

**THE CORPORATION OF THE TOWNSHIP OF CENTRAL
MANITOULIN**

By-Law No. 2001-22

**Being a by-law for the operations of
A WASTE MANAGEMENT SYSTEM.**

WHEREAS the Township of Central Manitoulin deems it expedient to enact rules and regulations to establish and maintain a system for the collection, removal and disposal of waste within the Township of Central Manitoulin, and;

WHEREAS Section 210 (89) of the Municipal Act, R.S.O. 1990, Chapter M.45, and amendments thereto empower municipalities to pass by-laws for establishing and maintaining a system for the collection, removal and disposal of garbage and other refuse, and;

WHEREAS Section 102 of the Municipal Act R.S.O. 1990, Chapter M.45 authorizes municipalities to pass by-laws for the health, safety and welfare of their residents, and;

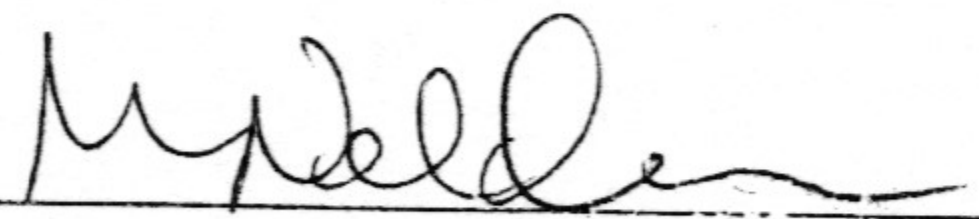
WHEREAS the Municipal Act R.S.O. 1990 as amended authorizes municipalities to pass by-laws for prohibiting or regulating and inspecting the use of any land or structures within their municipalities for disposing of garbage, refuse or waste, and;

WHEREAS the Township of Central Manitoulin deems it advisable to prescribe a tipping fee for the acceptance of certain wastes.


NOW THEREFORE the Council of The Corporation of The Township of Central Manitoulin does hereby enact as follows:

1. **THAT** attached Schedules #1 through #7 form part of this By-Law;
2. **THAT** where a provision of this By-Law conflicts with a provision of another By-Law in force in the Township, the provisions that establish the higher standards shall prevail.
3. **THAT** if any provision of this By-law is declared invalid for any reason, or if any Schedule of this By-law is amended or added, the remaining provisions and Schedules shall remain in effect.
5. **THAT** this By-Law becomes effective as of January 1st, 2002.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED IN OPEN
COUNCIL THIS 17th DAY OF DECEMBER, 2001.**



Reeve



Clerk-Treasurer

TOWNSHIP OF CENTRAL MANITOULIN

SCHEDULE #1 OF BY-LAW 2001-22 effective January 1st, 2002.

DEFINITIONS

For the purpose of this By-Law the following words shall have the meaning given herein:

"Ashes" means the residue, including soot, or any fuel after it has been consumed by fire at a household, institution or place of business.

"Attendant" shall mean an employee of the Municipality specifically employed to attend at, supervise, and monitor the landfill or transfer sites owned and operated by the Municipality.

"Bag" shall mean an enclosed polyethylene plastic bag measuring not more than 30 inches x 38 inches (76 cm x 96 cm) of 1.5 gauge thickness securely fastened and closed at the top and containing a maximum of 18 kg. (40 lbs) waste.

"By-Law Enforcement Officer" shall mean the person appointed by the municipality to carry out by-law enforcement duties.

"Collectable Composting Material" means any organic food material for which a separate collection may be provided, excluding leaves, yard waste, Christmas trees, meat, dairy products and any other fatty materials.

"Collectable Refuse" means waste which is discarded by a generator from a household, institution or place of business and consists of cold ashes, garbage, kitchen organic waste, and other refuse, including any materials and articles as would normally accumulate at a household, institution or place of business, but shall not include heavy or bulky materials "large item rubbish" and "non-collectable refuse" as hereinafter defined.

"Commercial Waste(s)" shall mean all rejected, abandoned or discarded waste of a nature generated by a business, farm, industry and/or institution; but shall not include items listed under Prohibited Wastes defined in Schedule #4 of this By-Law.

"Contractor" shall mean the owner or a representative of the company undertaking the municipal curbside waste collection program.

"Generator" means any owner, occupant, tenant, or other person having use, occupation, charge or control of any household, institution or place of business.

"Hours of Operation" shall apply to each transfer and landfill site as designated in Schedule #7 of this By-Law.

