

**City of Kingston By-Law Number 2024–...**

***By-Law to Amend City of Kingston By-Law Number 2007–136,  
A By-Law to Provide for Maintaining Land in a Clean and Clear Condition***

**Whereas:**

The Corporation of the City of Kingston (the “**City**”) is a single-tier municipality incorporated pursuant to an order made under section 25.2 of the *Municipal Act*, R.S.O. 1990, c. M.45.

The powers of a municipality must be exercised by its council (*Municipal Act, 2001*, S.O. 2001, c. 25 (the “**Municipal Act, 2001**”), s. 5 (1)).

A municipal power must be exercised by by-law unless the municipality is specifically authorized to do otherwise (*Municipal Act, 2001*, s. 5 (3)).

A single tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public (*Municipal Act, 2001*, s. 10 (1)).

On July 10, 2007, council for the *City* passed *City of Kingston By-Law Number 2007–136*, “*A By-Law to Provide for Maintaining Land in a Clean and Clear Condition*”.

Council for the *City* (“**council**”) considers it necessary and desirable for the public to amend *City of Kingston By-Law Number 2007–136*.

**Therefore**, *council* enacts:

**1. Amendment**

1.1 *City of Kingston By-Law Number 2007-136* is amended as follows:

- (a) section 1 is amended by deleting the definition of “**Director**” and replacing it with the following:

““**Director**” means the City’s Director of Licensing and Enforcement

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Services, or their designate, or in the event of organizational changes, the director of the appropriately titled department;”;

- (b) section 1 is amended by deleting the definition of “**officer**” and replacing it with the following:

““**officer**” means a municipal law enforcement officer employed by the City;”;

- (c) section 1 is amended by adding the following definition of “**prohibited plant(s)**”:

““**prohibited plant(s)**” means any species of plant designated in R.R.O. 1990, Regulation 1096 under the *Weed Control Act*, R.S.O. 1990, c. W.5 and any prohibited plant listed in Schedule “A” of this By-Law;”;

- (d) section 1 is amended by adding the following definition of “**recreation vehicle**”:

““**recreation vehicle**” includes, without limitation, a boat, personal watercraft, all-terrain vehicle, motor home, travel trailer, tent trailer, camper, snowmobile or other recreational vehicle, or a utility trailer;”;

- (e) section 1 is amended by deleting clause (4) in the definition of “refuse” related to “inoperative motor vehicles, vehicle parts and accessories” and renumbering the balance of the clause accordingly;

- (f) section 1 is amended by adding the following definition of “**turfgrass**”:

““**turfgrass**” means ground cover of various perennial grasses grown for lawns of a type that forms a dense, uniform turf if mown;”;

- (g) section 1 is amended by adding the following definition of “**Zoning By-Law**”:

““**Zoning By-Law**” means City of Kingston By-Law Number 2022-62 or the applicable zoning by-law of the City that applies to the subject property”;

- (h) subsection 3.1 is amended by deleting the words “of Building and Licensing”;

- (i) by adding the following as subsection 3.2:

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“3.2 The Director is authorized to designate additional prohibited plants or to remove existing prohibited plants for purposes of Clause 4.2(b) of this by-law, as deemed reasonably necessary by the Director from time to time.”;

- (j) subsection 4.2 is deleted in its entirety and replaced with the following:
- “4.2 For the purposes of Subsection 4.1, “clean and cleared up” includes the following:
- (a) keeping the grounds, yard or vacant land clear of turfgrass that exceeds 20 centimeters (eight inches) in height;
  - (b) keeping the grounds, yard or vacant land free from any prohibited plant;
  - (c) ensuring vegetative growth on the grounds, yard or vacant land does not obstruct sidewalks or roadways;
  - (d) ensuring that vegetative growth on the grounds, yard or vacant land does not restrict driver and pedestrian sight lines at intersections, driveways, sidewalks, and walkways, or visibility to all traffic control devices;
  - (e) removing dead or damaged trees and branches on the grounds, yard or vacant land that are determined by the Director to create a health or safety concern;
  - (f) keeping the grounds, yard or vacant land free of ruts or holes that are determined by the Director to create a health or safety concern;
  - (g) keeping the grounds, yard or vacant land free from soil erosion by covering the ground with a suitable covering, such as turfgrass, gravel, asphalt, ground cover, cultivated flowers or plants; and
  - (h) keeping the grounds, yard or vacant land free of dog feces or other animal feces.”;
- (k) subsection 4.4 is amended by deleting the reference to “Subsection 4.4” and replacing it with “Subsection 4.5”;
- (l) by adding the following as subsections 4.14 and 4.15:

**“Recreation Vehicles and Inoperative Motor Vehicles**

4.14 Except as permitted in the Zoning By-Law, no person shall use any land for storing or parking any recreation vehicle.

4.15 Except as permitted in the Zoning By-Law, every owner, lessee or occupant shall keep their land free and clear of inoperative motor vehicles.”;

(m) clause 5.1(1) is deleted in its entirety and replaced with the following:

“(1) to clean or clear up the grounds, yard or vacant land, to remove from the grounds, yard or vacant land any objects or conditions that might create a health, fire or accident hazard, or to remove from the land or structure, refuse and waste material of any kind;”;

(n) subsection 5.1 is amended by adding the following clauses (5), (6) and (7):

“(5) to cease using any land or structure for storing motor vehicles for the purpose of wrecking or dismantling them or salvaging parts from them for sale or other disposition in contravention of Subsection 4.13;

(6) to cease using any land for storing or parking any recreation vehicle in contravention of Subsection 4.14; and/or

(7) to remove from the land any inoperative motor vehicle in contravention of Subsection 4.15.”;

(o) clause 5.7(4) is amended by adding the words “clean and cleared up and” after the words “is being kept”;

(p) subsection 5.7 is amended by adding the following clauses (5) and (6):

“(5) the land is being used for storing or parking any recreation vehicle in contravention of Subsection 4.14; and/or

(6) the land is being used for storing any inoperative motor vehicle in contravention of Subsection 4.15.”;

(q) subsection 5.9 is amended by adding the following clauses (6) and (7):

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- “(6) remove any recreation vehicle stored or parked in contravention of Subsection 4.14; and/or
- (7) remove any inoperative motor vehicle stored in contravention of Subsection 4.15.”; and
- (r) by adding Schedule “A” of this by-law as Schedule “A”.

