

THE CORPORATION OF THE TOWNSHIP OF HORNEPAYNE

BY-LAW NO. 1424

A By-Law for establishing and maintaining a system for the collection, removal and disposal of garbage and other refuse in the Corporation of the Township of Hornepayne in the District of Algoma

WHEREAS it is deemed expedient that rules and regulations be made for establishing and maintaining a system for the collection, removal and disposal of garbage and other refuse within the Corporation of the Township of Hornepayne, in the District of Algoma.

AND WHEREAS of Section 11 (3) of the Municipal Act 2001, provides that a municipality may pass by-laws to establish, maintain and operate a solid waste management system for the collection, removal and disposal of garbage and other refuse;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF HORNEPAYNE ENACTS AS FOLLOWS;

1. DEFINITIONS:

"Corporation" means the Corporation of the Township of Hornepayne in the District of Algoma.

For the purpose of this by-law the following shall have the meaning given herein:

- (a) "Garbage" shall mean all rejected, abandoned or discarded household waste, either animal or vegetable, wearing apparel, waste paper, broken crockery; but shall not include weighty or bulky articles such as stoves, fencing, furnaces, bed springs, furniture, boxes and barrels or anything of a similar nature.
- (b) "Compostable Material" shall mean all compostable material and shall consist of, but not limited to the following: grass cuttings, garden refuse, leaves, kitchen vegetable waste etc.
- (c) "Ashes" shall mean the solid residue of any fuel for heating or cooking purposes, and cleaning from chimneys.
- (d) "Householder" shall mean any owner, occupant, lessee, tenant or any person in charge of any dwelling.
- (e) "Household" shall mean any family dwelling.
- (f) "Non-hazardous solid industrial waste" shall have the same meaning as is set out in the conditions of the Certificate of Approval No. A562102 for the Corporation's solid waste disposal site, or any amended successor Certificate of Approval.
- (g) "Dwelling" shall mean any building or place of abode other than a hotel, motel, restaurant or business.
- (h) "Commercial Establishment" shall mean any commercial establishment, singular or multiple.
- (i) "Street" shall mean any travelled road, street, lane, alley, square, place, thoroughfare or way within the limits of the Corporation of the Township of Hornepayne owned and maintained year-round by the Corporation of the Township of Hornepayne.
- (j) "Superintendent" shall mean the Superintendent of Public Works appointed by the Corporation or his properly appointed representative..

- (k) "Non-Collectible Waste" shall mean any waste or matter other than garbage or ashes and shall include the following:
- (i) Manufactured waste, including wire;
 - (ii) Celluloid cuttings, moving-picture film, oil soaked or gasoline soaked absorbent material and any explosive or highly combustible material of any nature whatsoever;
 - (iii) Broken plaster, lumber or other waste or residue resulting from the construction, alteration, repair, demolition or removal of any building or structure;
 - (iv) Sawdust and/or wood shavings;
 - (v) Swill or other organic matter not properly drained or wrapped;
 - (vi) Liquid waste;
 - (vii) Bandages, poultices, dressings and other such waste;
 - (viii) Hay, straw and manure;
 - (ix) Night soil;
 - (x) Carcass of any animal;
 - (xi) Live animals or birds;
 - (xii) Furniture;
 - (xiii) Stock of any wholesaler which shall be regarded as manufacturers' waste;
 - (xiv) Any material which has become frozen to the receptacle and cannot be removed by shaking;
 - (xv) Motor vehicle tires;
 - (xvi) Tree branches, roots or stumps,
 - (xvii) White goods including stoves, refrigerators, hot water heater, and the like;
 - (xviii) Derelict vehicles or parts thereof; and
 - (xix) "Hazardous waste" as per regulation 347 of the Environmental Protection Act - General Waste Management.

2. COLLECTIBLES:

Householders in the collection areas as designated from time to time by the Council of the Corporation of the Township of Hornepayne will normally have collections weekly by the Corporation or its subcontractors.

The occupants of each separate residence, tenement, or other premises, shall be informed by the garbage collector by public notice, of the days or date when vehicles will call for the ashes, garbage and other refuse, and the different routes which shall be passed over with such regularity that all occupants may know when their respective premises will be visited, at approximately the same time each collection day, weather, equipment, and manpower permitting, by the said garbage collector.

3. RECEPTACLES

(a) For Garbage

All garbage except ashes shall be placed in plastic bags not larger than 36 inches by 24 inches and properly tied at the top and placed in either:

- (i) A sufficient number of covered metal or plastic containers with proper handles and a water tight cover, which shall at all times remain in position so as to preclude the ingress and egress of flies
or
The escape of odors therefrom. No container shall be greater than 36 inches in height or have a diameter larger than 18 inches, or weigh more than 50 pounds including contents.
or
- (ii) A container made of wood or similar durable material with water-tight cover of sufficient size to accommodate all household garbage.

