

THE CORPORATION OF THE TOWNSHIP OF SOUTH DUNDAS

BY-LAW NO. 2013-05

A BY-LAW providing for the collection, removal and disposal of garbage.

WHEREAS the *Municipal Act 2001*, as amended, provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS the *Municipal Act, 2001*, as amended, authorizes a municipality to pass by-laws respecting matters within the sphere of waste management;

AND WHEREAS the Township of South Dundas deems it expedient to continue and expand a waste management system;

NOW THEREFORE the Council of the Corporation of the Township of South Dundas enacts as follows:

1. DEFINITIONS

In this By-law:

- 1.1 Township means the Corporation of the Township of South Dundas.
- 1.2 Dwelling Unit means any part of a building or structure, used, designed, or intended to be used as a domestic establishment in which one or more persons may sleep and are provided with culinary and sanitary facilities for their exclusive use.
- 1.3 Blue or Green Box means the box supplied by or on behalf of the Township for the collection of recyclable garbage.
- 1.4 Construction Debris means discarded building material resulting from the erection, repair, demolition or improvement of buildings or structures.
- 1.5 CFC includes any refrigerant containing the following substances; Chlorofluorocarbon, Hydro chlorofluorocarbon or Hydro fluorocarbon.
- 1.6 Composting means the process of collection and depositing Type IV garbage for the purpose of converting this garbage into fertilizer for soil.
- 1.7 Garbage means waste material generated within the Township of South Dundas and includes the following categories:
 - a) Type I – includes kitchen and table waste of animal and vegetable origin, clothing, ashes, paper (except recycling paper), broken crockery, other such articles which would normally accumulate at a dwelling unit or ICI establishment and, home health care waste;
 - b) Type II – includes glass food and beverage bottle & jars; metal food & beverage cans; clean empty paint cans – lids must be off, aerosol cans & styrofoam packaging; plastic bottles only items marked on the bottom with a recycling symbol containing the numbers 1,2,3,4,5 (i.e. soft drink, juice & water, LCBO, household detergents, home cleaning & laundry products, windshield washer, vinegar, shampoo & lotion bottles); aluminum pie plates & foil, rigid foil containers & trays; margarine and yogurt tubs;

- c) Type III – includes newspaper & flyers (glossy or plain), popside wrappers, paper potato bags, flour bags, sugar bags, paper cups, fine paper, boxboard such as cereal, cracker & cookie boxes, detergent/laundry cartons, file folders, shoe & tissue boxes, apple baskets, over the counter drug boxes (i.e. toothpaste, toiletries, cough syrups, medicine and cosmetics), paper egg cartons, toilet & paper towel rolls and pizza boxes; magazines, catalogues, telephone directories & greeting cards; cardboard & corrugate cardboard;
 - d) Type IV – includes grass cuttings, garden waste, leaves and all other material which is generally acceptable to be compostable waste;
 - e) Type V – includes brush, timber, clean lumber, rocks, bricks, concrete, gravel, sand, soil and other such material which is recognized by the Ministry of the Environment as being environmentally friendly landfill material;
 - f) Type VI – includes weighty, bulky articles such as major appliances, provided refrigeration appliances display appropriate notice that appliance has been voided of all CFC's, furnaces, bedsprings, mattresses, furniture, boxes, barrels, water tanks, and other such discarded material;
 - g) Type VII – includes Hazardous Waste such materials as paint, coatings and their containers, solvents and their containers, single-use dry cell, rechargeable and auto batteries, fuel tanks, pressurized containers, lawn fertilizers, pesticides and their containers, antifreeze and its container, empty lubricating oil containers, oil filters;
 - h) Type VIII – includes any garbage or residue resulting from the erection, renovation or removal of any building or part thereof not included in Subsection 1.4;
 - i) Type IX – includes garbage and residue created by Commercial, Industrial and/or Institutional establishment;
 - j) Type X – includes broken and/or unwanted electrical or electronic devices.
- 1.8 Home Health Care Waste means incontinence products used for personal home health care, but does not include biomedical or pathological waste.
- 1.9 Householder means any owner, occupant, lessee, tenant or any other person having use, occupation and/or charge of any dwelling, hotel, restaurant, apartment house, office building, public institution, service station, industrial building, commercial building, store, shopping centre or plaza or any portion thereof respectively.
- 1.10 Industrial/Commercial/Institutional/(ICI) means any building, structure or premise used for an industrial, manufacturing or institutional purpose and premises occupied for the purpose of carrying on a profession, trade or business and includes a farming operation.
- 1.11 Transient Waste means any refuse, trash, or garbage carried into the Township of South Dundas from outside its boundaries by any person.

