

THE CORPORATION OF THE MUNICIPALITY OF EAST FERRIS

BY-LAW NO. 2013-15

WASTE MANAGEMENT BY-LAW

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THE CORPORATION OF THE MUNICIPALITY OF EAST FERRIS

BY-LAW NO. 2013-15

WASTE MANAGEMENT BY-LAW

BEING A BY-LAW FOR ESTABLISHING AND MAINTAINING A SYSTEM FOR THE COLLECTION AND REMOVAL AND APPROPRIATE DISPOSAL OF SOLID WASTES WITHIN THE MUNICIPALITY OF EAST FERRIS.

WHEREAS The Corporation of the Municipality of East Ferris (The "Municipality") is the owner and operator of the Landfill Site located on Part of Lot 19 Concession 6 in the Municipality of East Ferris (The "Landfill Site");

AND WHEREAS the Municipality is authorized to enact by-laws imposing fees and charges for services or activities provided or done by or on behalf of it pursuant to section 391 of the Municipal Act, 2001 (S.O. 2001, c.25);

AND WHEREAS the Municipality is authorized to regulate and inspect the use of any land or structures within the municipality or any defined area or areas thereof for dumping or disposing of garbage, refuse, or domestic or industrial waste of any kind;

AND WHEREAS the Council deems it desirable to regulate the disposal of garbage by way of landfill bans, recycling and home composting systems;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF EAST FERRIS HEREBY ENACTS AS FOLLOWS:

1. **DEFINITIONS:**

In this By-law,

- (a) "Garbage Area" means all lands within the boundaries of the Municipality of East Ferris as approved for a special charge for garbage collection except for:
 - i) The islands in Trout Lake and in Lake Nosbonsing and
 - ii) Lots 1, 2 & 3 in Concession 1.
- (b) "Landfill Site" means the Landfill Site located at Lot 19 Concession 6, in the Municipality of East Ferris and designated as Parcel 9593 W & F.
- (c) "Multi-Residential Building" means a building with a single municipal address having more than three (3) residential dwelling units which is principally used or held out to be used for apartment or townhouse accommodation and excluding any building used or held out to be used for hotel or motel accommodation but shall include a mobile home park where each mobile home is served by individual hydro service, the units are permanently occupied and are in excess of thirty (30) feet in length.
- (d) "Recycling Area" mean all lands within the boundaries of the Municipality of East Ferris except for the islands in Trout Lake and in Lake Nosbonsing.
- (e) "Recyclable Materials" means newsprint, old corrugated cardboard, box board, fine paper, narrow mouth containers meeting plastic specifications, aluminum or metal cans, juice boxes and milk cartons, and such other materials as may be designated by the Municipal Engineer from time to time.
- (f) "Receptacle" shall include a municipally approved garbage material collection containers, waste collection structures located at the end of driveways/private laneways.
- (g) "Solid Waste" means discarded materials which:
 - i) Are in a solid physical state, as determined by the "slump test" prescribed by the regulations passed under the provisions of the Environmental Protection Act; and
 - ii) Do not contain any of the unacceptable substances or materials set forth in Schedule "B" to this By-law.

2. **COLLECTION TIMES:**

- (1) No person shall leave solid waste at the curbside for collection sooner than 6:00 p.m. on the day preceding the day of collection or later than 7:00 a.m. on the day of collection.
- (2) The Clerk is authorized to fix dates for the collection of solid waste from time to time and to publish notice thereof at least once in a newspaper having general circulation in the Municipality.
- (3) In the event that solid waste has been left at curbside for collection and all or any portion of the solid wastes have not been collected prior to 8:00 p.m. on that date, the solid waste shall be immediately removed from the curbside by the owner or occupant of the self-contained residential unit from which the waste originated.
- (4) Garbage and ashes will be collected within the garbage area of the Municipality of East Ferris once weekly from all residential properties within the garbage collection area.
- (5) No person shall leave solid waste at curbside for collection except on such dates as are approved pursuant to this section.
- (6) "Curbside Collection" applies to single family dwellings, and multiple dwelling units.

3. **CURBSIDE COLLECTION OF RECYCLABLE MATERIALS:**

- (1) The occupants of each self-contained dwelling unit within the Recycling Area which receive curbside collection in the Municipality of East Ferris shall be permitted, in accordance with this section, to leave recyclable materials at the nearest adjoining curbside for collection once every second week according to a schedule fixed by the Clerk.
- (2) Notwithstanding subsection (1), the occupants of buildings in which there are two (2) or more self-contained dwelling units shall only leave solid waste at curbside for collection if the solid waste is left at a common point on the curbside.
- (3) Recyclable Materials left at curbside for collection shall have been placed within the container commonly known as a "Blue Box" or within such other container as may be approved by the Clerk from time to time.
- (4) Recyclable Materials shall be separated from any Solid Wastes left at curbside for collection.
- (5) No person shall pick over, interfere with, disturb, remove or scatter any garbage or recyclable materials set out for collection. This clause shall not prevent, at any time, the collection of garbage, recyclable materials or other materials by persons authorized to do so by The Corporation of the Municipality of East Ferris.

