

The Corporation of the City of Kawartha Lakes

By-Law 2024-

A By-law to Amend By-law 2014-026, being By-Law to Require the Owners of Yards to Clean and Clear Them, to Permit Long Grasses and Non-Noxious Weeds in Urban Areas in the City of Kawartha Lakes

Recitals

1. Council passed By-law 2014-026 – the Clean and Clear Yards By-law – on January 14, 2014, and revised that By-law several times, last on February 18, 2020.
2. The City of Kawartha Lakes was officially recognized as a Bee City by Bee City Canada in July 2017.
3. By-law 2014-026 regulates yards and vacant lots. The By-law (as amended) currently permits weeds and grass exceeding 8 inches in height in areas zoned or designated Open Space, Environmental Protection, Agricultural, Rural, Waterfront, Prime Agricultural, and in areas within 30 metres of a waterfront, wetland, water body or watercourse.
4. The Weed Control Act, R.S.O. 1990, c. W.5 prohibits noxious weeds.
5. An amendment to By-law 2014-026 is required to allow weeds and grass exceeding 8 inches in height on private property in all areas of the municipality, which would include urban areas and in areas zoned or designated residential, commercial, institutional and industrial.
6. This by-law further provides minor amendments by way of “housekeeping”.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2024- .

Section 1.00: Long Grass Amendment Details

- 1.01 **Amendment:** By-law 2014-026 “Yard Clean and Clear By-law”, as last amended February 18, 2020, is further amended as shown in track change format as Schedule “A” to this by-law. Text shown in strike through format is removed and underlined text is added. More specifically,
 - 1.01.1 To provide for long grasses in urban areas in the City of Kawartha Lakes, in areas zoned or designated residential, commercial, institutional and industrial, the definition of “Debris” is amended by removing subparagraph 1.01(e)(xi) and note to that section.

1.01.2 The definitions “Urban Lot” and “Rural Lot” are no longer necessary, so they are removed from the definitions section of the By-law at paragraph 1.01.

Section 2.00: Housekeeping Amendments

2.01 **Amendment:** By-law 2014-026 “Yard Clean and Clear By-law”, as last amended February 18, 2020, is further amended as shown in track change format as Schedule “A” to this by-law. Text shown in strike through format is removed and underlined text is added. More specifically,

2.01.1 The definition of “Debris” is amended by:

2.01.1.1 amendment to subparagraph 1.01(e)(iii), to add “(for example, household garbage, contained or loose)” after the word “litter”;

2.01.1.2 removal of subparagraph 1.01(e)(i);

2.01.1.3 amendment to subparagraph 1.01(e)(vii), to add “, may include cube van or truck bodies, highway tractor trailers, derby cars or derelict vehicles, vehicle parts”; and

2.01.1.4 removal of subparagraph 1.01(e)(ix).

2.01.2 The reference to “his or her” is replaced with a reference to “their” throughout the By-law but more specifically in the definition of “Manager of Municipal Law Enforcement and Licensing” and in the definition of “Owner” or “Occupier”.

2.01.3 The definition of “Shipping Container” is removed from the definitions section in section 1.01, as it is no longer defined as debris.

2.01.4 The words “, or no buildings” are added to the end of the definition of “Vacant Lot” in section 1.01.

2.01.5 The definition of “Unlicensed Items” is removed from the definitions section in section 1.01, as it is no longer defined as debris.

2.01.6 Section 2.01 is amended by adding the words “Where a Municipal Law Enforcement Officer becomes aware of a situation where the owner of a vacant lot or yard has allowed” after “Notice:”. Further, the paragraph references are removed and the phrase “Where a Municipal Law Enforcement Officer becomes aware of a situation where the owner of a vacant lot, which is an urban lot, or a yard which is on an urban lot, has allowed” is removed in both instances in which it is used in that section. Also removed is “, he or she may issue a written notice to that owner in accordance with this By-law” from paragraph (a) and “debris or standing water to accumulate on that property” from paragraph (b). A reference to “he or she” is replaced with a reference to “they”.

2.01.6.1 Related paragraph reference is removed from section 3.01.

2.01.7 The word “municipal” is added before “address” in paragraph 2.02(a).

2.01.8 Time period for providing notice is reduced from 14 to 3 days at paragraph 2.02(c), and “from the date of delivery” is specified.

2.01.9 Delivery by electronic mail is made acceptable through amendment to section 2.04. Related reference is added to paragraph 2.05(d) and amended numbering is reflected at paragraphs 2.05(e) & (f).

2.01.10 Sections 2.06 and 2.07 are amended to reference a new position, the Supervisor of Municipal Law Enforcement.

2.01.11 Section 3.02 was consolidated into section 3.01, and numbering in the balance of the section is affected.

2.01.12 Section 4.06 is amended by adding “within a 2 year period” after the first instance of the word “property”.

2.01.13 Section 7.02 is removed, as it is no longer necessary due to the passage of time. The reference to this section at section 7.03 is accordingly also removed.

Section 3.00: Effective Date

3.01 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 27th day of August, 2024.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk