



The CORPORATION OF THE UNITED TOWNSHIPS OF HEAD, CLARA & MARIA

BY-LAW NO. 2011 - 21

BEING a by-law dealing with the collection, removal and disposal of solid waste within the municipality of the United Townships of Head, Clara & Maria.

WHEREAS the Council of The United Townships of Head, Clara & Maria wishes to enact a By-law for the purposes of regulating the collection, removal and disposal of solid waste;

AND WHEREAS Section 11 (1) and Section 391 (1) of the *Municipal Act 2001* authorizes a municipality to pass By-laws dealing with Waste Management and implementing fees and charges.

NOW THEREFORE the Council of the United Townships of Head, Clara & Maria does hereby enact as follows:

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1.0 DEFINITIONS AND INTERPRETATION

1.01 In this By-law:

- 1.01.1 **“approved container”** includes a garbage container or a recycling container, all as defined in Schedule “A”;
- 1.01.2 **“ashes”** includes the solid residue of any household fuel after such fuel has been consumed by fire and includes soot, but shall not include ashes which accumulate as a result of building construction or demolition;
- 1.01.3 **“bag tag”** includes single use tags affixed to acceptable waste receptacles bearing the United Townships of Head, Clara & Maria identification issued by the Municipality pursuant to this By-law;
- 1.01.4 **“blue box”** includes an open-topped plastic box used for the collection of recyclable material;
- 1.01.5 **“bulky items”** includes those forms of waste identified on Schedule “B”;
- 1.01.6 **“by-law”** except where indicated otherwise, includes this By-law and any amendments thereto including any Schedules forming any part of this By-law and any amendments thereto, as enacted by the Council from time to time;
- 1.01.7 **“by-law enforcement officer”** includes a by-law enforcement officer for the Municipality or any other person authorized by the Municipality to enforce the by-laws of the Municipality, and includes a police officer;
- 1.01.8 **“construction or demolition waste”** includes waste which results from the erection, alteration, or demolition of any building or part thereof, including earth or stone from excavations,
- 1.01.9 **“Certificate of Approval or Provisional Certificate of Approval”** for the purposes of this By-law means a Certificate issued by the appropriate Provincial or Federal agency permitting the Municipality to operate a waste management system or waste disposal site and related activities
- 1.01.10 **“Municipality”** means the Corporation of The United Townships of Head, Clara & Maria.
- 1.01.11 **“clean wood waste”** includes untreated lumber and wood products such as pallets and raw lumber, but does not include painted wood, treated wood, paneling, pressboard or similar products;
- 1.01.12 **“collection contractor”** includes a company, person, corporation or partnership performing collection and haulage of waste under contract with the United Townships of Head, Clara & Maria;

- 1.01.13 **“collection location”** includes the location, as designated by the Clerk or her designate, where garbage, recyclable materials, and bulky items are to be placed out for collection by persons entitled to collection services;
- 1.01.14 **“commercial premises”** includes premises in or at which a commercial business is being operated;
- 1.01.15 **“commercial waste”** includes any waste produced by or at any commercial premises;
- 1.01.16 **“Council”** includes the Council of The United Townships of Head, Clara & Maria;
- 1.01.17 **“Clerk”** includes the Clerk for the United Townships of Head, Clara & Maria and includes his or her designate;
- 1.01.18 **“garbage”** includes waste other than recyclable materials, leaf and yard materials, bulky items and prohibited waste;
- 1.01.19 **“garbage container”** is a form of approved container for the storage and collection of garbage and which meets the requirements of garbage containers established in Schedule “A”;
- 1.01.20 **“hauled sewage”** includes domestic waste that is human body waste, toilet or other bathroom waste, waste from other showers or tubs, liquid or water borne culinary or sink waste or laundry waste, and other waste that is suitable for storage, treatment or disposal in a sewage system or waste in a vehicle sewage holding tank;
- 1.01.21 **“hazardous waste”** includes any substance for household or commercial use that is dangerous, corrosive, flammable, poisonous or explosive, including, but not limited to, those items listed under HAZARDOUS WASTE ITEMS in Schedule D to this By-law, and any other similar material;
- 1.01.22 **“high density multi-residential building”** includes an apartment building, condominium complex, townhouse complex, co-operative housing complex, or other similar residential complex containing more than six residential dwelling units provided that each residential dwelling therein, is rented on not less than a monthly basis;
- 1.01.23 **“household hazardous waste”** includes materials used or stored in the home that can be potentially hazardous to human health and the natural environment and includes but is not limited to paint, oil, pesticides and insecticides.
- 1.01.24 **“industrial premises”** includes any building, structure or premises used for industrial or manufacturing purposes;
- 1.01.25 **“industrial or trade waste”** includes waste material from any one or more industrial or manufacturing processes, or waste from any industrial or manufacturing premises;
- 1.01.26 **“leaf and yard material”** has the meaning as described in Schedule “E”;
- 1.01.27 **“low density multi-residential building”** includes a single family dwelling, a duplex, an apartment building, townhouse complex, co-operative housing complex, or other similar residential complex containing six or fewer residential dwelling units provided that any residential dwelling therein, is rented on not less than a monthly basis;
- 1.01.28 **“medical waste”** means tubing, intravenous bags etc. used as part of home care but does not include diapers or solid/liquid bio-medical waste.

- 1.01.29 “**mobile home park**” includes an establishment comprising land or premises under single ownership designed and intended for residential use where residence is exclusively for two or more mobile homes, but does not include a trailer camp or trailer park.
- 1.01.30 “**owner**” includes any registered owner, occupant, resident, lessee, tenant of any low density residential building, high density residential building or small commercial establishment, or any person managing any high density residential building, low density residential building or small commercial establishment;
- 1.01.31 “**person**” includes an individual, corporation, association or other business firm;
- 1.01.32 “**private road**” includes any road or laneway that is not owned or has not been assumed by the Municipality of the United Townships of Head, Clara & Maria as a public road;
- 1.01.33 “**prohibited waste**” includes waste as outlined in Schedule “D”;
- 1.01.34 “**recyclable materials**” has the meaning set out in Schedule “C”;
- 1.01.35 “**recycling container**” includes an approved container for the storage and collection of recyclable materials and which meets the guidelines for recycling containers established in Schedule “A”;
- 1.01.36 “**residential dwelling unit**” includes one or more rooms connected together as a self-contained, separate unit in the same building comprising all or part of the building and constituting an independent housekeeping unit for residential occupancy by persons with facilities for persons to sleep, cook and eat and including its own sanitary facilities;
- 1.01.37 “**seasonal trailer parks**” includes a parcel of land made available to members of the public containing sites upon which to locate Trailers, Tents or Recreational Vehicles, and includes a campground. Seasonal trailer parks includes any parcel of land with more than three Trailers or Tents erected or stored constitutes a “Trailer Park”, with the exception of the land of any lawful commercial operation which wholesales or retails Trailers, Tents or Recreational Vehicles. It includes parks where there is a combination of seasonal/permanent trailer sites.
- 1.01.38 “**scavenge**” includes to sort through and collect materials from recyclable materials, leaf and yard materials, household hazardous waste, bulky items, white goods or garbage, that has been placed out for collection or deposited at a waste disposal site;
- 1.01.39 “**tipping fee**” shall mean the charge per tonne or unit or cu. yd. or item levied by the Municipality at the Landfill site for disposable waste under the terms of this by-law;
- 1.01.40 “**transient waste**” includes any waste carried into the United Townships of Head, Clara & Maria outside its boundaries by any person;
- 1.01.41 “**user**” includes a person or persons utilizing any waste disposal facilities or services of the Municipality, including in particular any person or persons depositing waste at any waste disposal site;
- 1.01.42 “**user pay waste system**” is a system where those who use the waste system pay proportionally to their rate of usage.
- 1.01.43 “**waste**” includes anything discarded for collection or brought to a landfill site for disposal from any source and includes garbage, recyclable materials, leaf and yard materials, bulky items and litter;

