

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2015-043

WASTE DISPOSAL, COMPOSTING & RECYCLING

WHEREAS, Section 11 (3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws respecting matters within certain spheres of jurisdiction, including waste management;

AND WHEREAS, Section 391 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may impose fees or charges on persons,

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and
- (c) for the use of its property including property under its control;

AND WHEREAS, the Council of the Corporation of Tay Valley Township deems it to be in the public interest to establish a system for the collection, removal and disposal of waste, including the setting of fees for providing the service and the setting of fines for those who commit an offence;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of Tay Valley Township enacts as follows:

1. DEFINITIONS

For the purposes of this by-law:

- 1.1. **“Bag Tag” (“Tag”)** - shall mean a tag that was issued by the Municipality for the purpose of waste disposal.
- 1.2. **“Battery Waste”** – shall include, but not be limited to, household batteries AA, AAA, C, D and 9 volt, and batteries from items such as portable radios, flashlights, smoke alarms, pagers, cell phones, laptop computers, UPS systems, hearing aids, watches and back-up power systems, but shall not include auto batteries.
- 1.3. **“Blue Box”** - shall mean the container or other device for the collection of Recyclable Waste, excluding Battery, Electronic, Scrap Metal and Tire Waste.
- 1.4. **“Brush Waste”** – shall mean tree and bush clippings that require chipping and shredding.

THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2015-043

- 1.5. **“Bulk Waste”** - shall mean any commercial, industrial or institutional waste from a Business Establishment.
- 1.6. **“Business Establishment”** - shall mean a commercial, industrial, and/or institutional land use listed in the assessment roll and registered farming operations, but shall not include a Tourist Establishment.
- 1.7. **“Compostable Waste”** - shall include Brush, Kitchen, Untreated Lumber and Yard Waste.
- 1.8. **“Construction Waste”** - shall mean discarded building material, resulting from the erection, repair, demolition or improvement of buildings, structures or property (including land), excluding Untreated Lumber Waste.
- 1.9. **“Council”** - shall mean the Council of the Municipality.
- 1.10. **“Electronic Waste” (“Waste Electrical and Electronic Equipment”)** - shall include, but not be limited to, amplifiers, audio and video players and recorders, cameras, cell phones, computers (desktop and laptop) and peripherals, copiers, fax machines, monitors, pagers and PDAs, printers, radios, receivers, scanners, speakers, telephones and answering machines, tuners, turntables, televisions and video projectors.
- 1.11. **“Export”** - shall mean to transport or relocate waste from the Waste Disposal Sites.
- 1.12. **“Hazardous Waste”** - shall include, but not be limited to, antifreeze, auto batteries, oil filters, degreasers, disinfectants, drain cleaner, flea powder, floor wax, herbicides, metal polish, motor oil, nail polish, oven cleaner, wet paints, pesticides, pharmaceuticals, propane tanks containing propane, septic tank cleaners, solvents and wood preservatives.
- 1.13. **“Household Waste”** – shall mean waste generated from a Residential Dwelling, and shall not include Compostable and Recyclable Waste.
- 1.14. **“Kitchen Waste”** - shall include, but not be limited to, fruit and vegetable scraps, tea bags, coffee grounds and egg shells, but shall not include meat, bones, fish scraps, fatty or dairy food or animal feces.
- 1.15. **“Major Appliances and Large Household Furnishings Waste”** - shall mean all large or bulky household mechanisms and/or other articles usually used in the home and shall include, but not be limited to, refrigerators, freezers, stoves, empty propane tanks, washers, dryers, upholstered chairs and sofas, tables, beds and carpets.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2015-043**

