

# THE CORPORATION OF THE TOWN OF AJAX

## BY-LAW NUMBER 2-2008

A By-law to amend By-law Number 53-2006, the Sediment and Erosion Control By-law

WHEREAS The Corporation of the Town of Ajax may pass By-laws pursuant to the *Municipal Act, 2001*, as amended;

AND WHEREAS By-law 53-2006, known as the Sediment and Erosion Control By-law, was passed by Council on May 8, 2006;

AND WHEREAS it is deemed expedient to amend By-law 53-2006 at this time;

NOW THEREFORE the Council of the Corporation of the Town of Ajax enacts as follows:

1. That, effective immediately, Schedule "A" to By-law Number 53-2006 shall be deleted and the following substituted therefor:

### BY-LAW NUMBER 53-2006

#### SCHEDULE "A"

##### Permit Fees

1. A Permit shall be valid for 365 days. The Fee for processing, administration and inspection for a Permit is \$500.00 plus \$100.00 per hectare.

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##### Security for Site Control Measures

2. An irrevocable Letter of Credit or cash to cover 100% of the estimated cost of site control measures, including the cost of the implementation of a mud tracking prevention program, is required. The Letter of Credit is to be in a form acceptable to the Director of Finance.
3. The Letter of Credit must remain in effect for the full duration of the Permit, with an automatic renewal clause in the document. Any Letter of Credit and its subsequent renewal forms shall contain a clause stating that 30 days written notice must be given to the Town prior to its expiry or cancellation. All calculations to be supplied by the owner or their representative and verified by Town Staff.
4. In the event that the Town receives notice that a Letter of Credit is expiring and will not be renewed, or, if further or additional securities are not provided within the said 30 days, the Town may draw on the current Letter of Credit at the discretion of the Director. The Permit holder agrees that any interest accruing on the realized security shall belong to the Town and not to the Permit holder.
5. It is the responsibility of the Permit holder:
  - (a) to provide proof satisfactory to the Town that the site has been adequately reinstated and stabilized in accordance with this By-law and the Sediment and Erosion Control Plan accompanying the Permit ; and
  - (b) to request that the Town carry out a final inspection within 48 hours to confirm that all relevant terms of this By-law have been complied with.
6. The security may be reduced from time to time at the discretion of the Director.
7. When the provisions of subsections (a) and (b) of section 5 have been fully complied with to the satisfaction of the Director, the Director shall return the security.
8. When a site plan agreement, subdivision agreement or development agreement has been executed with the Town, the security held for the Permit may form part of the securities required under such agreements where the owner/applicant and the Town agrees.

9. If a new owner satisfies all the conditions outlined in the By Law, the security will be returned to the original owner.

Erosion and Sediment Control Permit Extension Fees

10. The fee for processing, administration and inspection for a Permit extension is \$500.00.

READ a first and second time this  
Fourteenth day of January, 2008.

READ a third time and passed this  
Fourteenth day of January, 2008.

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Mayor

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Clerk