1.12 **Non-Collectible Garbage** means:

- a) any explosive or highly combustible materials of any nature whatsoever;
- b) construction debris;
- c) sawdust and/or shavings;
- d) liquid or semi-liquid garbage;
- e) hay, straw and manure;
- f) carcass of any animal, or thereof;
- g) grass clippings, garden material, tree limbs, branches and trunks, brush, and stones;
- h) major appliances and/or large household furnishings;
- i) any material which has become frozen or otherwise stuck to a container;
- j) tires;
- k) bio-medical waste;
- l) automobiles, vehicles or any parts thereof;
- m) fences, fence posts, page wire;
- n) hazardous material;
- o) propane tanks;
- p) crates or packing material;
- q) any other item defined in Type IV thru Type X garbage as detailed or further clarified under subsequent sections of this By-law.

1.13 **Non-Recyclable Garbage** means all garbage, and other refuse except non-collectible garbage and recyclable garbage.

1.14 **Person** includes individuals, corporations and partnerships.

1.15 **Recycling** means the collection of Types II & III garbage.

1.16 **Public Works Manager** means the Public Works Manager of the Township or his authorized subordinates or assistants.

1.17 **Contractor** means the person, corporation or partnership performing refuse collection and haulage under contract with the Township.

1.18 **Bag** means a non-returnable bag with the Township logo issued by the Township (upon payment of the applicable fee as determined by Council from time to time) for non-recyclable garbage.

1.19 **Textile** means the fabric used in clothing, linens or drapery.

1.20 **Waste** means non-recyclable garbage and/or recyclable waste.

1.21 **Waste Disposal Attendant** means an employee of the Township responsible for the operation of the Waste Disposal Site, under the direction of the Public Works Manager.

1.22 **Waste Disposal Sites** means the sites as described in Schedule "A".

2. COLLECTION

2.1 The Township shall provide all necessary equipment and labour for the regular and satisfactory collection of Types I to III garbage from all dwelling units and ICI establishments in accordance with the terms of this By-law.

Without limiting the generality of the foregoing, no person shall place for collection and the Township shall not collect the following waste material which is deemed not acceptable for collection:

- a) Types IV, V, VI, VII, VIII, IX and X garbage;
- b) any rejected product, by-product or stock of any wholesale or retail establishment which in the opinion of the Public Works Manager has been condemned, abandoned or rejected;
- c) videos, films, celluloid cuttings, rags soaked with gasoline or oil, or other highly inflammable or explosive waste;
- d) any liquid, whether in a container or not;
- e) any material frozen to a receptacle which cannot be removed by shaking;
- f) any Type I, II, III garbage not resulting from the use of any premises as a dwelling unit of ICI establishment located in the Township;
- g) any accumulation of an unreasonable amount of garbage as determined by the Public Works Manager;
- h) any automobile parts;
- i) any non-collectible garbage;
- j) any material that may from time to time be considered by the Township as dangerous or hazardous or that is not acceptable in the Disposal Site under any Act or Regulation of the Provincial or Federal Government, or any material which may be defined by the Township from time to time as being unacceptable for collection;
- k) dressings, bandages, syringes, blood contaminated items or other infected materials from hospitals, surgeries, or offices of physicians, surgeons, dentists, pharmacies or veterinarians;
- l) Type II and III garbage not prepared for collection according to the requirements for recyclable pickup;
- m) any garbage that has not been put for collection in conformity to the provisions of the By-law.

