

Third Reading

Council of the Township of Wollaston

No. 25-09

Session Mar. 4, 2009

Moved by *Burt Goodwin*

Seconded by *Burt Goodwin*

That a by-law to prohibit the unauthorized disposal of waste, regulate a recycling system and regulate the disposal of waste at the Wollaston Waste Site within Municipal jurisdiction and to repeal By-Law 50-07

As reported by the committee of the Whole be read a third time, passed and numbered _____ and that the said By-Law be signed by the Reeve and Clerk, sealed with the seal of the Corporation, and be engrossed in the By-Law book.

Carried

Second Reading

Council of the Township of Wollaston

No. _____

Session _____ 2 _____

Moved by *Graham Blair*

Seconded by *Burt Goodwin*

That a By-Law to _____

Be read a second time and be referred to a committee of the whole council.

Carried

First Reading

Council of the Township of Wollaston

No. _____

Session _____ 2 _____

Moved by *Burt Goodwin*

Seconded by *Graham Blair*

That a By-Law to _____

to be received and read a first time.

Carried

Dan McCaw

THE CORPORATION OF THE TOWNSHIP OF WOLLASTON
BY-LAW # 25-09
Effective date: March 4, 2009

Being a by-law to prohibit the unauthorized disposal of waste, regulate a recycling system and regulate the disposal of waste at the Wollaston Waste Site within Municipal jurisdiction and to repeal By-Law # 50-07.

WHEREAS, Section 11(2) of the Municipal Act, 2001, as amended, gives municipalities the authority to pass by-laws respecting matters within the spheres of jurisdiction as described 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 Township of Wollaston deems it necessary to establish rules and regulations governing policies relating to the disposal of waste, mandatory recycling and to implement tipping fees (see Schedule "C").

NOW THEREFORE, the Municipal Council of the Township of Wollaston enacts as follows:

SECTION 1 – DEFINITIONS

- 1) "Biomedical waste" shall mean whether solid or liquid, including but not limited to, human tissue or part thereof, used bandages, poultices, dressings, vials, syringes or any other similar material or substance which contains or may contain pathogenic micro-organisms or which may be hazardous or dangerous;
 - 2) "Council" shall mean the Council of the Township of Wollaston;
 - 3) "Domestic Waste" shall mean the waste produced by residents in their homes;
 - 4) "Household Hazardous Waste" shall mean waste requiring special care as itemized in Schedule "A" to this By-Law;
 - 5) "IC&I" shall mean waste produced by the Industrial Commercial and Institutional Sector;
 - 6) "Recyclable" shall mean those classifications of waste capable of being diverted from the normal waste stream as specified in Schedule "B" to this By-Law;
 - 7) "Refuse" shall mean the same as "garbage" or "waste";
 - 8) "Salvaging" shall mean the licenced removal of material for the purpose of reuse;
 - 9) "Scavenging" shall mean the process of finding items for the purpose of reuse;
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- 10) "Special Area" shall mean an area at the Waste Site, designated for a particular purpose;
 - 11) "Township" shall mean the Corporation of the Township of Wollaston;
 - 12) "User" shall mean an individual or corporate identity entitled to place refuse into the Township of Wollaston Waste Site;
 - 13) "Waste" shall include domestic, commercial and solid non-hazardous, non-recyclable refuse and other wastes as designated by the Township, as approved by the Ministry of the Environment;
 - 14) "Recyclable Material" shall mean discarded materials and goods incidental to the operation of households, business establishments and public places that can be reused or recycled;

15) "Waste Site" shall mean the lands located at 70 Rose Island Rd. in the Township of Wollaston under the supervision and care of the Township of Wollaston, designated for the disposal of waste;

16) "Waste Site Attendant" and "Waste Site Manager" shall mean the persons duly appointed and responsible for supervision and control of operations at the Waste Site and are referred to in this By-Law as the Operating Authority;

17) "Unacceptable Waste" shall mean waste not accepted at the waste site as itemized in Schedule "A" to this By-Law;

SECTION 2 "MANDATORY CLEAR WASTE BAGS" AND "TIPPING FEES"

1) All waste must be brought to the landfill waste site in clear bags effective Monday September 17, 2007;

2) Tipping fees for building materials, tires etc. shall be as prescribed in Schedule "C" to this By-Law;

SECTION 3 – SITE OPERATION

1) The Township of Wollaston operates a landfill site (hours of operation attached as Schedule "D" to this By-Law) described as follows:

2) 70 Rose Island Rd. - being part of lot 17, Concession 9, Provisional Certificate of Approval No. A362901;

3) The Waste Site shall be available for the depositing of waste produced within the Township in accordance with this by-law;

4) No person shall enter and/or leave the Waste Site without:

- a) giving their name and address to the Operating Authority upon request; and
- b) declaring the nature and origin of the waste if requested; and
- c) showing a valid Wollaston Waste Disposal Site pass upon request;

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The Operating Authority may request Council to suspend, terminate or restrict the privilege of using the waste site if it is reasonably believed that a Waste Disposal pass is being used by an unauthorized person or the Rules and Regulations are being violated and the person refuses to correct the violation when requested to do so.

