

Abandoned Refrigerator, Freezer & Container By-law

PW-2 – Consolidated March 20, 1995

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**OFFICE CONSOLIDATION
INCLUDING AMENDMENT PW-2-95001 (Mar. 20/95)**

PUBLIC WELFARE

By-law PW-2

**A by-law to provide for the
REGULATION AND CONTROL OF THE STORAGE AND
ABANDONMENT OF UNATTENDED AND UNSAFE BOXES AND CONTAINERS**

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WHEREAS the Council of The Corporation of the City of London deems it essential and expedient to regulate and control the storage and abandonment of certain unattended and unsafe boxes and containers by reason of the danger to the health, safety and welfare of the inhabitants of the said City of London and to prohibit and abate such public nuisances;

THEREFORE the Municipal Council of the Corporation of the City of London enacts as follows:

SHORT TITLE
ABANDONED REFRIGERATOR, FREEZER AND CONTAINER BY-LAW

Part 1
REFRIGERATORS - FREEZERS - ICE BOXES

1.1 Not in use - removal - doors - locks

No person, persons or corporation shall leave, keep or permit upon any land or in or upon any premises occupied by said person, persons or corporation or under his, their or its control, in a place accessible to children, any ice-box, refrigerator, freezer or other container not then being used for the purpose for which it was manufactured or produced, without first removing all locks and doors therefrom, and taking such other adequate precautionary measures as may be required to prevent any person from being trapped in such ice-box, refrigerator, freezer or other container or any part thereof.

1.2 Disposal - abandonment - doors - locks - removed

No person, persons or corporation shall dispose of or abandon upon any land or premises of another in any place accessible to children any ice-box, refrigerator, freezer or similar container unless all the locks and doors thereon have been first removed.

Part 2
EXCEPTIONS

2.1 Delivery - by manufacturer - dealer

Section 1.1 of this by-law shall not apply where an ice-box, refrigerator, freezer or other container is being delivered by a manufacturer or dealer in such goods.

2.2 Storage - display - for sale - within building

Section 1.1 of this by-law shall not apply where an ice-box, refrigerator, freezer or other container is being stored, or displayed for sale by a manufacturer or dealer in such goods within a building partly or wholly occupied by or under the control of the said manufacturer or dealer.

2.3 Exhibition - supervised - doors - not openable

Section 1.1 of this by-law shall not apply where an ice-box, refrigerator, freezer or other container is being exhibited at an agricultural, horticultural, industrial or sporting exhibition or fair, when a supervisor, in the person of the exhibitor or a person acting as his or its duly authorized agent, are in attendance at the location of the said exhibit or in the alternative, all doors on all ice-boxes, refrigerators, freezers or other containers so exhibited are rendered incapable of being opened from the outside.

2.4 Precautions - adequate - prevention of entrapment

In all the exceptions under this Part, and in addition to any specific requirement set out in this by-law, adequate precautions shall be taken to prevent any person being trapped in such ice-box, refrigerator, freezer or other container.

Part 3
ENFORCEMENT

3.1 Fine - for contravention

Any person who contravenes any provision of this by-law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the Provincial Offences Act.

3.2 Continuation - repetition - prohibited - by order

The court in which the conviction has been entered and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

3.3 Default - not remedied - done at owner's expense

Where anything required to be done in accordance with this by-law is not done, the Chief Building Official for The Corporation of the City of London appointed pursuant to the *Building Code Act* may, upon such notice as he deems suitable, do such thing at the expense of the person required to do it and such expense may be recovered by action or in like manner as municipal taxes.

Part 4
REPEAL - ENACTMENT

4.1 By-law - previous

By-law P.W.-91-584 is hereby repealed.

4.2 Effective date

This by-law comes into force on November 15, 1993.

Passed in Open Council on November 15, 1993.

T.C. Gosnell
Mayor

K.W. Sadler
City Clerk

First Reading - November 15, 1993
Second Reading - November 15, 1993
Third Reading - November 15, 1993