

**The Corporation of the Town of Essex**

**By-Law Number 2033**

**Being a by-law to amend By-Law Number 1799,  
the Grade and Fill By-Law of the Town of Essex**

**WHEREAS** on August 6, 2019, the Council of the Corporation of the Town of Essex passed By-Law Number 1799, being a by-law to provide for the regulation of the placing and/or dumping of fill and the alteration of grade and/or removal of topsoil from land in the Municipality of the Town of Essex;

**AND WHEREAS** on July 19, 2021, the Council of the Corporation of the Town of Essex received Building and By-Law Enforcement Report-2021-02 and directed Administration to amend the Grade and Fill By-Law Number 1799 as per the recommendations contained in said report;

**NOW THEREFORE** be it resolved that the Council of the Corporation of the Town of Essex hereby enacts as follows:

1. **That** the following definition be added to Section 1-Definitions of By-Law 1799:

“Contaminant” means any solid, liquid, gas, odour, heat, sound, vibration, radiation or combination of any of them resulting directly or indirectly from human activities that causes or may cause an adverse effect, or as amended by the *Environmental Protection Act* of Ontario.

2. **That** Section 4.3 (l) of By-Law 1799 be deleted and replaced with the following:

That the owner or the proposed permit holder submit to the Chief Building Official written certification by a geotechnical engineer or other similarly qualified people, both prior to the issuance of a permit and upon completion of the work, a description of the proposed fill, including a list of the sources of fill and geotechnical analysis to the content and quality of the fill.

3. **That** this By-Law shall come into full force and effect upon the final passing thereof.

**Read a first, a second and a third time and finally passed on August 23, 2021**

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Mayor

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Clerk