

The Corporation of the City of Temiskaming Shores

Office Consolidated
***Collection and Disposal of Garbage,
Recyclables and other refuse***

By-law No. 2015-128

**Being a by-law to amend By-law No. 2015-128 being a by-law
to establish a system for the Collection and Disposal of
Garbage, Recyclables and other refuse**

By-laws amending original Municipal By-law No. 2015-128:

| | |
|---------------------|--------------------|
| By-law No. 2018-109 | July 10, 2018 |
| By-law No. 2019-179 | December 3, 2019 |
| By-law No. 2023-101 | September 19, 2023 |
| By-law No. 2024-025 | March 19, 2024 |
| By-law No. 2024-080 | July 9, 2024 |

Note:

This office consolidation has been prepared to assist the reader in understanding the amendments made to By-law No. 2015-128.

The Corporation of the City of Temiskaming Shores

By-law No. 2015-128

Being a by-law to establish a system for the Collection and Disposal of Garbage, Recyclables and other refuse

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

And whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

And whereas under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

And whereas The Corporation of the City of Temiskaming Shores (the "City") is the owner and operator of two (2) municipal landfill sites ("Haileybury Landfill" and "New Liskeard Landfill") located within the boundaries of the City;

And whereas Council for the Corporation of The City of Temiskaming Shores deems it desirable to regulate the disposal of garbage by way of landfill bans, recycling and home composting systems;

And whereas Council considered Memo No. 022-2015-CGP at the June 2, 2015 Regular meeting of Council and directed staff to prepare the necessary by-law for Solid Waste Management for consideration of first and second reading at the June 2, 2015 Regular meeting of Council;

And whereas Council directed staff to submit the by-law to the Ministry of Attorney General and Regional Senior Justice for approval of the short form wording and set fines prior to third reading;

Now therefore the Council of the Corporation of The City of Temiskaming Shores hereby enacts as follows:

1. That municipal Council adopts a "Solid Waste Management" Regulation, a copy of which is attached hereto as Schedule "A" and forming part of this by-law; and
2. That this By-law shall become effective on the date of passing thereof;
3. That By-law No. 2015-021, as amended is hereby repealed;
4. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the By-law and schedule as may be deemed necessary after the passage of this By-law.

Read a first and second time this 2nd day of June, 2015.

Mayor – Carman Kidd

Clerk – David B. Treen

Read a third time and finally passed this 16th day of June, 2015.

Mayor – Carman Kidd

Clerk – David B. Treen



Schedule "A" to

By-law No. 2015-128

Solid Waste Management

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Section 1 - Title, Application and Scope

1.1 Short Title

This By-law shall be cited as the "Solid Waste Management" By-law.

1.2 Application

The Provisions of this By-law shall apply to all properties within the geographic limits of the City of Temiskaming Shores.

1.3 Conflicts

Where a provision of this By-law conflicts with a provision of another By-law in force in the City of Temiskaming Shores; the provisions that establish the higher standard shall prevail in order to protect the health, safety and welfare of the general public.

When any provision of this By-law is declared invalid for any reason by a court of competent jurisdiction, the remainder of this By-law shall continue to be in force. An invalid provision will not void the entire By-law.

1.4 Enforcement

This By-law shall be enforced by the Director of Public Works, a *By-law Enforcement Officer*, a *Fire Prevention Officer*, a *Chief Fire Official*, or a *Police Officer*.

Section 2 - Definitions

For the purpose of this By-law, the words and terms in italics in the by-law shall have the following definitions and interpretations given in this section shall govern. The use of the defined terms in either its singular or plural form shall have the same meaning. Words and phrases used in this By-law which are not included in Section 2.0 shall have the meanings which are commonly assigned to them in the context in which they are used.

- 2.1 **Aerosol container** means any empty *aerosol container*, which falls within the meaning of the definition of "empty container" in the regulations made under the *Environmental Protection Act*;
- 2.2 **Alternating Weekly Collection** means where the *recycling container* is collected one week, the *garbage container* is collected on the next or alternating week;
- 2.3 **Appendix** means all regulations attached to and forming part of this By-law including any amendments thereto;
- 2.4 **Approved Container** includes:
 - i. **Garbage Container** means the container provided by the *City* for the storage of *garbage*; designed for *automated collection* services.

- ii. **Organics Container** means the container designated to store and collect *organic materials*, which meets the requirements established for collection of *organic materials*;
- 2.5 **Recycling Container** means the container provided by the *City* for the storage of *recyclable materials*; designed for *automated collection* services;
- 2.6 **Automated Collection** means the collection of waste by means of the mechanical lifting and tipping of *approved containers* into specially designed collection vehicles;
- 2.7 **Bi-Weekly Collection** means materials are collected one day every two weeks;
- 2.8 **Books** means all soft and hard covered *books*;
- 2.9 **Boxboard** means non-corrugated cardboard packaging such as cereal and shoeboxes, and any similar rigid paper packaging with the metal or plastic portion or both removed;
- 2.10 **Bulky Items** means large items including, but not limited to, *white goods*, bicycles, floor lamps, mattresses, furniture, microwaves, sinks, toilet bowls, barrels, pool pumps, pool covers and any other similar discarded material;
- 2.11 **By-law Enforcement Officer** means the *person* or *persons* duly appointed by *Council* as Municipal Law Enforcement Officers for the purpose of enforcing regulatory by-laws of the *City*;
- 2.12 **Chief Fire Official** means the assistant to the Fire Marshal who is the Municipal Fire Chief or a member or members of the fire department appointed by the Municipal Fire Chief under Article 1.1.1.2 of Division C or a *person* appointed by the Fire Marshall under Article 1.1.1.1 of Division C;
- 2.13 **Christmas Trees** means trees including but not limited to the pine, spruce, balsam or fir species, which are typically decorated for display during the Christmas season;
- 2.14 **City** means the Corporation of the City of Temiskaming Shores;
- 2.15 **City Manager** means the *City Manager* for the *City* and where applicable includes a *person* designated by the *City Manager* to perform that task or exercise that power in his or her place and stead;
- 2.16 **Collection Location** means the location designated by the *Director of Public Works* for placement of *approved containers* for collection and removal as part of the *City's waste collection system*;
- 2.17 **Collection System** means the *City's collection system* for permitted waste, where collection services are provided;
- 2.18 **Common Pad Location** means the system of collection of permitted waste placed in *approved containers* at a shared common area location;

- 2.19 **Contamination** means the co-mingling of material in *approved containers* and/or dumpsters for *containerized collection*, referred to in the list below:
- i. *Recyclable materials*
 - ii. *Garbage*
- Generally refers to any item which is not acceptable in either of the *garbage* containers or dumpster and/or *recycling containers* or dumpsters. In the case of *recyclable materials*, *contamination* also refers to *recyclable materials* which may be soiled or dirty, which renders such items non-recyclable.
- 2.20 **Containerized Collection** means the system of collection of permitted waste placed in dumpsters;
- 2.21 **Contractor** means any *person*, partnership or corporation and the employees of any such *person*, partnership or corporation with whom the *City* has entered into a contract or agreement;
- 2.22 **Corrugated Cardboard** means any paper board product which is composed of a rippled, flute or wave-shaped paper insert with paper liners bonded to the outside of the product and which does not have contaminants;
- 2.23 **Council** means the municipal *Council* of the City of Temiskaming Shores;
- 2.24 **Curbside Collection** means the system of collection of permitted waste placed in *approved containers* at a *collection location*, which is at or near the curb;
- 2.25 **Director of Public Works** means the *Director of Public Works* for the *City* and where applicable includes a *person* designated by the *Director of Public Works* to perform that task or exercise that power in his or her place and stead;
- 2.26 **Environmental Protection Act** means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
- 2.27 **E-Waste** means electronic items as defined by Phase 1 of the Waste Electrical Electronics Equipment (WEEE) Program and includes: laptop computers, desktop computers, peripherals such as keyboards and mice, monitors, desktop printers, disk drives, printers, fax machines and televisions;
- 2.28 **Farm Waste** means any waste which is the normal by-product of farming operations within the *City* and excludes construction and demolition materials from any building or structure, compostable materials other than what may result from clearing land for farm operation purposes, *recyclable material* that can be placed for *curbside collection*, and other material deemed unacceptable for disposal at a *landfill site* by the Ministry of Environment or under this By-law;
- 2.29 **Fine Paper** means computer paper and all white and coloured ledger, including writing pad paper, letterhead, reports, business forms, copy paper and scratch pads, flyers and envelopes;
- 2.30 **Fire Prevention Officer** means the *person* or *persons* appointed by *Council* as *Fire Prevention Officer*;

