

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

BY-LAW NO. 2025 – 59

Being a By-law to prohibit the unauthorized disposal of waste and regulate waste disposition at authorized sites within the Municipality

WHEREAS Section 11 (3), and 11 (4) of the *Municipal Act, S.O. 2001, Chapter M.25*, as amended, a By-law may be passed by Council for the establishment of a waste disposal system and to regulate or prohibit the disposal of waste material in any defined area or throughout the Municipality.

AND WHEREAS it is in the interest of the Municipality, its ratepayers in particular that the amount of waste material generated be reduced; that wherever possible such materials be reused or recycled, that the environment be protected from contamination by hazardous substances, and the lifetime of existing and future Sanitary Landfill Sites be extended;

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of Magnetawan enacts as follows:

1. This By-law may be cited as the “Magnetawan Landfill Management/Illegal Dumping By-law”.
2. In this By-law unless otherwise stated in specific sections hereof, this By-law shall apply to the entirety of the Municipality of Magnetawan.
3. **DEFINITIONS**
 - a. “**Chapman Landfill**” means the real property owned by the Municipality at Lot 109 Concession A, Chapman, in the Municipality of Magnetawan, for which a license has been issued by the Ministry of the Environment and Energy for the operation of a waste disposal site, but does not include any part of the said property located between the public road and the fence and gates located at the entrance to the property.
 - b. “**Council**” means the Council of The Corporation of the Municipality of Magnetawan.
 - c. “**Croft Landfill**” means the real property at Lot 26 Concession 11, Croft, in the Municipality of Magnetawan, for which a license has been issued by the Ministry of the Environment and Energy for the operation of a waste disposal site, but does not include any part of the said property located between the public road and the fence and gates located at the entrance to the property.
 - d. “**Garbage Bag**” shall mean a container to hold Refuse/Debris or Recyclable Materials that is a non-returnable clear plastic bag
 - e. “**Garbage Bag Tag**” means a sticker, tab, tie or label issued by Municipality for the purpose of identifying Refuse and/or Debris contained in a garbage bag which is permitted to be deposited at the Municipal Landfill Sites.
 - f. “**Hazardous Waste**” means waste requiring special care as defined by the *Environmental Protection Act R.S.O. 1990, c. E.19*
 - g. “**Landfill Site(s)**” means either or both the Chapman Landfill and the Croft Landfill.
 - h. “**Municipal Landfill Card**” shall mean a card provided to “Users” which allows access and use of the Landfill Sites.
 - i. “**Municipality**” means the Corporation of the Municipality of Magnetawan.
 - j. “**Occupant**” means any person(s) over the age of 18 who is a tenant or lessee, who has changed his or her mailing address and with occupancy of six months or more, or otherwise in lawful possession of a parcel of real property capable of being legally described in a deed or transfer who shall constitute the occupant or occupants of that real property.
 - k. “**Owner**” means any of the following:
 1. A person who is shown as one of the registered owners of real property in the records of the Land Registry or Land Titles Office or;
 2. A person who is shown as the assessed owner of real property on a current assessment roll for the Municipality, or;

3. A person who, for the time being, is managing or receiving the rent of the land or premises, whether on his own account or as an agent or trustee for any other person.
- l. **"Prohibited Substances and Materials"** means anything which is not permitted to be disposed of at the Landfill Site(s) as prescribed by the *Environmental Protection Act R.S.O. 1990, c. E.19* any Regulations passed thereunder or the Certificate of Approval for the applicable Landfill Site(s) and includes any substance or material as designated by the Municipality.
- m. **"Recyclable Material(s)"** means any of those materials intended to be diverted from long term disposal in or at the Landfill Sites as set out by the province and/or waste collection provider.
- n. **"Refuse and/or Debris"** (also Refuse/Debris) shall have the meaning normally attributed to them and, without limiting the generality of foregoing shall include:
1. The portions and containers of food unused or discarded in the preparation, serving, and consuming thereof.
 2. All discarded materials arising or resulting from the operation of a household, business, enterprise, or public places.
 3. Brush, stones, surplus concrete or asphalt, broken concrete or asphalt, tires, appliances, furniture, clothing, material from construction or demolition projects, vehicles, or equipment.
 4. Any liquid, substance, or material which was purchased, otherwise acquired, made, constructed, or combined for use on any land or in any household, business, enterprise, or public places.
 5. Any natural plant material or substance, whether cultivated or not, which has been removed from the place where it originally grew.
 6. The carcass of any dead animal or any part thereof.
- o. **"Roadside Collection"** shall mean the collection of Refuse/Debris and Recyclable Material by the Municipality from properties within the Roadside Collection Area on the day designated for such collection.
- p. **"Roadside Collection Area"** shall mean those properties fronting on the public highways or portions thereof that pay the special tax rate and are generally located within the boundaries of the Village.
- q. **"User"** shall mean an Owner or Occupant or a person who has entered into a contract with the Municipality that is authorized to deposit Refuse/Debris and/or Recyclable Materials at the Municipal Landfill Site(s) and includes persons who receive Roadside Collection.
- r. **"Waste"** shall have the meaning ascribed to it in the *Environmental Protection Act R.S.O. 1990, c. E.19*.

