

BY-LAW #5/02

Being a By-Law of the Town of Teulon to establish and operate a Waste Management System in the Town of Teulon.

WHEREAS Section 232(1)(b) of The Municipal Act, S.M. 1996.C. M225 provides, in part:

“232(1) a council may pass by-laws for municipal purposes respecting the following matters:

(b) people, activities and things in, on or near a public place or a place open to the public,.....”

AND WHEREAS Sections 232(2)(a) & (d) of The Municipal Act, S.M. 1996, C. M225, provides, in part:

“232(2) Without limiting the generality of subsection (i), a council may in a by-law passed under this Division

- a) regulate or prohibit..... And
- d) establish fees or other charges for services, activities or things provided or done by the municipality or for the use of property under the ownership, direction, management or control of the municipality”

AND WHEREAS the Council of the Town of Teulon deems it expedient and in the best interest of the Town of Teulon to establish and operate a Waste Management System.

NOW THEREFORE be it and it is hereby enacted as a By-Law of the Town of Teulon as follows:

1. NAME
 - 1.0 This By-Law shall be cited as “The Waste Management By-Law”.
2. DEFINITIONS
 - 2.0 In this By-Law, unless the context otherwise requires:
 - (a) “Commercial Premises” shall mean all those premises which are zoned “Commercial” or which the principal use thereof is defined as “commercial” under the Town of Teulon Zoning By-Law No.15/90, as amended.
 - (b) “Industrial Premises” shall mean all those premises which are zoned “Industrial” or which the principal use thereof is defined as “industrial” under the Town of Teulon Zoning By-Law No. 15/90 as amended.
 - (c) “Institutional Premises” shall mean premises where the principal use is health care, residential care, education, recreation or public assembly and shall include, but is not limited to, hospitals, personal care homes, elderly housing, schools, child care facilities, arenas and rinks, community centres, clubs and halls and religious institutions.
 - (d) “Person” shall mean any individual and includes a corporation, firm, partnership, institution and association.

- (e) "Premises" shall mean a building or buildings including the associated land.
- (f) "Residential Premises" shall mean single family dwellings, duplexes, apartment and condominium complexes and mobile homes.
- (g) "Residential Unit" shall mean one or more rooms in a building designed for one (1) or more person as a single housekeeping unit with cooking, eating, living, sleeping and sanitary facilities.
- (h) "Surcharge Sticker" shall mean a sticker as purchased pursuant to Section 7 of this By-Law and as shown in Schedule "B" attached hereto.
- (i) "Town" shall mean the Town of Teulon.
- (j) "Waste" shall mean all classes of waste as setforth in Section 3 of this By-Law.
- (k) "Waste Collection Contractor" shall mean the person who, under authority of a by-law, has contracted with the Town for the collection and removal of waste in the Town of Teulon as set out in an Agreement between the Town and the person.
- (l) "Waste Disposal Ground" shall mean any waste disposal ground owned and operated jointly by the Town of Teulon and Rural Municipality of Rockwood.

3. CLASSES OF WASTE

3.0 For the purpose of this By-Law the following Classes of Waste are hereby prescribed;

- (a) "Agricultural Waste" shall mean excess materials derived from Agricultural activities and without limited the generality of the foregoing, shall include, but is not limited to, crop residues, herbicides, pesticides, fertilizers and like materials from all Agricultural pursuits.
- (b) "Animal Waste" shall mean manure, excrement, animal carcasses, or any parts or mixtures thereof.
- (c) "Ashes" shall mean the cold residue resulting from the burning of a substance.
- (d) "Combustible Waste" shall mean, but it not limited to, tree boughs, stumps and branches, paper and cardboard products, wood and lumber and packaging materials derived from paper, cardboard and wood.
- (e) "Construction/Demolition Waste" shall mean a mixture of waste building materials and rubble resulting from construction remodelling, renovations, repairs, demolition or fire in buildings and other structures and includes but is not limited to lumber, plaster concrete, drywall, glass, shingles, siding, electrical and plumbing fixtures and piping or any combination thereof. Construction Demolition Waste may be re-classified as Ashes, Combustible Excavation, Metallic or Recyclable wastes provided said Construction/Demolition Waste is separated as per the Classifications defined in this Section.
- (f) "Excavation Waste-Clean Fill" shall mean natural soil, earth, sand gravel, or any parts or mixtures thereof.