- 2.31 **Gable Top Cartons** means milk and juice cartons constructed of coated paper and opened by unfolding the top or screw cap;
- 2.32 **Garbage** means all materials permitted to be discarded, save and except those materials defined by this By-law as *bulky items, recyclable material, yard waste, sharp items, sharps; white goods, Christmas trees, organic material, prohibited wastes, and other non-collectable waste*;
- 2.33 **Glass Bottles and Jars** means all glass food and beverage bottles and jars;
- 2.34 **ICI Establishments** (Industrial, Commercial and Institutional) means a:
- i. **multi-unit residential building**; i.e. a building containing more than eight (8) *dwelling units*;
 - ii. any establishment within the *City* that is not defined as a *Residential Building*; and
 - iii. any other establishment as designated by the *Director of Public Works*;
- 2.35 **Landfill Site** means an area of land designated by the *City* and approved by the Ministry of the Environment and Climate Change to be used for the disposal of *solid waste, except* for items listed in *Appendix 01* and in *Appendix 04* of this By-law;
- 2.36 **Magazines/Catalogues** means all *magazines* and catalogues bound with glue or stapled along the spine;
- 2.37 **Metal Food and Beverage Containers** means all steel and aluminum food and beverage cans and containers;
- 2.38 **Municipality** means the municipal land within the geographic limit of the City of Temiskaming Shores;
- 2.39 **Newspapers** means all *newspapers* including the inserts that are delivered therein;
- 2.40 **Non-Collectible Waste** means any item designated by *Council* or the *Director of Public Works* which is not permitted to be collected within the *City's* waste collection system;
- 2.41 **Occupant** means any *person* over the age of eighteen (18) years in possession of property, or any *person* who occupies the premise under a lease or license, or with the permission of the *owner*;
- 2.42 **Organic Material** means those items described in *Appendix 02* or as designated by the *Director of Public Works* to be collected separately for the purpose of *organic materials* collection;
- 2.43 **Owner** includes but is not limited to:

- i. A *person*, corporation, partnership or any other legal entity that is the registered *owner* of a property, land or premise;
 - ii. Both the *owner* in trust and the beneficial *owner* of property which is subject to this By-law;
 - iii. The *person* for the time being managing or receiving the rent of the property, which is subject to this By-law, in connection with which the word is used, whether on the *person's* own account or as agent or trustee of any other *person* or who receive the rent if the property was let; and
 - iv. A lessee or *occupant* of the *private property*, which is subject to this By-law;
- 2.44 **Paper Cores** means the cardboard paper roll used for toilet paper or paper towels;
- 2.45 **Person** means an individual, firm, partnership, association, corporation, company, or organization of any kind, and may include the heirs, executors or legal representatives of a *person*;
- 2.46 **Plastic Film** refers to all plastic grocery, retail store, milk bags and pouches, frozen food, bulk food, breads, meat and cheese bags and wrap, over wrap from boxed products, stretch wrap, cereal wrap, snack food bags and the like;
- 2.47 **Police Officer** means a member of the Ontario Provincial Police;
- 2.48 **Private Collection** means a *person* or corporation in the business of transporting waste to the *landfill site* or *spoke transfer station* by any means, including but not limited to personal vehicles and commercial vehicles, except while operating such vehicles under contract to the *City*;
- 2.49 **Private Property** means property, which is privately-owned and is not the *City's* property, or property of a local board, or property of the Crown in Right of Ontario, the Crown in Right of Canada or any emanations thereof;
- 2.50 **Prohibited Wastes** means those items described in *Appendix 04*, or designated by the *Director of Public Works*;
- 2.51 **Public Property** means property, which is the *City's* property, or property of a local board, or property of the Crown in Right of Ontario, the Crown in Right of Canada or any emanations thereof;
- 2.52 **Recyclable Materials** means those items described in *Appendix 01* or as designated by the *Director of Public Works*;
- 2.53 **Residential Building includes:**
- i. **Low-Density Residential Building** means a property on which is situated a duplex, apartment building, townhouse complex, co-operative housing complex or other similar residential complex containing less than nine (9) *dwelling units*;

- ii. **Dwelling Unit** means one or more rooms connected together as a self-contained, separate household in the same building comprising of part of the building and constituting an independent housekeeping unit for residential occupancy by *persons* and may contain facilities for *persons* to sleep, cook and eat and including its own sanitary facilities;
 - iii. **Single Dwelling** means a residence designed for one household only;
- 2.54 **Scavenge/Scavenging** means the unauthorized removal of *solid waste*;
- 2.55 **Semi-automated collection** means manually assisted *automated collection* of waste from *collection locations* in *approved containers*;
- 2.56 **Sharp Items** includes windows, drinking glasses, dishes, ceramics, mirrors, light bulbs, sheet metal and other objects capable of cutting or puncturing but does not include *sharps*;
- 2.57 **Sharps** includes used and unused hypodermic needles, insulin pen tips, lancets and glass pipe stems;
- 2.58 **Solid Waste** means discarded materials which:
- i. Includes, but is not limited to *garbage, bulky items, yard waste, farm waste, Christmas Trees; non-collectable waste; white goods; E-Waste; sharp items* and
 - ii. Are in a solid physical state, as determined by the "slump test" prescribed by the regulations passed under the provisions of the *Environmental Protection Act*; and
 - iii. materials set forth in *Appendix 01* and *Appendix 04* to this By-law and such other materials as may from time-to-time be designated by the *Director of Public Works* as *solid waste*;
- 2.59 **Spoke Transfer Station** means any area of land or buildings in the *City* designated as a *spoke transfer station* by the *City* for the temporary storage of *recyclable materials* intended to be transferred to a recycling processing facility;
- 2.60 **Street** means a common and public highway, *street*, roadway, crescent, avenue, parkway, driveway, square, place, bridge, viaduct, trestle or other such place designated and intended for, or used by the general public for the passage or parking of vehicles and includes the area of land between the lateral property lines thereof;
- 2.61 **Transient Waste** shall mean any *solid waste* including *recyclable materials* carried into the *municipality* from outside its boundaries by any *person*;
- 2.62 **White Goods** includes, but may not be limited to refrigerators, ovens/stoves, washers, dryers, dishwashers, freezers, air conditioning units, microwave ovens, hot water tanks, or other items containing ozone depleting substances; and
- 2.63 **Yard Waste** means those items described in *Appendix 02* or as designated by the *Director of Public Works*.

Section 3 – Administration

3.1 Solid Waste Management

The *City* shall operate a *solid waste* management system for the collection, removal and disposal of *solid waste* in accordance with the provisions of this By-law.

3.2 Performance of Work described in By-law

The *City* may contract with any *person* or company for the performance of the whole of or any part of the work described in this By-law.

3.3 Waste Diversion Levy

Each *single dwelling, dwelling unit and ICI establishment* entitled to the *City's collection system* will be subject to a waste diversion levy.

3.4 Waste Diversion Plan

An *owner* or his/her agent shall submit a Waste Diversion Plan to maximize the amount of construction, renovation, or demolition (CRD) waste to be diverted from disposal through salvage, reuse and recycling, prior to the issuance of a building or demolition permit.

