

CORPORATION OF THE TOWN OF BLIND RIVER

BY-LAW NO. 2090

Being a by-law to provide for the collection, removal and disposal of garbage and other refuse within the Town of Blind River and to repeal By-Law No.1341.

WHEREAS Section 11(2) of the Municipal Act, S.O. 2001, Chapter 25, as amended, gives municipalities the authority to pass by-laws respecting matters within the spheres of jurisdiction as defined in the Table to this Section.

AND WHEREAS, the Table in this Section lists waste management as a "sphere of jurisdiction" for lower tier municipalities.

AND WHEREAS the Council of the Town of Blind River deems it necessary to establish rules and regulations governing policies relating to the disposal of garbage for residents who receive garbage pick-up.

NOW THEREFORE, the Council of the Corporation of the Town of Blind River ENACTS AS FOLLOWS:

SECTION 1 – DEFINITIONS:

1. "ashes" means the solid residue of any household fuel remaining after burning, soot, and other chimney deposits.
2. "biomedical waste" means any solid or liquid, including but not limited to, any animal or human organ or part thereof, bone, muscle, or animal or human tissue or part thereof, used bandages, poultices, dressings, vials or any other similar material or substance which contains or may contain pathogenic micro-organisms or which may be hazardous or dangerous.
3. "Council" means the Council of the Corporation of the Town of Blind River.
4. "domestic waste" shall mean the waste produced by residents in their homes.
5. "dwelling" means any building or structure occupied or used as a place of abode, other than a hotel, restaurant, apartment house or tenement.
6. "garbage" means ashes, rubbish, or other refuse, swill or liquid waste, household table and kitchen waste where animal or vegetable, fish, fruit and dairy products, magazines, newsprint and waste paper, boots, shoes and other wearing apparel, broken glass, crockery and metal, glass and plastic containers not over five gallons in capacity.
7. "garbage collection day" means the regular scheduled garbage pickup day established for each location in the Town by the collection company appointed by the Municipality and shall include the adjusted date where holidays occur.
8. "household hazardous waste" means waste requiring special care as itemized in Schedule "A" to this by-law.
9. "householder" means an owner, occupant, lessee, tenant or other person in charge of a dwelling, hotel, restaurant, apartment house, office building, shop, store, public institution or other premises.
10. "non-collectable waste" shall mean the materials as described in Schedule "B" that will not be picked up at the curbside.
11. "recyclable" means those classifications of waste capable of being diverted

Untitled

from the normal waste stream as specified in Schedule "C" to this by-law.

12. "refuse" means the same as "waste"
13. "salvaging" means the process of finding items for the purpose of reuse.
14. "scavenging" means the process of finding items for the purpose of reuse.
15. "special area" means an area at the municipal land fill site, designated for a particular purpose.
16. "Town" means the Corporation of the Town of Blind River.
17. "user" means an individual or corporate identity entitled to place refuse into the Town of Blind River land fill site.
18. "waste" means domestic, commercial and solid non-hazardous, non-recyclable refuse and other wastes as designated by the Town, as approved by the Ministry of the Environment.
19. "waste site" means the land fill site for the Corporation of the Town of Blind River.
20. "waste site attendant" means the person duly appointed and responsible for supervision and control of operations at the waste site.
21. "unacceptable waste" means waste not accepted at the waste site as itemized in Schedule "A" to this by-law.

SECTION 2 - "TIPPING FEES"

1. Tipping fees for building materials, tires, etc. shall be as prescribed in By-Law No. 2026.

SECTION 3 - SITE OPERATION

1. The Town of Blind River operates a waste site (hours of operation attached as Schedule "B" to this by-law) described as follows:
 1. 1182 Hwy. 17 East – being part of Lot 7, Concession I, geographic Township of Striker now in the Town of Blind River.
 2. The waste site shall be available for the depositing of waste produced within the Town of Blind River in accordance with this by-law.
 3. No person shall enter and/or leave the waste site without:
 1. submitting a "waste site ticket" to the waste site attendant upon request.
 2. providing their name and address to the waste site attendant upon request.
 3. declaring the nature and origin of the waste upon request.
 4. The waste disposal site shall only be used when a Town attendant is on duty. The attendant will be on duty and the site open as outlined in Schedule "B" to this by-law.
 5. All waste must be transported to the waste site in a manner so as to prevent scattering or losing of waste while en route to the waste site.
 6. All waste must be properly sorted (i.e. household, white metals, tires, construction waste, wood) and disposed of in the designated areas.