"Household" means a dwelling unit, situated in a building or portion thereof and occupied exclusively by one or more persons as a place of residence with sleeping, cooking, eating and sanitary facilities, and includes a dwelling unit situated in a single-family dwelling and in a semi-detached, duplex, triplex or apartment.

"Household Waste(s)" shall mean all rejected, abandoned or discarded waste of a nature generated by a household; but shall not include items listed under Prohibited Wastes designated in Schedule #4 of this By-Law.

"Landfill Site" shall mean any M.O.E. certified landfill site within the Corporation of the Township of Central Manitoulin in the District of Manitoulin.

TOWNSHIP OF CENTRAL MANITOULIN

SCHEDULE #1 OF BY-LAW 2001-22 effective January 1st, 2002.

DEFINITIONS

"Large Item Rubbish" means heavy or bulky materials or articles such as stoves, refrigerators and other such appliances, bedsprings, mattresses, furniture, rugs, non-collapsible boxes (excluding corrugated cardboard), crates and barrels, bath tubs, water tanks, bicycles, fence and washline posts and any other materials and articles which would normally accumulate at a household.

"Kitchen Organic Waste" means all kitchen and table waste of vegetable origin only, resulting from the preparation or consumption of food in a household, institution or place of business.

"Non-collectable Composting Material" means organic waste not acceptable at the curbside including yard waste, leaves, grass clippings and brush.

"Non-Collectable Refuse" means any waste including, but not limited to, the following:

- (a) Liquid waste and pathogenic wastes from hospitals or clinics (e.g. veterinary clinics);
- (b) Quantities of animal waste in excess of one (1) litre;
- (c) Any material which has become frozen to the container and cannot be easily removed;
- (d) Industrial or trade waste including any abandoned, condemned or rejected product or waste material, builders' or contractors' refuse, and the stock of any wholesale or retail merchant;
- (e) Discarded truck or automobile parts, tires and accessories from automotive service stations or similar automotive establishments;
- (f) Medical wastes;
- (g) Hot ashes or any waste material capable of starting fires;
- (h) Explosive or highly combustible materials;
- (i) Sod, earth, yard waste, leaves, grass clippings, tree trunks and branches, stone, drywall, building materials or building rubbish, saw dust and/or shavings, fences, fence posts, page wire, etc;
- (j) "Major Appliances and/or Large Household Furnishings" shall mean any and all large or bulky household mechanisms and/or other articles commonly used in the home including, without limiting the generality of the foregoing, refrigerators, freezers, stoves, washers, dryers, televisions, water tanks, chairs, sofas, tables, mattresses, bed, carpets, et cetera.;
- (k) Live animals, carcasses or parts thereof of any dog, cat, fowl or any other creature (with the exception of bona fide kitchen waste);
- (l) Radioactive material; and
- (m) Any hazardous waste that requires special precaution in its storage, collection, transportation, treatment and disposal to prevent damage to the environment, including household hazardous waste (e.g. paint, waste oil, antifreeze, auto batteries, brake fluid, drain cleaner, gasoline, herbicides, ammunition, propane tanks, etc)
- (n) Any material which has not been prepared or placed in accordance with the provisions of this by-law, and any material which may, from time to time, be banned from landfill by the Township of Central Manitoulin.

"Non-Recycling Material" means any materials not accepted in Central Manitoulin's curbside Blue Box Recycling Program including any materials which may, from time to time, be deleted from the curbside Blue Box Recycling Program. Such material may or may not be considered recyclable by other programs or processes.

"Penalties" shall mean the fees levied for illegal dumping activities including fires and any contravention of this By-Law as designated in Schedule #3 of this By-Law.

TOWNSHIP OF CENTRAL MANITOULIN

SCHEDULE #1 OF BY-LAW 2001-22 effective January 1st, 2002.

DEFINITIONS

"Place of Business" means any place, other than a household, and includes any hotel, motel, restaurant, shop, store, shopping centre, plaza, service station, commercial or industrial office, industrial plant, other commercial establishment, school, institution and public building.

"Prohibited Waste(s)" shall mean any refuse material of a class or kind not accepted at the landfill or transfers sites as designated in Schedule #4 of this By-Law.