- 1.01.44 “**waste disposal site**” includes any area of land designated as such by the Municipality to be used for the disposal of waste as approved by the Ministry of the Environment.
- 1.01.45 “**white goods**” includes scrap items that include but not limited to stoves, fridges, refrigerators, freezers, washers and dryers.
- 1.02 **Interpretation Rules:** The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.
- 1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, which are applicable within the Province of Ontario.
- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

2.0 ADMINISTRATION

- 2.01 This By-Law shall be administered and enforced by the Clerk, municipal service providers and/or municipal employees or their designate save and except for the provisions regarding fees which shall be administered by the Treasurer or his or her designate.
- 2.02 It shall remain Council authority acted upon through the Clerk and municipal staff, subject to any limitations contained in this By-law with the general approval of Council to:
 - 2.02.1 determine collection schedules, specifying the time, day and frequency of collection services and to give notice to the public of such collection schedules and of changes to the collection schedules;
 - 2.02.2 determine the classification or designation of specific items as waste to be collected or as Prohibited Waste;
 - 2.02.3 determine the collection locations for approved containers, bulky items, household hazardous products or any other items that are designated for receiving collection services and give notice to the public of same;
 - 2.02.4 determine whether a building, collection location, or property is safe for entry by an employee or agent of the Municipality having regard to the physical conditions and layout, loading facilities, method of handing collectible waste at the building, or collection location of the property, the presence of a troublesome or nuisance animal or any other factor;
 - 2.02.5 impose limits to the level of collection services including the quantities and classes of waste to be collected;
- 2.03 The Clerk’s powers shall, subject to Council policy and authority, include but not be limited to:
 - 2.03.1 determine whether an approved container or any other container or storage unit is suitable and safe for collection;
 - 2.03.2 determine the method, manner or other requirements for the collection and disposal of waste for which there are collection services;
 - 2.03.3 establish and enforce guidelines and policies governing the restriction, suspension or termination of collection services and/or disposal privileges to any person or business for failure to comply with the provisions of this By-law;

- 2.03.4 establish and enforce the terms and conditions on which collection services which have been restricted, suspended or terminated under this By-law may be resumed in whole or in part;
- 2.03.5 establish guidelines for the handling and disposal of prohibited waste and provide information to the public regarding such handling and disposal;
- 2.03.6 suspend collection services in all or part of the Municipality for a specified time in the event of inclement weather or other conditions which renders the provision of collection services unsafe;
- 2.03.7 establish the terms of an agreement with any person for the acceptance of waste at the waste disposal site;
- 2.03.8 establish the terms of an agreement with any person for the acceptance of recyclable materials at the waste disposal site;
- 2.03.9 deal with any other matter assigned by this By-law or necessary for the collection, removal and disposal of solid waste and administration of this By-law;
- 2.04 Any waste lawfully placed out at collection locations for collection by the Municipality may be salvaged, reclaimed, recycled, composted, disposed of or otherwise dealt with by the Municipality as the Municipality may deem fit.
- 2.05 The items described as Recyclable Materials in Schedule C, scrap tires, scrap metal and leaf and yard waste are banned from landfill sites in the Municipality for the purpose of disposal and will only be accepted in the proper locations for recycling. Unsorted materials will be turned away.
- 2.06 The Municipality shall provide collection or removal services in accordance with this By-law to:
 - 2.06.1 Single unit, low-density residential buildings, nursing homes and mobile home parks for:
 - 2.06.1.1 garbage; (limited to 1 standard sized bags as described in Schedule "A")
 - 2.06.1.2 recyclable materials; (unlimited amounts of recyclable material collected) and
 - 2.06.1.3 bulky items and appliances;
 - 2.06.2 Industrial, commercial establishments for
 - 2.06.2.1 garbage; (limited to 4 standard sized bags as described in Schedule "A") and
 - 2.06.2.2 recyclable materials; (unlimited amounts of recyclable material collected)
 - 2.06.3 Seasonal trailer parks for:
 - 2.06.3.1 garbage; (limited to 4 standard sized bags as described in Schedule "A")
 - 2.06.3.2 recyclable materials (unlimited amounts of recyclable material collected)
- 2.07 Despite any other provision of this By-law, disposal services shall not be provided, except by agreement, to any land or building owned or leased by the Crown in 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.
- 2.08 No garbage and, where applicable, no recyclable materials will be collected:
 - 2.08.1 which is not in a garbage container or a recycling container or a waste storage box which meets the requirements of Schedule "A", as the case may be;

- 2.08.2 if the recyclable material is not packed in accordance with the requirements established by the Clerk or his or her designate from time to time and listed in Schedule "C" to this By-Law; or
- 2.08.3 if the garbage or recyclable material is frozen to the approved container and cannot be dislodged by shaking.
- 2.09 Where the Municipality provides collection services for garbage and recyclable materials, such collection services shall be provided at collection locations once a week, except when a normal collection day falls on a holiday as provided herein;
 - 2.09.1 No collection shall occur on the following designated holidays:

New Year's Day	Labour Day
Good Friday	Thanksgiving Day
Victoria Day	Christmas Day
Canada Day	Boxing Day (Dec. 26)
Civic Holiday	Family Day
 - 2.09.2 On weeks with a holiday, collection will take place on the day following the holiday. The only exception shall be where Christmas Day and Boxing Day are both on collection days and then collection for Christmas Day will occur on the day after Boxing Day.
- 2.10 Where the Municipality provides collection or removal service for bulky items, such collection or removal services shall be provided at collection locations and in accordance with the guidelines established in Schedule "B".
- 2.11 This by-law may be enforced by every municipal by-law enforcement officer or any other person authorized by the Municipality to enforce the by-laws of the Municipality and by a police officer.
- 2.12 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person exercising a power or performing a duty under this by-law.
- 2.13 Where provisions of this By-law conflict with the provisions of any other Municipality By-law or policy, the provisions of this By-Law shall prevail.

