

**Subject:** Clean Yards By-law Amendment

**Staff Report No.** CPS-004-25

**Department/  
Commission:** Corporate Services Commission

**Date:** February 19, 2025

**Recommendation:**

- 1) That Council approve the recommended changes as contained within the report; and
- 2) That Council direct staff to bring forward the appropriate By-law amendments.

**Report Highlights**

- Staff propose an amendment to the Town’s Clean Yard By-law to include the Administrative Monetary Penalty System (AMPS) as an enforcement tool.
- The proposed penalty structure aligns with surrounding municipalities and previous Provincial Offences Act (POA) set fines and ensures a consistent approach to municipal law enforcement.
- If amendment is approved, utilizing AMPS as an enforcement tool for the Clean Yards By-law will take effect on April 1, 2025.

**1. Purpose:**

The purpose of this report is to seek Council’s approval to include the Clean Yards By-law’s penalties in the Administrative Monetary Penalty System (AMPS) and implement the amendments to the appropriate by-laws.

**2. Background:**

The Town’s Clean Yards By-law 2016-068-RE regulates the property maintenance standards for all properties in the Town of Stouffville, ensuring properties remain clean and free of overgrown vegetation, debris, and garbage. The current enforcement process is administered through the Provincial Courts through the Provincial Offences Act (POA). The current court process is time-consuming and has caused delays with obtaining timely resolutions to matters brought forward.

On May 8, 2024, the Town of Stouffville implemented the Administrative Monetary Penalty System (AMPS) to simplify the resolution process for by-law violations by enabling the Town to administer Penalty Notices internally, thereby reducing reliance on the POA and court system.

Staff have committed to review all Town by-laws over the next few years in phases with the intension of incorporating Town regulatory by-laws under AMPS where appropriate. The first phase included the transition of the following by-laws under AMPS:

- Parking By-law
- Fire Route By-law
- Short Term Rental By-law
- Noise By-law

Staff have identified the Town's Clean Yards By-law as one of the next by-laws to transition under AMPS given its impact on community appearance.

### **3. Analysis:**

Incorporating the Clean Yards By-law under the AMPS process will enhance enforcement efficiency by streamlining enforcement processes, providing a consistent framework for imposing penalties, expedite resolutions in cases of non-compliance while ensuring fairness and transparency in the enforcement process.

Attached to the staff report as Attachment No. 2, is the proposed penalty structure that includes escalating penalties under AMPS. The proposed administrative penalties align with those of surrounding municipalities and the previous POA set fines the Town had approved. The proposed penalties are established to act as a deterrent and correct any unwanted behaviour. As with any regulatory by-law, it is only those residents or property owners who find them in violation that will be penalized.

If Council adopts staff's recommendation, to include the Clean Yards By-law under AMPS, staff are recommending that the By-law's effective date be April 1, 2025. This would provide staff with time to complete internal system configuration and coincide with the return of better weather and the rise in Clean Yards complaints. Staff will continue reviewing other by-laws for consideration for future inclusion in AMPS.

The following chart lists the proposed penalties under AMPS for offences related to the Clean Yards By-law:

<b>Designated Provisions for Clean Yards By-law 2016-068-RE</b>					
<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>	<b>COLUMN 4</b>	<b>COLUMN 5</b>	<b>COLUMN 6</b>
<b>Item #</b>	<b>Provisions of Designated By-law</b>	<b>Short Form Wording</b>	<b>1<sup>st</sup> Offence Set Penalty</b>	<b>2<sup>nd</sup> Offence Set Penalty</b>	<b>3<sup>rd</sup> Offence Set Penalty</b>
1.	Section 2.1	Fail to keep vegetation in yard clean and cleared.	\$250	\$350	\$550
2.	Section 2.4 (a)	Fail to keep lawn, shrubs, vines, hedges, bushes, or vegetation trimmed and tidy.	\$250	\$350	\$550
3.	Section 2.4 (b)	Fail to prevent overgrown vegetation that affects safety, visibility, public passage, or obstructs hydrants, water valves, or vehicle traffic.	\$250	\$350	\$550
4.	Section 2.4 (c)	Fail to eliminate heavy undergrowth in the yard.	\$250	\$350	\$550
5.	Section 2.4 (d)	Fail to cultivate or cover the yard to prevent soil erosion.	\$250	\$350	\$550
6.	Section 2.4 (e)	Fail to remove or prune dead, diseased, decayed, or damaged trees or plants to prevent unsafe conditions or property damage.	\$250	\$350	\$550
7.	Section 3.1 (a)	Fail to keep land free of refuse and waste.	\$250	\$350	\$550
8.	Section 3.1 (b)	Fail to keep land free of infestations.	\$250	\$350	\$550
9.	Section 3.1 (c)	Fail to keep land free of unsafe or unsightly wood, debris, objects, or material accumulations.	\$250	\$350	\$550
10.	Section 3.1 (d)	Fail to keep land free of unlicensed or derelict vehicle(s), trailer(s), machine(ry), or parts.	\$250	\$350	\$550
11.	Section 3.2	Fail to store waste in a lidded container outdoors or in the front yard of a residential property.	\$250	\$350	\$550
12.	Section 3.3 (a)	Fail to ensure bin or container is equipped with cover or device.	\$250	\$350	\$550
13.	Section 3.3 (b)	Fail to ensure bin or container is enough to contain waste between collections.	\$250	\$350	\$550
14.	Section 3.3 (c)	Fail to ensure bin or container is not overfilled.	\$250	\$350	\$550