2.2 All recyclable garbage shall be separated from non-recyclable garbage and recyclable garbage shall be prepared for collection as follows:

- a) Type II garbage shall be placed in a blue box. Glass bottles and jars shall be rinsed and their tops removed. Metal cans shall be rinsed. Plastic bottles and jars shall be rinsed and their tops removed.
- b) Type III garbage shall be placed in a green box. All cardboard and cardboard shall be broken down and tied together.

3. CONTAINERS

3.1 The occupant of every dwelling unit or ICI premise shall provide adequate containers for the storage and collection of garbage. Containers shall be as follows:

- 3.1.1 a standard non-returnable plastic bag of a capacity of not more than zero point zero eight cubic metres (0.08m³) and strong enough (not less than 1-1/2 mil gauge material) to hold 23kg of contents without tearing;
- 3.1.2 weight shall not exceed 23kg with the contents securely tied when set out for collection.

- 3.2 The containers as described for this by-law, which are put out for collection, shall not exceed two (2) in number.
- 3.3 Containers in excess of two (2) in number shall be placed in a bag as per Section 1.18.
- 3.4 Recyclable garbage may be placed in a "Blue Box" or "Green Box" by the roadside for collection.
- 3.5 All garbage shall be adequately drained of liquid and securely wrapped or placed in a container used solely for this purpose. Containers shall be placed for collection by the side of the road in front of the location where it has accumulated, and as close as practicable to the driving surface of the designated route unless specified elsewhere by the Township. Garbage will not be collected from roadside ditches.
- 3.6 Broken glass must be wrapped and clearly marked to prevent injury.
- 3.7 Cold ashes must be placed in plastic bags and not mixed with garbage or flammable waste. Plastic non-recyclable jugs may be tied together (3 or more).
- 3.8 ICI establishments shall, at their expense, make adequate arrangements for the storage of garbage in such a manner that it is impervious to animals and weather.
- 3.9 The service authorized by this by-law shall only include those items in Type I, II & III garbage that would normally accumulate at a dwelling unit.
- 3.10 Special consideration to householders upon completing a Home Health Care Waste application, and receiving approval for disposable diapers and incontinence products with respect to the following items:
 - 3.10.1 residents with medical conditions generating excessive waste, and;
 - 3.10.2 households qualifying for special consideration are given no more than twenty-six (26) bags per year;
 - 3.10.3 residents are required to file an annual application form with the health care provider's signature. Application form in Schedule "D".
- 3.11 Any farming operation considered a business as defined in Section 1.10 shall be allowed to set out two containers for collection. The farming operation shall register at the Township Office with a valid Farm Business Registration Number or alternate. This registration is valid for a twelve month period.

4. ADMINISTRATION

- 4.1 The Township shall operate a system for the collection, removal and disposal of garbage (Type I, II, III) in accordance with the provisions of this by-law.
- 4.2 Electronic waste (Type X) shall be disposed of at the locations according to Schedule "A".
- 4.3 Hazardous waste (Type VII) shall be disposed of at the location designated in Schedule "B".

