

CORPORATION OF THE CITY OF CAMBRIDGE

BY-LAW NO. 26-022

of the

Being a by-law to provide for the maintenance of land in the City of Cambridge; and repeal By-laws 189-13, 043-17, 100-17 and 21-06

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (“the Act”) authorizes a municipality to pass by-laws respecting the health, safety and well-being of persons;

AND WHEREAS the Act authorizes a municipality to pass by-laws requiring the cleaning and clearing of land;

AND WHEREAS the Act authorizes a municipality to require an owner or occupant of land to clean the land and clear it of refuse and debris, and to prohibit the depositing of refuse or debris on land without the consent of the owner or occupant;

AND WHEREAS the Act authorizes a municipality to regulate deep waters or other dangerous places for the purposes of public safety;

AND WHEREAS the Act authorizes a municipality to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council are or could become public nuisances;

AND WHEREAS the Act authorizes a municipality to regulate parking, standing or stopping a motor vehicle or trailer on a surface other than a driveway;

AND WHEREAS the Act authorizes a municipality to regulate the presence of yard waste, long grass, pests, graffiti, derelict vehicles and trailers, unkept firewood and water that may become a public nuisance;

AND WHEREAS the Act permits a municipality that has authority to pass by-laws directing or requiring that a matter or thing be done to also provide that in default of it being done by the person directed or required to do it, such matter or thing shall be done at the person’s expense and that a municipality may enter upon land at any reasonable time for the above purpose and further that a municipality may recover the cost of doing a thing or matter required above and may recover the costs by action or by adding the costs to the tax roll and collecting them in the same manner as taxes;

AND WHEREAS the Act authorizes a municipality to pass by-laws providing that a person who contravenes a by-law of a municipality is guilty of an offence;

AND WHEREAS the Act provides that a municipality may require a person 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 the Act;

AND WHEREAS the Act authorizes a municipality to add any part of a fine for a commission of a provincial offence that is in default under the Provincial Offences Act, to the tax roll for any property in the local municipality for which all the owners are responsible for paying the fine and collect it in the same manner as municipal taxes;

NOW THEREFORE Council of The Corporation of the City of Cambridge enacts as follows:

1. DEFINITIONS

1.1 As used in this by-law, the following terms have the meanings indicated:

"Administrative Penalty By-law" means the Administrative Penalty By-law of the **City**, as amended, or any by-law that replaces it;

"Art Mural" means a mural that has been made for the purpose of beautifying specific property that is maintained by a **Person** and approved by Economic Development or **Council**;

"Buffer Strip" means a border of **Turf Grass**, ground cover or vegetation that delineates every **Naturalized Area**, measuring at least 0.6 meters (2 feet) in width, and not exceeding 20 centimetres (8 inches) in height;

"City" means The Corporation of the City of Cambridge;

"Composting" means the natural decomposition of organic materials in a container, pile or digester;

"Commercial Motor Vehicle" shall have the same meaning as in the *Highway Traffic Act, R.S.O. 1990, c. H.8*, as amended;

"Designated Provision" means any section of this by-law designated in accordance with section 16.2;

"Donation Collection Box" includes any receptacle located outdoors, within the geographic area under the jurisdiction of the **City**, and placed, installed, displayed,

operated, used, altered or maintained for the purpose of collecting donated items from the public, including but not limited to appliances, clothing, household items, metal, paper, recyclables and toys but does not include a receptacle located within a building or a receptacle owned or operated by the **City**, or a publication distribution box;

“Excavation” means a hole in the ground at least 60 centimeters (23.6 inches) in depth as a result of the removal of material;

“Graffiti” means one or more letters, symbols, marks, pictorial representations, messages or slogans howsoever made on any property, but does not include any of the following:

- (a) a sign, public notice or traffic control mark authorized by the **City**;
- (b) a sign authorized pursuant to a permit issued under the **City’s** Sign By-law;
- (c) a sign, public notice, or traffic control mark authorized by Regional, Provincial or Federal law; or
- (d) an **Art Mural**.