3.0 PUTTING OUT WASTE FOR COLLECTION – ROADSIDE COLLECTION

- 3.01 Council shall determine collection schedules for waste which is collected and may designate areas in the Municipality for special collection times differing from normal daytime collection.
- 3.02 During normal daytime collection, the approved user shall put out all items to be collected at the collection location prior to the time scheduled for collection, and no earlier than 5:00 pm on the previous evening or no later than 8:00 am on the day of collection.
- 3.03 Residents residing along private, seasonal or unassumed roads will receive collection services at the nearest public right-of-way, normally at the end of their private, seasonal or unassumed road where it meets with either of the Provincial highway or a year round maintained municipal road.
- 3.04 Materials shall be placed in approved structures or storage boxes meeting the requirements set out in Schedule "A" and to be located along the nearest public right-of-way, subject to the satisfaction of the Road Superintendent to allow for proper road maintenance.
- 3.05 Every owner shall maintain his or her approved containers, storage boxes, and the immediate vicinity of where they store and where they set out their containers for collection in a clean and sanitary condition.

- 3.06 Joint users of this public right-of-way shall be required to come to an amicable solution to any problem or collection services may be discontinued at that location at the discretion of Council upon staff recommendation.
- 3.07 Groups of residents may utilize a joint container providing it is maintained according to the standards in this by-law. It will be the responsibility of the joint users to notify municipal staff of the number of users of that receptacle to ensure that collection is maintained as per this by-law.

4.0 PREPARATION OF WASTE - GENERALLY

- 4.01 Every person who puts garbage out for collection shall ensure that:
- 4.01.1 waste set out for disposal or recycling shall be in approved containers as described in Schedule "A" and in accordance with the collection requirements set out in Schedule "H"
 - 4.01.2 each residential dwelling, low density multi-residential dwelling and high density multi residential dwelling is allowed to place one tagged residential waste container as described in Schedule "A" at the collection locations designated by the Clerk for collection, if more than one residential waste container is placed out for collection in any one collection period the additional waste containers must conform with the user pay guidelines as described in Schedule "K";
 - 4.01.3 Amnesty day will follow the Christmas holidays and will occur on the next two collection days following the holiday. At this time, each resident may set out more than the allowed number of bags to compensate for additional holiday volume.
 - 4.01.4 Additional Amnesty days may be declared by Council from time to time and advertised well in advance of such date.
 - 4.01.5 each Industrial, Commercial or Institutional unit is allowed to place four tagged residential waste containers as described in Schedule "A" at the collection locations designated by the Clerk for collection. If more than four residential waste containers are placed out for collection in any one collection period the additional waste containers must conform with the user pay guidelines as described in Schedule "K";
 - 4.01.6 the waste for disposal does not contain recyclables as described in Schedule "C", Prohibited Waste as described in Schedule "D", or Leaf and Yard Waste as described in Schedule "E";
 - 4.01.7 all wet waste is drained, wrapped in absorbent materials such as dry paper, and placed in a leak-proof container or bag prior to placement in a garbage container which meets the requirements of Schedule "A";
 - 4.01.8 ashes which are put out for collection are to be: cold; placed in a sealed non-refundable plastic bag; not in excess of 40 pounds in total weight; and separated from flammable waste;
 - 4.01.9 feces of dogs or cats which cannot be flushed in a sanitary manner are first wrapped in absorbent paper and placed in a sealed leak-proof bag, mixed in with garbage, and represent not more than ten percent by volume of the garbage container.
 - 4.01.10 any sharp objects or broken glass are securely wrapped so that the sharp object or broken glass cannot pierce the waste container;
 - 4.01.11 he or she forthwith cleans up any mess or debris created if all or any of the waste spills from, or for any reason is no longer contained in the approved container;
 - 4.01.12 no prohibited waste is mingled with garbage;

- 4.01.13 he or she places the approved container at the collection locations designated by the Clerk and Council for collection but not so as to impede or obstruct pedestrian or vehicular traffic or road maintenance operations;
- 4.02 An owner who requires an increase to the tagged bag limit because of the requirement to dispose of special waste such as medical tubing while such is being administered through home care may register with the Municipality to become exempt from the one (1) bag set out limit.

5.0 PROHIBITIONS & PROVISIONS

- 5.01 Every resident shall participate in the Municipal recycling program and are encouraged to actively reduce waste.
- 5.02 Every commercial establishment and trailer park operator shall participate in a recycling program and are encouraged to actively reduce waste.
- 5.03 No person shall place recyclable or prohibited material together in the same container with garbage. Any garbage bag observed to have more than 3 items that are considered recyclable materials or prohibited materials will not be collected by municipal employees for roadside collection or received for deposit at the landfill.
- 5.04 No person shall:
- 5.04.1 permit any animal owned by him or her or under his or her control to pick over, interfere with, remove or scatter any garbage, , recyclable materials or bulky items placed out for collection;
 - 5.04.2 throw, cast or otherwise deposit or permit any contractor, agent or employee of such person to throw, cast or otherwise deposit any waste whatsoever on or in any street, public property or private property without the prior consent of the owner, except as expressly authorized by this By-Law;
 - 5.04.3 place waste on public property for collection by a private collection agency; or
 - 5.04.4 deposit waste generated on private property into public waste receptacles located on public streets, parks or boat launches.
- 5.05 deposit waste at any waste disposal site outside the hours of operation as determined by the Council and posted at the site and set out in the Certificate of Approval ;
- 5.06 deposit any prohibited waste at any waste disposal site;
- 5.07 deposit any garbage, recyclable materials, scrap metal, bulky items, white goods, leaf and yard material, clean construction waste, or household hazardous waste material at the waste disposal site except at the location designated by the Landfill Attendant for that purpose;
- 5.08 deposit any burning material or set or cause to be set any fire at any waste disposal site;
- 5.09 deposit waste outside the gate or entrance to a waste disposal site or at any place other than the place designated for its receipt thereof;
- 5.10 neglect or refuse to provide proof of the origin of waste tendered for disposal at a waste disposal site when such is demanded, provided that in lieu of providing such proof the person tendering the waste may remove it without unloading it;
- 5.11 deposit waste at any waste disposal site when such deposit has been forbidden by the Council, Clerk or Landfill Attendant or the person for the time being in charge at the waste disposal site on the ground that the deposit would be contrary to this By-law or on the ground that the

