

TOWNSHIP OF CENTRAL MANITOULIN

WASTE AND RECYCLING BY-LAW NO 2001-21.

BEING A BY-LAW TO ESTABLISH AND MAINTAIN A SYSTEM FOR THE COLLECTION, REMOVAL AND DISPOSAL OF REFUSE, RECYCLABLE MATERIALS AND COMPOSTABLE MATERIALS WITHIN THE TOWNSHIP OF CENTRAL MANITOULIN.

WHEREAS Chapter M.5 Section 210 Paragraph 89 of The Municipal Act, R.S.O. 1990, as amended, provides municipalities with the authority to establish and maintain a system for collection, removal and disposal of garbage, ashes and other refuse, and;

WHEREAS Council for the Township of Central Manitoulin deems it in the public interest to enact a by-law in accordance with the above-noted legislation.

THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF CENTRAL MANITOULIN ENACTS AS FOLLOWS:

SECTION 1: SHORT TITLE

1.01 This by-law may be cited at the "Waste and Recycling By-law.

SECTION 2: DEFINITIONS

2.01 In this by-law:

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

"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.

"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.

"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.

"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.

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"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.

"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.

"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.

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

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"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.

Section 3: Collection Responsibility

- 3.01 The Township shall be responsible for the collection and removal of Collectable Refuse, and Recyclable Materials in accordance with the provisions of this by-law. The Township may, at its discretion, implement a system of curbside collection of Collectable Composting Material. The Township shall not be responsible for the collection and removal of Non-Collectable Refuse, Non-collectable Composting Material and Large Item Rubbish.
- 3.02 Collectable Refuse shall be collected once per week and Recyclable Materials once every two weeks unless otherwise approved by Council. Collectable Composting Materials may be collected separately, at the discretion of Council, with the intent that they be composted.

Section 4: Preparation of Material by Generators for Collection

- 4.01 Every Generator shall provide and maintain, at all times, in good repair and sanitary condition, a sufficient number of suitable containers and the Township shall not collect any Collectable Refuse from a Generator, save for the exceptions thereafter set out in this section, unless it is found in a suitable container or set out as follows:
- (i) Waste shall only be collected if it is placed into a non-returnable CLEAR 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 or a reusable galvanized metal or plastic container with a maximum capacity of 17 imperial gallons and having carrying handles and water tight lid which shall be securely attached. When using reusable containers all waste must be bagged in a clear polyethylene plastic bag. Blue Box- shall mean the box or other device supplied by or on behalf of the municipality for the collection of recyclable waste. Alternative containers will be allowed for recyclables at the discretion of the contractor.
- (ii) The maximum weight limit per bag or refuse can of waste is 18 kg. (40 lbs). Bags or cans of waste that are in excess of this weight limit shall not be collected.
- (iii) High volume generators of waste (i.e. commercial establishments) may store their waste in a bin system acceptable to the contractor. When using bin containers all waste must be bagged in a clear polyethylene plastic bag as specified in 4.01 (i).
- (iv) All recyclable waste shall be separated from non-recyclable garbage and shall be prepared for collection as follows:
- clean newspapers and magazines shall be contained in bags (other than green or black garbage bags) or tied in bundles and may be placed beside the blue box;
 - corrugated cardboard shall be broken down, laid or folded flat and tied in a bundle not to exceed 30 inches x 30 inches and 8 inches;
 - boxboard and household paper shall be cleaned of any food or lines and shall be flattened and placed inside a bag or boxboard box and placed beside the blue box;
 - all other recyclables waste shall be placed loose in the blue box. Glass bottles and jars shall be rinsed and their tops removed. Metal cans shall be rinsed. Plastic bottles and jars (PETE #1 and HDPE#2 only) shall be rinsed and their tops removed. Aluminum trays and foil shall be clean, folded together and placed loose in the blue box.
 - organics shall be placed in animal proof plastic containers.
- The maximum weight limit per bag or refuse can of waste is 18 kg. (40 lbs). Bags or cans of waste that are in excess of this weight limit shall not be collected.
- 4.02 The segregation of recyclable items shall be mandatory. Waste that has not been properly segregated will not be collected.

