

Corporation of the Township of South Algonquin

By-Law Number: 16-517

Being a by-law for establishing and maintaining a system for
the collection, removal, and disposal of waste, and
other refuse in the Township of South Algonquin.

Rescinds By-Law Number 14-454

WHEREAS pursuant to *Section 11 (1) of the Municipal Act, 2001* as amended from time to time, municipalities may pass by-laws regarding Waste Management;

AND WHEREAS pursuant to *Section 77 (1) of the Municipal Act, 2001* as amended from time to time, a municipality may, in a by-law prohibiting or regulating any matter passed under the 'Waste Management' sphere of jurisdiction, provide that a person who contravenes the by-law may be guilty of an offence;

AND WHEREAS Council deems it is necessary to have rules and regulations governing the policies relating to the proper disposal of garbage at all Municipal Landfill/ Sites and have all users who receive garbage pick-up adhere to the guidelines relating to the collection of garbage. Other garbage or refuse generated within the municipality that is subject to "Tipping Fees" is set out in the Schedule of Fees By-Law.

NOW THEREFORE, the municipal Council of the Corporation of the Township of South Algonquin enacts as follows, together with the attached schedules:

1. APPLICATION

This by-law shall apply to all of the owners and occupants of property within the geographic limits of the Township of South Algonquin.

2. DEFINITIONS

Unless otherwise defined below, the definitions in the *Environmental Protection Act* and the regulations passed under it shall govern. For the purposes of this by-law the following definitions shall govern:

"Ashes" shall mean the solid residue of any household fuel remaining after burning, including but not limited to ashes, soot, and other chimney deposits.

"Garbage Bag" shall mean a polyethylene plastic bag that has been manufactured for the purpose of household waste containment measuring not more than 76 X 94 cm (30X38 inches) closed at the top and securely fastened. Other bags such as bread bags, plastic store bags and paper bags are not considered "Garbage bags".

"Clerk" shall mean the Clerk of the Corporation of the Township of South Algonquin.

"Compactor Unit" shall mean a unit owned by the Corporation of the Township of South Algonquin used to collect and compact household waste.

"Compost Items" shall mean leaves, grass clippings, vegetables, fruits, kitchen leftovers of vegetable and fruit origins and miscellaneous items that are compostable.

"Construction and Demolition Waste" shall mean discarded building materials and all other refuse matter resulting from the erection, repair and demolition of buildings, structures or other improvements of property, exclusive of concrete, stones, or soil from excavation or grading.

"Council" shall mean the Council of the Corporation of the Township of South Algonquin.

"Disposal/Dispose" shall mean the placing or abandoning of waste at any location.

DEFINITIONS (continued)

“Approved Containers” shall mean a rigid plastic or metal container that has been manufactured for the purpose of household waste containment and roadside collection with a waterproof lid and a maximum capacity of 136 litres (30 gallons) and a minimum capacity of 32 litres (7 gallons). *(A Garbage Container shall not be larger in diameter at the bottom than at the top of the container.)*

“Household Waste” shall mean solid waste comprising of garbage and rubbish (such as bottles, cans, clothing, compost, disposables, food packaging, food scraps, newspapers and magazines, and yard trimmings) that originates from private homes or apartments.

“Household” shall mean a building occupied or used as a place of abode other than a hotel, restaurant or commercial establishment.

“Household Hazardous Waste” shall mean waste and materials requiring special care as may be defined from time to time by the Ministry of Environment as hazardous and itemized in Schedule “D” to this By-law.

“Landfill Attendant” shall mean an employee of the municipality who is responsible for the operation of the Landfill Site.

“Landfill Site” shall mean locations as set out in Schedule “A” to this by-law, which is used solely for the purpose of disposing of garbage, refuse and waste.

“Large Waste” shall mean major household items such as refrigerators, washers, dryers, dishwashers and stoves, large and bulky home furnishings (such as chairs sofas, tables, beds, carpets, mattresses and box springs.)

“Leaf and Yard Composting” shall mean an area designated for stockpiling of clean wood (free of nails, debris and stain to a maximum of 2x10), brush (no greater than 10 cm trunk size) and leaves and yard waste.

“Municipality” shall mean the Corporation of the Township of South Algonquin.

“Owner” shall mean any person who is the owner, occupant or tenant of any property within the geographic limits of the Township of South Algonquin.

“Person” shall include individuals, corporations and partnerships.