- origin of the waste has not been satisfactorily determined in the sole discretion of the Landfill Attendant or their designate;
- 5.12 operate a motor vehicle on a waste disposal site other than on a designated roadway or highway; or without due care and attention; or at greater than the posted rate of speed;
 - 5.13 scavenge, salvage, pick over, interfere with, remove or scatter or like or similar any waste at any waste disposal site or at curbside unless authorized by the Landfill Attendant;
 - 5.14 transport waste to or at any waste disposal site 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 so as to prevent any of the contents from falling upon the ground during transport;
 - 5.15 transport waste to or at any waste disposal site except in such a manner so as to protect the same from insects, vector and vermin, and to control the escape of any offensive odours there from;
 - 5.16 deposit waste at any waste disposal site while prohibited from doing so pursuant to the terms of this By-Law or an Order of the Clerk;
 - 5.17 deposit in the designated area of any waste disposal site any refrigerator, freezer, air conditioning unit or other appliance that may contain or have contained chlorofluorocarbon refrigerants unless it has been processed as per Council policy on dealing with those materials as directed in Schedule "B";
 - 5.18 attend at any waste disposal site except for the purposes of depositing waste or for other lawful business, without the written approval of Council or the Clerk; or
 - 5.19 attend at any waste disposal site without the prior approval of Council or the Clerk except during the posted hours of operation.
 - 5.20 Except where otherwise permitted in this Bylaw, no person shall:
 - 5.20.1 deposit or cause to be deposited any waste within the Municipality limits other than in authorized waste disposal sites; provided however, natural soil, earth, sand, clay, gravel, loam, stones or any similar excavated materials may be used to fill low lots within the Municipality with the approval of the Clerk;
 - 5.20.2 throw or deposit or cause to be thrown or deposited any waste upon any vacant lot or yard or any public or private road or store or keep waste other than in an approved container.
 - 5.21 Wherever possible, residents shall be encouraged to maintain and use a viable composting system for compostable materials.
 - 5.22 Except as provided herein, the Municipality shall not operate a system for the collection and removal of prohibited waste;
 - 5.22.1 As demand dictates, the Municipality shall conduct Municipal Hazardous and Special Waste collection days;
 - 5.23 Every owner of a premises producing prohibited waste which is not collectable waste shall:
 - 5.23.1.1 Provide or arrange for the provision of an appropriate storage container, or containers for each type of prohibited waste, each of which shall be adequate to contain all of the prohibited waste of the type being disposed of;

- 5.23.1.2 Ensure such waste is conveyed to the point of disposal by and at the expense of the consignee or owner of such waste;
- 5.23.1.3 Ensure no such waste is placed at the curb for collection unless otherwise permitted by the Municipality; and
- 5.23.1.4 Ensure no such waste is combined or mixed with waste which is collected by the Municipality.

6.0 PRIVATE WASTE COLLECTION

- 6.01 Every owner of a premises not entitled to Municipality collection services or who generates waste of a type for which collection services are not provided, shall ensure the provision of a receptacle storage enclosure which is adequate to contain all of the waste to be disposed of and such waste shall be conveyed to the point of disposal by and at the expense of the consignee or owner of such waste. Every person not entitled to waste collection, pursuant to the provisions of this By-law, shall not place waste for collection.
- 6.02 Where private commercial collection services are utilized, the owner shall ensure waste is stored until collected in properly constructed and maintained containers which are emptied as necessary in order to prevent development of odours or nuisances and which are not allowed to overflow.
- 6.03 The owner shall ensure all containers, structures or buildings provided for the storage of waste shall at all times are maintained in a secure, clean, dry and sanitary condition so as to prevent entry of rodents, insects or other vector and vermin.

7.0 WASTE DISPOSAL SITES

- 7.01 Public access to a waste disposal site shall be limited to hours permitted in the Certificate of Approval and/or determined by the Clerk and Council and posted at the site and set out in Schedule "G" to this by-law.
- 7.02 All waste deposited at any waste disposal site shall become the property of the Municipality and may be salvaged, reclaimed, recycled, composted, disposed of or otherwise dealt with by the Municipality as the Municipality may deem fit.
- 7.03 No person shall deliver or deposit at any waste disposal site any waste not generated in the United Townships of Head, Clara & Maria, or waste which does not comply with this By-law or unload such waste at a waste disposal site, and, whether unloaded or not, all such waste shall be removed by or at the expense of the person seeking to or who did dispose of it.
- 7.04 No person or account holder shall deliver or deposit at any waste disposal site loads for disposal that are contaminated with recyclable material as described in Schedule "C", Leaf and Yard Waste as described in Schedule "E", Prohibited Waste as described in Schedule "D", Tires, or Scrap Metal.
 - 7.04.1 Loads containing more than 20% divertible material shall be deemed not to comply. It is up to the discretion of the Landfill Attendant to determine the percentage of contamination.
 - 7.04.2 Any person who fails to comply will be sent a warning in writing, at the property address, by the Clerk sent by prepaid regular mail and shall be deemed delivered five days after being posted by the Municipality in relation to a first occurrence;
 - 7.04.3 Any person who fails to comply will be charged two times the tipping fee for the non-compliant load in relation to a second occurrence;

- 7.04.4 Subsequently, any person who fails to comply will be charged three times the tipping fee for the non-compliant load and denied access to any Municipal landfill until all accounts owed to the Municipality for waste management are paid after the third occurrence.
- 7.04.5 Accounts holders in arrears at any Municipality landfill for more than 60 days shall be denied access until all accounts are paid in full or paid according to an agreed repayment schedule approved by the Clerk in writing.

8.0 FEES

- 8.01 The Municipality may from time to time prescribe rates or charges for the use of waste disposal sites and provide for terms of payment thereof.
 - 8.01.1 No person shall deposit or deliver waste to any waste disposal site operated by the Municipality without paying the appropriate fee as set forth in Schedule "F" – Solid Waste Tipping Fees,
 - 8.01.2 Notwithstanding subsection 8.01.1, no fees shall be payable under Schedule "G" in the circumstances set out in Schedule "I" – Exemptions from Tipping Fees.

9.0 PRIVATE WASTE DISPOSAL SITES

- 9.01 All privately-owned waste disposal operations shall comply with and be operated in accordance with all other relevant Municipal by-laws and all Provincial legislation and Federal legislation and standards and with the approval, when required, of the Medical Officer of Health.

10.0 SCHEDULES

- 10.01 The following schedules attached hereto form a part of this By-law and are enforceable fully as part of this By-Law:
 - 10.02 Schedule "A" – Approved Containers;
 - 10.03 Schedule "B" – Bulky Items;
 - 10.04 Schedule "C" – Recyclable Materials;
 - 10.05 Schedule "D" – Prohibited Waste;
 - 10.06 Schedule "E" – Leaf and Yard Materials;
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 - 10.15 Schedule "N" – Part I Provincial Offences Act Contraventions

11.0 PENALTIES, SANCTIONS, ETC.

- 11.01 The Clerk, or the employees of the Municipality who are designated by the Clerk as being in charge of a waste disposal facility may at any time order any person found scavenging or conducting any activity contrary to the terms of this By-law or other illegal activity on a waste disposal site or having no lawful reason to be there to leave forthwith, and if any such person fails to or refuses to leave, may call for police assistance and cause trespass charges to be laid.
- 11.02 Any registered owner of a property who fails to remove uncollected waste from public property or the collection location shall be notified in writing by the Clerk or designate that the Municipality may remove the waste at the registered owner's expense.
 - 11.02.1 If a registered owner refuses, delays or fails in removing waste not collected after written request to do so, the Clerk or his designate is

hereby authorized to have the waste removed at the expense of the registered owner.