"Recyclable Material" means any material accepted in the curbside Blue Box Recycling Program including:

- newspapers, flyers, telephone books, paper/hard cover books, writing paper and envelopes;
- glass jars and bottles used for food and beverages;
- steel, tin and aluminum cans used for food and beverages;
- clean aluminum trays and foil;
- plastic pop bottles and other "#1" & "#2" PETE plastics;
- corrugated cardboard and boxboard (plastic & wax free);
- and any materials which may, from time to time, be added to the curbside Blue Box Recycling Program.

"Street" means any road dedicated to and assumed by the Township of Central Manitoulin as a public highway, and includes any Provincial highway.

"Tipping Fees" shall mean the tariffs charged for the use of Landfill Sites as designated in Schedule #6 of this By-Law.

"Township" means the Corporation of The Township of Central Manitoulin.

"Waste(s)" shall mean all rejected, abandoned or discarded refuse material as designated in Schedule #4 of this By-Law.

"Yard Waste" means any organic material generated on a property including, but not limited to, grass clippings, leaves, tree trimmings, hedge trimmings, plants, weeds, spring rakings, sod, cones, fruits and vegetables from yard trees and gardens.

TOWNSHIP OF CENTRAL MANITOULIN JULIN

SCHEDULE #2 OF BY-LAW 2001-22 effective January 1st, 2002.

RESTRICTIONS

1. No person shall attend or trespass on a Township of Central Manitoulin Waste Management Landfill Site except for lawful purposes.
2. Only waste that has originated from residences, businesses or institutions located within the geographic area known as the Township of Central Manitoulin shall be accepted at Central Manitoulin Landfill Sites.
3. All waste deposited at the Landfill or Transfer Sites becomes the property of the Municipality.
4. All waste and/or other materials must be deposited in the areas designated at a particular landfill site, or as directed by the site Attendant.
5. No land within the limits of the geographic area known as the Township of Central Manitoulin, with the exception of M.O.E. certified landfill sites, is to be used for dumping or disposing of waste of any kind.
6. Public access to Central Manitoulin Landfill Sites shall be limited to the Hours of Operation as per Schedule #7 of this By-Law with the exception of approved access by contractors.
7. "Bag" as per the definitions schedule shall mean a clear or translucent bag.
8. No person shall:
 - deposit waste generated outside the Central Manitoulin boundaries, or;
 - deposit prohibited wastes at any site or deposit any wastes not listed as permitted except as may be allowed in a designated area or except as approved in advance by the Township, or;
 - light any fire, or cause any fire to be lit, at any Township Landfill Sites without Township approval, or;
 - deposit waste at the gate or entrance to any Township Landfill Site or at any place other than the designated place, or;
 - neglect or refuse to provide proof of the origin of waste presented for disposal at the sites when such is demanded, provided that in lieu of providing such proof the person tendering the waste may remove it without unloading it, or;
 - deposit waste when such waste has been prohibited by the Attendant on grounds that the deposit would be contrary to this By-Law or the origin of the waste has not been satisfactorily proven, or;
 - scavenge at the sites, or;
 - salvage at the sites without the prior written approval of the Township, or;
 - deposit at the sites without proof of the right to access.
9. The use of firearms or other weapons dangerous to the peace on municipally owned Landfill or Transfer site property is prohibited.
10. The Township may contract or employ from time to time an Attendant(s) to be in charge of any its sites, and a certified waste hauler(s) to haul waste to its sites.
11. The Township may revise and/or prescribe tipping fees from time to time.
11. The Township and/or the Attendant may, at any time, order any person found scavenging or conducting any other unauthorized activity on the sites, or having no lawful reason to be there, to leave forthwith; and, if any such person fails or refuses to leave, may call for police assistance and cause trespass charges to be laid.
12. The Tipping Fees, as set out in Schedule #6 of this By-Law, shall be payable to the Attendant, or at the municipal office, or via a Township approved waste hauler.
13. Any person who violates any provision of this By-Law may be prohibited by the Township from using the site(s) in the future and shall be notified in writing.
14. Any person who violates any provision of this By-Law shall be guilty of an offence and shall be liable upon conviction to a Penalty as set out in Schedule #3 of this By-Law.

TOWNSHIP OF CENTRAL MANITOULIN JULIN

SCHEDULE #3 OF BY-LAW 2001-22 effective January 1st, 2002.