- 1.16. **“Medical Waste”** – shall include, but not be limited to, syringes and IV bags.
- 1.17. **“Municipal Law Enforcement Officer”** – shall mean a Police Officer, By-Law Enforcement Officer, or another person duly appointed to enforce the by-laws of the Municipality.
- 1.18. **“Municipality”** - shall mean the Corporation of Tay Valley Township.
- 1.19. **“Recyclable Waste”** - shall include consumer plastic containers (categories 1 to 7), glass jars and bottles, metal food cans, corrugated cardboard, boxboard, newspapers, magazines, a variety of mixed paper, clothing and textiles; Battery, Electronic, Scrap Metal and Tire Waste.
- 1.20. **“Residential Dwelling”** - shall mean a building occupied as the home, residence or living quarters of one or more persons and shall include Permanent, Seasonal and Limited Services Residential Dwellings and Dwelling Units.
- 1.21. **“Scrap Metal”** – shall mean all ferrous and non-ferrous metal.
- 1.22. **“Site Attendant”** – shall mean a person who is authorized by the Municipality in terms of this by-Law to execute work, conduct an inspection and monitor compliance with this by-Law.
- 1.23. **“Standard Garbage Bag”** – shall mean a clear garbage bag that is 66 cm x 92 cm (26” x 36”) or weighs 18 kgs (40lbs) or less, and shall only contain Household Waste.
- 1.24. **“Tire Waste”** - shall mean a covering for a wheel, usually made of rubber reinforced with cords of nylon, fiberglass, or other material and filled with compressed air.
- 1.25. **“Tourist Establishment”** - shall mean a tourist camp, lodge, rental cabin, rental cottage or motel unit designed or used for the accommodation of the travelling public.
- 1.26. **“Untreated Lumber Waste”** – shall mean lumber that is unpainted and not pressure treated.
- 1.27. **“Vacant Land”** - shall mean land that does not include a structure.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2015-043**

- 1.28. “Waste Disposal Sites” (“Sites”)** - shall mean the areas designated as the:
- a) “Glen Tay Waste Site” - Part of Lot 20, Concession 3 in the former Township of Bathurst, under Certificate of Approval No. A450601;
 - b) “Stanleyville Waste Site” – N ½ Lot 16, Concession 8 in the former Township of North Burgess, under Certificate of Approval No A450801;
 - c) “Maberly Waste Site” - Lot 12, Concession 9 in the former Township of South Sherbrooke, under Certificate of Approval No. A451806 as amended.
- 1.29. “Waste Disposal Site Card” (“Waste Card”)** – shall mean the form of identification issued by the Municipality that is to be shown to the Site Attendant when accessing the Waste Disposal Sites.
- 1.30. “Yard Waste”** - shall include grass and yard clippings, leaves and garden debris, but shall exclude Brush Waste.

2. GENERAL REGULATIONS

- 2.1.** Only waste generated within the Municipality shall be disposed of at the Waste Disposal Sites.
- 2.2.** All residents of the Municipality shall be granted access to all Sites in the Municipality, during Hours of Operation.
- 2.3.** Every person disposing waste at a Waste Disposal Site must possess a valid Waste Disposal Site Card.
- 2.4.** All waste must be separated and disposed of at the Sites in accordance with instructions of the Site Attendant.
- 2.5.** Brush Waste shall be disposed of at the Stanleyville Waste Site only, in the designated area.
- 2.6.** Recyclable and Compostable Waste shall be separated and disposed of at the Sites pursuant to Section 4 of this by-law.
- 2.7.** Construction Waste shall be disposed of at the Glen Tay Waste Site only, in the designated area for Export, in accordance with the Fee Schedule.
- 2.8.** Untreated Lumber Waste shall be disposed of at the Glen Tay and Stanley Waste Sites only, in the designated area.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2015-043**

- 2.9. There shall be no burning at the Waste Disposal Sites.
- 2.10. Hazardous Waste shall not be disposed of at the Waste Disposal Sites. Hazardous Waste disposal options are available through a contracted service provider.
- 2.11. Medical Waste shall not be disposed of at the Waste Disposal Sites.