- 11.02.2 All costs incurred, including the expenses of the Municipality for the removal and disposal of the waste shall be paid by the registered owner forthwith after mailing of a written invoice setting out the costs incurred by the Municipality.
- 11.02.3 If payment is not made by the registered owner within thirty days of mailing of the invoice, the Municipality is entitled to use all legal means at its disposal to collect the fees applicable, including placement of unpaid fees on the tax collector's roll for the property in question, which unpaid fees shall be collected in the same manner as municipal taxes pursuant to the Municipal Act 2001, c. 25, s. 398 (2).
- 11.03 Where an owner contravenes any of the provisions of this By-law, the Clerk or designate may in his or her sole discretion give notice in writing to the owner, at the property address, that unless the owner remedies the default within a specified time, and complies thereafter with the By-law, the Clerk may suspend, revoke or discontinue collection services and/or disposal privileges to the owner.
 - 11.03.1 Where, in the opinion of the Clerk or his designate, there has been a failure to comply with the Notice provisions in subsection 11.03, or there is a subsequent contravention of the By-Law, the Clerk may issue an Order to suspend, discontinue or revoke collection services and/or disposal privileges to the owner for a fixed period of time.
 - 11.03.2 Notice of the Order of the Clerk shall be given in writing to the owner, at the property address, delivered by prepaid regular mail and shall be deemed to be delivered five days after being posted by the Municipality.
 - 11.03.3 Any owner may apply to the Clerk in writing for termination of the Order, and upon the owner demonstrating to the Clerk that he or she is in compliance with the By-law and undertaking in the future to comply with the By-law, the Clerk may:
 - 11.03.3.1 terminate the Order, in whole or in part;
 - 11.03.3.2 impose such conditions or terms as she considers appropriate to reinstate full or partial collection services and/or disposal privileges; or
 - 11.03.3.3 make a new Order, on different terms and conditions
 - 11.03.3.4 In the event that the address of the owner changes, then the Clerk may continue the Order with respect to the new address of the owner.
 - 11.03.4 Every person who commits an act prohibited under sections 4, 5 and/or 9 or contravenes any other provision of this By-law is guilty of an offence and upon conviction thereof is liable to a fine of not more than \$10,000.00 for the first conviction and \$25,000.00 for any subsequent conviction, except that where a corporation is convicted of an offence the maximum penalties shall be \$50,000.00 for the first conviction and \$100,000.00 for any subsequent conviction and as determined in Schedule "N" as set by Council from time to time;
- 11.04 In the event that the Clerk suspends, revokes or discontinues collection services, the owner shall arrange for private collection services in accordance with the By-law.
- 11.05 In addition to any penalties imposed through prosecution of an offence pursuant to this By-law, the Municipality is entitled to use all legal means at its disposal to collect the fees applicable pursuant to this By-law. Any and all collection methods lawfully applicable may be relied upon, including placement of unpaid fees on the tax collectors roll for the property in question.

- 11.06 The fees and costs contributed to collection of unpaid fees applicable to this by-law will be added to the outstanding invoice.
- 11.07 The conviction of a person for the contravention of any provision of this By-law shall not operate as a bar to a prosecution against the same person for any subsequent or continued contravention of this By-law.
- 11.08 If this By-law is contravened and a conviction entered, 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 a penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.

12.0 GENERAL PROVISIONS

12.01 **SHORT TITLE:** This By-Law shall be known and may be cited as the "Waste Management By-Law".

12.02 This By-Law comes into force and takes effect on April 1, 2012.

READ a 1st and 2nd time this 9th day of September 2011.

READ a 3rd time short and passed this 2nd day of December 2011.

TAMMY LEA STEWART, REEVE

MELINDA REITH, CLERK

SCHEDULE "A" TO BY-LAW 2011-21

APPROVED CONTAINERS

1. For the purpose of this by-law;

“residential waste/garbage container” shall be a standard size waste bag no larger than 24 inches X 36 inches and weighing no more than 40 pounds when full.

“residential recycling container” shall be a standard size clear or transparent waste bag no larger than 24 inches X 36 inches and weighing no more than 40 pounds when full. Large barrels and waste receptacles with loose materials are prohibited due to the current method of collection.

“waste storage boxes” shall be permitted for end of laneway use, to be placed within seven feet from traveled portion of the roadway. If the box has a hinged lid the lid shall be of a weight and so constructed that the collector can easily open the lid for removal of the waste. The container shall be vented so that it is not an air tight compartment, drilled for drainage and screened to prevent the access of vermin.

“leaf and yard material” may be self-hauled to the disposal site in compostable paper bags and/or reusable containers and deposited in the area set aside for this material as directed by the land fill attendant.

SCHEDULE "B" TO BY-LAW 2011-21

BULKY ITEMS

1. For the purposes of this By-Law, "bulky items" include but is not limited to:
 - (a) refrigerators;
 - (b) ovens and stoves;
 - (c) washers;
 - (d) dryers;
 - (e) dishwashers;
 - (f) freezers;
 - (g) air conditioning units;
 - (h) microwave ovens;
 - (i) barbeques;
 - (j) patio furniture;
 - (k) piano;
 - (l) oil tanks;
 - (m) furnace;
 - (n) TVs and monitors;
 - (o) vacuum cleaner;
 - (p) hot water heater;
 - (q) woodburning stoves;
 - (r) child's swing set;
 - (s) humidifier;
 - (t) toilet;
 - (u) sink;
 - (v) furniture; and
 - (w) any items so designated by the Clerk from time to time

2. No collection or removal services shall be provided, and no person shall put out for collection or disposal any refrigerator, freezer, air conditioning unit or any other Freon containing white good unless:
 - (a) all of the doors thereon have either been first removed or latches have been removed such that the unit can in no way be latched;
 - (b) all fluorocarbon refrigerants have been removed there from by a licensed "Ozone Depletion Technician" or a paid Freon removal tag has been purchased; and
 - (c) either a tag or notice is displayed thereon signed by a person certified pursuant to regulations indicating that the unit is empty of fluorocarbon refrigerants.

3. Notwithstanding subsection (2), the Clerk may, in his or her sole discretion, limit or refuse collection or removal services for white goods and/or bulky items from any residential building or limit or refuse collection services for any bulky item or items for the benefit of any owner of a residential dwelling.

4. Notwithstanding subsection (2), the resident may contact the municipal service provider to determine whether or not the unit may be collected without complying providing:
 - (a) the unit is not left curbside but instead removed directly from the resident's property by the service provider.