“Highway” means a common and public highway, common and public walkway, street, road, avenue, parkway, square, place, bridge, viaduct, trestle, or any other way open to public use, and includes the area between the lateral property lines thereof;

“Inoperative Motor Vehicle” means a **Motor Vehicle** or **Commercial Motor Vehicle** that is: in disrepair; is missing body work, components or parts, including tires; contains damaged components, parts, bodywork, or glass; has deteriorated or missing adjuncts; is unlicensed; or one which, if operated on a public **Highway**, would otherwise fail to meet the requirements of the *Highway Traffic Act, R.S.O. 1990, c. H.8*, as amended;

“Motor Vehicle” means an automobile, motorcycle, motor-assisted bicycle, or any other vehicle propelled or driven otherwise than by muscular power as identified in the *Highway Traffic Act, R.S.O. 1990, c. H.8*, as amended;

“Naturalized Area” means an area or areas on private property deliberately implemented to produce ground cover, including wildflowers, shrubs, annuals, perennials, grasses, or a combination thereof, that has a **Buffer Strip** and that is monitored and maintained by a **Person**;

“**Officer**” shall mean a Municipal By-law Compliance Officer of the **City** and a Police Officer with the Waterloo Regional Police Service;

“**Owner**” means

(a) a **Person** who is the lawful **Owner** of real **Property** or land, or a mortgagee in possession of real **Property** or land and the **Person** for the time being who is managing or receiving rent from a tenant on the **Property**; or

(b) in regard to a donation collection box, the operator of the donation collection box;

“**Person**” includes an **Owner**, occupant, individual, association, firm, corporation (with the exception of The Corporation of the City of Cambridge), partnership, bureau, sole proprietorship, trust, organization, trustee or agent;

“**Property**” means a building or structure, or part of a building or structure, and includes the associated lands and premises, and all mobile structures, outbuildings, fences and retaining walls, and erections thereon, whether heretofore or hereafter erected and includes vacant **Property**;

“**Region**” means the Regional Municipality of Waterloo;

“**Sidewalk**” means that portion of the **Highway** that is intended for the use of pedestrians and which surface is finished with concrete or asphalt;

“**Stagnant water**” means water that is not continuously filtered and may be polluted, rancid, toxic or odorous. It can accumulate on the ground or within objects or debris, including but not limited to **Refuse**, depressions, or buckets. This does not include water that is in a covered rain barrel, a maintained birdbath or in a swimming pool, hot tub, wading pool or artificial pond that complies with this by-law;

“**Turf Grass**” means a perennial strand of plant that can form turf and withstand mowing, traffic and/or wear;

“**Vertical Clearance**” means an unobstructed vertical passage space required along a **Highway** or a **Sidewalk** within a **Highway**;

“**Refuse**” means any garbage, waste, salvage, debris, litter, broken or discarded materials, and includes, but is not limited to:

(i) Bottles, cans, cartons, clothing, discarded toys, packing materials, paper;

- (ii) Broken or discarded material;
- (iii) Piping, ducting, tubing, conduits, cable, wire and fittings or related accessories;
- (iv) Appliances or parts of appliances;
- (v) Human or animal feces;
- (vi) Shopping carts;
- (vii) Automotive parts, vehicle parts or accessories, mechanical equipment, mechanical parts, unmounted tires, and tires mounted on rims;
- (viii) Any **Inoperative Motor Vehicle** and electric vehicle, and any trailer, utility trailer, truck trailer, house trailer, or recreational equipment that is wrecked, discarded, dismantled, unplated or in an inoperative condition;
- (ix) Furnaces, furnace parts, pipes, fittings to pipes, and water or fuel tanks that are not in use;
- (x) Kitchen or table waste of animal or vegetable origin;
- (xi) Yard waste including grass clippings, tree and garden cuttings, brush or leaves;
- (xii) Broken concrete, broken asphalt, patio or **Sidewalk** slabs, bricks, interlocking bricks, unused building materials, and pallets;
- (xiii) Indoor furniture; and
- (xiv) Wrecked, dismantled, abandoned or inoperable machinery, or parts thereof;

“**Zoning By-law**” means The City of Cambridge Zoning By-law 150-85 as amended, or any by-law that replaces it.