3. BAG TAG SYSTEM

- 3.1. Each Standard Garbage Bag, or bundle or container equal in size to a Standard Garbage Bag, entering the Sites shall have affixed thereto, a Tag issued by the Municipality.
- 3.2. Notwithstanding Section 3.1, a full Blue Box of Recyclable Waste waives the Bag Tag requirement as per Schedule "A", excluding Battery Waste, Electronic Waste, Scrap Metal Waste, Tire Waste and waste generated from Vacant Land.
- 3.3. For the annual allocation, each Residential Dwelling shall receive 30 Tags for the 2016 year and 20 Tags for 2017 and each year after from the Municipality.
- 3.4. For the annual allocation, Tourist Establishments shall receive 26 tags per camp site, rental cabin, rental cottage, motel unit or lodge. In addition, Tourist Establishments shall receive 30 Tags for the 2016 year and 20 Tags for 2017 and each year after from the Municipality.
- 3.5. For the annual allocation, each Business Establishment shall receive 30 Tags for the 2016 year and 20 Tags for 2017 and each year after from the Municipality.
- 3.6. For the annual allocation, Vacant Land shall be entitled to receive 12 Tags from the Municipality for waste that would be considered Household Waste if there were a Residential Dwelling located on the land.
- 3.7. Additional waste may be disposed of at the Waste Disposal Sites pursuant to the Fee Schedule contained in this by-law.
- 3.8. Notwithstanding Sections 3.4 and 3.5, a resident shall only be entitled to one allocation per property annually.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2015-043**

4. RECYCLABLES AND COMPOSTABLES

- 4.1.** All waste brought to the Waste Disposal Sites shall be separated, removing all Recyclable and Compostable Waste, which shall be disposed of in the following manner:
- 4.1.1.** corrugated cardboard shall be broken down, laid or folded flat.
 - 4.1.2.** non-waxed boxboard and household paper shall be free from any food or liners and shall be flattened.
 - 4.1.3.** glass bottles and jars shall be rinsed and their tops removed.
 - 4.1.4.** metal cans shall be rinsed.
 - 4.1.5.** consumer plastics, categories 1 to 7, shall be rinsed and their tops removed.
 - 4.1.6.** Compostable Waste, whenever possible, should be disposed of by home composting. Compostable Waste brought to the Waste Disposal Sites shall be disposed of in a designated area.
 - 4.1.7.** Major Appliances and Large Household Furnishings and Bulk Waste may be disposed of at the Waste Disposal Sites subject to supervision of the Waste Site Attendants and pursuant to the Fee Schedule contained in this by-law.
 - 4.1.8.** all permitted Recyclable and Compostable Waste, shall be disposed of in the approved locations, subject to the supervision of the Waste Site Attendants.
 - 4.1.9.** garbage bags containing Recyclable, Compostable, and/or Tire Waste shall be placed in a designated area to be exported from the Sites and subject to the charges pursuant to Fee Schedule contained in this by-law.
- 4.2.** Commercial plastics shall be considered waste.
- 4.3.** The management of Recyclable and Compostable Waste shall be under the direction of the Site Attendants.
- 4.4.** Electronic Waste shall be disposed of at the Glen Tay Waste Site only, in the designated area for Export.
- 4.5.** Refrigerant units containing Freon, which include refrigerators, freezers, air conditioners and dehumidifiers, shall be disposed of at the Glen Tay Waste Site only, subject to the supervision of the Waste Site Attendant and pursuant to the Fee Schedule contained in this by-law.
- 4.6.** Tire Waste shall be disposed of at the Glen Tay Waste Site only, in the designated area for Export, in accordance with the Fee Schedule.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2015-043**

4.7. Yard Waste shall be disposed of at the Glen Tay and Stanleyville Waste Sites only.

5. FEE SCHEDULE

5.1. The Fees for the disposal of waste shall be in accordance with the Fee Schedule as listed in Schedule "A" to this By-Law.

5.2. Estimated volumes are to be determined by the Waste Site Attendant.

5.3. Disposal of items that are not included on the Fee Schedule shall be charged accordingly at the discretion of the Waste Site Attendant.

