

CORPORATION OF THE NATION MUNICIPALITY

BY-LAW NO. 75-2002

BEING a by-law to establish, maintain and operate a waste management system.

WHEREAS, Section 208.2 of The Municipal Act, R.S.O. 1990 as amended authorizes municipalities to pass by-laws to establish, maintain and operate a waste management system;

AND WHEREAS, Section 208.6 of The Municipal Act authorizes municipalities to pass by-laws to prohibit or regulate the use of any part of a waste management system established under Section 208.2;

THEREFORE, the Council of the Corporation of The Nation Municipality enacts as follows:

1. Application

- 1.1 The provisions of this By-Law apply to the owners and occupants of all residential and multi-residential establishments within The Nation Municipality as defined in Sections 4.11 and 4.17 of this By-Law.
- 1.2 Non-residents and persons not owning property within The Nation Municipality shall not at any time have access to or use of the municipality's waste disposal sites and, if found in contravention of this rule, shall be charged with trespassing.

2. Scope of By-Law

- 2.1 In the event of a conflict between this By-Law and amendments thereto and any other by-law, the most restrictive shall prevail.
- 2.2 The provisions of this By-Law shall not relieve any person from compliance with any provisions of the Public Health Act or regulations prescribed by the Medical Officer of Health.

3. Effective Date

- 3.1 This By-Law shall come into force and take effect on January 1, 2003.

4. Definitions

- 4.1 "Bag" shall mean a polyethylene plastic bag measuring not more than 30" x 38" (76 cm x 96 cm) of not less than 1.2 mil gauge thickness securely fastened and closed at the top.
- 4.2 "Blue Box" shall mean the box supplied by the Municipality for the collection of recyclable materials.
- 4.3 "Compostable Waste" includes grass cuttings, garden refuse, leaves, kitchen and table waste of vegetable origin and all other material which is generally accepted as compost, including hedge clippings and branches less than 50mm in diameter.
- 4.4 "Construction Waste" shall mean discarded building material resulting from the erection, repair, demolition or improvement to buildings or structures.
- 4.5 "Container" shall mean a reusable galvanized metal or plastic container with

a maximum capacity of 28 imperial gallons (125 litres) and having carrying handles and watertight lid which shall be securely attached.

- 4.6 “Council” shall mean the Council of the Corporation of The Nation Municipality.
- 4.7 “Dumpster” shall mean a metal container for the use of securing garbage and must be compatible with the garbage truck.
- 4.8 “ Unit” shall mean 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 is provided with culinary and sanitary facilities for their exclusive use.
- 4.9 “Hazardous Material” shall include ammunition, antifreeze, auto batteries, brake fluid, degreasers, drain cleaner, gasoline, herbicides, waste oil, oven cleaner, paints, pesticides, preservatives, septic tank cleaners, solvents.
- 4.10 “Major Appliance and/or Large Household Furnishings” shall mean any and all large or bulky household mechanisms and/or articles commonly used in the home including but not limited to refrigerators, freezers, stoves, washers, dryers, televisions, water tanks, chairs, sofas, tables, mattresses, beds, carpets, etc.
- 4.11 “ Multi Residential Unit” shall mean a building or structure containing 2 or more dwelling units.
- 4.12 “Municipal Waste Collector” shall mean the persons authorized by the municipality from time to time to collect non-recyclable garbage and/or recyclable waste within the municipality.
- 4.13 “Municipality” shall mean the Corporation of The Nation Municipality.
- 4.14 “Non-Collectable Waste” shall mean the following:
- (i) ashes
 - (ii) explosive or highly combustible materials of any nature whatsoever
 - (iii) construction debris
 - (iv) sawdust and/or shavings
 - (v) liquid or semi-liquid waste
 - (vi) hay, straw and manure
 - (vii) grass clippings, garden material, tree limbs, Christmas trees and trunks, stones, leaves and yard waste
 - (viii) major appliances and/or household furnishings
 - (ix) carcass of any animals
 - (x) materials which have become frozen or otherwise stuck to a container
 - (xi) tires
 - (xii) bio-medical waste
 - (xiii) automobiles, vehicles or any parts thereof
 - (xiv) fences, fence posts, fence wire
 - (xv) hazardous waste as defined in the regulations to the Environmental Protection Act, RSO 1990 as amended from time to time
 - (xvi) propane tanks
 - (xvii) crates or packing materials
 - (xviii) recyclable waste
- 4.15 “Non-Recyclable Garbage” shall mean all garbage and other refuse except non-collectable waste.

- 4.16 “Recyclable Waste” shall mean such items as the municipality identifies from time to time as being suitable for recycling purposes. Council shall establish in conjunction with the municipal waste collector which items of recyclable waste are collectable and which items are not.
- 4.17 “Residential Establishment” shall mean a building or structure containing less than two dwelling units.
- 4.18 “Tag” shall mean a tag or sticker issued by the municipality upon payment of the applicable fees as determined by Council from time to time, to be affixed to the items of less than 50 pounds put out for collection or to the bags of non-recyclable garbage put out for collection by the municipal waste collector.
- 4.19 “Waste” includes garbage, refuse, domestic waste, industrial solid waste and municipal waste and, without limiting the generality of the foregoing, means non-recyclable garbage and/or non-collectable waste.