3.5 Duties - *Director of Public Works*

3.5.1 Collection Program

- i. The *Director of Public Works* shall supervise and administer a *solid waste* management system and shall be responsible for its operation in accordance to this By-law.
- ii. The *Director of Public Works* shall establish waste reduction, recycling and recovery programs as deemed appropriate.
- iii. The *Director of Public Works* shall administer the By-law with the power to determine:
 - a) the level and type of collection service provided to *residential buildings and ICI establishments*;
 - b) the location where *garbage, bulky items, recyclable materials, yard waste and organic materials* are placed out for collection at *residential buildings and ICI establishments*;
 - c) the location where *approved containers* are stored at the property for *residential buildings and ICI establishments*;
 - d) the scheduling of collection services, including collection day or the changes to collection schedules or services;

- e) whether a building, *collection location*, or property is safe for entry by any employees of the *City* or its *contractor* having regard to the physical condition and layout, loading facilities, method of handling collectible waste at the building, *collection location* or property;
 - f) new types of *non-collectable waste* and new types of *recyclable materials* and *organic materials*;
 - g) the level and type of service to any land or building owned or leased by the Crown in right of Canada, the Crown in right of Ontario, a school board, a university, a community college, a hospital, or to any property for which no taxes are paid and for which no grants in lieu are received;
 - h) the refusal to collect permitted *solid waste* at a property otherwise entitled to collection services, and can designate this authority to the *Contractor*, and
 - i) any other matter necessary for the administration of this By-law.
- iv. Should emergency conditions arise that, in the opinion of the *Director of Public Works*, imperil the municipal *landfill site*, the *spoke transfer station* or other *solid waste* handling facility(s) and the *collection system*, the *Director of Public Works* shall:
- a) take all remedial measures as may be deemed necessary, which may include limiting or stopping the collection of *solid waste* in any area for any purpose;
 - b) expend money and employ workers as needed to restore the *City's solid waste collection system*; and
 - c) report to *Council* as soon as practical after such measures have been taken.

3.5.2 Acceptance of Solid Waste at Landfill Site and Spoke Transfer Station

- a) The *Director of Public Works* is authorized, subject to any limitations contained in this By-law or applicable legislation, to do each of the following with respect to accepting *solid waste*:
 - i. negotiate the terms and conditions of an agreement accepting waste, other than *recyclable materials*, into a *landfill site* where not otherwise authorized under this By-law, and recommend such agreement to *Council*; and
 - ii. negotiate the terms and conditions of an agreement accepting *recyclable materials* at a *spoke transfer station* where not otherwise authorized under this By-law, and to sign such an agreement.

3.5.3 Guidelines

The *Director of Public Works* is authorized, subject to any limitations contained in this By-law or applicable legislation, to establish from time-to-time, guidelines:

- i. for the disposition of various forms of waste in accordance with federal or provincial statutes and regulations and municipal by-laws;
- ii. as to what constitutes *non-collectible waste* and other forms of waste for which no waste collection services are available; and
- iii. for the packing of various forms of waste.

3.5.4 Residential Densities

The *Director of Public Works* is authorized, subject to any limitations contained in this By-law, to determine whether a property is a *multi-unit residential* building, or a *low-density residential* building, by reference to the number of *dwelling units* recorded for that property in the data base maintained, and operated by the Municipal Property Assessment Corporation (MPAC) and used by the *City*.

3.5.5 General Provision

The *Director of Public Works* is authorized, subject to any limitations contained in this By-law or applicable legislation, to deal with any other matter necessary for the administration of this By-law.

3.6 Duties – Corporate Services Department

The Corporate Services Department shall collect fees associated with the *solid waste* management system.

3.7 Duties – Owner

3.7.1 Approved Containers

- i. The *approved container(s)* is/are assigned to the designated property, and not to the *owner*;
- ii. Each *owner* shall only utilize the *approved container(s)* provided by the *City* designed for *automated collection* and *semi-automated collection*;
- iii. Each *owner* shall maintain the *approved container(s)* at the *owner's* expense;
- iv. Each *owner* shall contact the *City* if an *approved container* is damaged by the *Contractor* or by the *City*, for the repair of the container at no cost to the *owner*;
- v. No *owner* shall alter or modify the *approved containers* without the written consent of the *Director of Public Works*;
- vi. No *owner* shall damage the *approved containers* through neglect, wilful

damage or non-compliance with any part of this By-law. The *owner* shall be responsible for the full cost of replacement of the *approved container* or parts for the container(s), along with any applicable fees;

- vii. Each *owner* shall contact the local police detachment to file a police report if an *approved container(s)* is stolen. The *owner* shall provide the *City* with a copy of the police report, or a signed affidavit confirming that a police report has been filed, prior to the *City* issuing a new container at no cost to the *owner*;
- viii. No *owner* shall set out a container for collection that:
 - a) Is not an *approved container*;
 - b) Contains *contamination*;
 - c) Is damaged to the extent that it is unsafe to manoeuvre;
 - d) Has graffiti;
 - e) Is not properly placed at the *collection location*, as defined in subsection 3.7.3. of this By-law;
 - f) Exceeds the allowable weight limits for the *approved container*.
 - (1) *Garbage Container* – 100 pounds (45.4 kg);
 - (2) *Recycling Container* – 120 pounds (54.4 kg);
 - g) Has not been cleared of snow and/or ice;
 - h) Is secured with bungee cords, ties, or other lid securing device(s); and/or
 - i) Is unclean or unsanitary.

3.7.2 Storage Area

- i. No *owner* shall store, place or leave any *solid waste* for collection in a location which is a nuisance to any *person*, whether or not in an *approved container*.
- ii. No *owner* shall store an *approved container* at the *collection location* unless authorized by the *Director of Public Works*.
- iii. No *owner* shall keep the storage area for *approved containers* in an unclean or unsanitary condition.

3.7.3 Placement of *Approved Containers* for Curbside Collection

- i. Each *owner* shall place *approved containers* as close as possible to the edge of the *street* off of the travelled portion of the road.
- ii. Each *owner* shall place the *approved containers* in an accessible location to ensure that the operator of the collection vehicle does not exit the vehicle to facilitate *automated collection*.
- iii. Each *owner* shall place an approved container no closer than three (3) feet from any obstruction.
- iv. Each *owner* shall keep the *collection location* clear of snow and litter.
- v. Each *owner* shall place the *approved container* with the arrows on the lid pointing *towards the street*.
- vi. No *owner* shall place *approved containers* to obstruct pedestrian and vehicular traffic, or maintenance operations.
- vii. No *owner* shall place *approved containers* in a location which the *Director of Public Works* deems unreasonable, inefficient or dangerous.

3.7.4 *Semi-Automated Collection – Common Pad Location*

- i. No *owner* shall keep the storage area for *approved containers* in an unclean or unsanitary condition.
- ii. Each *owner* shall keep the *common pad location* clear of snow and litter.

3.7.5 Waste Disposal Packing Standards

- i. Each *owner* shall pack any wet waste such as food waste, food contaminated paper, kitty litter and any other compostable material in a leak-proof bag prior to placement in the *approved container*.
- ii. No *owner* shall bag *recyclable materials* within an *approved container*, except for shredded paper which shall be packaged in a clear plastic bag.
- iii. No *owner* shall fail to clean up any mess or debris created if waste spills from, or for any reason is no longer contained in the *approved container*.
- iv. No *owner* shall place *garbage* and/or *recyclable material* in such a manner that the lid of the *approved container* cannot completely close.
- v. No *owner* shall pack *garbage* and/or *recyclable material* too tightly that it cannot be emptied from the *approved container*.

3.7.6 Timing

- i. No *owner of a residential building* shall place *approved containers* for *curbside collection* at ground level earlier than 8:00 p.m. on the evening before collection, but no later than 6:30 a.m. on the designated day for collection.

- ii. No owner of a *residential building* shall fail to remove the empty *approved container* from the *collection location* before 10:00 p.m. on the day of collection.
- iii. No owner of a *residential building* shall fail to remove uncollected waste from the *collection location* before 10:00 p.m. on the day of collection.
- iv. No owner of an *ICI establishment* shall place *approved containers* for *curbside collection* at ground level earlier than 5:00 p.m. the evening before collection, but no later than 6:30 a.m. on the designated day for collection.
- v. No owner of an *ICI establishment* shall fail remove the empty *approved container* from the *collection location* before 5:00 p.m. on the day of collection.
- vi. No owner of an *ICI establishment* shall fail to remove uncollected waste from the *collection location* before to 5:00 p.m. on the day of collection.