(b) For Cold Ashes

Cold ashes shall be placed in a plastic bag and then placed in a sufficient number of containers, plastic, metal or wood, having a capacity of not greater than one bushel or one and one-quarter cubic feet

Receptacles which do not conform to the requirements of Section 3 shall not be emptied nor collected by the Corporation. The householder shall be responsible for the clean-up of broken garbage bags or upset containers either before or after collection.

4. PREPARATION OF GARBAGE, ETC. FOR COLLECTION

- (a) Separate Ashes and Compostables.
- (b) Householders shall deposit in receptacles all material defined as “garbage, ashes or compostables”;
- (c) Ensure containers are drained of any liquid prior to being placed in a garbage bag and Receptacle;
- (d) Ensure ashes are cooled and placed in proper receptacles. The owner shall be held responsible for any related mishaps.
- (e) Such refuse as crates, packing materials, brush and material of like nature will be collected as garbage if securely tied in compact bundles or parcels not exceeding 3 feet in length or 2 feet in any dimension or weighing over 50 pounds or placed in sufficient receptacles as specified herein so that they will not be scattered.
- (f) Ensure cardboard cartons are knocked down flat and securely tied in convenient bundles. No such bundle shall weight more than 50 pounds or have a dimension greater than 3 feet.
- (g) Grass clippings and other garden debris can be composted.
- (h) Ensure broken glass and other sharp objects shall be packaged in a secure manner that will ensure safe disposal.

5. PLACING RECEPTACLES FOR COLLECTION

- (a) Garbage and ashes in proper receptacles as in Section 3 above will be picked up by the garbage collectors from the usual location for such receptacles, i.e. near the street line at the driveway side of the premises, and not more than 10 feet from the edge of the road.
- (b) Brush, etc., securely tied in compact bundles as set out in Section 4 (d) above shall be placed by the householder in the same location used for setting out of proper garbage receptacles.
- (c) Receptacles must be placed for collection by 8:00 a.m. on the date set for collection.

6. AMOUNT OF COLLECTIBLE WASTE

- (a) The number of receptacles including plastic bags and tied bundles put out from any single dwelling shall not exceed 4 per week. Units requiring more than this amount of collection shall make private arrangements for storage, collection and disposal at entirely their own expense.

7. GENERAL NUISANCE

- (a) No person shall suffer or commit within the Corporation of the Township of Hornepayne the accumulation upon his premises or upon land occupied by him or under his control, or deposit or permit the deposit upon any lands belonging to him or in his occupation or under his control, of any garbage, animal or vegetable matter, household waste or any other matter or thing which may endanger public health, the owner shall be held responsible.
- (b) No person shall sweep, throw, cast, lay or deposit any ashes, garbage, fruit skins, cinders, straw, excelsior, store sweepings, shavings, paper, dirt, lawn-rakings, broken glassware, hand-bills, crockery or bottles, carcass of any animal, or rubbish of any kind whatsoever, on any lane, street, creek, roadway or public place within the Corporation.
- (c) No person shall keep a garbage dump or receptacle or depository for waste material on his premises in such condition or in such a location that the same is a nuisance or emits foul or offensive odor or harbors or attracts rats or other vermin or insects. The body of a dead animal must be properly disposed of by the owner.
- (d) No person shall permit garbage, bottles, ashes or other refuse, including paper of any description, to be blown or dropped from the premises occupied by home or from a vehicle owned or operated by him onto any lane, street, creek, roadway or other public property within the Corporation of the Township of Hornepayne.
- (e) No person shall pick over, interfere with, disturb, remove or scatter any bundle or paper, or article placed for removal, whether contained in a covered container or otherwise.
- (f) No person shall pick over, interfere with, disturb, remove or scatter any bundle or paper, or article placed at the disposal site excepting approved salvage operations in designated areas.
- (g) No derelict vehicles shall be deposited at the disposal site.
- (h) No burning shall be allowed at the disposal site excepting by municipal personnel.

8. DISPOSAL OF NON-COLLECTIBLE WASTE

Non-collectible waste may be delivered to the disposal sites only with the permission of the Corporation. Any person wishing to dispose of non-collectible waste shall apply to the Corporation's Landfill Site Superintendent and/or his appointed authority and on obtaining his permission shall haul such waste to the disposal site at their own expense, and shall deposit the same in accordance with the directions of the superintendent or the employee in charge of the disposal site acting under his direction, and shall pay such fees as may be imposed by Council.

9. WASTE NOT COLLECTED BY THE TOWNSHIP

- a) All garbage, ashes and other refuse not bound to be collected by the Corporation personnel as herein before set out, shall be the responsibility of the householder to dispose of at his own expense.
- b) Each household is entitled to deposit a weekly allotment of four (4) bags or tied bundles at no cost during normal hours of operation.

