

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

BY-LAW NO. 43-2012

BEING A BY-LAW TO REGULATE THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE, YARD WASTE MATERIALS, RECYCLABLE MATERIALS INCLUDING BLUE BOX MATERIALS, IN THE TOWNSHIP OF NORTH GLENGARRY.

WHEREAS it has been deemed expedient by the Council of the Corporation of the Township of North Glengarry to regulate the collection, removal and disposal of garbage, yard waste materials, recyclable materials, including blue box materials, within the Township of North Glengarry.

WHEREAS the Council of the Corporation of the Township of North Glengarry is empowered to enact said By-Law under the authority of the Municipal Act S.O. 2001, and amendments thereto; and

WHEREAS the Provincial Offenses Act, R.S.O. 1990 provides for fines for persons convicted of an offence.

NOW THEREFORE the Council of the Corporation of the Township of North Glengarry hereby enacts as follows:

DEFINITIONS

In this By-Law:

Ashes: means the solid residue derived as a by-product from the burning of or combustion of any material or substance.

Blue Box: means a receptacle used as described in Section 11 of this By-law, for the collection of Recyclable Materials.

Business Use: means the use of a building or part thereof in which one or more persons are employed in the administration, management, and direction or conducting of a business or where professionally qualified persons and their staff serve clients who seek advice or consultation.

Collectable Waste: means Garbage, and Blue Box Recyclables.

Corporation: means The Corporation of The Township of North Glengarry.

Commercial Use: means the use of land, buildings or structures for the purpose of buying and / or selling of commodities or supplying of services at retail or wholesale.

Curbside Recycling Program: means the curbside collection of source separated materials as designated and operated by the Corporation.

Designated Collection Point: means the location where Collectible Waste is collected, as described in Section 8 of this By-law.

Eligible Property: means a single family residential property solely intended for residential use that fronts onto a Travelled Street, including a single detached dwelling, semi-detached dwelling, duplex dwelling, townhouse and any other property designated by the Township.

Hazardous Waste: means

Any product, material or item labeled as "corrosive", "toxic", "explosive", "oxidizing", "poisonous", "infectious", "flammable", including but not limited to the following:

Household cleaners including bleach, oven, drain, toilet and carpet cleaning solutions;

Prescription medicines;

Explosives, gasoline, motor oil, barbeque starter fluid, ammunition or other incendiary material;
Pressurized containers including propane cylinders and tanks;
Aerosol containers (full or partially full);
Poisons, including rat and mouse poisons, moth balls, insect and weed killers;
Fertilizers, fungicides, herbicides, insecticides or pesticides;
Paints, solvents, coatings and wood preservatives;
Engine oil, brake and transmission fluid;
Batteries, including automotive batteries and ni-cad rechargeable batteries and lead acid batteries;
Other material, including gas tanks, fire extinguishers, pool and photogenic chemicals; or
Other Municipal Hazardous or Special Wastes as defined in the Waste Diversion Act, 2002 Regulation 542/06.

Pathological Wastes as defined in this By-law;

PCB Waste (Polychlorinated Biphenyls) as defined in the Environmental Protection Act, R.R.O. 1990, Regulation 362;

The following wastes as defined in the Environmental Protection Act, R.R.O. 1990, Regulation 347:

Hazardous Industrial Waste;

Acute Hazardous Waste;

Hazardous Waste Chemical;

Severely Toxic Waste;

Ignitable Waste;

Corrosive Waste;

Reactive Waste;

Radioactive Waste;

Leachate Toxic Waste;

Asbestos Waste; or

Liquid Industrial Waste.

Ineligible Property: means any property within the Township that is not defined as an Eligible Property.

Leaf and Yard Waste: means any organic compostable waste designated by the Township as being classified as non-collectible, including but not limited to brush, hedge and shrub clippings, leaves, flowers, vegetable plants, and Christmas Trees.

Municipal Collection Service: means a system for the collection of Collectible Waste for Eligible Property.

Municipal Law Enforcement Officer: means any person or persons appointed by Council to administer and enforce the provisions of this By-law and includes his or her designates.

Non-Collectible Waste: means any material as described in Schedule "B" of this By-law.

Owner: means any person who is the registered owner, occupant, resident, leasee, tenant or who manages any property.

Paid Garbage Tags: means an approved garbage tag made available for purchase from the Township that is affixed to any Garbage Bag in excess of the prescribed Garbage Bag Limit as described in Section 10 of this By-law.