Untitled

7. All metal items and white goods will be accepted in the designated area at the waste site.
8. Household Hazardous waste as identified in Schedule "A" to this by-law shall not be accepted at the waste site. This waste must be disposed of at the Hazardous Waste Day sponsored by the Town of Blind River.
9. Other unacceptable items in Schedule "A" to this by-law will not be accepted at the waste site.
10. Salvaging may be permitted as authorized by Council.
11. Scavenging for the purpose of reuse may be authorized by the Waste Site Attendant but must be conducted in a manner that will not interfere with the normal operation of the waste site.
12. All on-site health, sanitary and site operations shall be maintained in accordance with the current Ministry of the Environment and Certificates of Approval.
13. Regulations of the Ministry of the Environment, the Environment, the Environmental Protection Act and Certificates of Approval shall be observed at all times.
14. The Town reserves the right to prohibit any person, firm or corporation from using the waste site within the Town.

SECTION 4 – GARBAGE COLLECTION:

1. No person shall,
 - (a) accumulate or permit the accumulation of garbage, landscaping or yard debris, non collectable waste or other refuse, upon his property or property occupied or controlled by him;
 - (b) store garbage improperly; or
 - (c) place garbage at the highway or curbside as provided in Section 6.3,
 - i) on any day other than garbage day;
 - ii) before 6:00 AM on garbage collection day; or
 - iii) unless the garbage is in a garbage can and complies with the provisions of Sections 6.4 to 6.6 inclusive.
2. For the purposes of Section 4.1(b) above, "Store garbage properly" means garbage that is kept outside of the main building or secure accessory building and is not within a secure enclosure for garbage cans, sealed to prevent the entry by vermin or wild animals including bears.

SECTION 5 – DISPOSAL OF NON-COLLECTABLES:

1. Landscaping or yard debris and non-collectable waste shall not be collected by the Corporation but shall be disposed of by the householder at his expense in such manner as may be directed from time to time by the Corporation.

Untitled

SECTION 6 – GARBAGE COLLECTION DAY:

1. The Corporation is authorized to designate the type or method of collection from any location collected by the Town. The Corporation is further authorized to withdraw collection service from any location found in violation of compliance with the type or method of collection designated for that location within 30 days written notice.
2. The Corporation may from time to time alter the times and frequency of collection in each area of the Town.
3. Every householder owning or controlling property within the Town of Blind River shall, prior to the time of collection, place all garbage accumulated on his property in front of that portion of his property adjoining the highway along which collection is to be made, in containers authorized by this by-law. Such garbage placement shall be as close as possible to the edge of paved or improved road surface portion of the highway but shall not obstruct traffic on the highway, sidewalk or footpath.
4. Subject to Section 6.7 all garbage placed for collection shall be in plastic bags and contained in a metal or plastic (receptacle at owner's discretion) garbage can or cans with secure water tight lids.
5. Garbage placed for collection shall be drained of all liquid, and shall be securely wrapped and tied.
6. Garbage placed for collection shall weigh no more than twenty (20 kg) kilograms and be no larger than eighty (80 L) litres.
7. Empty garbage cans or containers and all material which the collector refused must be removed from the highway or from public property by the occupant of the property from which it was taken before 8:00 PM on the same day that the garbage is collected or the material refused.
8. No employee of the Town shall enter any dwelling, apartment house or other building or ascend or descend any stairway or enter any elevator or hoist or a loading platform for the purpose of collecting garbage, rubbish or other material or for returning garbage cans or containers.

SECTION 7 – CONSTRUCTION SITE RESTRICTIONS:

1. No person ,

Untitled

(a) engaged in any excavation, construction or demolition work shall encumber the streets and sidewalks adjacent thereto with any earth, stones, garbage, landscaping or yard debris, or waste material created by or resulting from such work;

(b) shall remove any earth, stones, landscaping or yard debris, or other waste material from the site of any excavation, construction or demolition work without first obtaining the permission of the Town.

2. All waste material removed from the site of any work mentioned in Section 7.1(b) above, shall be disposed of in such manner as the Town may direct and all costs, charges and expenses incurred or necessitated in disposing of the same in accordance with such directions, shall be borne by the builder, contractor or other persons concerned.

SECTION 8 – TRANSPORTATION OF GARBAGE ETC. :

1. No person shall convey through a highway any garbage, landscaping or yard debris, non-collectable waste or other refuse, except in properly covered metal receptacles or in vehicles equipped with canvas covers or tarpaulins.

2. Where a vehicle is used to carry refuse or waste material of any kind, the canvas cover or tarpaulin shall be placed and fastened in such manner as shall prevent the refuse or waste matter from falling onto the highway.

SECTION 9 - ENCUMBERING PRIVATE PROPERTY:

1. No person shall throw, place or deposit refuse or debris on any private property or on property of the Corporation or any local board thereof.

