materials and rubble resulting from the construction, renovation, repair, demolition, or destruction by fire or other cause, of buildings, pavements, or other structures.*

2. *(1) Subject to section 3, no person shall place or deposit construction or demolition wastes on any private or public property, including a highway.*

(2) Subject to section 3, no owner or person in control of private property shall permit construction or demolition wastes to be placed or deposited on it.

3. *Section 2 shall not apply to the placing or depositing of construction or demolition wastes*
(a) within municipal waste disposal sites; or
(b) on private property where the wastes result from construction, renovation, repair, demolition, or destruction by fire or other cause, of buildings, pavements, or other structures located on that property;
or
(c) in compliance with a licence or permit issued under The Environment Act.
(d) On private property when concrete rubble is used as a base for a road or driveway or if the concrete rubble is used to control erosion on drains, creeks or riverbanks.

4. *Where it appears to Council that section 2 has been contravened, it may by resolution order that the owner of any private property upon which the wastes were placed or deposited or the person who placed or deposited or was responsible for the placing or depositing of them remove them at his or her own expense place or deposit them in a waste disposal site, either in or outside the municipality, designated by Council.*

5. *Where the order of Council has not been fully carried out within the period of time specified in it, the Municipality may enter upon the land without further notice and remove the wastes and place or deposit them in the place mentioned in the order.*

6. *Where the Municipality has acted under section 5 it may charge the cost to any person to whom section 4 applied, and it may recover the cost by action in a court of competent jurisdiction, or by adding it to, and recovering it as, taxed against any land in the municipality owned by that person.*

7. *Breach of section 2 shall be an offense punishable on summary conviction by a fine not exceeding \$1,000 in addition to costs, and in case of non-payment of fine and costs by imprisonment for a period not exceeding 30 days.*

8. *Mr. Dave Prud'homme is hereby appointed as the officer responsible for enforcement of this by-law, and he may commence prosecution hereunder by issuing an offence notice under The summary Convictions Act.*

9. *This by-law shall be effective on the date of its passing.*

10. *That by-Law No. 23-90 be repealed.*

DONE AND PASSED by the Council of the Rural Municipality of Ritchot, in St. Adolphe, Manitoba, this 5th day of September 1995.

Reeve Cyrille Durand

Administrator Joseph Brodeur

Read a first time this 16th	day of	August	1995
Read a second time this 5th	day of	September	1995
Read a third time this 5th	day of	September	1995