2. GENERAL STANDARDS

- 2.1 Every **Owner** or designate shall attend to their **Property** on a regular basis to ensure the **Property** conforms with the standards prescribed in this by-law. Every **Owner** or designate shall provide a written report on the condition of the **Property** when requested to do so by an **Officer**.

- 2.2 Every **Owner** shall maintain exterior yards free and clear of **Refuse**.
- 2.3 Section 2.2 does not apply to:
- (a) Land or structures operated by the **City** or **Region** for the purpose of dumping, disposing, or storage of **Refuse**;
 - (b) Land or structures designated or zoned by the **City** or **Region** for the purpose of dumping, disposing, or storage of **Refuse**;
 - (c) **Refuse** placed out for collection in accordance with the **Region's** Waste Collection By-Law, or any by-law that replaces it;
 - (d) **Refuse** stored in accordance with section 7 of this By-Law; or
 - (e) **Refuse** stored in accordance with section 8 of this By-Law.
- 2.4 No **Person** shall place or store, or permit the placement or storage of any electric or **Motor Vehicle**, construction equipment, **Commercial Motor Vehicle**, recreational equipment (mobile), and/or utility trailer, in any yard except in accordance with the **Zoning By-law**.
- 2.5 No **Person** shall place or store, or permit the placement or storage of any electric or **Motor Vehicle**, **Commercial Motor Vehicle**, recreational equipment (mobile), and/or utility trailer on landscaped open space area.
- 2.6 If damage to landscaping results from the placement or storage of any electric or **Motor Vehicle**, **Commercial Motor Vehicle**, recreational equipment (mobile), and/or utility trailer, the landscaping shall be repaired.
- 2.7 No **Person** shall place or store or permit the placement or storage of any trailer and/or **Commercial Motor Vehicle** on a vacant lot.
- 2.8 No **Person** shall store or permit the storage of firewood, gardening equipment, landscaping equipment, or similar objects (domestic storage) unless stored in a rear yard at least 1.2 meters away from a property line and stored in a neat and organized manner.

- 2.9 No **Person** shall obstruct, or cause or permit the obstruction of, a designated fire access route, a designated accessible parking space or an accessible ramp with snow, ice, equipment, materials, or any other item.
- 2.10 Every **Owner** shall ensure that signage is installed for every designated accessible parking space in accordance with any approved site plan or agreement, applicable **City** by-laws, and Provincial legislation. This includes but is not limited to the *Highway Traffic Act, R.S.O. 1990, c. H.8* and the *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c.11*, including regulations made thereunder.
- 2.11 Signage for every designated accessible parking space that is required by any law or regulation or as a condition of any approved site plan or agreement shall be maintained in good repair.
- 2.12 Every **Owner** shall ensure that signage is installed for every fire access route in accordance with any approved site plan or agreement, applicable **City** by-laws, and Provincial legislation. This includes but is not limited to the *Fire Protection and Prevention Act, 1997, S.O. 1997, c.4*, including regulations made thereunder.
- 2.13 Signage for every fire access route that is required by any law or regulation or as a condition of any approved site plan or agreement shall be maintained in good repair.

3. VEGETATION

- 3.1 No **Owner** shall permit **Turf Grass**, ground cover or weeds on their land to exceed 20 centimeters (8 inches) in height.
- 3.2 Section 3.1 does not apply to any **Naturalized Area**.
- 3.3 Every **Owner** shall ensure that any **Naturalized Area** does not encroach onto any adjacent **Property**.
- 3.4 Every **Owner** shall maintain a **Buffer Strip** around a **Naturalized Area** at all times.
- 3.5 No **Owner** shall cause or permit any **Naturalized Area** to be located within a sight line triangle, as identified in the **Zoning By-law**, unless such **Naturalized Area** conforms to the maximum height regulations in the **Zoning By-law**.