“Refuse” shall mean the same as ‘waste’.

“Resident” shall mean any person who is the owner, occupant or tenant of any property within the geographic limits of the Township of South Algonquin.

“Salvage” shall mean removing a particular type of waste from the site, ie. metal products, for the purpose of recycling or reuse.

“Scavenging” shall mean the process of finding items for the purpose of reuse.

“Special Area” shall mean an area at the Landfill Site, designated for a particular purpose.

“Township” shall mean the Corporation of the Township of South Algonquin.

“User” shall mean an individual or corporate identity entitled to place refuse into the Township of South Algonquin Landfill Sites.

“Waste” shall mean only solid non-hazardous municipal waste, including wastes generated by residential, commercial and institutional sectors shall be received for disposal. No hazardous waste, septic tank waste, sewage, biosolids or liquid industrial wastes, as defined in Ontario Regulation 347 and amended by Ontario Regulation 558/00, shall be disposed of.

3. LANDFILL SITE OPERATIONS

- 3.1. The Landfill Sites shall be operated in accordance with the provisions of all applicable legislation governing such sites.
- 3.2. The Landfill Sites shall be open to the residents of the municipality during hours as specified in Schedule “B” of the By-law.
- 3.3. No waste will be accepted by the Landfill Site Attendants other than from an owner or resident of a property within the geographic limits of the Township of South Algonquin.
- 3.4. No waste will be accepted by the Landfill Site Attendant from a commercial waste collector unless said collector is contracted or authorized by the Corporation of the Township of South Algonquin.
- 3.5. All waste materials shall be deposited under the direction of the Landfill Site Attendant.
- 3.6. All metal items and large waste will be accepted at waste sites and no tipping fees shall apply.
- 3.7. Brush, including twigs and branches, greater than approximately ten (10) mm in diameter shall be separated from other materials and will be stored in a staging area.
- 3.8. The Landfill Sites shall be available for the depositing of waste produced within the township in accordance with the schedules hereto attached.
- 3.9. All waste material shall be transported to the Landfill Sites in a manner so as to prevent scattering or losing of waste along the road.
- 3.10. Household Hazardous Waste, as identified in Schedule “D” to this By-law shall not be accepted at any of the Landfill sites within the township.
- 3.11. Other unacceptable items, in Schedule “D” to this By-law will not be accepted at the Landfill Sites.
- 3.12. No person shall deposit or deliver waste at the entrance gates of any Landfill Site and in addition no person shall deposit waste at any Landfill Site in the absence of the Landfill Site Attendant or without specific authorization of the Landfill Site Attendant.
- 3.13. All on-site health/sanitary and site operations shall be maintained in accordance with the current Ministry of Environment Certificates of Approval.
- 3.14. Regulations of the Ministry of the Environment, the Environmental Protection Act and Certificates of Approval shall be observed at all times.
- 3.15. The Township reserves the right to prohibit any person, firm or Corporation from using any Landfill Site within the geographic limits of the Township of South Algonquin.
- 3.16. Residents hauling their own waste to the Landfill Sites should make sure the loads are secured and covered to prevent waste from falling or blowing off vehicles onto the roadway.

4. HOUSEHOLD WASTE PICKUP

- 4.1. Household waste materials shall be picked up by the municipality at residences on a schedule as set out in Schedule “C” of this By-law.

HOUSEHOLD WASTE PICKUP (continued)

- 4.2. All “Household Waste” placed at the roadside for collection shall be contained in suitable “Garbage bags”. It is permitted to utilize an “Approved Container” providing the contained “Household Waste” is in a “Garbage bag”. “Garbage

Bags” should weigh no more than a total gross weight of forty 40 lbs. or 18.14 kg. per bag and should be of adequate strength to handle this weight without breaking. Any “Garbage Bags” which are deemed to be over this limit will not be picked up.