The waste disposal site pass may only be used by the person to whom it was issued or an employee, tenant, spouse or member of the household of such person acting with the knowledge or consent of such person. If the Operating Authority forms the opinion that the holder of a Wollaston Waste Disposal Site pass has

- Allowed unauthorized persons to use his/her waste site pass
- Seriously and deliberately violated the Rules and Regulations
- Established a pattern of violating the Rules and Regulations
- Permitted someone using her/her waste site pass to do any of the above

then the Operating Authority may request Council to restrict or terminate the privilege of such person to use the waste site and revoke his/her site pass. Every decision of the Operating Authority to terminate or restrict the right of someone to whom a waste site pass was previously issued shall be set down in writing by Council and delivered to the person at the address shown on the Assessment Roll.

5) The waste disposal site/transfer station shall only be used when a Township Attendant (Operating Authority) is on duty; persons entering into the waste disposal site at any other time will be considered by the Municipality of Wollaston as trespassing and will be prosecuted. The attendants will be on duty and the site open as outlined in Schedule "D" to this by-law; all persons using the Waste Disposal Site shall not under any circumstances deposit garbage of any description in front of, in behind or near the gates leading into the waste disposal site. Waste must be deposited in its designated place.

6) All waste material shall 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; persons intentionally dumping domestic and/or IC & I wastes at the roadside will be prosecuted.

7) All waste must be brought to the waste site in clear plastic bags (effective September 17, 2007) and effective immediately, all persons are required to separate recyclable material from non-recyclable waste prior to disposing of same at the waste site; no person shall bring recyclable materials or prohibited materials to the waste site concealed or packaged in such a way as to make them appear to be items, substances or materials which are not recyclable materials or prohibited substances and materials;

8) Users shall separate, sort and place each type of waste in particular areas of the waste site at the discretion of and as directed by attendants; metal items, white goods, building materials, tires, furniture, porcelain fixtures, etc. will be evaluated at the discretion of the Waste Site Manager or attendant and a tipping fee paid for at the waste site (no wood will be accepted);

9) "Household Hazardous Waste" as identified in Schedule "A" to this by-law shall not be accepted at the Wollaston Township waste site. This waste must be disposed of at a licenced facility designated for that purpose such as the Bancroft area Hazardous Waste Collection Site, (dates posted at the Wollaston Waste Site).

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10) Other unacceptable items, in Schedule "A" to this by-law will not be accepted at the Waste Site;

11) Salvaging may be permitted, but must be authorized by Council; no one shall remove material from the site except with the knowledge and consent of the Operating Authority;

12) Scavenging for the purpose of reuse may be authorized by the Operating Authority but must be conducted in a manner which will not interfere with the normal operations of the Waste Site and all items processed through the Reuse Centre;

13) All on-site health, sanitary and site operations shall be maintained in accordance with the current Ministry of the Environment and Certificates of Approval;

14) Regulations of the Ministry of the Environment, the Environmental Protection Act and Certificates of Approval shall be observed at all times;

15) The Township reserves the right to prohibit any person, firm or Corporation from using the Wollaston Township waste site or to place a surcharge on high volume users;

SECTION 4 - Enforcement, Repeal and Enactment

1) At the discretion of the Waste Site Manager, the process to deal with the contravention of this By-Law shall be as follows: a) verbal warning from the Operating Authority; b) 2nd warning in writing issued by the Wollaston Township CAO at the request of the Operating Authority; c) Waste Site Manager requests Council to formally revoke contravener's waste site pass and levy a fine or recover costs on a municipal tax bill as described below.

2) THAT any person, firm or corporation who contravenes any of the provisions of this By-Law may be charged under the Provincial Offenses Act and is liable to a fine not exceeding the sum of \$2,000.00, excluding costs for each offence. Where any person fails to comply with the requirements of this By-law, such matter or thing may be done at such person's expense by the Municipality, and the Municipality may recover the expense incurred in doing it by action, or the same, with interest, may be recovered in like manner as municipal taxes.

2) THAT all Schedules attached hereto form part of this By-Law.

3) THAT By-Law 13-88, being a by-law to close up and regulate the disposal of garbage and other refuse in the Township of Wollaston is hereby repealed.

4) THAT this by-law shall come into force and effect on the date of final passing.

READ A FIRST AND SECOND TIME THIS 4TH DAY OF Mar, 2009.
READ A THIRD TIME AND PASSED THIS 4TH DAY OF Mar, 2009.

Reeve – Dan McCaw

Dan McCaw

CAO/Clerk Treasurer – Marilyn Brickles

Marilyn Brickles