Person: includes an individual, a partnership or corporation to whom or to which the context can apply.

Private Property: means any property that is privately owned and is not owned by the Corporation of the Township of North Glengarry.

Public Property: means any property that is owned by the Corporation of the Township of North Glengarry.

Recyclable Materials: means those items listed in Schedule "A" hereto of this by-law.

Residual Waste: means all abandoned, rejected or discarded household waste, but does not include Resource Materials and Non-Collectible Waste.

Scheduled Collection Day: means the specific day of the week for Municipal Collection Service of acceptable household and recycling materials.

Street – Road: means any public road, highway, street, lane alley, square, place, thoroughway within the Township of North Glengarry.

Unit: means a suite of two or more rooms, designed or intended for use by one group or persons only.

Waste Materials: means Collectible Waste and Non-Collectible Waste.

Waste Receptacle: means

A reusable receptacle shall be of such design that the receptacle shall have smooth internal surfaces, have two (2) suitable handles, be not greater than eighty centimeters in height and not more than fifty centimeters in width or diameter, weigh not more than twenty-three (23) kilograms with contents, and have a bottom surface not wider than the top opening;

Heavy-duty plastic bags shall not be greater than eighty centimeters in height by sixty-five centimeters in width, be properly sealed, a weight not exceeding twenty-three (23) kilograms with contents, and be sufficiently durable to withstand lifting without breaking open;

Recyclable materials shall be placed at the curb in blue boxes, clear bags, or any other returnable container not greater in volume than the blue box.

APPLICATION AND INTERPRETATION OF THIS BY-LAW

In the event of any conflict between the provisions of this By-law and the provisions of any other regulation or by-law, the provisions that are most restrictive shall prevail.

The necessary grammatical changes required to make the provisions of this By-law applicable to corporations, partnerships, trusts and individuals male or female and to include the singular or plural meaning where context so requires, shall in all cases be assumed as though fully expressed.

The insertion of headings and the division of this By-law into sections and subsections are for the convenience of reference only and shall not affect the interpretation thereof.

This By-law includes Schedules "A" "B" and "C", and these Schedules are hereby declared to form part of this By-law.

Where a court of competent jurisdiction declares any section or part of a section of this By-law invalid or unenforceable, the remainder of this By-law shall continue in force unless the Court makes an order to the contrary.

ADMINISTRATION

The Corporation shall operate a system for the curbside collection, removal and disposal of residential garbage, and recyclable material in accordance with the provisions of this By-Law and / or any agreement which might be entered into between property developers and the Corporation.

The Corporation shall from time to time designate certain days, on an annual basis for the collection of Hazardous and Electronic materials.

The Corporation does not permit for the collection of Yard Waste, or Special pick-ups.

The Corporation shall make available Blue Boxes for all dwellings. The cost, for the Blue Boxes are the sole responsibility of the property owner. They are available for pick up at RARE or at the Municipal Township Office.

The Corporation may implement new waste management policies and programs as approved by Council.

The Corporation may suspend Municipal Collection Services in all or part of the Township in the event of inclement weather or other conditions that in the opinion of the Corporation renders the provision of Municipal Collection Service unsafe or otherwise undeliverable.

The Corporation may discontinue or refuse Municipal Collection Service to any Owner who, in the opinion of the Council, has not complied with the provisions of this By-law.

The Corporation may discontinue or refuse Municipal Collection Service to any Owner who, in the opinion of the Council has engaged in threatening or abusive conduct towards the Township during Municipal Collection Service.

The Corporation may discontinue or refuse Municipal Collection Service where there has been excessive set outs of Collectible Waste; and

Any other matter necessary for the administration of this By-law.

It shall be the duty of Municipal Law Enforcement Officer or his Designate, designated by the Council of the Township of North Glengarry, to enforce the provisions of this by-law.

MUNICIPAL COLLECTION SERVICE – GENERAL CONDITIONS

The Township shall provide Municipal Collection Service where the Owner complies with all requirements of this By-law.

The Township shall not provide Municipal Collection Service to Ineligible Properties.

The Township shall not provide Municipal Collection Service for Non-Collectible Waste.

In the event the Township discontinues services in accordance with Section 4 of this By-law, the affected Owner shall have the Waste Materials removed at his expense.

In the event that Collectible Waste is not set out in accordance with the provisions of this By-law, the Township may refuse to collect the Collectible Waste.

The Township shall not enter upon Private Property to provide Municipal Collection Service.