- 4.3. Broken glass must be packaged and labeled as such as to prevent injury to workers.
- 4.4. The following items are not to be put out for pickup and are the responsibility of residents to take to the nearest Landfill Site: scrap metal, appliances, brush, lumber, wood chips, ashes, tires, rocks, leaf and yard compost.
- 4.5. Newspapers are to be tied securely in a bundle. Cardboard boxes are to be flattened and tied.
- 4.6. “Household Waste” is to be set out on the day of collection and shall be placed as close as possible to the nearest Township maintained road or public highway in a manner so it does not impede pedestrians, traffic or snowplowing operations. (ie. shoulder area).
- 4.7. Residents, who store “Household Waste” in private bins or boxes will be required to remove the waste from these bins on the day of collection, put the waste in suitable “Garbage Bags” and place them at the side of the nearest Township maintained road or public highway.
- 4.8. Private bins must be located on private property outside of the obvious road allowance.
- 4.9. Businesses, which have existing storage buildings for waste, will be serviced as they have been in the past. Those businesses that have garbage containers such as barrels in parking lots and so on will be required to bag the material and deposit it in their garbage buildings. The compactor unit will only make one stop at each place of business.
- 4.10. Businesses that store and pile waste under the eaves of buildings where it will get wet and possibly freeze are to place the waste in an area easily accessible for the compactor unit. Waste is not to be stored close to buildings with metal roofs, more particularly in winter because of the possibility of snow or ice sliding off the building possibly injuring the workers or damaging equipment.
- 4.11. Repair garages that have barrels containing debris and waste will be required to bag this material or have their own employees dump this into the compactor unit.
- 4.12. Workers will not enter garages, shops stores, etc. to pick up waste. Only existing waste storage buildings will be entered providing they are of sufficient height to do so.
- 4.13. Businesses must ensure the compactor unit has access to garbage storage areas. Workers will not carry garbage to the truck because of vehicles blocking pickup areas.
- 4.14. No person shall set out ashes for pick-up.
- 4.16. Any spillage of waste from bags or containers/cans caused by animals or Persons shall be the responsibility of the owner/occupant.

5. PROHIBITIONS

- 5.1. No person shall enter onto Landfill/ Site property other than during operating hours.
- 5.2. Notwithstanding clause (1) above, municipal employees, consultants, contractors and other authorized persons shall have access to Landfill Sites as required.

- 5.3. No person shall salvage any materials from a Landfill Site other than the designated reuse areas.
- 5.4. No person shall throw, place or deposit any type of waste on any roadway, highway or bridge or any municipally owned property that is outside of the limits of the Landfill Sites as set out in this By-law.
- 5.5. No person shall dispose of any of the following materials at a Landfill Site:
 - Animal carcasses or parts thereof
 - Processed organic waste
 - Radioactive waste
 - Raw or processed sewage
 - P.C.B. related material
 - Motor vehicles
 - Manure or night soil
 - Liquid industrial waste
 - Hazardous or toxic waste
 - Explosives and combustible material
 - Industrial waste
 - Any other material as may be prohibited under the Environmental Protection Act Section II – General Provisions, Part V – Waste Management, Part VII – Abandoned Motor Vehicles, or Part X – Spills.
- 5.6. No person shall create or cause to be created malicious damage to or at a Landfill Site.
- 5.7. No person shall dispose of any waste without first paying the applicable fee.
- 5.8. No person shall dispose of material containing loose asbestos fibers.
- 5.9. No unauthorized person shall discharge a firearm in a Landfill Site.

6. USER FEES

- 6.1. Tipping fees are as set out in the Schedule of Fees By-Law.

7. GENERAL

- 7.1. The municipality shall not be liable to any person for any damage caused to any person or property or vehicle while at a Landfill Site.

8. SCHEDULES

The following schedules annexed and attached to this By-law shall form part of the By-law:

- 8.1. SCHEDULE “A” Location of Municipal Landfill Sites
- 8.2. SCHEDULE “B” Waste Site Hours of Operation
- 8.3. SCHEDULE “C” Weekly Schedule – Household Waste Pick-up
- 8.4. SCHEDULE “D” Household Hazardous Waste

9. PENALTIES

Any person deemed by the By-Law Enforcement Officer to have contravened any area of Section 4 of this By-Law, the following procedures will apply:

- 9.1. First notice – Verbal or written notification to advise of contravention (waste will be picked up by staff).
- 9.2. Second notice – Written notification of required action to meet compliance. (waste will **not** be picked up by staff).

- 9.3. Final Notice – Written notification indicating household waste will no longer be picked up by staff and it is the property owner’s responsibility to take their waste to a Township Landfill Site. Waste Collection will resume once the By-Law Enforcement Officer is satisfied the resident is no longer in contravention of this By-Law.
- 9.4 Any person who contravenes any section of this By-Law is guilty of an offence and upon summary conviction is liable to a fine of not more than five thousand (\$5,000.00) dollars and such fine shall be recoverable under the Provincial Offences Act.