SCHEDULE "C" TO BY-LAW 2011-21

RECYCLABLE MATERIALS

1. In this By Law: "recyclable containers" includes but is not limited to:
 - a) food and beverage glass bottles and jars;
 - b) metal food and beverage cans;
 - c) aluminum foil and trays;
 - d) #1 (PET) plastics, #2 (HDPE) plastics, #3 (PVC), #4 (LDPE) plastics, #5 (PP) plastics, #6 (PS) and #7 (OTHER PLASTIC) plastics and consisting of bottles, containers, trays, tubs, lids and film, but not including motor oil containers; bail wrap and twine, toys, and plant trays;
 - e) polycoat milk and juice cartons;
 - f) tetrapak drinking boxes;
 - g) empty and dry paint, stain and coating cans with lid removed;
 - h) empty aerosol cans; and
 - i) any other container designated by the Clerk to be a recyclable container.

2. "recyclable paper" includes but is not limited to:
 - a) newspaper and insert flyers
 - b) magazines, catalogues and telephone books
 - c) household paper, including junk mail, writing and computer paper and envelopes;
 - d) paper bags;
 - e) fibre egg cartons
 - f) paper rolls such as the inserts for toilet paper and paper towels;
 - g) boxboard and waxed boxboard;
 - h) hard and soft cover books;
 - i) paper cups;
 - j) greeting cards and gift wrap;
 - k) "recyclable cardboard" includes, clean, unwaxed corrugated cardboard and
 - l) any other paper designated by the Clerk in conjunction with our service provider to be recyclable paper

3. "recyclable materials" includes but is not limited to:
 - a) recyclable containers;
 - b) recyclable papers;
 - c) recyclable cardboard;
 - d) ink jet cartridges;
 - e) cell phones;
 - f) rechargeable batteries; and
 - g) any other item designated by the Clerk in conjunction with our service provider to be recyclable materials.

4. All recyclable waste whether set out for collection or deposited in the depot bins or brought to the landfill shall be separated from non-recyclable garbage and prepared for collection as follows:
 - a) All wet materials shall be separated from dry papers and packaging.
 - b) All material shall be placed in clear/transparent bags for collection.
 - c) Glass bottles and jars shall be rinsed with their tops removed.
 - d) Metal cans shall be rinsed with the lids cut off.
 - e) Plastic bottles and jars shall be rinsed with their tops removed.
 - f) Aluminum trays and foil shall be clean, folded together and placed loose in the bag.
 - g) Styrofoam shall be clean and placed loose in the bag.
 - h) Corrugated cardboard shall be broken down, laid or folded flat, preferably bundled within another box.
 - i) Boxboard and other household paper shall be cleaned of any food and/or plastic liners and shall be flattened.
 - j) Clean plastic bags and packaging shall be placed in a sound transparent plastic bag and tied shut.
 - k) No loose material will be collected unless the items are large and easily carried.

SCHEDULE "D" TO BY-LAW 2011-21

PROHIBITED WASTE

For the purpose of this By-law:

1. "dangerous, hazardous or toxic waste" includes but is not limited to:
 - (a) acute hazardous waste
 - (b) chemical hazardous waste;
 - (c) chemical corrosive waste;
 - (d) hazardous industrial waste
 - (e) ignitable waste;
 - (f) PCB waste;
 - (g) radioactive waste;
 - (h) reactive waste;
 - (i) severely toxic waste;
 - (j) leachate toxic waste; or
 - (k) any otherwise determined by the Clerk to be hazardous or toxic; and shall not be collected at HCM landfills.

2. "Pathological waste" includes biomedical waste, whether solid or liquid, including but not limited to:
 - (a) any animal or human organ or part thereof;
 - (b) bone, muscle or other animal or human tissue or part thereof;
 - (c) medicines, vitamins, drugs, or vaccines;
 - (d) loose needles, syringes, or lancets;
 - (e) vials;
 - (f) any other similar material or substance which contains or may contain pathogenic micro-organisms;
 - (g) any material which may be hazardous or dangerous;
 - (h) anything designated as pathological waste under Regulation 347 of the Environmental Protection Act; and
 - (i) any other waste determined by the Clerk to be pathological waste; and shall not be collected at HCM landfills.

3. "household hazardous waste" includes any household product, material or item, other than empty containers, labeled as:
 - (a) "corrosive" or "toxic";
 - (b) "reactive";
 - (c) "explosive";
 - (d) "oxidizing";
 - (e) "poisonous";
 - (f) "infectious";
 - (g) "flammable"; or
 - (h) established by the Clerk from time to time as being prohibited and set out in information publications produced by the Clerk;
 - (i) and shall be collected as per our Certificate of Approval on arranged collection days.

4. "prohibited waste" includes but is not limited to:
 - (a) dangerous, hazardous or toxic waste;
 - (b) pathological waste;
 - (c) household hazardous waste;
 - (d) manure originating from agricultural activity;
 - (e) any waste in liquid form; and
 - (f) any other item or thing designated as prohibited waste by the Clerk.

SCHEDULE "E" TO BY-LAW 2011-21

LEAF AND YARD MATERIAL

1. In this By-law, "leaf and yard material" includes but is not limited to:
 - (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) Christmas trees;
 - (i) Other plant material; and
 - (j) Any other item determined by the Clerk from time to time to be leaf and yard material.
 - (k) And shall be collected at the landfill so long as it is separated and sorted into appropriate piles.
2. The attendant will allow a maximum of 4 – one-half ton truck loads of brush per household per year to be disposed of.
3. Contractors who approach the municipality with a request to dispose of brush will be told that the municipality recommends the usage of a chipper and will not be allowed to dispose of brush in our site. Municipal roads staff will maintain the practise of letting brush lie along roadsides.
4. Stumps are prohibited.

SCHEDULE "F" TO BY-LAW 2011-21

SOLID WASTE TIPPING FEES

No Charge Shall be Collected For

1. Residential Recyclable Containers and Fibres.
2. Residential brush and leaves.
3. Residential Household Hazardous Waste at designated sites and times only.
4. Metal (all metal that can be recycled excluding large appliances).
5. Passenger car or truck tires not exceeding 20 inches and limited to four per household per year.