- (g) "Excavation Waste-Rubble" shall mean asphalt, concrete, stone and burnable building materials, or any part or mixtures thereof.
- (h) "Hazardous Waste" shall mean a substance that is designated a hazardous waste by regulation under The Dangerous Goods Handling and Transportation Act.
- (i) "Industrial Waste" shall mean solid or liquid waste materials resulting from, or incidental to the manufacture, processing or like operation of factories, processing plants, industrial processes and manufacturing operations and includes waste such as putrescible waste from food processing plants and rendering plants and condemned foods and products.
- (j) "Landfill Waste" shall mean all discarded waste but does not include Agricultural Waste, Animal Waste, Ashes, Combustible Waste, Hazardous Waste, Industrial Waste, Liquid Waste, Metallic Waste, Recyclable Waste and yard Waste.
- (k) "Liquid Waste" shall mean sewage, sewage effluent and sludge from septic tanks, holding tanks and municipal sewage treatment systems.
- (l) "Metallic Waste" shall mean but is not limited to derelict vehicles, farm machinery, appliances and any other items, goods or things that are comprised entirely or mostly of some type of metal substance or substances.
- (m) "Ozone Depleting Substances" shall mean substances as regulated under the Ozone Depleting Substances Act.
- (n) "Recyclable Waste" shall mean those wastes as listed in Schedule "A" to this By-Law.
- (o) "Waste Oil" shall mean waste oil, oil filters and oil containers.
- (p) "Waste Tire" shall mean tires discarded for reason of wear or damage.
- (q) "Yard Waste" shall mean leaves, grass clippings, garden and flower bed vegetation and straw.

4. REMOVAL AND DISPOSAL

4.01 Residential Units only shall receive curbside collection and disposal of allowable Waste pursuant to this By-Law by the Waste Collection Contractor.

4.02 There shall be raised annually by a special rate on all Residential Premises within the Town, and as more specifically listed on Schedule "C" to this By-Law, an amount sufficient to meet the balance required for the cost to the Town of the curbside collection and disposal service.

4.1 Removal and Disposal – Single Family and Two-Family Residential Premises

4.11 Persons occupying a Residential Unit as defined under this By-Law who reside in a single-family or two-family Residential Premises may place for collection by the Waste Collection Contractor the following Classes of Waste. Said Classes of Waste shall not exceed the limits per container unit, shall be placed in authorized containers and the containers shall be placed at such location for collection as hereinafter specified.

Recyclable Waste

Seasonal Yard Waste – at Council's discretion

Combustible Waste

4.12 Persons occupying a Residential Unit who reside in a single-family or two-family Residential Premises shall place for collection;

- i) not more than two (2) bags of Landfill Waste per week per allowable Residential Unit. This limit may only be increased if a Landfill Waste Surcharge Sticker(s), as provided for in Section 7 of this By-Law, has been purchased and attached to the third and each additional bag of Landfill Waste placed at the curb for collection.
- ii) unlimited bags of Recyclable Waste per week per allowable Residential Unit.
- iii) Yard Waste per allowable Residential Unit only during Council's seasonal schedule.
- iv) unlimited units of Combustible Waste per week per allowable Residential Unit (except tree boughs, stumps, and branches which shall be collected seasonally as per Council's schedule).

4.13 Persons occupying a Residential Unit who reside in a single-family or two-family Residential Premises shall place for collection the following Classes of Waste in the following containers:

- i) Landfill Waste shall be placed in a black or green garbage bag having a maximum size of 67 cm by 92 cm (26" x 36").
- ii) Recyclable Waste shall be placed in a semi-transparent blue recycling bag.
- iii) Yard Waste shall be placed in a clear, yellow or orange yard or garden bag having a maximum size of 76 cm by 122 cm (30" x 48") (seasonal pick-up only).
- iv) Combustible Waste shall, where practical, shall be placed in a clear, yellow or orange bag having a maximum size of 76 cm by 122 cm (30" x 48"). Where it is not practical to place Combustible Waste in the authorized bag the waste shall be bundled and securely tied and shall not exceed four (4) feet in length nor three (3) feet in width.
- v) Tree boughs, stumps and branches shall be collected seasonally as per Council's schedule and bundled similarly.