3.8 Duties – Construction Companies

In the event that any construction will disrupt *automated collection* services, each construction company shall be responsible to find an alternative solution or *collection location* for the *approved containers*, to the satisfaction of the *Director of Public Works*.

Section 4 – Collection Services

The *City* will not provide waste collection services to any *residential building* or *ICI establishment* in the *City* for any form of waste, except as provided for in this Section, or by approval from the *Director of Public Works*.

4.1 Single Dwelling

The *City* will provide *garbage* and recycling collection services to each *single dwelling* by supplying one (1) *garbage container* and one (1) *recycling container* each designed for *automated collection*.

4.2 Low-Density Residential Building

The *City* will provide *garbage* and recycling collection services to *low-density residential buildings*. The service will be provided in the form of:

- i. *Containerized Collection* - one (1), two (2) yard dumpster for *garbage* and one (1), two (2) yard dumpster for *recyclable materials*; or
- ii. *Automated Collection* – *garbage containers* for collection of *garbage* and *recycling containers* for the collection of *recyclable materials*.

The quantities of *approved containers* shall be based on the maximum number of *dwelling units* within a *residential building*. An owner of a *low-density residential building* may choose the quantity of the *garbage* and *recycling containers*, but if no choice is

made, the *Director of Public Works* will select the default quantity of containers, i.e. one (1) *garbage container* and one (1) *recycling container* per *dwelling unit*.

Low-density residential buildings containing four (4) *dwelling units* and under, shall not be eligible for *containerized collection* services for *garbage* or *recyclable materials*.

4.3 *Multi-Unit Residential Building*

Waste services for *multi-unit residential buildings*, will be the responsibility of the *owner*, except by approval from the *Director of Public Works*.

4.4 *ICI Establishments*

The *City* may provide each *ICI establishment* with one (1) *garbage container* and up to three (3) *recycling containers*, each designed for *automated collection*.

4.5 Frequency of Collection Services/ Limitations

4.5.1 The *collection system* for *residential buildings* and *ICI establishment* occurs on an *alternating weekly collection* schedule one day per week, between *garbage* and *recyclable materials*.

4.5.2 Where access is restricted or limited for *automated collection* or for *semi-automated collection*, alternative collection methods may be approved by the *Director of Public Works*.

4.5.3 The *owner* of a *residential building* or an *ICI establishment* shall be responsible for the cost of any additional services and waste collections above the limits prescribed in this By-law.

4.5.4 For *low-density residential buildings* receiving *containerized collection*, the *bi-weekly collection* limits per *dwelling unit* shall be:

- i. *Garbage* – four (4) regular sized *garbage bags* (26" x 32.5"), or capacity not to exceed a 65 gallons; and
- ii. *Recyclable Materials* – the equivalent of six (6) regular sized *garbage bags* (26" x 32.5"), or capacity not to exceed a 95 gallons; and
- iii. *Non-collectable Waste* – not permitted.

4.5.5 For *ICI establishments*, the *bi-weekly collection* limits per shall be:

- i. *Garbage* – four (4) regular sized *garbage bags* (26" x 32.5"), or capacity not to exceed a 65 gallons; and
- ii. *Recyclable Materials* – the equivalent of eighteen (18) regular sized *garbage bags* (26" x 32.5"), or capacity not to exceed a 285 gallons;
- iii. *Non-collectable Waste* – not permitted.

4.6 Assisted Waste Collection Program

4.6.1 The *City* shall provide an assisted waste collection program to an *owner* of a *residential building* entitled to receive *semi-automated collection* from the *City*, provided that the *owner* meets eligibility requirements and completes the Assisted Waste Collection Service Application Form. Approval is at the discretion of the *Director of Public Works*, and is subject to an annual review.

4.6.2 As a condition of service under subsection 4.6.1 of this By-law, the *owner* shall ensure that the *approved containers* are at all times freely accessible and not enclosed within any building or restricted area, and shall comply with the Waste Disposal Packing Standards as described in subsection 3.7.5 of this By-law.

4.6.3 At no time shall the safety of *City* employees or its *contractors* be jeopardized.

4.6.4 The *City* and its *contractors* are not responsible for any property damage as a result of executing this service.

4.8 Statutory Holidays

No automated collection, semi-automated collection, or containerized collection shall be made on the following holidays which fall on normal collection days: New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Christmas Day, Boxing Day, or any other day designated as a holiday, unless an emergency or exceptional situation, as deemed by the *City*, arises and collection must occur on a holiday.

When a normal *curbside collection* day falls on a holiday, the collection shall be made one (1) day later, or as advertised by the *City* or its *contractor*.

4.9 Municipal Hazardous or Special Waste

The *City* does not collect on a regular basis Municipal Hazardous Waste or Special Waste (MHSW). The *City* does endeavour to provide at least annually, a MHSW collection event (Orange Drop) arranged and organized by the *Director of Public Works*.

4.10 Organic Materials

The *City* does not separately collect *organic materials* of any nature, using an *organics container*. *Organic materials* can be disposed of in the *garbage container* or at the *landfill site* in accordance to the applicable tipping fee, outlined in *Appendix 03* attached hereto.

4.11 Yard Waste

The *City* does not collect *yard waste* of any nature, unless authorized by the *Director of Public Works*. *Owners* are responsible for the proper disposal of *yard waste*. *Yard waste* can be disposed of at a *landfill site* in accordance to the applicable tipping fee, described in *Appendix 03* of this By-law.

4.12 Bulky Items

The *City* does not collect *bulky items* of any nature. *Owners* are responsible for the proper disposal of *bulky items*. *Bulky items* can be disposed of at a *landfill site* in accordance to the applicable tipping fee, outlined in *Appendix 03* attached hereto.

Section 5 - Private Waste Collection Operations

5.1 Private Collection Services

The *City* does not provide *collection services* to *residential buildings* or *ICI establishments*, beyond the limits established in Section 4 of this By-law.

5.2 Arrangements for Private Collection

The *owner* shall arrange for the *private collection* of waste if:

- i. the property is ineligible to receive collection services from the *City*;
- ii. collection services have been discontinued for any type of waste;
- iii. limitations established in Section 4 of this By-law are exceeded; or
- iv. waste is of a type for which collection services are not provided by the *City*.

5.3 Private Collection – Provisions

The *owner* who is required to arrange for *private collection* services shall ensure:

- i. that all waste is stored in properly constructed and maintained waste storage containers;
- ii. every storage container is emptied as necessary to prevent odours or other nuisances;
- iii. material does not overflow the storage container and lids or doors of storage containers are kept closed;
- iv. a container storage enclosure is provided which is adequate to contain all of the storage containers;
- v. that every storage container and any enclosure or other structure or building provided for the housing of storage containers are at all times maintained in a secure, clean, dry and sanitary condition, to prevent entry of or occupation by rodents, insects or other vermin;
- vi. that the waste is conveyed to the point of disposal at the expense of the *owner* of such waste;
- vii. that proof is provided if requested by the *Director of Public Works* that the waste has been transported to an appropriate *landfill site* in accordance with this By-law or legislative requirements; and
- viii. that *prohibited waste(s)* is/are kept separate from all other waste and stored in a container adequate for the safe storage and disposal of the *prohibited waste(s)*.