10. TRANSPORTING WASTE MATERIAL AND REFUSE

- (a) No person shall convey through the streets within the Corporation limits any garbage, ashes or any non-collectible waste, except in properly covered containers or in vehicles totally enclosed or covered with canvas or tarpaulins, so fastened down around the edges as to protect from flies and wind-blown garbage and offensive odors therefrom.
- (b) Any person who fails to observe the provisions of Section 10 (a) and consequently causes waste material to fall upon any street, shall pick up same immediately; otherwise the employees of the Township, at the expense of such person, shall be directed to pick up the material.

11. GARBAGE COLLECTORS NOT TO ENTER HOUSES, ETC.

- (a) No Corporation personnel shall be required to enter any house, apartment house, other buildings or ascend or descend any stairway or to enter any elevator or hoist or loading platform for the purpose of collecting or removing any ashes, garbage or other refuse.
- (b) No Corporation personnel shall be required to remove any garbage or other refuse from a chute.

12. RESPONSIBILITY OF THE COLLECTOR & COLLECTOR'S EMPLOYEES

- (a) The Collector shall provide all necessary equipment and labour for the collection, removal and transportation and unloading of garbage and waste materials, from the premises and areas designated by the Council of the Corporation of the Township of Hornepayne.
- (b) The Collector shall be responsible for the collection, removal, transportation, and unloading of properly prepared garbage and waste materials as per section (4) at the waste disposal sites as designated by Council from the areas and premises designated by Council from time to time.
- (c) The said Collector shall from time to time fix the routes of collection and the day and place of collection for each such route, subject to the approval of the Council of the Corporation of the Township of Hornepayne.
- (d) There shall be a minimum of 52 collections per calendar year.

13. RESPONSIBILITY OF THE CORPORATION AND OF THE COLLECTOR

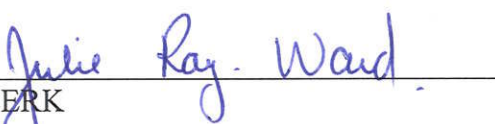
- (a) It shall be the duty of the Clerk or Superintendent and everyone acting under the direction of either of them, to enforce the observances of the provisions of the by-law and to prosecute every person who violates the provisions thereof.
 - (b) It shall be the duty of the collector to enforce the observance of these sections of this by-law which affect the collection of garbage by the employees of the collector.
 - (c) It shall be the duty of the collector to report to the By-law Department of the Corporation any violations of this by-law.
14. Schedule "A" – Tipping Fees
15. Schedule "B" – Penalty for Non-payment of Tipping Fees
16. This by-law shall come into force and take effect on July 1st, 2015.
17. That by-law No. 11153 is hereby repealed.

Read a first and second time this 17th day of June 2015.

Read a third time and finally passed this 17th day of June 2015.



PRESIDING OFFICER



CLERK

THE CORPORATION OF THE TOWNSHIP OF HORNEPAYNE

SCHEDULE "A"

To by-law No. 1424

The following is the schedule of tipping fees: Effective July 1st, 2015

WASTE TYPE	DESCRIPTION	FEES
(1) HOUSEHOLD (as defined in by-law)	(a) Pick-up truck maximum of (b) larger than pick-up maximum of (c) trailer pulled by car maximum of (d) Semi Dump Trailer	\$20.00 per load \$50.00 per load \$ 50.00 per load \$ 350.00
(2) COMMERCIAL (non hazardous waste)	(a) truck per cubic yard (taken by owner) (b) picked up by landfill contractor or private contractor rate to be negotiated between contractor and owner (c) Semi Dump Trailer	\$10.00 per yard \$ 350.00
(3) WHITE GOODS PER UNIT (must be tagged)	per unit	\$ 10.00
(4) TIRES (does not include rims)	per unit	No Charge
(5) BATTERIES (automobile)	per unit	\$ 10.00
(6)	Contractors to bill a minimum of 4 times per year.	
(7)	DEMOLITION (Tipping Fees to go to the Municipality) Costs associated with disposal and burial are included in tipping fee to Municipality.	\$2,000.00

LANDFILL TRANSFER STATION HOURS:

Effective July 1st, 2015

Monday	Closed
Tuesday	12 noon to 5 pm
Wednesday	Closed
Thursday	12 noon to 5 pm
Friday	12 noon to 5 pm
Saturday	12 noon to 5 pm
Sunday	12 noon to 5 pm

THE CORPORATION OF THE TOWNSHIP OF HORNEPAYNE

SCHEDULE "B"

To By-Law No. 1424

Penalty for Non-Payment of Tipping Fee

Contractor will be required to mail 3 (three) monthly notices to customers/users to advise of outstanding tipping fees. If payment is not made in 90 (Ninety) days, a registered letter will be sent to customer/users advising of final date for payment. Customer will also be advised in the registered letter that privileges at landfill will be terminated until payment is made in full, copy of this registered letter is to be sent to the municipality.