4. **CURBSIDE COLLECTION OF SOLID WASTE:**

- (1) Solid waste left at curbside for collection shall be placed in one (1) of the following containers:
 - (a) A garbage can, with a lids and handles, having sufficient structural integrity to hold the solid waste in a plastic garbage bag (see 2) and having the following restrictions:
 - i. Maximum Size 125 litres
 - ii. Maximum mass when full 15 kilograms
 - OR
 - (b) A Communal Receptacle (garbage bin) which may only be used under the following conditions:
 - i. A Communal Receptacle(s) will be permitted for residents of private roads provided one resident delegate from the private road is appointed to obtain a permit for the receptacle and is responsible for ensuring the standards for receptacles are adhered to; and
 - ii. The Communal Receptacle(s) dimensions and specifications will be identified by the Municipality in the permit application process as outlined in Schedule "C"; and

- iii. The location of the Communal Receptacle(s) must be approved by the Municipality; and
 - iv. The Communal Receptacle(s) must be identified with of all the owner's civic addresses on it; and
 - v. The Communal Receptacle(s) must be maintained year round, free of sharp objects and be self-draining; and
 - vi. The Communal Receptacle(s) must include a proper closing mechanism to ensure that no animals or unauthorized person(s) can access them; and
 - vii. Recyclables shall not be placed in a Communal Receptacle(s); and
 - viii. Any bag placed in a Communal Receptacle(s) must be in compliance with Section 2.
- (2) Opaque garbage bags constructed of plastic or other flexible material shall be placed in garbage cans or receptacles to hold waste with the following restrictions:
- i. Minimum thickness 1.5 millimeters
 - ii. Maximum size 77 litres
 - iii. Maximum mass when full 15 kilograms
- (3) The use of any appliances (including freezers and fridges) as receptacles is strictly prohibited.
- (4) Individual receptacles located on private driveways, on maintained roads, will be permitted provided they meet the regulations outlined under 4.b) subsections ii through to viii and remain in good repair.
- (5) Any receptacles that are not properly maintained and/or do not meet the above standards will be removed by the Municipality at the Owner's and/or Delegate's expense.
- (6) No person shall leave ashes for collection unless the ashes are cold and placed in metal containers having a capacity of not greater than fifty (50) litres (0.05m³) which containers shall have a watertight cover.

HOME COMPOSTING:

- (1) In this section,
- (a) "Compost" means discarded organic material commonly referred to as compost, and includes leaves, grass clippings and kitchen waste.
- (2) The occupants of each self-contained dwelling unit in the Municipality of East Ferris shall be entitled, in accordance with this section, to keep and maintain containers and piles of non-putrid compost.
- (3) No container or pile of compost shall have a volume greater than two (2) cubic metres.
- (4) Compost shall consist of plant material only, and shall contain no animal matter.
- (5) Notwithstanding subsection (2), no person shall keep or maintain any container or pile of compost unless:
- a. There is individual rear yard space, appurtenant to the self-contained dwelling unit, and the container or pile of compost is situated on such individual rear yard space; or
 - b. There is side yard space of at least eight (8) feet in perpendicular width appurtenant to the self-contained dwelling unit on which side yard does not abut the living accommodation of the dwelling unit and the container or pile of compost is situated in such side yard common area.
 - c. The self-contained dwelling unit is situated within a building containing three (3) or more self-contained dwelling units, there is a rear yard common area appurtenant to the building and the container or pile of compost is situated in such rear yard common area.

6. GENERAL PROVISIONS:

- (1) No person shall deposit any material in any landfill site owned by The Corporation of the Municipality of East Ferris except according to the terms of this by-law.

- (2) No person shall place any material out for curbside collection within the Municipality of East Ferris except as may be expressly permitted in this by-law.
- (3) No person shall keep or maintain any container or pile of compost or any other decaying organic material on any property within the Municipality of East Ferris except as may be expressly permitted in this by-law.
- (4) Subsections (1) and (3) shall not apply to the Corporation of the Municipality of East Ferris or any of its employees or agents while in the course of their duties as such.
- (5) No person shall leave or deposit any solid waste on any land in the Municipality of East Ferris except as expressly permitted by this by-law.