4. MUNICIPAL LANDFILL SITE(S)

- a. The Landfill Site(s) is for the disposal of Refuse/Debris and Recyclable Materials only. Access to and use of the Landfill Site(s) is extended to all Owners and/or Occupants of property in the Municipality and such persons from whom the Municipality may by contract and upon the payment of the required fee, agree to accept Refuse/Debris and Recyclable Materials.
- b. Owners and/or Occupants of property in the Municipality will be issued a Municipal Landfill Card and for those properties within the Roadside Collection Area, Roadside Collection will also be provided.
- c. The Municipal Landfill Card may only be used by the Owner or an Occupant of the property and/or dwelling unit for which the Card has been issued. The person to whom a Municipal Landfill Card is issued may be held responsible for misuse of the Municipal Landfill Card, its use by an unauthorized person, or any violation of this By-law by any person using the Municipal Landfill Card.
- d. At the discretion of the Public Works Superintendent and/or designate, a Municipal Landfill Card may be revoked where the User or persons using such Card have failed to adhere to the provisions of this by-law or the directions of Landfill Attendants. Upon the revocation the holder of the Municipal Landfill Card may apply to Council to reinstate the Card and the privileges granted thereunder.

5. GENERAL PROHIBITIONS

No person(s) shall:

- a. Spill, scatter, deposit, throw, cast, lay or cause to be thrown any waste on any street, lane, alley, laneway, roadway, road allowance, public or private way or in any public square, place or private lot without the consent of the owner of the property. Dump or dispose of any refuse on a highway or municipal road as defined in the *Municipal Act* and including both travelled and untravelled portions thereof;

- b. Dump or dispose of any waste on any land owned by the Municipality or Her Majesty the Queen in right of either Canada or Ontario, except the Landfill Site(s);
- c. Dump or dispose of any waste on any private land within the Municipality unless the land is described is a waste disposal site operated in accordance with an approval issued under the *Environmental Protection Act* R.S.O. 1990, c. E.19 provided that this subparagraph shall not prohibit the temporary storage of refuse pending other disposal or the composting of organic material all of which refuse or organic material originated on the parcel of land where it is stored.

6. PROHIBITIONS: LANDFILL

No person(s) shall:

- a. Enter and/or leave the Landfill Site(s) without:
 - 1. Showing their Municipal Landfill Card to the Landfill Attendant.
 - 2. Giving their name and address to the Landfill Attendant upon request.
 - 3. Declaring the nature and origin of the Refuse/Debris and/or Recyclable Materials upon request by the Landfill Attendant.
- b. Deposit Refuse/Debris and/or Recyclable Materials at a Landfill Site originating from properties outside of the Municipality of Magnetawan except as permitted under contract with the Municipality.
- c. Enter upon or dispose of any Refuse/Debris or Recyclable Materials at or upon Landfill Site(s) outside of the operating hours of the Landfill Site(s) or when a Landfill Attendant is not present.
- d. Dispose of Prohibited Substances or Materials at the Landfill Site(s).
- e. Dispose of Refuse/Debris and/or Recyclable Materials at the Municipal Landfill Site(s), who is not authorized under a Municipal Landfill Card or who is not acting with the knowledge and consent of such Municipal Landfill Card holder.
- f. Transport Refuse/Debris or Recyclable Materials to the Landfill Site(s) in a manner that permits the scattering or dispersal of such while en route to the Landfill Site(s).
- g. Deposit any materials in improper areas. All Refuse/Debris and Recyclable Materials must be properly sorted and deposited in the designated areas or as directed by the Landfill Site Attendant(s).
- h. Dispose of Hazardous Waste at the Landfill Site(s). Hazardous Waste shall only be disposed of at the Hazardous Depot located within the Municipality, on such days designated and advertised for that purpose.
- i. Scavenge and salvage at the Landfill Site(s) except where the Municipality has established or designated an area within the Landfill Site(s) for the purpose of allowing such scavenging and salvaging of reusable materials (a "Re-use Area"). The selection and retrieval of any materials from a Re-Use Area shall be on a "first come, first serve basis".