No person shall interfere with, salvage, scavenge, pick over, remove or scatter any household waste or recycling materials placed out for collection, on any private lands or those lands owned and operated by the Township.

COLLECTION FREQUENCY

The Township shall collect Recyclable Materials no more than once a week on the Scheduled Collection Day.

The Township shall collect Household Waste no more than once a week on the Scheduled Collection Day.

The Township shall collect Hazardous Waste and Electronic Waste on the annually Scheduled Collection Day during the Townships Hazardous and Electronic Waste Collection Program.

WASTE LIMITS

There is no limit on the number of Approved Waste Receptacles for Recyclable Materials or the quantity of Approved bundled Recyclable Materials, as mentioned in Schedule "A", that may be set out for collection on the Scheduled Collection Day.

No more than two (2) Garbage Bags or waste receptacles per Eligible Property may be set out for collection on the Scheduled Collection Day. As described in the definition of Waste Receptacles.

An Owner may set out for collection a number of Garbage Bags that exceeds the limits in subsection (b), where the Owner has purchased from the Township, Paid Garbage Tag(s), which shall be affixed to each Garbage Bag item over the prescribed limit in a clearly visible manner.

DESIGNATED COLLECTION POINT

Collectible Waste shall be set out on or directly adjacent to the driveway as close as possible to the Travelled Street without impeding or obstructing pedestrian or vehicular traffic or maintenance operations.

During snow clearing operations, Collectible Waste shall be put on the right hand side of the driveway, 3 metres back from the Travelled Street. For the purposes of this section, right hand side of the driveway is the right side of the driveway when standing on the Travelled Street and facing the property.

Despite Subsection (a), where a laneway under the jurisdiction of the Township is available at the rear of the Eligible Property, Collectible Waste shall be set out on the Eligible Property as close as possible to the laneway, unless so directed by the Township.

Owners shall maintain access to the Designated Collection Point on the Scheduled Collection Day, including but not limited to the removal of hazards such as snow and ice, and obstructions.

GARBAGE COLLECTION

Every person required to use or making use of regular garbage collection shall comply with the following:

No person shall mix or place out for garbage collection any material which is defined by the Township as recyclable, compostable, hazardous or non-collectible and where it is found to be mixed it shall not be collected.

Collectible garbage placed out for collection shall be set out in a bag or receptacle only as defined in this by-law.

Collectible garbage placed out for collection shall not exceed the limitations set out in Section (6) subsection (c) of this by-law.

RECYCLING COLLECTION

Every person required to use or making use of recycling collection service shall comply with the following:

Recyclable materials shall not be mixed with other non-recyclable or compostable waste materials and where it is found to be mixed it shall not be collected.

Curbside Recycling does not need to be sorted; owners may combine recycling materials into the same Blue Box.

Where recycling collection is provided to multi-residential buildings the following shall apply; Recyclable materials shall be placed into designated recycling receptacles as defined by the Township,

The owner of each multi-residential building shall designate and maintain an area for the storage or placement of the receptacles, it being understood that the storage area shall conform to the standards as specified by the Township; and,

Where it is found that the recyclable materials are not being recycled or are not source separated as specified, the Township may terminate recycling and garbage collection services.

LANDFILL GENERAL CONDITIONS

Alexandria Landfill hours of operation are: Monday, Tuesday, Thursday and Friday 8:00a.m. until 4:00 p.m. and Wednesdays and Saturdays 8:00 a.m. until 12:00 p.m.

Because of restrictions, only cars, pick-up trucks and small trailers will be permitted to enter the landfill site.

Proof of residency must be produced at the landfill site.

Free landfill site passes are sent out with the tax bills once per year, they are valid for two (2) loads to the landfill free of charge.

Certified Freon-free refrigerators, freezers and air conditioners are accepted.

Tires are accepted at no charge.

Leaf and Yard waste as defined in this By-law are accepted free of charge, at the landfill.

Kitchen waste is not accepted.

Commercial construction materials are not accepted.

GENERAL SET OUT REQUIREMENTS OF COLLECTIBLE WASTE MATERIALS

Waste Materials set out shall be deemed to have been set out by the Owner of the property directly abutting the location where the material is found.

No Person shall set out Collectible Waste unless that person is the Owner of the Eligible Property from which the Collectible Waste originates.

No Owner shall Contaminate Collectible Waste prior to setting the materials out for collection.

No Owner shall set out Non-Collectible Waste for collection.

No Owner shall fail to separate the different streams of Collectible Waste from one another at the Designated Collection Point.