- 3.6 No **Owner** shall permit **Turf Grass**, ground cover or weeds on an adjoining boulevard to exceed 20 centimeters (8 inches) in height.
- 3.7 Every **Owner** shall keep every hedge, tree, foliage, **Naturalized Area**, and other vegetation located adjacent to a **Highway** or a **Sidewalk** on a **Highway** cut and trimmed so as to provide a **Vertical Clearance** of 5.0 meters (197 inches) from a **Highway**, and, where that **Highway** contains a **Sidewalk**, a **Vertical Clearance** of 2.77 meters (109 inches) from the **Sidewalk**.
- 3.8 In addition to other requirements in this By-law, every **Owner** shall maintain all vegetative growth, which for the purposes of this section includes every ornamental plant, shrub, tree, cultivated fruit or vegetable, **Naturalized Area**, hedge and other vegetation, on their **Property** so as to:
- (a) not obstruct a **Sidewalk** or **Highway**; and
 - (b) not conceal or interfere with a fire hydrant or a water valve.
- 3.9 No building or structure, fence, wall, vegetative planting and/or landscaping that has a height greater than 0.75 metres shall be permitted in a sight line triangle in accordance with the **Zoning By-law**.

4. DUMPING

- 4.1 No **Person** shall cause or permit littering or dumping of **Refuse** on any land.
- 4.2 Section 4.1 does not apply to:
- (a) Land or structures operated by the **City** or **Region** for the purpose of dumping or disposing of **Refuse**;
 - (b) Land or structures designated or zoned by the **City** or **Region** for the purpose of dumping or disposing of **Refuse**; or
 - (c) **Refuse** placed out for collection in accordance with the **Region's** Waste Collection By-Law or any by-law that replaces it.

5. STAGNANT WATER

- 5.1 No **Owner** shall cause or permit the collection of **Stagnant Water** on their **Property**.

5.2 Every **Owner** shall take all necessary steps to remove or dispose of **Stagnant Water** from their **Property**.

6. EXCAVATIONS

6.1 Every **Owner** shall completely fill an **Excavation** on their land or completely enclose it with a fence at least 182 centimeters (72 inches) in height and sufficient to reasonably prevent a **Person** from falling into the **Excavation** and such fence shall conform to the standards prescribed in the **City's Property Standards By-law** or any by-law that replaces it.

6.2 Section 6.1 does not apply to:

- (a) work which is actively proceeding under a current and valid grading permit, building permit or demolition permit;
- (b) work which is actively proceeding under an approved site plan; or
- (c) a site that is within a registered plan of subdivision, which subdivision is being developed for the first time.

7. GARBAGE CONTAINERS

7.1 Notwithstanding section 7.2, nothing in this by-law prohibits an **Owner** from storing collectible waste as defined by and in accordance with the **Region's Waste Collection By-Law** or any by-law that replaces it.

7.2 Garbage containers shall be stored where explicitly permitted in accordance with the **Zoning By-law**.

7.3 Garbage containers shall be:

- (a) maintained in good repair;
- (b) made of watertight construction; and
- (c) sealed with a tight cover at all times, unless the container is being filled or emptied.

8. COMPOSTING

- 8.1 No **Owner** shall cause or permit **Composting** to take place unless such **Composting** complies with the following requirements:
- (a) **Composting** shall take place only in a container, pile or digester;
 - (b) only yard waste and organic materials are permitted to be placed in a pile for **Composting**;
 - (c) no human feces or other animal feces shall be placed in a compost container, pile or digester;
 - (d) bones, meat, fish, dairy or fat products shall not be added to a compost container but may be placed in a digester;
 - (e) compost containers, piles or digesters are only permitted on land on which a dwelling unit is located;
 - (f) **Composting** shall take place behind the front and exterior side building line of the land;
 - (g) compost containers, piles or digesters shall be located no closer than 1.5 meters (59 inches) from any property line;
 - (h) no compost container, pile or digester used for **Composting** shall exceed 2 cubic meters in size;
 - (i) compost containers, piles or digesters shall be located no closer than 4 meters (157 inches) from any dwelling unit, deck, patio or outdoor living area associated with an adjacent **Property**;
 - (j) every compost container or digester shall be kept covered tightly at all times except when being emptied or filled;
 - (k) organic materials placed in a compost container shall be covered by yard waste, soil or compost;
 - (l) **Composting** shall not emit offensive odors; and
 - (m) any compost container, pile or digester shall be maintained so as not to attract insects, rodents, vermin or animals.