4.14 Allowable waste for curbside collection shall be placed for collection in containers by 9:00 A.M. on the waste collection days, on the Residential property being serviced, immediately adjacent to the front property line and easily accessible from the street. Where the placement of the waste container does not restrict or impede pedestrian or vehicular traffic, the waste container may be placed between the property line and the road edge.

4.15 Persons occupying a Residential Unit who reside in a single-family or two-family Residential Premises who fail, refuse or neglect to comply with the placement of wastes at the curb for collection in the containers designated in Section 4.13 of this By-Law shall be provided a Notice from the Town advising that the container requirement has not been met. If the person occupying the Residential Unit fails, neglects or refuses to comply with the proper container requirement on any subsequent collection day or days the Waste Collection Contractor shall discontinue the waste collection service until the proper container requirement is met.

4.16 Persons occupying a Residential Unit as defined under this By-Law who reside in a single-family or two-family Residential Premises shall be responsible for the removal and disposal of the following Classes of Waste including any associated cost for said removal and disposal;

i) The following Classes of Waste may be disposed of at the Teulon-Rockwood Waste Disposal Ground:

Construction/Demolition Waste

Landfill Waste

Recyclable Waste

Metallic Waste

Excavation Waste – Clean Fill

Excavation Waste – Rubble

Ozone Depleting Substances provided the ozone depleting substance has been removed pursuant to the Ozone Depleting Substances Act.

Waste Tire

Waste Oil

Yard Waste

Combustible Waste

Ashes

4.2 Removal and Disposal – Multiple-Family Residential Premises

4.21 Persons occupying a Residential Unit as defined under this By-Law who reside in a multiple-family Residential Premises may place for collection by the Waste Collection Contractor the following Classes of Waste. Said Classes of Waste shall not exceed the limits per container unit, shall be placed in authorized containers and the container shall be placed at such location for collection as hereinafter specified:

Landfill Waste

Recyclable Waste

Seasonal Yard Waste (at Council's discretion)

Combustible Waste (at Council's discretion)

4.22 Persons occupying a Residential Unit who reside in a multiple-family Residential Premises shall place for collection:

- i) not more than two (2) bags of Landfill Waste per week per allowable Residential Unit. This limit may only be increased if a Landfill Waste Surcharge Sticker(s), as provided for in Section 7 of this By-Law, has been purchased and attached to the third and each additional bag of Landfill Waste placed at the curb for collection.
- ii) unlimited bags of Recyclable Waste per week per allowable Residential Unit.
- iii) unlimited bags of Yard Waste per week per allowable Residential Unit only during Council's seasonal schedule.
- iv) unlimited units of Combustible Waste per week per allowable Residential Unit (except tree boughs, stumps and branches which shall be collected seasonally as per Council's schedule).

4.23 Persons occupying a Residential Unit who reside in a multiple-family Residential Premises shall place for collection the following Classes of Waste in the following containers:

- i) Landfill Waste shall be placed in a black or green garbage bag having a maximum size of 67 cm by 92 cm (26" x 36").
- ii) Recyclable Waste shall be placed in a semi-transparent blue recycling bag.
- iii) Yard Waste shall be placed in a clear, yellow or orange yard or garden bag having a maximum size of 76 cm by 122 cm (30" x 48") (seasonal pick-up only).
- iv) Ashes (cold) shall be placed in a suitable non-flammable container where the combined weight of the container and ashes does not exceed thirty-two (32) kilograms (75 pounds). Ashes shall not be disposed of with Landfill Waste, Recyclable Waste, Yard Waste, or Combustible Waste.
- v) Combustible Waste shall, where practical, shall be placed in a clear, yellow or orange bag having a maximum size of 76 cm by 122 cm (30" x 48"). Where it is not practical to place Combustible Waste in the authorized bag the waste shall be bundled and securely tied and shall not exceed four (4) feet in length nor three (3) feet in width.
- vi) Tree boughs, stumps and branches shall be collected seasonally as per Council's schedule and bundled similarly.