Section 6 - Landfill Site/Spoke Transfer Station

6.1 Landfill Site/ Spoke Transfer Station – General Restrictions

- 6.1.1 No *person* shall deposit waste at any *landfill site* outside the hours of operation as posted at the site.
- 6.1.2 No *person* shall deposit *recyclable materials* at the *spoke transfer station* outside of hours of operation, unless where approved waste disposal containers have been provided for that purpose.
- 6.1.3 No *person* shall, except as provided herein, deposit any *prohibited waste* at any *landfill site* or at the *spoke transfer station*.
- 6.1.4 No *person* shall deposit for landfilling purposes any *recyclable materials*, any *e-waste* or any other form of waste determined by the *Director of Public Works* collectable under another type of diversionary program.
- 6.1.5 No *person* shall deposit at a *landfill site* or at the *spoke transfer station* any waste determined by the *Director of Public Works* to require segregation or special handling contrary to the site attendant's direction;
- 6.1.6 No *person* shall deposit *septic tank effluent* at any *location* in a *landfill site*, or at the *spoke transfer station*.
- 6.1.7 No *person* shall set any fire at any *landfill site* or at the *spoke transfer station*.
- 6.1.8 No *person* shall deposit waste at the gate or entrance to a *landfill site* or to the *spoke transfer station*, or at any place other than the designated location.
- 6.1.9 No *person* shall neglect or refuse to provide proof of the origin of waste tendered for disposal at a *landfill site* or at the *spoke transfer station* when such is demanded.
- 6.1.10 No *person* shall deposit waste at any *landfill site* or at the *spoke transfer station* when the attendant at the site refuses deposit of the waste on the grounds that the origin of the waste has not been satisfactorily proven.
- 6.1.11 No *person* shall deposit waste at any *landfill site* or at the *spoke transfer station* when such deposit has been forbidden by the *Director of Public Works*.
- 6.1.12 No *person* shall operate a motor vehicle at a *landfill site* or at the *spoke transfer station* other than on a designated route, without due care or attention.
- 6.1.13 No *person* shall *scavenge* at any *landfill site*, or *spoke transfer station* without the prior written approval of the *Director of Public Works*.

- 6.1.14 No *person* shall transport waste to or at any *landfill site* or the *spoke transfer station* except in properly covered containers or in carts, wagons, or vehicles, totally enclosed or covered in canvas, tarpaulins or nets, so fastened down around the edges to prevent any of the contents from falling upon the ground during transport.
- 6.1.15 No *person* shall deposit waste at any *landfill site* or at the *spoke transfer station* while barred from doing so.
- 6.1.16 No *person* shall deliver any tires to any *landfill site* co-mingled with any other waste.
- 6.1.17 No *person* shall deposit tires with attached rims at any *landfill site* or *spoke transfer station*.
- 6.1.18 No *person* shall co-mingle *white goods* with other waste delivered to the *landfill site* or the *spoke transfer station*.
- 6.1.19 No *person* shall deposit an ozone depleting appliance at a *landfill site* or the *spoke transfer station* in any location other than the location designated by the *Director of Public Works* for that purpose.
- 6.1.20 No *person* shall deposit any containing ozone depleting appliances at a *landfill site* unless in an upright position.
- 6.1.21 No *person* shall attend at any *landfill site* or at the *spoke transfer station* except for the purposes of depositing waste, or for other lawful business, without the written approval of the *Director of Public Works*.
- 6.1.22 No *person* shall trespass on any *landfill site* or the *spoke transfer station*.
- 6.1.23 No *person* shall deliver or deposit at any *landfill site*, or *spoke transfer station* any *transient waste* unless they have entered into an agreement with the *City*.
- 6.2 Asbestos Waste Disposal
- 6.2.1 No *person* shall unload or dispose of asbestos waste.
- 6.2.2 Notwithstanding subsection 6.2.1., the unloading or disposal shall be in accordance with the following conditions:
- i. All asbestos waste must be contained in a rigid, impermeable, sealed container of sufficient strength to accommodate the weight and nature of the waste. If the container is a cardboard box, the waste must be placed in a polyethylene bag placed within the box. The container must be free from punctures, tears or leaks. The external surface of the container and the vehicle used for the transport of the asbestos waste must be free from asbestos waste;
 - ii. During unloading, the packaged asbestos waste materials shall be handled individually and care taken to place the package in the designated area to avoid

- spillage. This unloading shall be the responsibility of the contractor and shall not be done by a site attendant;
- iii. The unloading shall only be done in the presence of a site attendant to ensure that no loose asbestos waste or broken containers are unloaded and that no airborne particulate is generated;
 - iv. In the event that loose asbestos waste or broken containers are found, the contractor shall repackage the material with additional containers or bags;
 - v. The containers shall be placed directly in the designated area which has been prepared by the site attendant and immediately after unloading, the containers shall be covered by the site attendant;
 - vi. The contractor shall contact the *City* twenty-four (24) hours prior to delivery to allow for preparation of the location; and
 - vii. Asbestos waste is only accepted by appointment booked in advance. The *Director of Public Works* reserves the right to limit or refuse the acceptance of asbestos waste.

6.3 Refusal Rights

The *City* reserves the right to refuse the disposal of any material. Under special or emergency conditions, the *Director of Public Works* may accept waste which has been approved by the Ministry of the Environment and Climate Change.

6.4 Order to Leave Landfill Site/Spoke Transfer Station

The *Director of Public Works* or *contractor* may at any time order any *person* to leave the *landfill site* or *spoke transfer station* if such *person*:

- i. is *scavenging*;
- ii. is depositing waste contrary to this By-law;
- iii. is conducting any illegal activity; or
- iv. has no lawful reason to be at the *landfill site* or at the *spoke transfer station*.

6.5 Trespassing – Police Assistance

If any such *person* fails or refuses to leave in response to an order under Subsection 6.4, the *Director of Public Works* or *contractor* may call for police assistance and cause trespass charges to be laid.

6.6 Landfill Site/ Spoke Transfer Station Operation – Disposal Fees

- 6.6.1 The *City* may from time-to-time establish fees for the use of the *landfill site* or the *spoke transfer station* by amendment to *Appendix 03*, and may inform users of the facilities of any changes to the disposal fees by posting a notice at the *landfill site* and *spoke transfer station*.
- 6.6.2 Every *person* shall pay the applicable disposal fees and surcharges in full by cash or certified cheque to the site attendant before leaving the site and/or

station unless a charge account has been approved in accordance with *City* policy.

6.6.3 Any *person* applying the disposal fees or surcharges to a charge account in good standing will be required to provide the vehicle license plate to the attendant for proper processing of said account.

6.6.4 Every *person*, group or municipality located outside the boundaries of the *City* who disposes of *recyclable materials* at the *spoke transfer station* must have approval from the *Director of Public Works*, and have entered into a formal agreement with the *City*. Fee associated with the disposal agreement shall be in accordance with *Appendix 03* of this By-law.

6.7 Landfill Site/Spoke Transfer Station Operation – Hours of Operation

The *landfill site* and/or *spoke transfer station* shall be open to the public at times determined by the *Director of Public Works*.

Section 7 – Privately-Owned Waste Disposal Sites

7.1 Authorization to Operate Private-Owned Waste Disposal Site

No *person* shall operate a privately-owned waste disposal site or other operation for the disposal of waste, either for his or her own use or for the use of others, without having first received authorization from the Ministry of the Environment and Climate Change and shall comply with all applicable Official Plan and zoning by-laws prior.

7.2 Right to impose conditions for Operation of Privately-Owned Waste Disposal Site

The *City* may impose conditions on privately-owned waste disposal sites, and the applicant shall maintain his or her operation in conformity with the conditions.

7.3 Other Approvals required to Operate Privately-Owned Waste Disposal Site

All privately-owned waste disposal sites shall comply with all relevant *City*, Provincial and Federal approvals and standards.

Section 8 - General Provisions and Prohibitions

8.1 General Waste Provisions

8.1.1 No *person* shall, unless authorized by the *Director of Public Works*, *scavenge*, interfere with, or scatter any waste or cause or permit the *scavenging*, interference with, or scattering of any waste, placed at a *collection location* for collection, whether or not in an *approved container*.

