



BY-LAW NO. 1999-178

A BY-LAW TO PROHIBIT AND ABATE PUBLIC NUISANCES

Originally Passed and Enacted October 18, 1999

Amended By By-law:	Passed On:
Not Amended	

Consolidated Version

Revised and Verified August 9, 2013

Consolidated for Convenience Only

This is a consolidation copy of a City of Owen Sound By-law for convenience and information. While every effort is made to ensure the accuracies of these by-laws, they are not official versions or legal documents. The original by-laws should be consulted for all interpretations and applications on this subject. For more information or original signed copies of by-laws please contact the City Clerk's Department.

BY-LAW NO. 1999 -178

THE CORPORATION OF THE CITY OF OWEN SOUND

A BY-LAW TO PROHIBIT AND ABATE PUBLIC NUISANCES

WHEREAS Paragraph 140 of Section 210 of The Municipal Act, Chapter M.45, R.S.O. 1990, authorizes councils of municipalities to pass By-laws for prohibiting and abating public nuisances;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF OWEN SOUND HEREBY ENACTS AS FOLLOWS:

DEFINITIONS

1. The following definitions apply to this By-law:
 - 1.1 **Discharge** when used as a verb, includes add, deposit, leak or emit, and when used as a noun, includes addition, deposit, emission or leak.
 - 1.2 **Person** includes a corporation.
 - 1.3 **Natural Environment** means the air, land and water, any combination or a part thereof, of the City of Owen Sound.
2. No person shall in the City of Owen Sound make, cause or permit a public nuisance.
3. No person shall discharge, or cause to discharge into the natural environment any dust, smoke, or odour, in an amount which creates a public nuisance.
4. A public nuisance shall include the discharge of dust, smoke, or odour, which is likely to disturb an inhabitant or inhabitants of the City of Owen Sound.
5. A public nuisance likely to disturb an inhabitant or inhabitants of the City of Owen Sound occurs if the same is likely to cause an adverse effect.
6. **Adverse effect** in this By-law means one or more of the following:
 - 6.1 Impairment of the quality of the natural environment for any use that can be made of it;
 - 6.2 Injury or damage to property or to plant or animal life;
 - 6.3 Harm or material discomfort to any person;
 - 6.4 An adverse effect on the health of any person;
 - 6.5 Impairment of the safety of any person;
 - 6.6 Rendering any property or plant or animal life unfit for human use;
 - 6.7 Loss of enjoyment or normal use of property;
 - 6.8 Interference with the normal conduct of business.
7. Any person who contravenes the provisions of this by-law is guilty of an offence and upon conviction therefor is subject to the penalty set out in the Provincial Offences Act.

EFFECTIVE DATE

8. This By-law shall come into full force and effect upon the final passing hereof.

FINALLY PASSED AND ENACTED this 18th day of October, 1999.

Signature on File

Mayor

Signature on File

Clerk