

BY-LAW #20/25

OF THE

RURAL MUNICIPALITY OF ROCKWOOD

Being a By-Law of the Rural Municipality of Rockwood to provide for the Storage of Construction Waste Material at all Construction Sites in the Rural Municipality of Rockwood.

WHEREAS, under Section 232(1)(c) of The Municipal Act, a Council may pass by-laws for municipal purposes respecting, subject to Section 233, activities or things in or on private property;

AND WHEREAS, under Section 233(a) of The Municipal Act, a by-law under Clause 232(1)(c) may contain provisions only in respect of the requirement that land and improvements be kept and maintained in a safe and clean condition;

AND WHEREAS the Council of the Rural Municipality of Rockwood deems it expedient and in the best interest of the Municipality to require that all Construction Sites in the Rural Municipality of Rockwood have located, on site, waste bins to store all construction waste material in order to keep the site in a safe and clean condition;

NOW THEREFORE the Council of the Rural Municipality of Rockwood, in open Council assembled, enacts as follows:


1. **THAT** for this By-Law, the following definitions shall apply:
 - a) **“Chief Administrative Officer”** shall mean the Chief Administrative Officer (CAO) for the Rural Municipality of Rockwood.
 - b) **“Council”** shall mean the Council of the Rural Municipality of Rockwood.
 - c) **“Designated Officer”** shall mean the By-Law Enforcement Officer or Community Safety Officer of the Rural Municipality of Rockwood.
 - d) **“Municipality”** shall mean the Rural Municipality of Rockwood.
 - e) **“Waste Container”** shall mean any enclosed container that will contain the construction waste such as a metal waste bin, trailer, truck box, etc.
 - f) **“Written Order”** shall mean a Written Order of Notice of Contravention, pursuant to Schedule A.
2. That every Construction Site in the Municipality, whether it is a residential, commercial or industrial construction site, shall have a Waste Container located on site.
3. That all construction waste material shall be contained within the Waste Container until such time as it is delivered to a Waste Disposal Site.
4. If the Designated Officer, in their opinion, finds that there is a contravention of the By-Law, the Designated Officer shall, by Written Order, pursuant to Schedule A, require the owner of the property, within a specified time, to improve the appearance of the property in the manner specified in the Written Order.
5. The Written Order shall be served to the owner of the property, either personally or by mailing it by regular mail to the most current address available in the current Provincial Assessment Roll for that owner. Service of the regular mail shall be deemed effective on the seventh (7th) day after the notice is mailed. The Written Order shall indicate that, if the owner fails to take the measures ordered under Clause 4 of this By-Law, the Municipality shall endeavour to do all things necessary to ensure compliance with the Written Order, and that any action or measures taken by the Municipality shall be at the expense of the owner of the property.

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6. An owner may, within 10 days of receiving the Written Order, make a written appeal to the Municipality requesting that the Written Order be waived.
7. Council, upon hearing the appeal, may:
- a) uphold, rescind, suspend or otherwise modify the Written Order issued by the Designated Officer; or
 - b) extend the time within which compliance with the Written Order shall be made; or
 - c) make such other decision or order, as in the circumstances of each case that it deems just, and the decision or order of the Council, upon being communicated to the appellant, shall stand in place of the Written Order against which the appeal is made.
8. For purposes of enforcing this By-Law, the Designated Officer may, after giving 10 days notice to the owner or occupier of any private property, enter upon the property for the purposes of inspecting the property and enforcing the By-Law.
9. That all costs of actions or measures taken by the Municipality to carry out the terms of the Written Order issued by the Designated Officer are an amount owing to the Municipality by the registered owner of the property and may be collected by the Municipality in the same manner as a tax against the land and as regulations are permitted under the Municipal Act.
10. A person who contravenes this by-law is guilty of an offence and liable on summary conviction to a fine of not more than \$1000, and a penalty equal to the enforcement costs associated with the conduct giving rise to the offence and enforcing the by-law, which may be collected in the same manner as a tax may be enforced under the Municipal Act.
11. That this By-Law shall come into force and take effect upon adoption by the Council of the Rural Municipality of Rockwood with Third Reading.

DONE AND PASSED by the Council of the Rural Municipality of Rockwood in open Council assembled at Stonewall, in the Province of Manitoba, this 9th day of July, A.D., 2025.

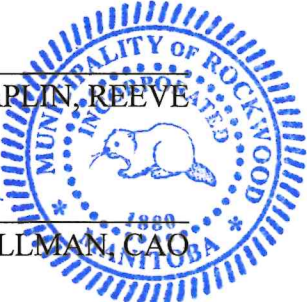
THE RURAL MUNICIPALITY OF ROCKWOOD



J. WESLEY TARLIN, REEVE



CHRIS LUELLMAN, CAO



GIVEN First Reading this 12th day of June, A.D., 2025.
GIVEN Second Reading this 9th day of July, A.D., 2025.
GIVEN Third Reading this 9th day of July, A.D., 2025.

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SCHEDULE "A"
NOTICE OF CONTRAVENTION

Name: _____

Mailing Address: _____ Town _____ Postal Code: _____

Roll Number: _____ Civic Address: _____

THE DESIGNATED OFFICER of the Rural Municipality of Rockwood has inspected your property known as: _____ in _____,
(Civic Address/ Roll Number) *(Town / Municipality)*

Manitoba and, in the opinion of the Designated Officer, a contravention of By-Law 20/25 has occurred because:

Contravention:

IT IS HEREBY ORDERED THAT you remedy the contravention listed, and in particular

within ten (10) days from the date of this Written Order.

Pursuant to Clause 6, the property owner may within ten (10) days of receiving this Written Order may make a written appeal to the Council of the Rural Municipality of Rockwood.

Your failure to remedy the contravention will result in the Rural Municipality of Rockwood taking steps as are necessary to remedy the contravention on said property and charging you with all costs incurred, along with the associated fines.

Dated: _____

DESIGNATED OFFICER