15.	Section 3.5	Deposit garbage, refuse or waste on a yard.	\$250	\$350	\$550
16.	Section 4.1	Fail to maintain yard to prevent dust or dirt from spreading to neighboring properties.	\$250	\$350	\$550
17.	Section 5.1	Throw, place or deposit litter or waste on public or private land.	\$400	\$500	\$700
18.	Section 5.2	Throw, place or deposit litter or waste on highway.	\$400	\$500	\$700
19.	Section 7.1	Fail to maintain swimming pool, hot tub, wading pool or artificial pond in good repair and working condition.	\$250	\$350	\$550
20.	Section 7.3	Permit standing water on yard for period exceeding 3 days.	\$250	\$350	\$550
21.	Section 7.4	Fail to remove or dispose of standing water on the property.	\$250	\$350	\$550
22.	Section 8.1	Fail to discharge sewage or organic waste into the municipal sewage system or dispose of it according to local health regulations.	\$250	\$350	\$550
23.	Section 8.2	Cause or permit sewage to be discharged on ground.	\$250	\$350	\$550
24.	Section 9.1	Fail to grade and maintain property to prevent water ponding, unsafe conditions, or environmental harm.	\$250	\$350	\$550
25.	Section 9.2	Fail to ensure storm water run-off is contained within property until absorbed by soil or drained to swale, watercourse or storm sewer.	\$250	\$350	\$550
26.	Section 9.3	Fail to install drainage where surface water excessively ponds.	\$250	\$350	\$550
27.	Section 9.4	Fail to ensure filled, graded, re-graded or altered property does not change surface drainage pattern or create storm water run-off on adjacent property.	\$250	\$350	\$550
28.	Section 9.5 (a)	Fail to ensure roof drainage, stormwater, or discharge from pools, hot tubs, or sump pumps is directed to prevent ponding or water entering the basement or cellar.	\$250	\$350	\$550
29.	Section 9.5 (b)	Fail to ensure roof drainage, stormwater, or discharge from pools, hot tubs, or sump pumps	\$250	\$350	\$550

		is not directed onto walkways, boulevards, stairs, or adjacent land.			
30.	Section 9.5 (c)	Fail to ensure roof drainage, stormwater, or discharge from pools, hot tubs, or sump pumps is dechlorinated before entering the storm sewer.	\$250	\$350	\$550
31.	Section 9.6	Fail to keep private drain operational and in good repair.	\$250	\$350	\$550
32.	Section 9.7	Obstruct or permit the obstruction of private drain.	\$250	\$350	\$550
33.	Section 9.8	Obstruct or permit obstruction of watercourse.	\$250	\$350	\$550
34.	Section 10.1 (a)	Fail to secure well, cistern, cesspool, privy vault, pit, or excavation with a fence and warning signs.	\$250	\$350	\$550
35.	Section 10.1 (b)	Fail to seal or secure well, cistern, cesspool, privy vault, pit, or excavation with a fence, cover, or other means.	\$250	\$350	\$550
36.	Section 11.1	Place, cause or permit graffiti to be placed on building.	\$400	\$500	\$700
37.	Section 11.2	Fail to keep building free of graffiti.	\$250	\$350	\$550
38.	Section 12.1	Fail to remove snow or ice from roof(s) or eave(s) of building(s) that poses hazard to persons or property.	\$250	\$350	\$550
39.	Section 13.5	Hinder or obstruct an officer, employee or agent.	\$500	\$600	\$800
40.	Section 14.7	Provide false information or give a false statement to an officer, employee or agent.	\$250	\$350	\$550
41.	Section 14.8	Fail to comply with a Notice or Order.	\$500	\$600	\$800

**4. Options:**

**4.1 Option A (Recommended)**

That Council approve the recommended changes as contained within the report; and

That Council direct staff to bring forward the appropriate By-law amendments.

**4.2 Option B**

That Council direct staff not to use AMPS as an enforcement tool and continue utilizing the Provincial Courts and the POA.

## **5. Financial Implications:**

There is minimal financial impact to the Town anticipated transitioning the Clean Yards By-law under AMPS. The existing staffing and resources within the AMPS division can support the administration of the Clean Yards By-law under AMPS.

## **6. Broader Intergovernmental Impacts and/or Considerations:**

None.

## **7. Communication:**

Upon approval by Council, a notification that the Clean Yards By-law will be administered by the AMPS system will be posted on the Town's website.

## **8. Alignment with Strategic Plan:**

1. A Safe Town  
Make our community safer
2. Good Governance  
Provide Good Governance

## **9. Attachments:**

Attachment No. 1 – Draft Clean Yards By-law Amendment

## **10. Related Reports:**

[CAO-006-23-Administrative Monetary Penalty for By-law Violations](#)  
[CPS-009-24-Implementation of an Administrative Monetary Penalty System \(AMPS\) - Update](#)

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**For further information on this report, please contact the Department Head:** Becky Jamieson, Commissioner of Corporate Services and Town Clerk at 905-640-1900 or 1-855-642-8697 ext. 2224 or via email at [becky.jamieson@townofws.ca](mailto:becky.jamieson@townofws.ca)