7. PROHIBITIONS: ROADSIDE COLLECTION AREA

- a. No person shall place Refuse/Debris or Recyclable Materials at the roadside on a day other than on the specified day for Roadside Collection.
- b. No person shall place Refuse/Debris out for Roadside Collection in a garbage bag that has a volume greater than 170 litres and/or that exceeds 18.1 kg (40 lbs).
- c. No person shall place Recyclable Materials out for Roadside Collection except in an open container or a garbage bag that is transparent and has a volume greater than 170 litres and/or that exceeds 18.1 kg (40 lbs).
- d. No person shall place Refuse/Debris and Recyclable Materials in the same container for Roadside Collection.
- e. No person shall place or permit to be placed any Prohibited Substances or Materials in any container intended for Roadside Collection.
- f. No person shall place a garbage bag for Roadside Collection unless a garbage bag tag is affixed to it.

8. COST FOR USE

- a. Users of the Landfill Site(s) shall pay applicable fees/charges for the deposit of materials, as set out in the Municipality's most current "By-law to Establish Fees and Charges".

9. OFFENCE AND PENALTIES

- 9.1 Every person and/or owner who contravenes any of the provisions of this By-law is guilty of an offence and is subject to set fines and/or administrative monetary penalties.
- 9.2 Every person who violates any provision of this By-law or causes or permits a violation shall be guilty of an offence and may be subject to fees under the Administrative Monetary Penalties By-law and/or fined as per the current Fees and Charges By-law.
- 9.3 Each day a contravention occurs constitutes a new offence.
- 9.4 Every person and/or owner who is convicted of an offence under this By-law shall be subject to a fine of not more than Five Thousand Dollars (\$5,000) for each offence. Such fines shall be recoverable under the *Provincial Offences Act, R.S.O. 1990, c. P.22*, as amended.
- 9.5 The provisions of this By-law may be enforced pursuant to the provisions of the *Provincial Offences Act, R.S.O. 1990, c. P.33* as amended, and where any provision of this By-law is contravened and a conviction entered, in addition to any other remedy and to any other penalty the person convicted may also be prohibited from continuing or repeating the offence in accordance with the provisions of section 442 of the *Municipal Act*.
- 9.6 Each subsequent contravention that results in a conviction will yield a higher fine (doubling each time) to a maximum of \$5,000 for a person and \$10,000 for every director, officer, or employee of a corporation.
- 9.7 Pursue any other collection mechanisms available to the Municipality pursuant to the Regulations or a law which may include deeming the outstanding amount to be unpaid taxes and adding this outstanding amount to the tax roll and collecting it in the same manner as Municipal Taxes.
- 9.8 Fees, fines, penalties, and/or charges are as Schedule "A" attached for 2025 and are to be incorporated into the current Fees and Charges By-law. Any changes to Schedule "A" will be made during the annual updating of the Fees and Charges By-law and will be contained therein.

10. SEVERABILITY

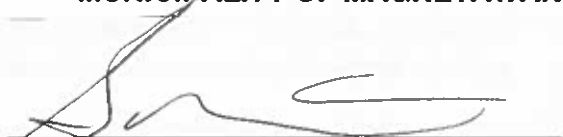
If a court of competent jurisdiction should declare any section or part of any section of this By-law to be invalid, such section or part or a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-law and it is hereby declared the remainder of the By-law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

11. EXISTING BY-LAWS REPEALED

THAT By-law 2021-02, and any other previously conflicting By-laws, are hereby repealed in their entirety.

READ A FIRST, SECOND, AND THIRD TIME, passed, signed and the Seal of the Corporation affixed hereto, this 10th day of December 2025.

THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN



Mayor



Clerk



FEES, FINES, PENALTIES, AND/OR CHARGES SCHEDULE
SCHEDULE "A"
TO BY-LAW 2025-59 LANDFILL

Where it pertains to General Prohibitions:

Item	Short Word Form Wording	Provision Creating/Defining Offence	Set Fine Within a Twelve (12) Month Period
1	No person shall spill, scatter, deposit, throw, cast, lay or cause to be thrown any waste on any street, lane, alley, laneway, roadway, road allowance, public or private way or in any public square, place or private lot without the consent of the owner of the property. Dump or dispose of any refuse on a highway or municipal road as defined in the Municipal Act and including both travelled and untraveled portions thereof.	Section 5.a	\$500
2	No person shall dump or dispose of any waste on any land owned by the Municipality or the Queen, except the Landfill Site(s).	Section 5.b	\$500
3	No person shall dump or dispose of waste on private land within the Municipality unless the land is described is a waste disposal site	Section 5.c	\$1000