5.4. Items not paid for at the time of disposal shall be invoiced by the Municipality.

6. HOURS OF OPERATION

6.1. The Hours of Operation of the Waste Disposal Sites shall be as listed in Schedule "B" to this By-Law.

7. EXEMPTIONS

7.1. Land and buildings of places of worship shall be exempt from the Fees contained in the Fee Schedule.

8. ENFORCEMENT

8.1. Municipal Law Enforcement Officers are authorized to enforce this by-law on behalf of the Municipality.

9. OFFENCES

9.1. Littering on Highways & Bridges

No person shall throw, place or deposit waste on any highway or bridge under the jurisdiction of the Municipality.

9.2. Littering on Municipal Property

No person shall throw, place or deposit waste on lands owned by the Municipality, except within the confines of the areas designated as Waste Disposal Sites during hours of operation.

9.3. Deposit of Waste Generated Outside of Municipality

No person shall throw, place or deposit waste generated outside of the Municipality at the Waste Disposal Sites.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2015-043**

- 9.4. Failure to Separate Waste as Instructed by Waste Site Attendant**
No person shall fail to separate waste as instructed by a Waste Site Attendant.
- 9.5. Deposit of Hazardous Waste at the Waste Disposal Site**
No person shall deposit Hazardous Waste at a Waste Disposal Site.
- 9.6. Deposit of Medical Waste at the Waste Disposal Site**
No person shall deposit Medical Waste at a Waste Disposal Site.
- 9.7. Failure to Produce Waste Disposal Site Card**
No person shall fail to produce his or her Waste Disposal Site Card when utilizing a Waste Disposal Site.

10. PENALTIES

- 10.1.** Any person who contravenes any provision of this by-law shall be guilty of an offence and shall be liable, upon conviction, to a fine for each offence in accordance with Schedule "C" of this by-law.
- 10.2.** Upon registering a conviction for the contravention of any provision of the by-law, in addition to any other remedy and to any penalty imposed by the by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted, pursuant to the *Municipal Act, 2001*, as amended.
- 10.3.** In addition to any applicable fines, a cleanup fee shall be charged to any person who throws, places or deposits waste at or near the Waste Disposal Site gates or any other area that has not been designated for the specific purpose of separating waste.
- 10.4.** In addition to remedies available under this or any other by-laws or legislation, the Municipality may also immediately ban any person who has failed to pay the required fees, as per the Fee Schedule, after 30 days from accessing the Waste Disposal Sites until fees and accumulated charges are paid. Furthermore, any unpaid fees and accumulated charges may be added to the tax roll and recovered in a similar manner as municipal taxes pursuant to Section 398 (2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

11. BY-LAW REPEALED

- 11.1.** By-Law No. 2012-039 is hereby repealed.
- 11.2.** All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2015-043**

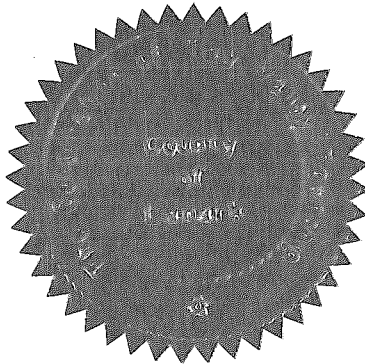
12. ULTRA VIRES

12.1. Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

13. EFFECTIVE DATE

ENACTED AND PASSED this 22nd day of September, 2015.


Keith Kerr, Reeve




Amanda Mabo, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2015-043**

SCHEDULE "A"