9. PEST CONTROL

- 9.1 Every **Owner** shall maintain their **Property** free of any nest of bees, wasps, hornets, or any other pests.
- 9.2 Every **Owner** shall maintain their **Property** free of any termite, rodent, and vermin.

10. POOLS AND ACCUMULATION OF WATER

- 10.1 The water in every privately owned swimming pool, wading pool, artificial pond, or hot tub, shall be maintained in a clean and sanitary condition so as to be free from odors or conditions likely to create a breeding environment for insects.
- 10.2 Every swimming pool, hot tub, wading pool and artificial pond, or hot tub and all accessories thereto shall be maintained in good repair and free from leaks.
- 10.3 Every swimming pool, wading pool, artificial pond, and hot tub, including all accessories thereto, that are abandoned, derelict or otherwise unused, shall be drained and removed with the **Property** left in a graded and leveled condition.

11. GROUND COVER

- 11.1 Every yard shall be provided with suitable ground cover that is adequate enough to prevent instability and erosion of the soil.
- 11.2 Section 11.1 does not apply to:
- (a) work which is actively proceeding under a current and valid grading permit;
 - (b) work which is actively proceeding under an approved site plan; or
 - (c) work which is actively proceeding under a valid building or demolition permit.

12. DONATION COLLECTION BOXES

- 12.1 No **Owner** shall locate, install or place, or permit or cause to be located, installed or placed, a **Donation Collection Box** unless the **Donation Collection Box** is located, installed or placed:
- (a) on land with the prior written consent of the **Owner** of the land;

- (b) on land that is not owned by the **City**;
 - (c) on land which is not used for residential purposes; and

 - (d) in a location that does not create any obstruction for vehicular or pedestrian traffic, including but not limited to, a visual obstruction.
- 12.2 Every **Owner** shall ensure that the front face of a **Donation Collection Box** displays all the following information, in lettering not less than Arial 150-point font, or a font of equivalent size, and in a clearly contrasting colour:
- (a) the correct legal name, address and telephone number of the **Owner**;

 - (b) the correct legal business name of the **Owner**;
 - (c) the type of organization if the **Owner** is not a charity;

 - (d) the Canada Revenue Agency charity registration number if the **Owner** is a charity; and

 - (e) the schedule of times for the pick-up of the donations.
- 12.3 Every **Owner** shall maintain the information set out on a **Donation Collection Box** to ensure that the information remains accurate, current and legible.
- 12.4 Every **Owner** shall ensure that a **Donation Collection Box** displays the information required in this by-law.
- 12.5 Every **Owner** shall maintain:
- (a) their **Donation Collection Box** in a clean, tidy condition and in good repair; and

 - (b) all areas immediately adjacent to their **Donation Collection Box** free and clear of **Refuse**.
- 12.6 Notwithstanding any other provision in this by-law, the following provisions shall apply to **Donation Collection Boxes**:
- (a) where an **Owner** fails to comply with a notice issued pursuant to this by-law, an **Officer** may remove the **Donation Collection Box** and perform any other restoration work deemed necessary at the cost of the **Owner**.

- (b) the **Officer** shall store the **Donation Collection Box** for 30 days at the cost of the **Owner**.
- (c) the **Owner** shall retrieve the box and pay the removal, restoration and storage costs incurred by the **City**.
- (d) an **Officer** shall return the **Donation Collection Box** to the **Owner** upon payment by **Owner** for restoration and storage costs incurred by the **City**.
- (e) upon the failure of the **Owner** to retrieve the **Donation Collection Box** from storage and to pay the costs of the work performed by the **Officer** and of the storage costs, the **Officer** may dispose of the **Donation Collection Box** and may recover, from the **Owner**, any and all the costs incurred by the **City** in regard to the **Donation Collection Box**.