Where it pertains to Municipal Landfill Prohibitions:

Item	Short Word Form Wording	Provision Creating/Defining Offence	Set Fine Within a Twelve (12) Month Period
4	No person shall enter and/or leave without: 1. Showing Municipal Landfill Card. 2. Giving name and address upon request. 3. Declaring the nature and origin of the Refuse/Debris and/or Recyclable Materials upon request.	Section 6.a	\$300
5	No person shall deposit Refuse/Debris and/or Recyclables from properties outside of the Municipality of Magnetawan	Section 6.b	\$500
6	No person shall enter upon or dispose of any Refuse/Debris or Recyclable Materials outside of the operating hours or when a Landfill Attendant is not present.	Section 6.c	\$500
7	No person shall dispose of Prohibited Substances or Materials	Section 6.d	\$1000
8	No person shall dispose of Refuse/Debris and/or Recyclable Materials by one who	Section 6.e	\$300

	is not authorized under a Municipal Landfill Card		
9	No person shall transport Refuse/Debris or Recyclable Materials to the Landfill Site(s) in a manner that permits the scattering or dispersal of such while en route	Section 6.f	\$500
10	No person shall deposit not accepted hazardous waste	Section 6.h	\$500
11	No person shall scavenge or salvage in areas not established or designated.	Section 6.i	\$500

Where it pertains to Roadside Collection Prohibitions:

Item	Short Word Form Wording	Provision Creating/Defining Offence	Set Fine Within a Twelve (12) Month Period
12	No person shall place Refuse/Debris or Recyclable Materials at the roadside on an incorrect day.	Section 7.a	\$300
13	No person shall place Refuse/Debris out in a garbage bag that has a volume greater than 170 litres and/or that exceeds 18.1 kg (40 lbs).	Section 7.b	\$300
14	No person shall place Recyclable Materials out except in an open container or a garbage bag that is transparent and has a volume greater than 170 litres and/or that exceeds 18.1 kg (40 lbs).	Section 7.c	\$300
15	No person shall place Refuse/Debris and Recyclable Materials in the same container.	Section 7.d	\$300
16	No person shall place Prohibited Substances or Materials in any container intended for collection.	Section 7.e	\$300
17	No person shall place a garbage bag for collection without a garbage bag tag.	Section 7.f	\$300

Fees, fines, penalties, and/or charges are as Schedule "A" attached for 2025 and are to be incorporated into the current Fees and Charges By-law. Any changes to Schedule "A" will be made during the annual updating of the Fees and Charges By-law and will be contained therein.

OFFICE OF THE REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
NORTHEAST REGION

159 CEDAR STREET
3rd FLOOR, SUITE 303
SUDBURY, ONTARIO P3E 6A5



CABINET DU JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO
RÉGION DU NORD-EST

159, RUE CEDAR
3^e ÉTAGE, BUREAU 303
SUDBURY (ONTARIO) P3E 6A5

TELEPHONE/TÉLÉPHONE (705) 564-7624
FAX/TÉLÉCOPIEUR (705) 564-7620

December 23, 2025

Ms. Laura Brandt, Deputy Clerk
Municipality of Magnetawan
P.O. Box 70
Magnetawan, Ontario
P0A 1P0

Dear Ms. Brandt:

Re: Set Fines – Provincial Offences Act – Part I
Municipality of Magnetawan, Parry Sound District

Thank you for your letter dated December 11, 2025 directed to The Ministry of the Attorney General, Crown Law Office-Criminal, regarding set fines for By-Law 2025-59.

I have had an opportunity to consider your request. For the reasons that follow, I have set appropriate amounts for the fines, which do not necessarily accord with the amounts you requested.

A set fine is a sentencing process and must consider the circumstances of the offence, the need for deterrence and must also consider proportionality (minor versus serious offences). Early guilty pleas are also an important consideration.

The set fine regime is meant to encourage out of court settlements, while also considering the above principles and must also consider similar sentences for similar offences in the region.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

OFFICE OF THE REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
NORTHEAST REGION

159 CEDAR STREET
3rd FLOOR, SUITE 303
SUDBURY, ONTARIO P3E 6A5



CABINET DU JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO
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FAX/TÉLÉCOPIEUR (705) 564-7620

I have forwarded the copy of the Orders and the schedules of these set fines to the Ontario Court of Justice in Parry Sound together with a certified copy of the By-Law.