FEE SCHEDULE

ITEM	FEE
Bag Tag (additional beyond the annual allocation)	\$1.00
Blue Box	\$10.00
Clean Up Fee (for disposing of waste at a non-designated area or for littering or illegal dumping)	\$125.00/hour
Sorting at Site (for tagged bag improperly containing Recyclable or Compostable Waste)	\$5.00
1 standard bag of residential waste accompanied by 1 full (63 litre) container of recyclables in accordance with Section 3.2	No charge / no Tag required
Battery Waste (household batteries AA, AAA, C, D and 9 volt, and batteries from items such as portable radios, flashlights, smoke alarms, pagers, cell phones, laptop computers, UPS systems, hearing aids, watches and back-up power systems)	No charge
Brush Waste (tree and bush clippings, accepted at Stanleyville Waste Site only)	\$5.00/cubic yard
Bulk Waste (any commercial, industrial or institutional waste from a Business Establishment, accepted at Glen Tay Waste Site only)	\$50.00/cubic yard
Compostable Waste (Kitchen – Fruit, vegetables, tea bags, coffee grinds, egg shells. No meat, bones, fish, fatty or dairy food or animal feces Yard Waste - grass and yard clippings, leaves and garden debris)	No charge
Construction Waste (discarded building material, resulting from erection, repair, demolition or improvement of buildings, accepted at Glen Tay Waste Site only)	\$50.00/cubic yard
Electronic Waste (amplifiers, audio and video players and recorders, cameras, cell phones, computers (desktop and laptop) and peripherals, copiers, fax machines, monitors, pagers and PDAs, printers, radios, receivers, scanners, speakers, telephones and answering machines, tuners, turntables, televisions and video projectors, accepted at the Glen Tay Waste Site only)	No charge
Major Appliances & Large Household Furnishings Waste Reusable furniture Large non-reusable furniture (eg. couch, upholstered chair, table, mattress) Small non-reusable furniture (eg. bookshelf, chair)	No charge \$15.00 \$10.00

ITEM	FEE
Stove, washer & dryer	\$5.00
Refrigerator (freon removed /licensed sticker applied)	\$5.00
Refrigerator (with freon – accepted at Glen Tay Waste Site only)	\$25.00
Small Appliance (eg. blender & toaster)	No charge
Propane Tank (small cylinder)	\$2.00
Propane Tank (large)	\$5.00
Recyclable Waste (excluding Battery, Electronic, Tire, Scrap Metal Waste) (consumer plastic containers 1-7, glass jars & bottles, metal food cans, cardboard, boxboard, newspapers, magazines, mixed paper, clothing & textiles)	No charge
Scrap Metal Waste	\$10.00/cubic yard (less for single item)
Tires	
Tire without rim (all sizes)	No charge
Tire with rim (under 20")	\$10.00
Tire with rim (over 20")	\$20.00
Untreated Lumber Waste (unpainted, no pressure treated, accepted at Glen Tay and Stanleyville Waste Sites only)	No Charge

ANNUAL FEES	
Provincial Parks (Murphy's Point / Silver Lake)	\$2,500
Scouts Canada National Capital Camp	\$2,500
Christie Lake Community Camp	\$2,500

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2015-043**

SCHEDULE "B"

HOURS OF OPERATION

SUMMER – ALL SITES Victoria Day to Thanksgiving Day	
Monday	8 a.m. – 4 p.m.
Wednesday	8 a.m. – 4 p.m.
Saturday	8 a.m. – 4 p.m.
Sunday	10 a.m. – 6 p.m.
CLOSED Canada Day	

WINTER – ALL SITES Thanksgiving Day to Victoria Day	
Wednesday	8 a.m. – 4 p.m.
Saturday	8 a.m. – 4 p.m.
Plus – Glen Tay Site ONLY Monday 8 a.m. – 4 p.m.	
CLOSED Family Day, Easter Monday, Remembrance Day, Christmas Day, Boxing Day and New Year's Day. Christmas Eve – Closed at Noon	

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2015-043**

SCHEDULE "C"

SET FINES

Part I, Provincial Offences Act

ITEM	Column 1 Short Form Wording	Column 2 Offence Creating Provision	Column 3 Set Fine
1.	Littering on Highways & Bridges	9.1	\$500
2.	Littering on Municipal Property	9.2	\$500
3.	Deposit of Waste Generated Outside of Municipality	9.3	\$500
4.	Failure to Separate Waste as Instructed by Waste Site Attendant	9.4	\$250
5.	Deposit of Hazardous Waste at the Waste Disposal Site	9.5	\$500
6.	Deposit of Medical Waste at the Waste Disposal Site	9.6	\$500
7.	Failure to Produce Waste Disposal Card	9.7	\$250

Note: The penalty provisions for the offences indicated above is Section 10 of By-Law No. 2015-043, a certified copy of which has been filed.

Note: The general penalty provision for the offences indicated above is Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33.