8.1.2 Once waste enters the collection vehicle, it becomes the property of the *City*.

- 8.1.3 No *person* shall place any form of waste at the *collection location* for a property, unless waste collection services are provided for that type of waste at that property.
- 8.1.4 No *person* shall place any form of waste at the *collection location* for a property unless the waste was generated on that property, without the prior consent of the *owner* of that property.
- 8.1.5 No *person* shall, unless authorized by the *Director of Public Works* in writing, deposit or cause to be deposited or permit any contractor, agent or employee of such *person* to deposit *any waste* on or in any *street, public property, private property, vacant lot, yard or watercourse*.
- 8.1.6 No *person*, unless authorized by the *Director of Public Works*, in writing, shall place waste on *public property* for collection by a private waste collection operator.
- 8.1.7 No *person* shall permit any animal owned by him or her or under his or her control to pick-over, interfere with, remove or scatter any waste placed out for collection.
- 8.1.8 No *person* shall deposit waste generated on *private property* into or beside public waste receptacles located on a *street* or *public properties*;
- 8.1.9 No *person* shall deposit or cause to be deposited any waste other than in an *landfill site* and/or *spoke transfer station*;
- 8.1.10 Natural soil, earth, sand, clay, gravel, loam, stones or any similar excavated material may be used to fill low lots;
- 8.1.11 No *person* shall allow any liquid matter from any cesspool, septic field or vehicle, or allow any other objectionable liquid from any source whatsoever, to flow or drain upon *streets, roadsides, ditches, gutters, public property or private property*.
- 8.2 Pet Excrement
- 8.2.1 No *person shall* dispose of pet excrement from any pet with *garbage* unless the *owner* first wraps the pet excrement in absorbent paper, and places same in a sealed leak-proof bag.
- 8.2.2 No *person* shall mix in with *garbage*, pet excrement exceeding 10% volume of the contents of the bag.
- 8.2.3 No *person* shall deliver pet excrement to a *landfill site* unless the *owner* wraps the *pet excrement* in absorbent paper and places same in a sealed leak-proof bag, inside a further sealed leak-proof bag.
- 8.2.4 No *person* shall fail to notify the site attendant at the *landfill site* the contents of a bag include pet excrement.

8.3 Animal Carcasses

No *person* shall deposit or cause to be deposited the carcass of a dead animal at the *spoke transfer station*, or through *curbside collection*.

8.4 Inspection

8.4.1 A *By-Law Enforcement Officer*, a *City* employee or contractor responsible for the administration or collection of *solid waste*, may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- i. This By-law;
- ii. A notice, direction or order made under this By-law;
- iii. A condition of a notice or order issued under this By-law; or
- iv. An order made under s. 431 of the Municipal Act.

8.4.2 A *By-Law Enforcement Officer*, a *City* employee or contractor may for the purposes of the inspection under subsection 8.4.1 of this By-law:

- i. require the production for inspection of documents or things relevant to the inspection;
- ii. inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- iii. require information in writing or otherwise as required by the *By-law Enforcement Officer* from any *person* concerning a matter related to the inspection; or
- iv. alone or in conjunction with a *person* possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

8.4.3 A *By-law Enforcement Officer* may undertake an inspection pursuant to an order issued by a provincial judge or justice of the peace under section 438 of the Municipal Act, 2001 where he or she has been prevented or is likely to be prevented from carrying out an inspection under subsections 8.4.1 and 8.4.2. of this By-law.

8.5 Notice to Remove Waste

The *Director of Public Works* may give written notice to any *person* who deposits waste on *public property* advising that if such *person* fails to remove the waste within the time specified in the notice, the *City* may remove the waste at the expense of the *person* who deposited the waste.

8.6 Notice of Default

8.6.1 If the Director of Public Works is satisfied that a contravention of this By-law has occurred, he or she may give notice requiring the *person* who contravened this By-law or who caused or permitted the contravention, or the owner of the

property on which the contravention occurred to cease the specified contravention, and/or take action to correct the contravention.

8.6.2 A notice under subsection 8.6.1 of this By-law shall set out:

- i. Reasonable particulars of the contravention adequate to identify the contravention and the location of the property on which the contravention occurred;
- ii. The action to be completed, if applicable; and
- iii. The dates or dates by which there must be compliance with the notice.

8.7 Order to Suspend Waste Collection Services

Where a *person* or an *owner* of the property on which the contravention occurred, fails to remedy the contravention, the *Director of Public Works* may issue an order to suspend or discontinue waste collection services.

8.8 Service of Notices and Orders

8.8.1 A notice made under subsection 8.5 and/or 8.6.1 of this By-law, or an order made under subsection 8.7 of this By-law, may be served personally or by registered mail to the last known address of:

- i. the *owner* of the property where the contravention occurred; and
- ii. such other *persons* affected by it as the Director of Public Works making the notice determines.

Service by registered mail shall be deemed to have taken place five business days after the date of mailing.

8.8.2 In addition to service given in accordance with subsection 8.8.1, a notice made under 8.5 and/or 8.6.1 of this By-law, or an order made under section 8.7 of this By-law, may be served by a *By-law Enforcement Officer* placing a placard containing the notice in a conspicuous place on the property where the contravention occurred.

8.8.3 Where service cannot be given in accordance with subsection 8.8.1, sufficient service is deemed to have taken place when given in accordance with subsection 8.8.2.

8.9 Reinstatement of Waste Collection Services

Any *person* or *owner* may apply to the *Director of Public Works* in writing for the reinstatement of waste collection services, and upon satisfying the *Director of Public Works* that he or she are in compliance with this By-law, and that further contravention of this By-law is unlikely to occur, the *Director of Public Works* may reinstate full or partial waste collection services, subject to such conditions or terms as he or she considers appropriate.

8.10 Liability for Damage to Landfill Site and/or Spoke Transfer Station

Every *person* who, by act, offence, default, neglect or omission; occasions any loss, cost, damage or injury to the *landfill site* or *spoke transfer station* or any part or appurtenance thereof, is liable to the *City* for any and all financial losses and costs incurred as a result.

8.11 Costs Recoverable in like manner as Property Taxes

If payment is not made, the *City* may recover the outstanding amount by action or in the case of an *owner*, the same may be recovered in like manner as property taxes, in the sole discretion of the *Director of Public Works*, and the *City's* treasurer is hereby authorized to take all necessary action to do so.

Section 9 - Enforcement and Penalties

9.1 Penalties – Individuals

Every *person* who contravenes any provision of this By-law is, upon conviction, guilty of an offence, and shall be liable:

- i. on a first conviction, to a fine of not more than \$10,000; and
- ii. on a subsequent conviction, to a fine of not more than \$25,000 as authorized by the Municipal Act S.O. 2001 Chapter 25 Section 77(1).

9.2 Penalties – Corporation

Despite subsection 9.1, where the *person* convicted is a corporation, the maximum fines in Subsections 9.1 i) and 9.1 ii) are \$50,000 and \$100,000 respectively, as authorized by the Municipal Act S.O. 2001 Chapter 25 Section 77(2).

9.3 Subsequent Conviction

Where an offence is a continuing offence, each new day that the offence is continued shall constitute a separate and distinct offence.

9.4 Order of Prohibition

Where a *person* has been convicted of an offence, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any other penalty imposed by this By-law, make an order prohibiting the continuation or repetition of the offence by the *person* convicted.

9.5 Set Fines

- 9.5.1 Pursuant to Part 1 of the *Provincial Offences Act, R.S.O. 1990, Chapter P.33*, every *person* who contravenes this By-Law is liable to a set fine for each offence committed, as established under *Appendix – 05 Set Fines* annexed hereto.

- 9.5.2 No action or proceeding under the provisions of this By-Law shall preclude the *Municipality* from the right and power to exercise any other right or remedy available to the *Municipality*.