2. The provisions of Section 9.1 above shall not apply where the consent of the owner or occupant of the property is given and all other provisions of this by-law are complied with.

SECTION 10 – ENCUMBERING HIGHWAYS/SIDEWALKS PROHIBITED:

1. No person shall foul a highway by depositing any garbage, ashes, dirt, stones, carcass, rubbish or refuse of any kind whatsoever, in or upon any highway or public place within the Town, except that sand may be spread upon slippery highways and sidewalks as a measure of safety.

2. Every owner, tenant or occupant of a dwelling, hotel, apartment house, tenement building or other premises and every person having the control or charge of any church, school, or other public institution fronting or abut on any highway where the sidewalks are paved shall keep the same free of all obstructions.

SECTION 11 – ANIMAL CARCASSES:

Untitled

1. Where a carcass of any animal is found on any highway or private property, the owner thereof, or where the owner is unknown, the owner upon whose premises the animal lies, shall notify the office of the Town and shall dispose of the animal in accordance with the instructions of the Town.
2. Where the owner of the animal is known, all expenses of disposing of its carcass shall be borne by the owner.

SECTION 12 – CONSTRUCTION WASTE/REFUSE:

1. Waste and/or refuse from the erection, construction, alteration, or demolition of any building or structure within the Town of Blind River shall be disposed of at the Municipal Land fill site as directed by the Site Supervisor.

SECTION 13 – PENALTY:

1. Any person other than a corporation who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine of not more than \$ 10,000.00 for a first offence and not more than \$ 25,000.00 for any subsequent offence made under the by-law.
2. Notwithstanding any other provision of this by-law, a corporation upon conviction of a contravention of this by-law is liable for a fine of not more than \$ 50,000.00 for a first offence and not more than \$ 100,000.00 for any subsequent fines.
3. Where any person fails to comply with provisions required in Sections 2.1(a), 3.1(b), 5.1, 6.7, 7.1(a) and 10.1, the Corporation may carry out or do the works so required at the owner's expense and may recover the costs by adding the costs to the tax rolls and collecting in like manner as municipal taxes.

SECTION 14 – VALIDITY:

1. If a court of competent jurisdiction declares any provision, or any part of a provision of this by-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this by-law that each and every other provision of this by-law authorized by law be applied and enforced in accordance with its terms to the extent possible according to law.

SECTION 15 – SHORT TITLE:

Untitled

1. This by-law may be cited as the Garbage By-Law.

SECTION 16 – REPEAL:

1. By-law No. 1314 is hereby repealed.

SECTION 17 – EFFECTIVE DATE:

1. This by-law comes into effect on the 19th Day of January, 2009.

READ A FIRST, SECOND AND THIRD time and finally passed on this 19th Day of January, 2009.

MAYOR

CLERK

CERTIFICATION BY THE CLERK:

I, K. Corbiere, Clerk-Administrator of the Corporation of the Town of Blind River, do hereby certify that the above is a true certified copy of By-Law No. 2090 which was passed on the 19th Day of January, 2009.

K. CORBIERE

SCHEDULE 'A'

HAZARDOUS WASTE

The following commercially generated hazardous waste will NOT be accepted at the Municipal Land Fill site:

- Corrosive (batteries, drain cleaners, oven cleaners)
- Toxic (pesticides, rat poison, pharmaceuticals, cleaning fluids)

Untitl ed

- Reactive (pool chemicals, ammonia, bleach, aerosols)
- Flammable (gasoline, paints, BBQ starter, oils, solvents, propane cylinders)

The following items will NOT be accepted as part of the Household Hazardous Waste Programme:

- PCB's
- commercial wastes
- infectious wastes
- radioactive wastes
- unknown wastes

SCHEDULE ' B'

HOURS OF OPERATION – MUNICIPAL LAND FILL SITE

Monday 9:00 am to 5:00 pm

Tuesday Closed

Wednesday Closed

Thursday 9:00 am to 5:00 pm

Friday Closed

Saturday 9:00 am to 5:00 pm

Sunday Closed

SCHEDULE ' C'

RECYCLABLE MATERIALS

The following list is comprised of materials that are collected for recycling:

1. Newspaper, magazines, household fine paper, catalogues and telephone books
2. Corrugated Cardboard
3. Boxboard

Untitled

4. Glass bottles and jars only
5. Metal food and beverage containers, cans, aluminium trays and foil, steel or jar lids
6. Plastic bottles and jars marked with 1 and 2 only.
Plastic pop bottles, water bottles, soap, anti-freeze, laundry detergent and javex bottles.
No tubs (margarine, yogurt).