- 4.4 It shall be the duty of the Public Works Manager to administer and enforce the provisions of this by-law.
- 4.5 All ICI and householders must separate garbage and recyclables.
- 4.6 Collection shall be made once in every seven (7) days from each dwelling unit or ICI establishment entitled to such service in accordance with the provisions of this by-law except when a normal collection day falls on a holiday as provided herein.
- 4.7 No collection may be made on the following holidays which fall on a normal collection day: New Year's Day, Easter Monday, Good Friday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Christmas Day and Boxing Day.
- 4.8 When a normal collection day falls on a holiday referred to in Section 4.7, the collection shall be made one (1) day later for the remainder of the week, but in no case shall the change in schedule result in a collection not being made for a period greater than eight (8) days.
- 4.9 The Contractor may wish at his discretion to pick up on a holiday. This decision will be made in conjunction with the Public Works Manager.
- 4.10 A collection schedule will be made available at the Township Office.
- 4.11 No person shall place garbage out for collection except in accordance with this Section.
- 4.12 The collection system is a "roadside collection service" on public roads for collection at ground level and garbage shall be placed for collection in accordance with the following:
- 4.12.1 public roads with concrete curbs – place collectibles directly behind the curb;
- 4.12.2 public roads with concrete sidewalks tightly abutting the curb place collectibles directly behind the sidewalk on property owner's side;
- 4.12.3 public roads with boulevards between sidewalks and curbs – collectibles to be placed directly on the road shoulder;
- 4.12.4 public roads with gravel road shoulders – collectibles to be placed directly on the road shoulder;
- 4.12.5 where collection is provided in public land or alleyway – collectibles to be placed as close as possible to the edge of the land or alleyway.
- 4.13 No person shall place collectibles so as to impede or obstruct pedestrian and vehicular traffic or maintenance operations.
- 4.14 Where, for any reason, collection of garbage cannot be made from the location specified in this Section 4, items to be collected pursuant to this by-law shall be placed at locations designated by the Public Works Manager and his/her decision shall be final.

- 4.15 During normal daytime collection, all items to be collected shall be put out prior to the starting time of collection, 7:00 am, but not earlier than 6:00 pm on the previous evening.
- 4.16 For the purpose of garbage collection, the Public Works Manager may direct that the Township be divided into as many collection zones or districts as may be deemed necessary for the convenient collection of garbage, rubbish or waste matter and may fix a day or days on which the same shall be collected in the said districts.
- 4.17 All garbage placed for collection in a manner not provided for by this by-law shall not be collected. All such garbage not collected must be removed from the front of the premises not later than 8:30 p.m. of the day on which it was placed for collection.
- 4.18 On any one day designated by the Township for the collection of non-recyclable garbage, no more than 10 bags per dwelling unit of non-recyclable garbage, shall be set out for collection by the Contractor. There is no limit on the quantity of recyclable garbage which may be set out for collection at one time except from an industrial, commercial or institutional establishment where the amount of any type or types of recyclable garbage to be collected may be limited.
- 4.19 The Contractor shall not collect any garbage in excess of the maximum limits referred to in Section 4.18.
- 4.20 It shall be the responsibility of every householder to make adequate arrangements for the disposal of Type IV, V, VI, VII, VIII, IX and X garbage.
- 4.21 All occupants and/or owners, ICI, contractors, sub-contractors and trades must haul their own construction site rubbish.
- 4.22 No person shall dump, place, leave or deposit any household garbage or refuse in any public place within the Township.
- 4.23 Collection may be refused to any person known to have a troublesome dog on the premises, unless such dog is safely secured at a reasonable distance away from the location of the garbage receptacle.

5. OBLIGATIONS OF RESIDENTS & ICIESTABLISHMENTS FOR RECYCLING

- 5.1 Every resident shall participate in the Township recycling program and are encouraged to actively reduce garbage.
- 5.2 Every ICI establishment shall participate in a recycling program and are encouraged to actively reduce garbage.
- 5.3 No person shall place recyclable material together in the same container with Type I garbage for collection. Type II and III garbage shall be placed separately in a container for recyclable material (blue or green box, if possible).
- 5.4 Wherever possible residents shall be encouraged to maintain and use a viable composting system for Type IV garbage and dispose of at the locations as per Schedule "C".

- 5.5 Residents and ICI establishments who have accumulated Type IV garbage shall transport and deposit same at designated areas. All materials shall be removed from their container or bag.
- 5.6 The removal of CFC's from refrigeration equipment (refrigerators, freezers, air conditioners, etc.) shall be conducted by a licensed mechanic and shall be evidenced by the placement of appropriate notice by the licensed mechanic upon the refrigeration equipment prior to delivery to the Disposal Site.
- 5.7 Items with CFC's removed may be disposed at the site as per Schedule "A".
- 5.8 Refrigeration equipment (refrigerators, freezers, air conditioners, etc.) not containing evidence of CFC removal from a licensed mechanic may be disposed at the site as per Schedule "B".