Recyclable Materials

In this By-law "*recyclable materials*" includes;

recyclable containers includes the following forms of containers, which have been emptied of the contents and rinsed clean:

- a) food and beverage *glass bottles and jars*, including metal lids;
- b) *metal food and beverage containers*;
- c) cardboard cans such as from frozen juice, refrigerated dough, chips, and nuts;
- d) aluminum cans, foil, foil plates and foil trays;
- e) empty plastic containers (with the number 1 through 7);
- f) aseptic packaging, such as drink boxes;
- g) empty *aerosol containers*;
- h) foam polystyrene (Styrofoam) such as from takeout, egg cartons, drinking cups and meat trays;
- i) polycoat containers or *gable top cartons*, such as for milk and juice; and
- j) any other container designated by the *Director of Public Works* to be a recyclable container.

recyclable papers includes the following:

- a) household paper, including junk mail, *fine paper*, non-foil gift wrap, non-foil greeting cards and envelopes;
- b) shredded paper (required packaging in a clear plastic bag);
- c) paper egg cartons;
- d) *paper cores*;
- e) paper bags, other than treated bags, such as flour, sugar, potato and pet food bags;
- f) *newspapers* and inserts;
- g) *magazines/ catalogues* and glossies;
- h) telephone directories;
- i) soft covered *books* and hard covered *books* (hardcover removed and recycled separately); and
- j) any other paper or paper products designated by the *Director of Public Works* to be recyclable papers.

recyclable cardboard includes clean, unwaxed *corrugated cardboard* and *box board*;

recyclable plastic film, includes grocery, shopping, dry cleaning, bread bags, vegetable/fruit bags, milk bags (outer and rinsed inner bag), outer wrap from packaging and bubbled plastic packaging.

Organic Materials

In this By-law "*organic materials*" includes materials that will breakdown naturally and turn into compost such as:

- a) food scraps;
- b) diapers;
- c) animal waste
- d) soiled paper food containers; and
- e) any other materials or products designated by the *Director of Public Works* to be *organic materials*.

Yard Waste

In this By-law, *yard waste* means:

- a) leaves;
- b) grass clippings;
- c) trees (excluding root balls);
- d) garden roots and cuttings;
- e) hedge and shrub trimmings;
- f) brush cuttings;
- g) twigs and branches;
- h) natural *Christmas Trees*, decorations removed;
- i) any other item determined by the *Director of Public Works* from time-to-time to be *yard waste*.

Free Tipping Fee Voucher Program

In this By-law "free tipping fee voucher program" means a program that permits residents to drop of *waste* at the *landfill site*, at no charge, with the use of a voucher.

The free tipping fee voucher program shall have the following restrictions/conditions applied:

- a) Applicable to residents of the *City* of Temiskaming Shores and is **not** applicable to *ICI* establishments;
- b) Each resident is entitled to 2 free vouchers on an annual basis;
- c) Each voucher is valid for 2 cubic yards (equivalent to one ½ ton truckload) of waste in where no tipping fees will be applied. For all loads that exceed this amount, the appropriate tipping fee will apply;
- d) Tipping fees remain applicable for *prohibited waste*;
- e) Surcharge fee remains applicable for *White Goods* containing freon gas or ozone depleting substances;
- f) Vouchers are to be picked up at City Hall located at 325 Farr Drive in Haileybury;
- g) Residents are to supply a copy of their tax bill or letter of authorization from the taxpayer/landlord to obtain the vouchers.

Tipping Fees: New Liskeard Landfill Site

| Category | Description | Applicable Fee Per Metric Tonnes/Per Cubic Yard | |
|----------|--|--|--|
| | | Resident | Non-Resident |
| 1 | Flat Rate – Scale Fee | \$5.00 | \$10.00 |
| 2 | Sorted Residential/Commercial/Sorted Construction/Metals/Bulky Waste/ Non-Hazardous Waste: <i>includes abandoned residential or commercial waste, either animal or vegetable, organic waste, wearing apparel, broken crockery and refuse of a similar nature, but shall not include metal, weighty or bulky articles such as large appliances, furniture, barrels, bed springs, furnaces, or anything of a similar nature. Items whose large size precludes or complicates handling by normal collection, processing, or disposal methods such as furniture and appliances. Also, ferrous metal, aluminum, mixed metal, white goods, and old vehicles.</i> | Effective Aug 1/2024 \$30.00/\$10.00 Effective Jan 1/2025 \$45.00/\$10.00 | Effective Aug 1/2024 \$60.00/\$10.00 Effective Jan 1/2025 \$90.00/\$10.00 |
| 3 | Unsorted Residential/Commercial/Construction Waste and Inorganic Earth Like Material – <i>Recyclable materials not sorted from waste and reclaimed asphalt products, aggregate, and soils free of chemical contaminants.</i> | Effective Aug 1/2024 \$60.00/\$10.00 Effective Jan 1/2025 \$90.00/\$10.00 | Effective Aug 1/2024 \$120.00/\$10.00 Effective Jan 1/2025 \$180.00/\$10.00 |
| 4 | Yard Waste: <i>Includes clean wood, brush, yard, and plant materials.</i> | \$10.00/\$5.00 | \$20.00/\$10.00 |
| 5 | Contaminated Waste: <i>includes excavated soils containing organic or hydrocarbon contaminants at a level that is acceptable to the Ministry of the Environment for disposal at the Municipality's Landfill Site.</i> <i>Asbestos waste includes \$100.00 flat rate, plus tipping fee.</i> | \$75.00/\$50.00 | \$150.00/\$100.00 |
| 6 | Freon Containing Items | \$75 each | \$150 each |
| 7 | Rubber Tires: <i>Passenger Vehicle and Light Truck Tires</i> <i>Medium Truck Tires</i> <i>Small and Medium Off-the-Road Tires</i> | No Fee | |
| | Notes: 1. All other tire sizes will not be accepted at the Landfill Site. 2. Landfill attendant shall accept up to a total of ten (10) tires per day per person. | | |

Notes:

1. The landfill site will only accept waste that is within the conditions of the Environmental Compliance Approval.
2. Should a load of waste consist of a mixture of categories, the highest tipping fee rate will apply.

Prohibited Waste

For the purposes of this By-law **hazardous waste** means:

| | | |
|----------------------------|--------------------------|--------------------------|
| acute hazardous waste | chemical hazardous waste | chemical corrosive waste |
| hazardous industrial waste | ignitable waste | PCB waste |
| radioactive waste | reactive waste | severely toxic waste |
| leachate toxic waste | | |

or any other waste determined by the *Director of Public Works* to be a **hazardous waste**.

Pathological waste includes biomedical waste, whether solid or liquid, including but not limited to:

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|--|--|--|
| animal or human organ | animal or human bone, muscle or tissue | used bandages, poultices, or dressings |
| medicines, vitamins, drugs or vaccines | needles, syringes or lancets | vials |

or any other waste determined by the *Director of Public Works* to be **pathological waste**.

Household Hazardous Waste includes any household product material or item, other than an empty container labelled as:

| | | |
|--------------------|---------------|------------|
| corrosive or toxic | reactive | explosive |
| Oxidizing | poisonous | infectious |
| Flammable | <i>sharps</i> | |

or any other label or labels as may be established by the *Director of Public Works* from time to time as being prohibited.

Asbestos Waste includes any solid or liquid waste that results from the removal of asbestos-containing construction or insulation materials or the manufacture of asbestos-containing products and contains asbestos in more than a trivial amount or proportion.