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4.03 General conditions shall be as follows:

Garbage shall be drained of all liquids.

Ashes shall be deposited separate and apart from all other Collectable Refuse and shall be cold when placed therein.

All containers and the area surrounding them shall be maintained in a clean, neat and sanitary condition at all times.

Section 5: Placing of Material by Generators for Collection

5.01 Material, set out for collection, shall be placed at one location, in an orderly fashion, as close as possible to the street curb or travelled portion of the street without obstructing the street or sidewalk and, in any case, the Contractor or Township Roads Superintendent shall have the power to designate the precise point at which material shall be placed for collection.

5.02 Recyclables shall be placed at least 6 feet from collectable refuse when placed at the curb or roadside.

5.03 No curbside contract vehicle shall enter a privately owned driveway, roadway or lane, for the purpose of collecting or removing Collectable Refuse, Recyclable Materials or Collectable Composting Materials from privately owned property.

5.04 Material, set out for collection, shall not be placed out for collection before 7 o'clock p.m., local time, on the day prior to the day of collection and all containers shall be removed and returned to private property by the Generator before 9 o'clock p.m., local time, on the day of collection.

Material, set out for collection, shall be placed in an approved location as specified in this by-law before 6:30 o'clock a.m. on the scheduled day of collection.

Section 6: General Nuisance

6.01 No person shall deposit, accumulate or permit to be deposited or accumulated within the Township upon any premises owned by him/her, occupied by him/her or under his/her charge or control, any waste materials, offal or any other matter or thing which may be injurious to, or a hazard to health. Managed backyard composting is permitted.

6.02 Refuse stored outside awaiting collection, shall be in bulk solid waste containers approved by the Contractor or Township Roads Superintendent. The containers shall be waterproof, leakproof and shall be covered at all times except when depositing waste therein or removing the contents thereof.

6.03 No person shall sweep, throw, lay or deposit or permit any agent or employee to sweep, throw, lay or deposit any floor sweepings, dirt, lawn rakings, paper, handbill, ashes, offal, kitchen organic waste, Collectable Refuse, Non-Collectable Refuse, Large Item Rubbish and any other refuse or rubbish of any kind whatsoever in or on any street, storm drain, creek or watercourse or any other property within the Township.

6.04 No person shall disturb or scatter the contents of any container or bundle after the same has been put out for collection.

Section 7: Disposal of Refuse which is Not Collectable by the Township

7.01 It is the responsibility of the Generator to remove and dispose of Non-Collectable Refuse and any other refuse which does not fall within the meaning of Collectable Refuse.

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7.02 No person shall haul, convey or transport through or upon any street within the Township any ashes, kitchen organic waste, rubbish or other refuse, whether collectable or non-collectable, except in properly covered containers or vehicles totally enclosed or covered with canvas or tarpaulins, so fastened down around the edges as to prevent any of the contents falling upon the street, to protect the same from flies and to prevent the escape of any offensive odours.

Section 8: Enforcement

8.01 It shall be the duty of the Contractor and Township Roads Superintendent to administer the provisions of this by-law. It shall be the duty of the Township By-Law Enforcement Officer to enforce the provisions of this by-law when normal administration procedures fail to result in compliance.

8.02 Generators who conceal Non-Collectable Refuse resulting in the Township becoming a handler/carrier of such material shall contravene this by-law.

Section 9: Penalty

9.01 Every person who contravenes any provision of this by-law is guilty of an offence and shall be responsible for any and all remedies to correct such contravention, and in default of the correction being done by the person who contravenes this by-law the Township may correct the contravention and payment of any amount expended by or on behalf of the Township to remedy the contravention together with the applicable interest rate and/or penalty may be added by the Clerk to the Collector's roll and collected in like manner as municipal taxes.

Every person who contravenes any provision of this by-law is, upon conviction, liable to a fine or penalty of not more than \$5,000.00 as prescribed in the Provincial Offences Act, Chapter P.33, R.S.O. 1990.

ENACTED AND PASSED THIS 17th day of December 2001.

Reeve

Clerk-Treasurer