No Owner shall permit the setting out of Waste Materials from a move-out unless in accordance with this By-law;

No Owner shall set out for collection any Collectible Waste in any manner or condition that:

Is unsightly to the neighboring environment;

Harbors or attracts rats, vermin, insects;

Permits Collectible Waste to fall out or protrude from the receptacle; or

Is a hazard or threat to public health and safety.

No person shall pick over, interfere with, scavenge, disturb, remove or scatter any Waste Materials set out for collection except the Township providing Municipal Collection Service.

No Owner shall permit any Waste Material generated from their property that has been set out for collection to blow away or otherwise escape and become a nuisance or litter in any manner prior to collection.

No Person shall permit any animal owned by him or under his care or control to pick over, interfere with, disturb, remove or scatter any Collectible Waste set out for collection.

No Person shall fail to convey Waste Materials in completely covered receptacles or in vehicles that are completely enclosed or covered so as to prevent any Waste Materials from falling upon

the street, and shall keep such waste sealed from flies or vermin and to control as far as possible, the escape of any offensive odors there from.

No Owner shall set out for collection any Collectible Waste unless it is in an Approved Receptacle.

No Owner shall set out any Waste Material on the Travelled Street, gutter or ditch.

No Owner shall set out, or permit Collectible Waste to remain on, in or on behind snow banks.

Owners shall ensure that Collectible Waste set out for collection does not exceed the frontage of their property, unless approved by the Township.

No Owner shall set out for collection any Approved Receptacle which is not maintained in a manner that allows for safe collection by the Township.

The provision, maintenance and replacement of Approved Receptacles is the sole responsibility of the Owner.

No Person shall set out Waste Materials on Public Property for collection by a private hauler unless authorized to do so by the Township.

No Person shall directly deposit any Waste Materials into a Township waste collection vehicle, unless authorized by the Township.

No Person other than the Township shall remove any Paid Garbage Tag(s).

No Person shall deposit Waste Materials generated on Private Property in receptacles situated on Public Property.

No Person shall deposit any Waste Materials on a property unless the person is the Owner of the property.

RECEPTACLE STANDARDS AND SPECIFIC SET OUT REQUIREMENTS

Owners shall place Recyclable Materials entirely within the following receptacle when setting out Recyclable Materials:

A Blue Box provided by the Township; or

A Blue Box obtained through retail outlets or through other municipal programs.

A Clear Plastic Bag(s).

Owners shall comply with the following conditions when setting out Recyclable Materials:

Cardboard, boxboard and other large fiber materials must be flattened and tied securely with string in bundles not exceeding 1 metre by 1 metre by 0.3 metres and placed beside the Blue Box.

Newspapers and magazines shall not be tied together; they must be left loose in the Blue Box.

All recyclable containers, bottles and jars shall be emptied and rinsed prior to being placed into the Blue Box.

Recyclable Materials frozen or otherwise attached to the Blue Box may not be collected.

The weight of a Blue Box together with its contents shall not exceed 20 kilograms.

NOTICES, ENFORCEMENT AND FINES

An Enforcement Officer who finds a contravention of this By-law may issue a Notice to Comply to the Person or Owner who contravened or permitted a contravention of this By-law, or the Owner of the property on which the contravention occurred, to do work to correct the contravention. The Notice to Comply shall set out reasonable particulars of the contravention, the location of the land which the contravention occurred and the date by which there must be compliance with the Notice to Comply.

The Notice to Comply may be either served personally or mailed by prepaid registered mail to the last known address of the Person named in the Notice to Comply and shall be deemed to have been served on the 5th day after it is mailed.

If the work required by a Notice to Comply is not completed by the date set out in the notice, the Township may enter upon the land at a reasonable time, Monday to Friday, to do all the work necessary to correct the contravention and the Township may recover the cost of the work from the Person directed or required to do it by action or by adding the costs to the tax roll of the owner and collecting them in the same manner as property taxes.

Any person found interfering with, scavenging, salvaging, and picking over, removing or scattering any household waste or recyclables placed out for collection, from either private or publicly owned properties is guilty of an offence, and upon conviction, is liable to a fine of \$5000.00 as provided for in the Provincial Offences Act, as amended.

The provisions of this By-law shall be enforced by the Township's Municipal Law Enforcement Officer or his designate

That By-law 22-98, and all by-laws amending By-law No. 22-98, 45-98 up to the coming into force of this By-law, are hereby repealed upon the coming into force of this By-law.

This By-Law shall come into effect on the date of passing.