10. REPEAL OF BY-LAWS

- 10.1. Any other by-law inconsistent with or antedating this By-law is hereby repealed.

11. DATE BY-LAW COMES INTO EFFECT

- 11.1. This by-law shall come into force and take effect upon final passing

READ A FIRST AND SECOND TIME THIS 3rd DAY of November, 2016

MAYOR, Jane A.E. Dumas

CAO/CLERK TREASURER, Holly Hayes

READ A THIRD TIME AND PASSED THIS 3rd DAY of November, 2016

MAYOR, Jane A.E. Dumas

CAO/CLERK TREASURER, Holly Hayes

Schedule 'A'

LOCATION OF MUNICIPAL LANDFILL SITES

- 1) Airy (Whitney) Landfill Site
462 Nipissing Road
Lot 10, Con 7 & 8, geographical Township of Airy

- 2) Lyell (Madawaska) Landfill Site
6319 Hwy. 523
Lot 7, Con 11, geographical Township of Lyell

Schedule 'B'

LANDFILL SITE HOURS OF OPERATIONS

1) Summer Hours of Operation

Will typically be from the beginning of April to the end of October.

	Wednesdays	2:30 p.m.	-	6:30 p.m.
	Saturdays	8:00 a.m.	-	12:00 noon
From May to October	Sundays	10:00 a.m.	-	2:00 p.m.

2) Winter Hours of Operation

Will typically be from the beginning of November to the end of March.

	Wednesdays	1:00 p.m.	-	4:00 p.m.
	Saturdays	8:00 a.m.	-	12:00 noon

3) Spring Cleanup: In order to accommodate for spring cleanup, both landfill sites will be open for extended hours as deemed necessary by way of Resolution of Council. Please refer to the Household Waste Collection Calendar or our website at www.southalgonquin.ca for dates.

4) Holiday Periods: Holiday hours may change and the municipality will provide information in advance as to the date/day. Please refer to the Household Waste Collection Calendar or our website at www.southalgonquin.ca for dates.

Schedule 'C'

WEEKLY SCHEDULE
HOUSEHOLD WASTE PICK-UP

Current collection schedules and routes are posted on the Township website www.southalgonquin.ca and are included on the distributed Household Waste Collection Calendar.

Notification of occasional changes to schedules and routes will also be posted on the Township website and be included on the distributed Household Waste Collection calendar.

Collection Schedules may change from time to time as deemed necessary by way of Resolution of Council.

Schedule 'D'

HOUSEHOLD HAZARDOUS WASTE

Materials considered by the Ministry of Environment to be Household Hazardous Waste shall include but not be limited to the following and will **not** be accepted at any of the Landfill Sites within the Township of South Algonquin. Locations and hours of operations will be designated and advertised on a yearly basis and posted on the Township's website.

The following material will be accepted:

- a) Paints and paint related materials (oil base and latex paints, furniture and paint strippers, driveway sealers, roof patching, brush cleaner, primers, stains, varnishes, wood preservative, linseed oil, wood stains, varsol, solvents)
- b) Household Cleaners (Ammonia –based, chlorine bleach, disinfectants, drain decloggers, acid & bases, oven cleaners, window cleaners)
- c) Automotive and Household Garage Products (Antifreeze, transmission fluid, batteries and battery acid, gasoline, diesel fuel kerosene, motor oil, oil filters, auto wax, automotive fluids)
- d) Pharmaceuticals (medicines and old prescriptions and sharps – place in rigid plastic containers)
- e) Nail polishes and nail polish remover
- f) Therometers, thermostats and switches
- g) Glues and adhesives
- h) Pool chemicals and bleach (do not mix. Keep separate from each other and from other chemicals)
- i) Propane tanks and cylinders (all sizes)
- j) Light Bulbs and tubes (unbroken)
- k) Recycled plastic eg. empty oil containers and antifreeze containers
- l) Pesticide and Garden Products (Flea collars and sprays, mothballs, roach and any poisons, arsenicals, fungicides, fertilizers, insecticides, weed killers (herbicides), molluscides (slug & snail baits), rats and mouse poisons.

NOT ACCEPTED:

- a) No commercial, industrial or institutional waste will be accepted
- b) Radioactive materials, explosives, fireworks, ammunition, biological waste, PCB wastes, helium or Freon tanks or unknown waste
- c) No electronics or tires will be accepted at this event. Please take items to Landfill Site.