7. **GENERAL NUISANCE:**

- (1) No person shall permit any solid waste to be blown or dropped from their premises or from their vehicle onto a public lane, highway or public highway in the Municipality of East Ferris.
- (2) No person shall pick over, disturb or scavenge any bundle, paper or articles placed at the curbside for removal except the collector appointed by the Municipality of East Ferris Council.
- (3) No person employing or using trucks, graders or loaders for excavation for public purposes or for conveying earth, solid waste, rubbish or other materials from such excavations, or road works, or from any other place shall permit earth, solids waste, rubbish or other material to remain on a public highway.
- (4) Any person employing or using trucks as set out in paragraph (3) shall employ such sweepers, workers or other means as may be necessary to keep all pavement and sidewalks in a clean condition and free from earth, material causing dust or any other material.
- (5) No person shall:
 - (a) allow garbage, solid waste, or other refuse to accumulate upon any premises;
 - (b) keep a garbage dump or receptacle for solid waste on their premises in such condition or in such location that the same is a nuisance or emits foul or offensive odours or harbours or attracts rats or other vermin;
 - (c) keep a garbage dump;
 - (d) keep a receptacle for solid waste except in conformance with this by-law;
 - (e) dispose of the body of a dead animal in such way as for it to become a nuisance.
- (6) The owner of any multi-residential building shall ensure that garbage is placed within the container prescribed by this by-law and that any garbage which cannot be disposed of within the terms of this by-law shall be disposed of by the owner at his expense.
- (7) No person shall deposit any materials in the landfill site except as may be expressly permitted in this by-law.
- (8) No person shall leave or deposit at the Landfill Site any appliance which contains or is intended to contain a refrigerant substance other than in the location so designated by the Municipal Engineer.

8. **LANDFILL SITE – ACCESS AND USE/TIPPING FEES:**

- (1) No person shall deposit or cause to be deposited any waste in or about any landfill site owned by The Corporation of the Municipality of East Ferris except waste originating from the Municipality of East Ferris.
- (2) (a) Any person depositing solid waste at the Landfill Site, except the Municipality, its employees or agents while in the course of their duties as such, shall pay the tipping fees set forth in Schedule “E” of the Consolidated Fees and Charges By-law for the Municipality.

- (b) The Treasurer shall establish an accounting system for the payment of tipping fees, either at the Landfill Site or by prior contract and either by prior deposit or invoice.
- (3) No person shall use the Landfill Site except in compliance with the rules set forth in Schedule "A" to this by-law.
- (4) No load containing solid waste shall be admitted to the Landfill Site unless it is covered or otherwise securely bound via a tarp or securely tied.

9. **ADMINISTRATION:**

- (1) The Clerk shall establish and provide a system for the collection and removal of solid waste in accordance with the terms in this by-law within the "garbage area" of the Municipality of East Ferris.
- (2) The Municipal Engineer shall establish and provide a system for the disposal of solid waste in accordance with the terms of this by-law and the current Certificate of Approval issued under the Environment Protection Act.
- (3) The Clerk and his authorized delegates shall administer and enforce the provisions of this by-law.

10. **PENALTIES:**

- (1) Every person who,
 - (a) Does any thing which is prohibited by this by-law;
 - (b) Fails to comply with any order or direction given by a municipal official pursuant to this by-law;
 - (c) Otherwise contravenes any provision of this by-law,

is guilty of an offence and upon conviction is liable to pay a penalty recoverable under the provisions of the Provincial Offences Act.
- (2) (a) Any person who deposits any waste at the Landfill Site contrary to this by-law may, in addition to any other penalties which may apply, be suspended from further access to the Landfill Site for any purpose by the Clerk by written notice setting out the grounds for the suspension subject to a hearing before the Council to be held pursuant to the *Statutory Powers of Procedures Act*.
- (b) The Council shall consider whether the suspended person will continue to contravene the by-law and may maintain or revoke the suspension subject to such conditions as it may determine.
- (3) Every person who contravenes any of the provisions of this by-law is guilty of an offence and shall, upon conviction thereof, a penalty of not more than Five Thousand (\$5,000.00) Dollars, exclusive of costs and such fine is recoverable under the *Provincial Offences Act*.

11. By-law No. 2115, as amended is hereby repealed.

READ A FIRST AND SECOND TIME IN OPEN COUNCIL THIS 12th DAY OF MARCH 2013.

READ A THIRD AND FINAL TIME IN OPEN COUNCIL THIS 12th DAY OF MARCH 2013.