Tipping Fees

Bags – standard size as per Schedule "A" Oversized bags count as 2	\$1/bag for 2012
Upholstered Furniture or Mattresses	\$5 each chair or small sofa \$10 each large sofa or sofa bed or mattress
Large Appliances – fridge, stove, freezer etc.	\$10 each
Boats – no matter the material	\$3 per linear foot
Containers per cubic yard	
Loose Household Waste	\$10 per cubic yard
Demolition/construction Waste - wood products, drywall and insulation products	\$20 per cubic yard
Asphalt Shingles	\$30 per cubic yard
Compacted material	\$30 per cubic yard
Railway Ties	\$5/tie
All Other Material	\$40 per cubic yard
Contaminated Fill (See Schedule "J") Suitable for Daily Cover	\$40.00/tonne or \$20/cubic yard
Contaminated Fill (See Schedule "J") Not Suitable for Daily Cover	\$85.00/tonne or \$40/cubic yard
Highway Accident Refuse – non-hazardous	\$100/cubic yard
Highway Accident Refuse – hazardous material	Not accepted, will need to locate an authorized venue for disposal.
Building Fire/Building demolition	\$300 per load

SCHEDULE "G" TO BY-LAW 2011-21

LANDFILL HOURS OF OPERATION

Disposal site hours vary during the winter months of January, February and March.

BISSETT CREEK SITE - Located on Bissett Creek Road.

Tuesday 12:30 pm - 3:30 pm (3 hours)

Saturday 12:45pm - 3:45pm (3 hours)

STONECLIFFE SITE - Located on Kenny Road.

Thursday 12:45pm - 4:15 pm (3.5 hours)

Saturday 8:30 am to 12:00 noon (3.5 hours)

DISPOSAL SITE CLOSURES

**Reminder that the disposal sites will be closed on all Statutory Holidays plus Easter Sunday, Civic Holiday Monday and Christmas Eve:

- New Year's Day
- Family Day
- Good Friday
- Easter Sunday
- Victoria Day
- Canada Day
- Civic Holiday Monday
- Labour Day
- Thanksgiving Monday
- Christmas Eve
- Christmas Day
- Boxing Day

SCHEDULE "H" TO BY-LAW 2011-21

COLLECTION REQUIREMENTS

The following guidelines must be observed in order for waste and recycling collection services to be guaranteed:

- (a) Waste and recyclables shall be set out no later than 8:00 am on the morning of collection to provide for emergencies or modifications to routine of operator;
- (b) Waste and recyclables shall be the responsibility of the homeowner until it is collected by the Municipality. If animals tear into and strew waste about the roadside, it is the homeowner's responsibility to clean it up;
- (c) "one bag" shall mean one standard size garbage bag of dimensions of approximately 24 inches X 36 inches or container of approximately 15 gallons.
- (d) One (1) tagged bag shall be collected from each residence with four (4) being collected from each trailer park or other commercial operation;
- (e) over-sized bags shall count as two bags of garbage;
- (f) bags or containers shall not weigh more than 40 pounds when filled;
- (g) waste, recyclables and bulky items shall be visible to the collection staff from the road;
- (h) waste, recyclables and bulky items shall not be placed more than seven feet from the property owner's side of the edge of the road or seven feet from the edge of the driveway or property access.
- (i) waste, recyclables, and bulky items shall not be placed atop or behind a snow bank;
- (j) waste, recyclables and bulky items shall be out of the path of the snow plow;
- (k) waste shall not contain household hazardous waste;
- (l) household hazardous waste shall not be collected but instead self-hauled to the Kenny Road landfill site for short term storage as per the amended Municipal Certificate of Approval or held on the owner's property until the next Municipal Hazardous and Special Waste collection event;
- (m) construction and demolition waste, including wood, drywall, carpet, tiles etc, shall not be collected roadside; construction and demolition waste must be self-hauled to landfill.

SCHEDULE "I" TO BY-LAW 2011-21

EXEMPTIONS FROM WASTE DISPOSAL SITE TIPPING FEES

1. Notwithstanding the fees set out in Schedule "F", no tipping fees shall be payable with respect to:
 - (a) recyclable materials source-separated to the satisfaction of the Landfill Attendant and deposited in the appropriate container or area specified for such use by the Attendant;
 - (b) leaf and yard material source-separated to the satisfaction of the Landfill Attendant and deposited in the appropriate area specified for such use by the Attendant;
 - (c) clean wood waste source-separated to the satisfaction of the Landfill Attendant and deposited in the appropriate area specified for such use by the Attendant;
 - (d) granular materials determined by the Landfill Attendant in his or her sole discretion to be suitable as cover material at the waste disposal site, and source-separated to the satisfaction of the Attendant and deposited in the appropriate container or area specified for such use by the Landfill Attendant;
 - (e) garbage collected from single unit residential buildings, multi-unit residential buildings and small commercial establishments delivered by waste collection vehicles of the Municipality.

SCHEDULE "J" TO BY-LAW 2011-21

PROCEDURE FOR RECEIPT OF CONTAMINATED SOIL

The United Townships of Head, Clara & Maria can accept contaminated soil at our landfill sites provided it is classified as "non-hazardous" as per O. Reg 558.

Procedure

1. The waste generator must provide the analysis of the soil to ensure it is within acceptable limits.
2. The waste generator is to provide an estimate of the quantity of material to be received.
3. The analysis and estimate are forwarded to the municipal consultant to review the sampling procedures and confirm the findings are satisfactory.
4. The Municipality may request that additional chemical analysis be performed on areas of soil with the highest concentration of contaminants. In relation to large projects, the Municipality may require, at its sole and absolute discretion, additional sampling.
5. Confirm with our Landfill Attendant the location, within the approved landfilling area, that the contaminated soil may be deposited.
6. Ensure that any erosion of the pile will not be carried off site by surface water runoff.
7. Use as regular cover material.
8. A site visit at the source of such soil by Municipal staff or consultants may be conducted at their sole and absolute discretion.
9. Once chemical properties of the material are reviewed and determined to be below Schedule 4, O. Reg 558, the physical characteristics of the material will be reviewed by the Consultant. The soils will be accepted as landfill daily cover provided the material is:
 - Dry
 - Free of garbage/debris
 - Contains little stone
 - Sand based (soils with high clay content will not be accepted as cover)

SCHEDULE "K" TO BY-LAW 2011-21

USER PAY PROGRAM

The Council of the United Townships of Head, Clara & Maria deems it prudent to establish a partial user pay program in respect to waste products within the municipality to encourage waste diversion and offset the costs of maintaining a waste diversion program and landfill sites.

Procedure

1. As per the Implementation Schedule listed in this by-law, users of the landfills within the United Townships of Head, Clara & Maria will be required to pay for any materials deposited at the landfill sites over and above those limits as set out in this by-law.
2. Any residence disposing of more than one (1) standard bag of household waste per week will be required to self-haul the material to the landfill during approved hours and pay tipping fees at the rates set out in Schedule "F" to this by-law.
3. All material shall require the payment of a tipping fee as per schedule "F".
4. In order to facilitate the payment of tipping fees, bags self-hauled to the disposal site will require bag tags. Extra bag tags may be purchased at the Municipal office during regular office hours.
5. Other materials will require an estimate of the volume of material and a pre-purchased tipping slip acquired from the municipal office and presented to the Landfill Attendant prior to tipping.
6. Without this pre-paid tipping slip, materials will not be accepted by the Landfill Attendant.