**Part 1 Provincial Offences Act
Set Fines**

| <u>Item No.</u> | <u>Column 1</u> | <u>Column 2</u> | <u>Column 3</u> |
|-----------------|--|---|-----------------|
| | <u>Short Form Wording</u> | <u>Provision Creating or Defining Offence</u> | <u>Set Fine</u> |
| 1. | Alter <i>approved container</i> without written consent | Sch A, s. 3.7.1 v. | \$ 125.00 |
| 2. | Damage <i>approved container</i> | Sch A, s.3.7.1 vi. | \$125.00 |
| 3. | Set out for collection non-approved container | Sch A, s.3.7.1 vii. a) | \$125.00 |
| 4. | Set out for collection container that contains <i>contamination</i> | Sch A, s.3.7.1 vii. b) | \$125.00 |
| 5. | Set out for collection a container that is damaged | Sch A, s.3.7.1 vii. c) | \$125.00 |
| 6. | Set out for collection a container that has graffiti | Sch A, s.3.7.1 vii. d) | \$125.00 |
| 7. | Set out for collection a container not placed at <i>collection location</i> | Sch A, s.3.7.1 vii. e) | \$125.00 |
| 8. | Set out <i>garbage container</i> that exceeds the allowable weight | Sch A, s.3.7.1 vii. f) (1) | \$125.00 |
| 9. | Set out <i>recycling container</i> that exceeds the allowable weight | Sch A, s.3.7.1 vii. f) (2) | \$125.00 |
| 10. | Set out for collection container not cleared of snow/ ice | Sch A, s.3.7.1 vii. g) | \$125.00 |
| 11. | Set out for collection container with lid secured | Sch A, s.3.7.1 vii. h) | \$125.00 |
| 12. | Set out for collection container that is unclean/unsanitary | Sch A, s.3.7.1 vii. i) | \$125.00 |
| 13. | Store <i>solid waste</i> in a location which is a nuisance | Sch A, s.3.7.2 i. | \$125.00 |
| 14. | Store <i>approved container</i> at <i>collection location</i> | Sch A, s.3.7.2 ii. | \$125.00 |
| 15. | Keep storage area for <i>approved containers</i> in unclean condition | Sch A, s.3.7.2 iii. | \$125.00 |
| 16. | Place <i>approved container</i> obstructing traffic | Sch A, s.3.7.2 vi. | \$125.00 |
| 17. | Place <i>approved container</i> in unreasonable location | Sch A, s.3.7.3 vii. | \$125.00 |
| 18. | Keep common pad storage area in unclean/ unsanitary condition | Sch A, s.3.7.4. i. | \$125.00 |
| 19. | Bag <i>recyclable materials</i> within an <i>approved container</i> | Sch A, s. 3.7.5 ii. | \$125.00 |
| 20. | Fail to clean up debris spilled from <i>approved container</i> | Sch A, s. 3.7.5 iii. | \$125.00 |
| 21. | Place waste in such manner that lid cannot completely close | Sch A, s. 3.7.5 iv. | \$125.00 |
| 22. | Pack waste too tightly in <i>approved container</i> | Sch A, s. 3.7.5 v. | \$125.00 |
| 23. | At <i>residential building</i> place <i>approved container</i> before 8:00 p.m. previous day | Sch A, s. 3.7.6 i. | \$125.00 |
| 24. | At <i>residential building</i> fail to remove <i>approved container</i> before 10:00 p.m. collection day | Sch A, s. 3.7.6 ii. | \$125.00 |
| 25. | At <i>residential building</i> fail to remove uncollected waste before 10:00 p.m. collection day | Sch A, s. 3.7.6 iii. | \$125.00 |
| 26. | At <i>ICI establishment</i> place <i>approved container</i> before 5:00 p.m. previous day | Sch A, s. 3.7.6 iv. | \$125.00 |
| 27. | At <i>ICI establishment</i> fail to removed <i>approved container</i> before 5:00 pm collection day | Sch A, s. 3.7.6 v. | \$125.00 |

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| 28. | At <i>ICI establishment</i> fail to remove uncollected waste before 5:00 pm collection day | Sch A, s. 3.7.6 vi. | \$125.00 |
| 29. | Deposit waste at <i>landfill site</i> outside hours of operation | Sch A, s. 6.1.1 | \$125.00 |
| 30. | Deposit <i>recyclable materials</i> at <i>spoke transfer site</i> outside hours of operation | Sch A, s. 6.1.2 | \$125.00 |
| 31. | Deposit <i>prohibited waste</i> at <i>landfill site/ spoke transfer station</i> | Sch A, s. 6.1.3 | \$125.00 |
| 32. | Deposit <i>recyclable materials</i> at <i>landfill site</i> | Sch A, s. 6.1.4 | \$125.00 |
| 33. | Deposit waste at <i>landfill site</i> contrary to direction | Sch A, s. 6.1.5 | \$125.00 |
| 34. | Deposit septic tank effluent at <i>landfill site/ spoke transfer station</i> | Sch A, s. 6.1.6 | \$125.00 |
| 35. | Set fire at <i>landfill site/ spoke transfer station</i> | Sch A, s. 6.1.7 | \$125.00 |
| 36. | Deposit waste at entrance to <i>landfill site/ spoke transfer station</i> | Sch A, s. 6.1.8 | \$125.00 |
| 37. | Refuse to provide proof of the origin of waste | Sch A, s. 6.1.9 | \$125.00 |
| 38. | Deposit waste at <i>landfill site/ spoke transfer station</i> despite refusal by attendant | Sch A, s. 6.1.10 | \$125.00 |
| 39. | Deposit waste at <i>landfill site/ spoke transfer station</i> when forbidden | Sch A, s. 6.1.11 | \$125.00 |
| 40. | Operate motor vehicle other than on a designated route | Sch A, s. 6.1.12 | \$125.00 |
| 41. | Scavenge at <i>landfill site/ spoke transfer station</i> | Sch A, s. 6.1.13 | \$125.00 |
| 42. | Fail to prevent waste from falling to ground during transport | Sch A, s. 6.1.14 | \$125.00 |
| 43. | Deposit waste at <i>landfill site/ spoke transfer station</i> while barred | Sch A, s. 6.1.15 | \$125.00 |
| 44. | Deposit at <i>landfill site</i> tires co-mingled with other waste | Sch A, s. 6.1.16 | \$125.00 |
| 45. | Deposit at <i>landfill site/ spoke transfer station</i> tires with attached rims | Sch A, s. 6.1.17 | \$125.00 |
| 46. | Deposit at <i>landfill site/ spoke transfer station</i> white goods co-mingled with other waste | Sch A, s. 6.1.18 | \$125.00 |
| 47. | Deposit at <i>landfill site/ spoke transfer station</i> ozone depleting appliance | Sch A, s. 6.1.19 | \$125.00 |
| 48. | Deposit <i>landfill site/ spoke transfer station</i> ozone depleting appliance in position other than upright | Sch A, s. 6.1.20 | \$125.00 |
| 49. | Attend <i>landfill site/ spoke transfer station</i> except to deposit waste | Sch A, s. 6.1.21 | \$125.00 |
| 50. | Trespass at <i>landfill site/ spoke transfer station</i> | Sch A, s. 6.1.22 | \$125.00 |
| 51. | Deposit <i>transient waste</i> at <i>landfill site/ spoke transfer station</i> | Sch A, s. 6.1.23 | \$125.00 |
| 52. | Dispose of asbestos waste | Sch A, s. 6.2.1 | \$125.00 |
| 53. | Scavenge waste at a <i>collection location</i> | Sch A, s. 8.1.1 | \$125.00 |
| 54. | Place ineligible waste for collection | Sch A, s. 8.1.3 | \$125.00 |
| 55. | Place waste for collection at a property other than where it was generated | Sch A, s. 8.1.4 | \$125.00 |
| 56. | Deposit waste on <i>public property</i> or <i>private property</i> | Sch A, s. 8.1.5 | \$125.00 |
| 57. | Place waste on <i>public property</i> for collection by private operator | Sch A, s. 8.1.6 | \$125.00 |
| 58. | Permit animal to interfere with waste | Sch A, s. 8.1.7 | \$125.00 |

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|-----|---|------------------|----------|
| 59. | Deposit waste from <i>private property</i> into/beside public receptacles | Sch A, s. 8.1.8 | \$125.00 |
| 60. | Deposit waste other than in <i>landfill site/ spoke transfer station</i> | Sch A, s. 8.1.9 | \$125.00 |
| 61. | Allow objectionable liquid to flow onto public or <i>private property</i> | Sch A, s. 8.1.11 | \$125.00 |
| 62. | Dispose of pet excrement not sealed in bag | Sch A, s. 8.2.1 | \$125.00 |
| 63. | Mix in excess 10% pet excrement with garbage | Sch A, s. 8.2.2 | \$125.00 |
| 64. | Fail to notify site attendant of bag containing pet excrement | Sch A, s. 8.2.4 | \$125.00 |
| 65. | Deposit carcass of dead animal | Sch A, s. 8.3 | \$125.00 |

The general penalty provision for the offences listed above is section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33.