READ a first, second, third time and enacted in Open Council this 10th day of December, 2012.



CAO/Clerk / Deputy Clerk



Mayor / Deputy Mayor

I, hereby certify that the forgoing is a true copy of By-law No. 43-2012, duly adopted by the Council of the Township of North Glengarry, on the 10th day of December, 2012.

Date Certified

CAO/Clerk / Deputy Clerk

SCHEDULE "A"
Acceptable "Blue Box" Recyclable Material

The following items shall be deemed to be Recyclable Material for the purposes of this By-law:

Food Grade Plastic, plastic Grocery bags

Any plastic item with the recycling symbol on the bottom of container with a number,

The Township accepts #1, 2, 4, 5, &7 only.

Glass food and beverage bottles and jars.

Metal containers

Aluminum foils, plates and trays,

Metal aerosol and paint cans (emptied), and lid removed

Steel / aluminum food and beverage cans.

Beverage cartons and boxes & polycoat containers,

Aseptic containers (tetra pak) containers for juice, soup, wine,

Gable top cartons for juice, milk,

Polycoat containers for ice cream.

Corrugated cardboard

Newspapers, boxboard and household papers

Books (hard or soft cover – plastic slip cover removed), (hard covered-the front and back cover need to be removed, they are recyclable but need removing)

Cereal boxes (liners removed),

Fibre egg cartons and take out trays,

Flour and sugar bags,

Kraft paper),

Magazines

Paper plates

Pizza boxes

And, all remaining paper and paper products generated by households.

Any other item designated as Recyclable Material by the Township from time to time.

SCHEDULE "B"
Non Collectible Waste Materials

The following items shall be deemed to be Non-Collectible Waste for the purpose of this By-law:

Owners / Occupants are to contact the Township to determine how to properly dispose of non collectible waste.

Any materials that are not set out in accordance with the provisions of this By-law

Any items that are in Schedule "A" Acceptable "Blue Box" Recyclable Material

Any plastic item with the recycling symbol on the bottom of container with a number 3 or 6.

Electronic and Electric Equipment Waste (WEEE waste) as defined in the Waste Diversion Act, R.R.O. 2002, Regulation 393 / 04

Includes desk top computers, portable computers, computer peripherals, monitors, televisions, printing devices, information technology equipment, telecommunications equipment, audio visual equipment, cellular telephones, and tablets.

Hazardous Waste as defined by this bylaw

Pathological Waste as defined by this bylaw

Trade Waste as defined by this bylaw

Automotive wastes, discarded vehicle parts, tires, tire rims and other accessories

Liquid wastes, including liquid in sealed containers

Used deposit-return beverage containers

Sod, soil, dirt, manure, sand, root balls, stumps, aggregates, concrete products, bricks or stones;

Sharp-edged material such as broken glass, broken crockery, cut metal or anything of a similar nature unless such material is placed in separate, secure container and whose contents are clearly marked

Glass plate windows, mirrors, doors, table tops, shower doors

Carcasses of any animal (including animal parts) or fowl or live animal or fowl with the exception of bonafide Household Organic Waste

Ashes (warm or hot)

Swill or any other organic not properly drained or wrapped

Celluloid cuttings, including moving picture film

Sewage

Any other material or item designated as Non-Collectible Waste by the Township

Any other materials designated as "designated waste" by the Waste Diversion Act or other applicable legislation.

SCHEDULE "C"

Corporation Township of North Glengarry Waste Collection Policy

Collectable Waste shall be placed at the edge of the roadway or driveway prior to 6:00 a.m., on Collection Day.

Weekly limit of two (2) garbage bags, additional bag(s) require a special tag that can be purchased from either RARE or the Municipal Office, at a fee of \$3.00 per tag.

Any tags purchased at \$3.00 may be used the following year.

Group homes are to be treated as a residence.

Any group outside the Municipal umbrella will pay for their extra tags.

Exemption from user pay tags:

Families with special needs (medical reasons)

Special Events

Bags can be put in acceptable covered containers. No loose garbage or waste will be picked up.

45 gallon drums will not be permitted.

No batteries, household furniture, appliances, tires, dead animals, chemicals, syringes, needles or sharp articles will be picked up.

Approved garbage cans and proper garbage bags are to be used. No cardboard boxes will be permitted.

Maximum weight of containers: not to exceed 23 kgs.

Maximum size of containers: 90cm in height by 60cm in width with water tight lid and 2 handles.

Maximum size of bags (65 cm by 80 cm)