4.24 Allowable waste for curbside collection shall be placed in the containers as specified in Section 4.23 and shall be deposited by 9:00 A.M. on the waste collection days in the designated waste container bin on the Residential property being serviced.

4.25 Persons occupying a Residential Unit who reside in a multiple-family Residential Premises, who fail, refuse or neglect to comply with the placement of wastes for collection in the containers designated in Section 4.23 of this By-Law shall be provided a Notice from the Town advising that the container requirement has not been met. If the person occupying the Residential Unit fails, neglects or refuses to comply with the proper container requirement on any subsequent collection day or days the Waste Collection Contractor

shall discontinue the waste collection service until the proper container requirement is met.

4.26 Persons occupying a Residential Unit as defined under this By-Law who reside in a multiple-family Residential Premises shall be responsible for the removal and disposal of the following Classes of Waste including any associated cost for said removal and disposal:

i) The following Classes of Waste may be disposed of at the Teulon-Rockwood Waste Disposal Ground:

Yard Waste

Landfill Waste

Construction/Demolition Waste

Ashes, cold

Excavation Waste – Clean Fill

Excavation Waste – Rubble

Combustible Waste

Metallic Waste

Ozone Depleting Substances provided the ozone depleting substance has been removed pursuant to the Ozone Depleting Substances Act.

Waste Tires

Waste Oil

4.3 Removal and Disposal of Waste – Commercial, Industrial and Institutional Premises

4.31 Commercial, Industrial and Institutional Premises shall be responsible for the removal and disposal of the following Classes of Waste including any associated cost for the said removal and disposal:

i) The following Classes of Waste may be disposed of at the Teulon-Rockwood Waste Disposal Grounds:

Ashes, cold

Combustible Waste

Construction/Demolition Waste

Excavation Waste – Clean fill

Excavation Waste – Rubble

Landfill Waste

Metallic Waste

Ozone Depleting Substance provided the ozone depleting substance has been removed pursuant to the Ozone Depleting Substance Act

Recyclable Waste

Waste Tires

Waste Oil

Yard Waste

- 4.32 All Commercial, Industrial and Institutional Premises shall provide sufficient and suitable containers to hold the volume and types of Waste generated by the said Premises.
- 4.33 Commercial, Industrial and Institutional Premises shall locate waste containers on their property and the location of said container shall not restrict or impede pedestrian or vehicle traffic. Where in the opinion of the Town the location of a waste container creates a nuisance or is aesthetically offensive, the Town shall have the power to direct the owner or occupant of the Premises to appropriately screen the said waste container or to move same to a location satisfactory to the town.
- 4.34 Commercial, Industrial and Institutional Premises shall maintain any waste container on their property and shall keep said container in such a condition so as not to be aesthetically offensive or to create a nuisance.

5. WASTE OIL

- 5.01 Waste Oil properly containerized and containing no contaminants, shall only be disposed of at the Oil Recovery Centre located at the Teulon-Rockwood Waste Disposal Grounds.

6. PROHIBITED WASTE

- 6.01 No person shall dispose of the following Classes of Waste by either the curbside collection service or disposal in the Teulon-Rockwood Waste Disposal Ground:

Agricultural Waste

Animal Waste

Hazardous Waste

Industrial Waste

Liquid Waste

- 6.02 No person shall dispose of any Class of Waste in unauthorized or illegal manner.