5. Curbside Pick-up

- 5.1 There shall be one (1) weekly curbside pick-up of waste and recycling. Garbage and recycling shall be placed at the curb by 7:00 a.m. the day of the regular pick-up of that area. Containers and bags which are set out for collection shall be placed as close to the street as reasonably possible without obstruction to the travelled portion of the roadway and/or sidewalk. Glass shall be boxed with the outside of the box clearly marked “BROKEN GLASS”.
- 5.2 No person shall pick over, interfere with, disturb, remove or scatter any waste which has been set out for collection.
- 5.3 No person shall put out hazardous materials for collection. Hazardous materials shall be taken to approved depots.
- 5.4 No person shall set out waste for collection except from the residential, industrial, commercial or institutional establishment at which it was generated.
- 5.5 As authorized by Section 208.5 (5) of the Municipal Act, R.S.O. 1990 as amended, the Treasurer is hereby authorized to charge the cost of providing a waste management system on all users of the system within the municipality.
- 5.6 Except as otherwise provided in this by-law, neither the municipality nor the waste collection contractor shall collect non-collectable waste from any residential, industrial, commercial or institutional establishment within the municipality.
- 5.7 Garbage bags should be placed in a container to prevent animals from opening garbage bags.
- 5.8 Compostable waste such as leaves, grass clippings and branches shall not be placed at the curb for pick-up. These items can be taken to the municipal waste disposal site.
- 5.9 Any waste which the waste collection contractor declines to collect shall be removed by the owner or occupant of the residential, industrial, commercial or institutional establishment by or on whose behalf the waste was placed for collection before 7:00 p.m. on the day on which the collection was

scheduled.

6. Bag Limit

- 6.1 Effective January 1, 2003, all residential establishments, including multi-residential and apartment units, shall be limited to two bags of garbage per unit per week. Extra tags may be purchased from the municipal office at a cost as set out in Schedule "B" attached to and forming part of this by-law.
- 6.2 The size of bags set out for collection shall be no larger than as defined in Section 4.1 of this by-law.

7. Access to Landfill Sites

- 7.1 The landfill sites shall be open in accordance with the following schedule:

Caledonia Site: located on Concession 7 Road, former Township of Caledonia. OPEN the second and fourth Saturday of the month from 9:00 a.m. to 1:00 p.m.

Limoges Site: located on Route 300, former Township of Cambridge. OPEN every Saturday from 8:00 a.m. to 5:00 p.m.

South Plantagenet Site (Fournier): located on Concession 15 Road, former Township of South Plantagenet. OPEN SUMMER HOURS (May 1 to October 31) every Saturday from 9:00 a.m. to 4:00 p.m. and every Wednesday from 9:00 a.m. to 12:00 noon. OPEN WINTER HOURS (November 1 to April 30) first Saturday of month from 9:00 a.m. to 4:00 p.m. and every Wednesday from 9:00 a.m. to 12:00 noon.

- 7.2 The landfill sites are closed on Christmas Day and New Year's Day.
- 7.3 No person shall enter the landfill sites by vehicle or on foot other than during the hours set out in Section 7.1. Any unloading of waste shall be supervised by the landfill site attendant. Salvaging and recycling by the municipality is permitted but scavenging shall not be permitted.
- 7.4 No household garbage is accepted at the municipal landfill sites. Materials accepted at the landfill sites must be source separated into the following categories:

- 1) Wood
- 2) Metals (iron), white metals (appliances)
- 3) Construction waste, demolished and/or burnt building waste
- 4) Earth fill
- 5) Leaves, branches, tree limbs, grass clippings.

8. Tipping Fees

- 8.1 Tipping fees shall be charged in accordance with Schedule "A" attached to and forming part of this by-law.
- 8.2 The Treasurer shall provide the landfill site attendants with invoice booklets in three NCR (no carbon required) copies. The amount of the tipping fees shall be indicated on the invoice, the resident shall sign and be given one copy and the second and third copies shall be submitted to the municipal office.
- 8.3 The landfill site attendant shall not accept payment whether by cheque or cash.

9. General

- 9.1 The headings in this by-law are included solely for convenience of reference and are not intended to be full or accurate descriptions of the contents thereof and are not to be considered as part of the by-law.
- 9.2 If any provision of this by-law or the application thereof to any person shall to any extent be held to be invalid or unenforceable, the remainder of this by-law or the application of such provision or requirement to all persons other than those to which it is held to be invalid or unenforceable shall not be affected thereby, and it is hereby declared to be the intention of Council that each provision and requirement of this by-law shall be separately valid and enforceable to the fullest extent permitted by law.

10. Enforcement and Penalties

- 10.1 Every person who contravenes any provisions of this By-Law is guilty of an offence and, upon conviction thereof, shall forfeit and pay a penalty for each such offence and every penalty shall be recoverable under the Provincial Offences Act, R.S.O. 1990, Chapter P.33 and amendments thereto.
- 10.2 When a person has been convicted of an offence under this by-law, any court of competent jurisdiction thereafter may, in addition to any other penalty imposed upon the person convicted, issue an order prohibiting the continuation of repetition of the offence or the doing of any act or thing by the person convicted directed toward continuation or repetition of the offence.

- 11. That By-Law No. 11-99 be repealed upon the coming into force of this by-law.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL
THIS _____ DAY OF _____ 2002.

Denis Pommainville, Mayor

Mary J. McCuaig, Clerk

SEAL

THE NATION MUNICIPALITY

SCHEDULE "B" TO BY-LAW NO. 75-2002

BAG TAG PRICING

- 1) Additional tags may be purchased at the Municipal Office at \$1.00 per tag. Tags shall be placed on any waste set out for collection in excess of the two bag limit as set out in Section 6.1 of By-Law No. 75-2002.
- 2) Tags may be purchased in lots of 10 at \$10.00 per lot and lots of 25 at \$20.00 per lot.