Councillor
Rick Champagne

Clerk
John B. Fior

**THIS IS SCHEDULE "A" TO BY-LAW NO. 2013-15 OF THE CORPORATION OF THE
MUNICIPALITY OF EAST FERRIS**

LANDFILL SITE RULES

The following are the Rules and Regulations which govern the conduct of all those who enter the limits of the Landfill Site, and the specialized preparation, (acceptance criteria) and the disposal of permitted waste types.

1. Waste loads entering the site must be tarped or securely tied down which shall be removed at the staging areas and prior to the working face.
2. Contaminated soil and other suspect wastes may be required to undergo an Ontario Regulation 347, Schedule 4, Leachate Toxicity Test and /or slump test to determine its acceptability as a solid non-hazardous waste.
3. Asbestos waste will be accepted for disposal if it is packaged and transported in accordance with Ontario Regulation 347.
4. All drums shall be empty, the tops and bottoms cut off and the drum crushed or flattened, before it will be accepted for disposal.
5. Scrap metal, fuel tanks shall be thoroughly drained, flushed and cut into sections before they will be accepted for disposal.
6. (1) All traffic control directions given by the landfill site attendant or other site personnel shall be strictly observed.
(2) Drivers shall stay with vehicles.
7. All posted traffic signs shall be strictly observed.
8. There shall be no smoking or lit smoking material within the site. For this purpose the site is defined as all lands beyond the entrance gate to the site.
9. All vehicles (unless otherwise directed) shall come to a full stop by the gate house for processing which shall include confirmation of residency and payment in full of the tipping fees.
10. No person shall scavenge or pick through waste.
11. Children under 14 years of age must remain in the vehicle.
12. No person shall unload garbage from one (1) vehicle for more than thirty (30) minutes in any three (3) hour period.
13. (1) No person shall place solid waste except according to the directions of the landfill attendant.
(2) Recyclable materials, tires and white goods delivered to the Landfill Site shall be deposited by the driver at the designated areas only.
14. No person shall operate a vehicle at more than 20 kilometres per hour where signs are on display.
15. Unless otherwise authorized in writing by the Municipal Engineer, no person shall enter the Landfill Site when the site is designated to be closed.
16. Unless otherwise authorized in writing by the Municipal Engineer, no person shall enter the landfill gate except during normal hours of operation which are:
 - (1) Every Saturday from April 1 to October 31st in each year between the hours of 8:00 a.m. and 6:00 p.m.
 - (2) Every Tuesday from April 1 to October 31st in each year between the hours of 1:00 p.m. and 6:00 p.m. and;
 - (3) Every Saturday from November 1st to March 31st in each year between the hours of 8:30 and 5:00 p.m.

Councillor
Rick Champagne

Clerk
John B. Fior

**THIS IS SCHEDULE "B" TO BY-LAW NO. 2013-15 OF THE CORPORATION OF THE
MUNICIPALITY OF EAST FERRIS**

LANDFILL SITE – UNACCEPTABLE MATERIAL

The following materials are unacceptable for collection and/or disposal without the prior written consent of the Clerk;

1. Pathological waste from the Industrial, Commercial or Institutional Sectors, as defined and regulated in Regulation 309, under the Environmental Protection Act.
2. Biomedical Waste.
3. Hazardous Waste, as defined and regulated in Regulation 309, under the Environmental Protection Act.
4. Liquid Waste, as defined and regulated in Regulation 309, under the Environmental Protection Act.

Councillor
Rick Champagne

Clerk
John B. Fior

**THIS IS SCHEDULE "C" TO BY-LAW NO. 2013-15 OF THE CORPORATION OF THE
MUNICIPALITY OF EAST FERRIS**

The Communal Receptacle(s) dimensions and specifications will be identified by the Municipality in the permit application process as outlined below:

(1) Single Residence

Foundation Requirements: 3"- 4" Crushed Gravel
Dimension: 2x4 Garbage Bin (min)
Top: Flip Top Lid
Front Doors: Not required on single bin
Front Height: 32" (Max)
Rear height: 42" (Min)

Recommendation: Have receptacle sitting on a wooden skid
Material: ½" plywood

(2) Communal Receptacle

Foundation Requirements: 3"- 4" Crushed Gravel
Dimension: 2 units - 4x4
3 units – 6x4
4 units – 8x4
Top: Flip Top Lid
Front Doors: 30" high x 42" wide
Front Height: 32" (Max)
Rear height: 48" (Min)

Recommendation: Have receptacle sitting on a wooden skid
Material: ½" plywood

Location:

Location will be site specific. For private lanes, the preferred location will be on the private land shoulder 10m off the maintained road. For private residence, the preferred location will be off the gravel shoulder 5m off the centerline of the maintained road.

Councillor
Rick Champagne

Clerk
John B. Fior