6. MUNICIPAL WASTE DISPOSAL SITE

- 6.1 The areas designated as Municipal Waste Disposal Sites are outlined in Schedule "A" attached to this By-Law.
- 6.2 No person shall use any lands within the Township of South Dundas for the purposes of a waste disposal site except lands designated for such use by the Township.
- 6.3 The Municipal Waste Disposal Site shall be operated and maintained by the Township in accordance with the terms and conditions of the Site Certificate of Approval, the provisions of this By-law and the requirements of the Ministry of the Environment.
- 6.4 Notwithstanding any other penalty or remedy of law available to the Township, the owner, occupant, lessee or person using any structure or lands within the boundaries of the Township for dumping or disposing of garbage, refuse, industrial waste, hazardous materials or waste of any kind where such lands or structures are not designated as a waste disposal site, shall upon written notice served by the Township cease using such lands or structures for such purposes and to remove or cover such garbage, refuse, industrial waste, hazardous materials or other waste in the manner as may be prescribed by the Township.
- 6.5 Tipping fees shall be required for the disposal of garbage at the waste disposal site. Fees shall be charged in accordance with the Fee Schedule attached to the Fees & Charges By-Law.
- 6.6 Each and every load shall be charged a tipping fee that is payable by the owner of the land or the contractor responsible for the load.
- 6.7 Eligible contractors may be invoiced on a monthly basis the appropriate tipping fee determined by the size of the load.

7. HOURS OF OPERATION OF THE WASTE DISPOSAL SITE

- 7.1 The municipal waste disposal site shall be open for the disposal of garbage and other permitted materials in accordance with the times and locations set out in Schedule "A" to this By-law.

- 7.2 Notwithstanding the provisions of Section 7.1, public access to the Municipal Waste Disposal Site shall be restricted to those times when a Township Waste Disposal Attendant is on duty and in attendance at the site.
- 7.3 No person shall trespass on the Municipal Waste Disposal Sites except as is required to transfer material to the site in accordance with this By-law, or as is necessary to conduct lawful business with the Township during the designated hours of operation of the Waste Disposal Site in the presence of the Waste Disposal Attendant or other official.

8. GENERAL PROVISIONS

- 8.1 No person shall dispose of, or cause to be disposed of, garbage at the Municipal Waste Disposal Site that originates or is generated from a location or use outside of the municipal boundaries of the Township.
- 8.2 Persons shall dispose of permitted garbage at the Municipal Waste Disposal Site in accordance with the directions of the Waste Disposal Attendant and in accordance with the provisions of this By-law.
- 8.3 All garbage to be disposed of at the Municipal Waste Disposal Site shall be bagged, bundled, boxed securely wrapped or placed in containers and all non-recyclable paper shall be suitably wrapped or tied to prevent scattering on the site.
- 8.4 Garbage conveyed to the Municipal Waste Disposal Sites shall be so contained and transported as not to be blown or scattered from the transport vehicle or to leave deposits along road allowances and abutting lands.
- 8.5 No person shall offer to, or give, any Waste Disposal Attendant any fee or gratuity for services provided by the Township, nor shall any Waste Disposal Attendant accept any fee or gratuity.
- 8.6 Persons who desire to access the Municipal Waste Disposal Site shall pay the Tipping Fee for each and every load, upon entry.
- 8.7 The Waste Disposal Attendant shall be and is hereby authorized to refuse access to the Municipal Waste Disposal Site by any person who is in contravention of any provisions of this By-law, as may be reasonably determined by the Attendant. All persons refused access or use to the waste disposal site shall be referred to the Municipal Office by the Attendant to review the grounds of such access refusal, such grounds to be provided to that person by the Attendant.
- 8.8 No person shall pick over, interfere with, remove or scatter any materials in the area of the Waste Disposal Site.
- 8.9 The Public Works Manager may change the items in Types I-X at any time he/she deems it necessary.

9. SCAVENGING

- 9.1 No person shall pick over, interfere with, remove or scatter any garbage, after the same has been put out for collection.