Yours truly,

A handwritten signature in blue ink that reads "Karen Lische".

KAREN LISCHE
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE

KLL/ck

encl.

c.c.: His Worship Gary McMahon, Regional Senior Justice of the Peace
Her Worship Ruby Beck, Local Administrative Justice of the Peace

OFFICE OF THE REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
NORTHEAST REGION

159 CEDAR STREET
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CABINET DU JUGE PRINCIPALE RÉGIONALE
COUR DE JUSTICE DE L'ONTARIO
RÉGION DU NORD-EST

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SUDBURY (ONTARIO) P3E 6A5

TELEPHONE/TÉLÉPHONE (705) 564-7624

PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-Law No. 2025-59, of the Municipality of Magnetawan, Parry Sound District, attached hereto is the set fine for that offence. This Order is to take effect December 23, 2025.

Dated at the City of Greater Sudbury, this 23rd day of December, 2025.

A handwritten signature in blue ink, reading "Karen Lische".

KAREN LISCHE
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE



Municipality of
Magnetawan

MUNICIPALITY OF MAGNETAWAN
PART 1 PROVINCIAL OFFENCES ACT

By-law Number 2025-59
SCHEDULE "B"

Landfill By-law

H. Roche
Dec 23, 2025

Item	Short Word Form Wording	Provision Creating/Defining Offence	Set Fine Within a Twelve (12) Month Period
1	No person shall spill, scatter, deposit, throw, cast, lay or cause to be thrown any <u>waste</u> on any street, lane, alley, laneway, roadway, road allowance, public or private way or in any public square, place or private lot without the consent of the owner of the property.	Section 5.a	\$500 \$400.00 <i>KRA</i>
	No person shall dump or dispose of any refuse on a highway or municipal road as defined in the Municipal Act and including both travelled and untravelled portions thereof.	Section 5.a	\$500 \$400.00 <i>KRA</i>
2	No person shall dump or dispose of any waste on any land owned by the Municipality or the Queen, except the Landfill Site(s).	Section 5.b	\$500 \$400.00 <i>KRA</i>
3	No person shall dump or dispose of waste on private land within the Municipality unless the land is described is a waste disposal site	Section 5.c	\$1000 \$500.00 <i>KRA</i>
4	No person shall enter and/or leave without: 1. Showing Municipal Landfill Card. 2. Giving name and address upon request. 3. Declaring the nature and origin of the Refuse/Debris and/or Recyclable Materials upon request.	Section 6.a	\$300
5	No person shall deposit Refuse/Debris and/or Recyclables from properties outside of the Municipality of Magnetawan	Section 6.b	\$500 \$400.00 <i>KRA</i>
6	No person shall enter upon or dispose of any Refuse/Debris or Recyclable Materials outside of the operating hours or when a Landfill Attendant is not present.	Section 6.c	\$500 \$400.00 <i>KRA</i>
7	No person shall dispose of Prohibited Substances or Materials.	Section 6.d	\$1000 \$500.00 <i>KRA</i>
8	No person shall dispose of refuse/debris/recyclable materials without authorization.	Section 6.e	\$300
9	No person shall transport Refuse/Debris or Recyclable Materials to the Landfill Site(s) in a manner that permits the	Section 6.f	\$500 \$400.00 <i>KRA</i>

	scattering or dispersal of such while en route		
10	No person shall improperly deposit hazardous waste.	Section 6.h	\$500 \$400.00 KRA
11	No person shall scavenge or salvage in areas not established or designated.	Section 6.i	\$500 \$400.00 KRA
12	No person shall place Refuse/Debris or Recyclable Materials at the roadside on an incorrect day.	Section 7.a	\$300
13	No person shall place Refuse/Debris out in a garbage bag that has a volume greater than 170 litres and/or that exceeds 18.1 kg (40 lbs).	Section 7.b	\$300
14	No person shall place Recyclable Materials out except in an open container or a garbage bag that is transparent and has a volume greater than 170 litres and/or that exceeds 18.1 kg (40 lbs).	Section 7.c	\$300
15	No person shall place Refuse/Debris and Recyclable Materials in the same container.	Section 7.d	\$300
16	No person shall place Prohibited Substances or Materials in any container intended for collection.	Section 7.e	\$300
17	No person shall place a garbage bag for collection without a garbage bag tag.	Section 7.f	\$300

NOTE: The general penalty provision for the offences listed above is Section 9 of this By-law 2025 - a certified copy of which has been filed.

K. H. H. H.
Dec 23, 2025