**2. Coming into Force**

2.1 This by-law will come into force and take effect on the day it is passed.

1 <sup>st</sup> Reading	date
2 <sup>nd</sup> Reading	date
3 <sup>rd</sup> Reading	date
Passed	date

Janet Jaynes  
City Clerk

Bryan Paterson  
Mayor

**Schedule “A”**

**Prohibited Plants**

1. Common buckthorn; Glossy buckthorn (*Rhamnus cathartica*; *Frangula alnus*)
2. Dog-strangling vine (*Cynanchum rossicum*; *Cynanchum louiseae*)
3. Japanese knotweed (*Reynoutria japonica* var. *japonica*)
4. Any other plant determined by the Director from time to time to be a prohibited plant.

City of Kingston By-Law Number 2024–...

***By-Law to Amend City of Kingston By-Law Number 2005–100,  
A By-Law for Prescribing Standards for the Maintenance and Occupancy of  
Property within the City of Kingston***

**Whereas:**

The Corporation of the City of Kingston (the “**City**”) is a single-tier municipality incorporated pursuant to an order made under section 25.2 of the *Municipal Act*, R.S.O. 1990, c. M.45.

The powers of a municipality must be exercised by its council (*Municipal Act*, 2001, S.O. 2001, c. 25 (the “**Municipal Act**, 2001”), s. 5 (1)).

A municipal power must be exercised by by-law unless the municipality is specifically authorized to do otherwise (*Municipal Act*, 2001, s. 5 (3)).

A single tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public (*Municipal Act*, 2001, s. 10 (1)).

On May 17, 2005, council for the *City* passed *City of Kingston By-Law Number 2005–100*, “*A By-Law for Prescribing Standards for the Maintenance and Occupancy of Property within the City of Kingston*”.

Council for the *City* (“**council**”) considers it necessary and desirable for the public to amend *City of Kingston By-Law Number 2005–100*.

**Therefore**, *council* enacts:

**1. Amendment**

1.1 *City of Kingston By-Law Number 2005-100* is amended as follows:

(a) section 1 is amended by adding the following definition of “**Director**”:

““**Director** means the City’s Director of Licensing and Enforcement Services or their designate, or in the event of organizational changes, the director of the appropriately titled department;”;

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- (b) subsection 3.1 is amended by deleting the words “Planning, Building and Licensing Department are” and replacing them with the words “Director is”; and
- (c) subsection 4.42 is deleted in its entirety and the balance of the subsection is renumbered accordingly.

**2. Coming into Force**

- 2.1 This by-law will come into force and take effect on the day it is passed.

1 <sup>st</sup> Reading	date
2 <sup>nd</sup> Reading	date
3 <sup>rd</sup> Reading	date
Passed	date

Janet Jaynes  
City Clerk

Bryan Paterson  
Mayor

City of Kingston By-Law Number 2024–...

***By-Law to Amend City of Kingston By-Law Number 2020-69,  
A By-Law to Establish a Process for Administrative Penalties***

**Whereas:**

The Corporation of the City of Kingston (the “**City**”) is a single-tier municipality incorporated pursuant to an order made under section 25.2 of the *Municipal Act*, R.S.O. 1990, c. M.45.

The powers of a municipality must be exercised by its council (*Municipal Act, 2001*, S.O. 2001, c. 25 (the “**Municipal Act, 2001**”), s. 5 (1)).

A municipal power must be exercised by by-law unless the municipality is specifically authorized to do otherwise (*Municipal Act, 2001*, s. 5 (3)).

A single tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public (*Municipal Act, 2001*, s. 10 (1)).

On April 7, 2020, council for the *City* passed *City of Kingston By-Law Number 2020–69, “A By-Law to Establish a Process for Administrative Penalties”*.

Council for the *City* (“**council**”) considers it necessary and desirable for the public to amend *City of Kingston By-Law Number 2020–69*.

**Therefore, council enacts:**

**1. Amendment**

1.1 Schedule “B” of *City of Kingston By-Law Number 2020-69* is amended by adding the following to the table associated with By-Law Number 2007-136, A By-Law to Provide for Maintaining Land in a Clean and Clear Condition:

<b>By-Law Number 2007-136, A By-Law to Provide for Maintaining Land in a Clean and Clear Condition</b>		
<b>By-Law</b>	<b>Short wording</b>	<b>Penalty amount</b>

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<b>section</b>		
4.14	Use land for storing or parking recreation vehicle	\$200
4.15	Owner/lessee/occupant – Fail to keep land free and clear of inoperative motor vehicles	\$200 per inoperative motor vehicle

**2. Coming into Force**

2.1 This by-law will come into force and take effect on the day it is passed.

1<sup>st</sup> Reading            date

2<sup>nd</sup> Reading            date

3<sup>rd</sup> Reading            date

Passed                 date

Janet Jaynes  
City Clerk

Bryan Paterson  
Mayor