7. SURCHARGES

- 7.01 Persons occupying a Residential Unit as defined in this By-Law and who may from time to time place for curbside collection a third and additional bags of Landfill Waste shall be required to purchase in advance a Surcharge Sticker.
- 7.02 The purchase price of the Surcharge Sticker shall be set by the Town and shall be as set forth in Schedule "B" to this By-Law.
- 7.03 The form of the Surcharge Sticker shall be approved by the Town and shall be as set forth in Schedule "B" to this By-Law.
- 7.04 Third and each additional bag of Landfill Waste which has been placed at the curb for collection and does not have thereon a Surcharge Sticker shall not be collected by the Waste Collection Contractor.
- 7.05 The Town of Teulon may at its sole discretion waive the requirement for the provision of a Surcharge Sticker on the third and each additional bag of Landfill Waste for a set period of time or date. The Town of Teulon may also at its sole discretion allow additional collection of yard waste and

Combustible Waste (specifically tree boughs, branches and stumps) during a set period of time or date.

8. RIGHT OF ENTRY TO PRIVATE PROPERTY

8.01 The Town or the Waste Collection Contractor may enter upon any premises for any purpose related to the administration and enforcement of this By-Law.

9. LANDS TO BE KEPT CLEAN

9.01 The owner or occupier of any premises shall cause same to be kept free of wastes. The Town or the Waste Collection Contractor may enter upon any such property for the purposes of removing any wastes allowed to continue thereon contrary to this By-Law, and the cost of such removal may be recovered from the owner and added to the tax roll of the subject property and collected in the like and same manner as property taxes.

10. UNAUTHORIZED HANDLING OF WASTE

10.01 No person other than the owner or agent thereof, unless lawfully authorized to do so, shall pick over, interfere with, disturb, remove or scatter any wastes.

11. CONVEYANCE OF WASTES

11.01 No person shall convey or cause to be conveyed any wastes in a vehicle that is not properly constructed and covered so as to prevent the wastes from leaving the vehicle while in transport.

11.02 No person shall allow any vehicle containing wastes of an offensive nature to stand in any location for more than fifteen minutes within the Town.

12. ENVIRONMENTAL MANAGEMENT AND EDUCATION PROGRAMS

12.01 The Town may engage in activities to promote public knowledge and understanding of waste management and public participation in the prevention, reduction, reuse or recycling of waste and the recovery of material substances or energy from waste.

13. OFFENSES AND PENALTIES

13.01 If a person fails, omits or neglects to do any act or provide anything pursuant to this By-Law, the Town or any person on its behalf shall remedy the default and shall charge the cost of remedying the default;

a. against the person required to do the act or provide the thing and recover it as a debt due to the municipality, by action in a court of competent jurisdiction; or

b. as taxes against the land in respect of which the offence occurred and recover the cost in the same manner as taxes are recovered.

14. REPEAL

14.01 By-Law No. 3/93, 5/96 & 3/01 and all others similar of the Town of Teulon are hereby repealed.

15. EFFECTIVE DATE

15.01 This By-Law shall come into full force and effect on the April 1st A.D., 2002

DONE AND PASSED in Council duly assembled this 12th day of March, A.D., 2002

TOWN OF TEULON

E.P. Dody Jansen
MAYOR

[Signature]
CHIEF ADMINISTRATIVE OFFICER

Read a first time this 12th day of July A.D., 2002

Read a second time this 12th day of March A.D., 2002

Read a third time this 12th day of March A.D., 2002

SCHEDULE "A"

RECYCLABLE WASTE

The following items are classified as recyclable waste:

Tin Cans

Glass Bottles and Jars

All Aluminum Cans

All types of soft drink Containers (aluminum, glass and plastic)

All liquor, wine and beer Bottles and Cans

Milk Cartons

Newspaper (INCLUDING GLOSSY FLYERS)

All Plastic Containers with a symbol on the bottom except motor oil container

SCHEDULE "B"

To By-Law No. 5/02
(pursuant to Section 7.)

SURCHARGE STICKER

7.1 Pursuant to Section 7.1 of By-Law No. 5/02 the purchase of a Surcharge Sticker for the third and each additional bag of Landfill shall be as follows:

One Dollars (\$1.00) per Surcharge Sticker

7.2 Pursuant to Section 7.2 of By-Law No. 5/02 the form of the Surcharge Sticker shall be as follows:

Town of Teulon Landfill Waste Surcharge Sticker

Attach one (1) Surcharge Sticker to each third (3rd) and additional bag of Landfill Waste and place bag(s) at curb for collection.

SURCHARGE STICKER NO. _____