13. GRAFFITI

13.1 No **Person** shall place, cause or permit **Graffiti** on any **Property**.

13.2 The **Owner**, tenant or occupant of a **Property** shall keep the **Property** free of **Graffiti**.

14. ADMINISTRATION AND ENFORCEMENT

14.1 An **Officer** may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether this by-law, or a direction or notice made under this by-law and section 431 of the Municipal Act, 2001, is being complied with.

14.2 As part of an inspection, an **Officer** may:

- (a) require the production 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.

14.3 No **Person** shall hinder, or obstruct, or attempt to hinder or obstruct an **Officer** who is exercising a power or performing a duty under this by-law.

14.4 This by-law may be enforced by a Municipal By-law Compliance Officer of the **City** and a Police Officer with the Waterloo Regional Police Service.

15. NOTICE AND REMEDIAL ACTION

Order to Discontinue

15.1 If a **Person** is found to have contravened any provision of this by-law, an **Officer** may make an order requiring the **Person** who contravened this by-law, or who caused or permitted the contravention, or the **Owner** of the **Property**, to discontinue the contravening activity.

15.2 An order made under section 15.1 shall set out:

- (a) reasonable particulars of the contravention;
- (b) the location of the **Property** where the contravention occurred; and
- (c) the date by which there must be compliance with the order.

15.3 Any **Person** who fails to comply with an order made under section 15.1 is guilty of an offence.

Work Order

15.4 If a **Person** is found to have contravened any provision of this by-law, an **Officer** may make an order requiring the **Person** who contravened this by-law, or who caused or permitted the contravention, or the **Owner** of the **Property**, to do work to remedy the contravention.

15.5 An order made under section 15.4 shall set out:

- (a) reasonable particulars of the contravention;
- (b) the location of the **Property** where the contravention occurred; and

(c) the date by which there must be compliance with the order.

15.6 Any **Person** who fails to comply with an order made under section 15.4 is guilty of an offence.

Service

15.7 An order issued pursuant to this By-law shall be considered served by:

(a) delivering it personally;

(b) delivering it to an occupant who appears to be at least 16 years of age or older at the last known address of the **Person** named in the notice;

(c) sending it regular or registered mail, or by courier, to the last known address of the **Person** to whom the notice is given or to that **Person's** agent;

(d) posting it in a conspicuous location at the **Property** where the contravention occurred; or

(e) sending it by electronic mail to an e-mail address for the **Person** to whom the notice is being directed. Service by e-mail is effective only if the **Person** provides a written response to the e-mail.

15.8 If an order is mailed pursuant to section 15.7(c), the service shall be deemed to have been made on the fifth day after the date of mailing.

Remedial Actions

15.9 If a **Person** fails to do a matter or thing, including comply with an order issued pursuant to this by-law, as directed or required by this by-law, the **City** may do the matter or thing at the **Person's** expense. The **City** may recover the costs of doing a 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 municipal taxes.

15.10 The **City** shall have a lien on the land for the amount spent on the remedial work and the amount shall be deemed to the municipal real property taxes and may be added to the tax roll and collected in the same manner and with the same priorities as municipal real property taxes.

15.11 The **City** or any **Person** acting on its behalf is not liable to compensate the **Owner**, occupant or any other **Person** by reason of anything done by or on behalf of the **City** in reasonable exercise of its powers.

16. PENALTY PROVISIONS

16.1 Every **Person** who contravenes any provision of this by-law or any order made pursuant to this by-law is, upon conviction, guilty of an offence and is liable to a fine of not more than \$100,000.

16.2 The whole of this by-law, inclusive of all sections and subsections thereunder, is hereby designated as a by-law to which the **Administrative Penalty By-law** applies.

16.3 Any **Person** who contravenes any **Designated Provision** of this by-law shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty and applicable fees.

17. SEVERABILITY

17.1 If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid, or to be of no force and effect, it is the intention of the **Council** in enacting this by-law, that each and every other provision of this by-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

18. REPEAL OF BY-LAWS

18.1 By-laws 189-13, 043-17 and 100-17 are hereby repealed.

19. SHORT TITLE

19.1 This by-law may be cited as the "Lot Maintenance By-law".

ENACTED and PASSED this 24th day of February 2026.

MAYOR

CITY CLERK