PENALTIES

1. A penalty of \$500 shall be levied for the first offence for any illegal dumping activities including fires or any contravention whatsoever of this By-law.
2. A penalty of \$1,000 shall be levied for the second offence for any illegal dumping activities including fires or any contravention whatsoever of this By-law.
3. Fines up to \$2,500 shall be levied in special circumstances against any persons and/or corporations contravening any portion or part of this By-law.
4. These penalties are effective on any municipal roadway and at the entrances to any of the Township of Central Manitoulin landfill and/or transfer sites, as well as within the boundaries of the Landfill Sites themselves and any municipal property.
5. This By-Law shall be enforced by the By-Law Enforcement Officer.

SCHEDULE #4 OF BY-LAW 2001-22 effective January 1st, 2002.

WASTES

1. GENERAL PERMITTED WASTES IN TOWNSHIP LANDFILL SITES:

- household, institutional, commercial, and industrial wastes.

2. PROHIBITED WASTES IN TOWNSHIP LANDFILL SITES:

- liquid or gaseous wastes.
- hazardous wastes of all types.
- septic tank pumpings, raw sewage sludge and industrial process sludge.
- derelict vehicles including any parts thereof.
- explosives and any highly flammable or volatile substances of any nature.
- pathological diseased materials, including syringes and dressings.

3. SPECIFIC PERMITTED AND PROHIBITED WASTES BY SITE INCLUDING SEGREGATION REQUIREMENTS:

(a) BIG LAKE LANDFILL SITE:

(i) Permitted items by segregation:

- tires.
- scrap metal (includes white goods excluding refrigerators and freezers).
- open face (includes ashes, collectible refuse, household waste, commercial waste, and kitchen organic waste).
- recyclable material.

(ii) Prohibited items:

- refrigerators and freezers.
- yard waste.
- construction materials.
- shingles.
- large item rubbish.

(b) PROVIDENCE BAY LANDFILL SITE:

(i) Permitted items by segregation:

- tires.
- scrap metal (includes white goods).
- bin (includes ashes, collectible refuse, household waste, commercial waste, and kitchen organic waste).
- recyclable material.
- construction material (wood, drywall et cetera excluding wiring and asphalt/shingle materials)
- organics (includes kitchen organic waste, and non-collectible composting material excluding brush).
- brush (of sufficient size to be chipped).
- salvageable material.
- shingles and asphalt materials.
- clean fill (i.e. soil, rock and boulders).
- yard waste.
- large item rubbish.

TOWNSHIP OF CENTRAL MANITOULIN

SCHEDULE #5 OF BY-LAW 2001-22 effective January 1st, 2002.

ACCESS

Access to Township Landfill Sites shall be limited to landowners, residents and commercial operators from within the Township.

Access rights to the Township Landfill Sites shall be verified by the Attendant on duty using a list of residents and commercial operators supplied by the Township.

Individuals may apply to be added to this list at the Township office in Mindemoya during regular office hours. The Attendant may, at his or her discretion, add an individual to the list and seek confirmation with the Clerk-Treasurer at a later date.

Public access to site(s) shall be limited to Hours of Operation as per Schedule #7 of this By-Law.

TOWNSHIP OF CENTRAL MANITOULIN



SCHEDULE #7 OF BY-LAW 2001-22 effective January 1st, 2002.

HOURS OF OPERATION

The Landfill Sites will be open for public access under the supervision of the Attendant as follows:

1. BIG LAKE LANDFILL SITE

Saturdays 9:00 am through 1:00 pm

Victoria Day weekend to Labour Day weekend:

Sunday 2:00 p.m. through 6:00 p.m.

2. PROVIDENCE BAY LANDFILL SITE

Saturdays 2:00 p.m. through 6:00 pm

Victoria Day weekend to Labour Day weekend:

Sunday 2:00 p.m. through 6:00 p.m.

3. The Landfill sites will maintain this schedule for statutory holidays with the exception that the sites will be closed on Christmas Day or New Years Day in the event that these fall on a Saturday.

4. MINDEMOYA LANDFILL SITE:

This site will not be accessed by the general public.

5. APPROVED CONTRACTORS:

Approved building contractors may access the Providence Bay dump subject to the following conditions:

- (a) A yearly access fee of \$100.00 plus tipping fees.
- (b) Mandatory attendance at an on site orientation training session.
- (c) That segregation policies will be adhered to, and, if not, that clean up fees will be applied to said contractor.
- (d) That all loads will be inspected at the municipal office in Mindemoya when the access key is picked up and that appropriate tipping fees will be paid at that time.
- (e) That the contractor gaining access to the site will not allow any other individual access to the site nor deposit loads for which tipping fees have not been paid.
- (f) That records be kept at the office indicating the date, time, contractor and nature of each load going to the facility.