SCHEDULE " L" TO BY-LAW 2011-21

WASTE COLLECTION ROUTES

Disposal Site and Recycling Collection will take place from the driveways of residents and commercial operations along Highway 17 and along Municipal Roads up to the snowplow turnarounds.

Residents from private roads are required to bring their garbage and/or recyclables to the ends of their roads where they connect to the Municipal roads; again at the snow plow turnarounds or the ends of private lanes/trails.

In summer, cottagers and seasonal residents will deposit their waste at the ends of these roads as well; increasing normal volume. Our driver is required to collect this material.

The municipal roads subject to collection include:

TransCanada Highway 17

- ↳ From # 38065 in Mackey to and including #47606 in Deux Rivieres

Mackey

- ↳ Harvey Creek Road
- ↳ Jobidon Road
- ↳ Boudreau Road
- ↳ Francoeur Road to Clouthiers
- ↳ Ashport Road
- ↳ Donnelly Road
- ↳ Mackey Creek Road
- ↳ Desjardins Road
- ↳ Jennings Road (to Boy Scout Camp)

Stonecliffe

- ↳ Pine Valley Road
- ↳ Township Hall Road
- ↳ Loggers Road
- ↳ Boat Launch Road
- ↳ Yate's Road

Bissett Creek

- ↳ Mclsaac Drive
- ↳ Trapper's Road

Deux Rivieres

- ↳ Dunlop Crescent
- ↳ Cotnam Road

As well as garbage, our driver shall collect recycling material from Bissett Creek and Deux Rivieres. This material shall be in transparent bags, left along with the garbage. The garbage is to be dropped at Bissett and the recycling to be transferred to the recycling storage container beside the Township Hall in Stonecliffe or to the container at the Kenny Road Disposal Site.

The cargo container at Stonecliffe may be used to store recyclable material from Bissett and Deux Rivieres. This cargo container shall also be used as a re-use storage area for any material that is delivered to the landfill in good shape. The material is to be placed into the container for any person to remove for re-use. If any item stays for a length of time, as determined by the Attendant, it may then be land filled or recycled.

Similarly the cargo container at Bissett is to be used for re-use and recyclables for short term storage.

SCHEDULE “ M” TO BY-LAW 2011-21

IMPLEMENTATION SCHEDULE

Once the by-law is passed, a copy will be posted on the municipal website and information will routinely be inserted in each subsequent newsletter.

As of January, 2012 a mail out using the tax bill database will occur advising all property owners of the new Waste Management By-Law to become effective on April 1, 2012. Tipping cards allowing 10 free bags to be brought to the landfill will be mailed to each residence.

As of March 1, 2012 all waste must be set out as per the new by-law limiting collection to one bag per residence with tipping fees to be applied at the landfill beginning in April. Stage I Enforcement will continue until April 1, 2012.

As of April 1, 2012 Stage II Enforcement will commence. Those with non-conforming materials will be collected but the owner will be made aware that this is their only chance; in future the materials will not be collected. Tipping fees will be required for all materials brought to the disposal site(s).

As of May 1, 2012 Stage III Enforcement will commence. All bags over the limit or which contain improper materials will be left at the roadside. At this point the by-law enforcement officer and Landfill Attendant will be able to lay fines to enforce this by-law.

A reminder notice will be included in all spring tax bills, reminding property owners of the new system.

Enforcement

Stage I Enforcement – (implementation of limits and tipping fees)

Any resident that has a non-compliant bag at the curb side (anything more than one bag or obviously containing prohibited materials) will be given a friendly reminder by staff about the new requirements. The bags will still be accepted but residents will be informed about how they were not in compliance, so they can change for when enforcement starts.

An “OOPS” sticker and a notice as to why the bag was not compliant will be left on the household door or on the container.

If the location is at a public access site, the Attendant will attempt to ascertain to whom the material belongs. The notice will be left at the site and a notice letter will be mailed to the property owner(s).

Stage II Enforcement

Any resident that has a non-compliant bag or more than one (1) bag curb side will be given a friendly reminder that there are recyclables or other non-conforming material in their bag or that they have exceeded the bag limit. The bags will be collected but the date of the expiration of the “warning period” will be listed on the warning.

An “OOPS” sticker and a notice as to why the material was not compliant will be left on the household door or on the container.

Again, if the location is at a public access site, the Attendant will attempt to ascertain to whom the material belongs. The notice will be left at the site and a notice letter will be mailed to the property owner(s).

Stage III Enforcement

The program requirements will be fully enforced. Any non-compliant garbage bags (ex. a bag that obviously contains recyclables or other prohibited material) will be left at curbside and/or not received at the landfill.

As a rule of thumb to help the driver monitor for contamination, any bag/container with more than 3 obvious prohibited items will be left curb side with a sticker/notice indicating the infraction.

Variations

Variations to the program may be permitted for requesting facilities or households depending on circumstances. Variations will be dealt with on a case by case basis upon submission of a request for consideration to the Clerk.

If a request is made, the following protocol will be followed:

- ◆ A convincing reason as to why a variance is needed would be heard.

If it is deemed that a variance may be required:

- ◆ Consultation would occur to ensure that the resident is fully participating in the recycling program.
- ◆ Consideration for a variance would be undertaken by the Clerk and Attendant.
- ◆ Final decision will be at the municipality's discretion.
- ◆ If a variance is permitted, the driver will be notified of the civic address and details of the variance (how many bags will be allowed).
- ◆ Variations will be reviewed periodically and modified at the municipality's discretion.

SCHEDULE "N" TO BY-LAW 2011-21

PART 1 PROVINCIAL OFFENCES ACT CONTRAVENTIONS

<u>ITEM</u>	<u>SHORT FORM WORDING</u>	<u>BY-LAW PROVISION CREATING THE OFFENCE</u>	<u>SET FINE (INCLUDES COSTS)</u>
1	Fail to pay proper tipping fee.	Schedule F	\$100
2	Fail to provide name and address at site.	5.10	\$100
3	Fail to declare origin of waste at site or provide false evidence of origin.	5.10	\$200
4	Deposit waste at site outside hours of operation.	5.05	\$200
5	Fail to transport waste in a safe manner, to avoid littering.	5.14	\$200
6	Fail to properly sort waste and dispose in designated area.	5.07	\$100
7	Improperly disposing of waste at the landfill site outside the gates	5.09	\$100
8	Dispose of Hazardous or other Prohibited Materials	5.06 and Schedule D	\$500
9	Salvaging at site without municipal permission.	5.13	\$200
10	Scavenging, removing or scattering waste on site.	5.13	\$100
11	Disposing of waste on municipal or private property other than the landfill site.	5.04.2 and 5.20.2	\$200
12.	Depositing waste generated on private property into public waste receptacles.	5.04.4	\$100
13.	Deposit any burning material or set or cause to be set any fire at any waste disposal site.	5.08	\$200