10. PENALTIES

- 10.1 Every person who contravenes any of the provisions of this by-law shall upon conviction thereof, forfeit, and pay a penalty not exceeding (exclusive of costs) the sum of \$1,000 for each such offence, and such penalty shall be recoverable under the *Provincial Offences Act*.
- 10.2 The imposition of a penalty for a contravention of this by-law shall not excuse the condition or matter resulting in such contravention or permit it to remain or continue, and the person who has contravened the by-law shall rectify any condition or matter resulting therefrom. Where a person fails or defaults to carry out any direction or action required by the Township as authorized by this By-law, upon reasonable and written notice, the Township may proceed to do such things or carry out such actions as directed at the expense of the person and such expense may be recovered by the Township in a like manner as taxes in accordance with the provisions of the *Municipal Act, 2001*.
- 10.3 Any resident responsible for concealing **HAZARDOUS WASTE** in his or her garbage will have their collection terminated, and will be subject to a fine of up to \$1,000 and to any other Provincial regulations that apply.
- 10.4 Should any Section, clause or provisions in this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of this By-law shall not be affected.

11. EFFECTIVE DATE

- 11.1 That By-law No. 98-07 be repealed in its entirety.
- 11.2 This by-law shall come into force and effect on the date of its passing.

READ and passed in open Council, signed and sealed this 15th day of January, 2013.



MAYOR



CLERK

SCHEDULE "A"
TO BY-LAW NO. 2013-05

Waste Disposal Sites and Hours of Operation

1. Matilda Disposal Site
10815 Seibert Road
Wednesday 8:00 a.m. – 1:00 p.m.
Friday 8:00 a.m. – 1:00 p.m.
Saturday 1:00 p.m. – 4:00 p.m.

2. Williamsburg Disposal Site
4021 County Road 8
Tuesday 8:00 a.m. – 1:00 p.m.
Thursday 8:00 a.m. – 1:00 p.m.
Saturday 9:00 a.m. – 12:00 p.m.

SCHEDULE "B"
TO BY-LAW NO. 2013-05

Household Hazardous Waste

- | | Times and Days as Advertised |
|--|------------------------------|
| 1. Township of North Dundas
12620 Boyne Road
Winchester ON | |

SCHEDULE "C"
TO BY-LAW NO. 2013-05

Compost Sites and Hours of Operation

- | | | |
|----|---|---------------------|
| 1. | Morrisburg Compost Site
70 Prospect Road | Times as Advertised |
| 2. | Iroquois Compost Site
10 Bouck Street | Times as Advertised |

SCHEDULE "D"
TO BY-LAW NO. 2013-05

HOME HEALTH CARE WASTE
Certification Form

Curbside Collection Set Out Limit Increase

Personal information contained on this form is collected pursuant to the Municipal Freedom of Information and Protection of Privacy Act and/or the Personal Health Information Protection Act and will be used for the purposes of responding to your request. Questions about this collection should be directed to the Public Works Manager or Clerk at (613) 535-2673 or 800-265-0619.

This document certifies that _____ requires extra waste collection
(Name of Patient)

as a result of medical homecare treatment at _____
(Home Address of Patient- Street Address, Town, Postal Code)

The Township requires confirmation of homecare by a health care provider to assure compliance before the expanded collection will be approved.

(Name of Healthcare Professional- Please Print)

(Signature of Healthcare Professional)

(Health Care Contact- Telephone Number and Address)

Service being requested includes:

- Add to 'Home Healthcare Waste Register' and receive garbage bags for garbage collection (excess of 2 bag limit) up to a maximum of twenty-six (26) bags annually.
- Remove _____ from 'Home Healthcare Waste Register'.
(Name of Patient)

(Signature of Patient or Representing Family Member)

(Contact Information- Telephone)

Upon completion of this form please submit to:

Attention: Brenda Brunt, Clerk
Township of South Dundas
4296 County Road 31/Bank Street
Williamsburg ON K0C 2H0

Or Fax: 613-535-2099
Or Email: bbrunt@southdundas.com