

**THE CORPORATION OF THE
TOWNSHIP OF EDWARDSBURGH/CARDINAL**

BY-LAW NO. 2011-07

**“BEING A BY-LAW TO ESTABLISH, MAINTAIN AND REGULATE A SYSTEM
FOR THE DISPOSAL OF MUNICIPAL WASTE
AND TO PROVIDE FOR THE ESTABLISHMENT OF POLICIES,
REGULATIONS AND FEES FOR THE DISPOSAL OF MUNICIPAL WASTE,
GARBAGE AND OTHER REFUSE”**

WHEREAS the Municipal Act S.O. 2001, c.25, Section 11(3) authorizes the Council of a municipality to pass by-laws respecting matters including waste management ;

AND WHEREAS The Council of the Corporation of the Township of Edwardsburgh/ Cardinal deems it expedient to so establish, maintain and regulate a system for the disposal of waste within the municipality and to establish procedures, regulations, policies and fees for the disposal of waste and the recycling of waste materials;

NOW THEREFORE the Council of the Corporation of the Township of Edwardsburgh/Cardinal enacts as follows:

1. TITLE, SCOPE & DEFINITIONS

1.1 Short Title

This By-law may be cited as the "Waste Disposal By-law".

1.2 Scope

1.2.1 The provisions of this By-law shall apply to all persons, lands, structure and uses within the boundaries of the Corporation of the Township of Edwardsburgh/Cardinal.

1.2.2 No person shall dispose of, or cause to be disposed of, any waste, refuse or garbage except in conformity with the provisions of this By-law, the schedules annexed thereto and By-law 2001-69, Collection of Garbage and Other Waste Material.

1.2.3 This By-law shall not be effective to relieve, reduce or mitigate any person from compliance with any provisions of the Public Health Act or Environmental Protection Act or any regulations or order prescribed by the Medical Officer of Health or the Minister of the Environment.

1.3 Definitions

For the purpose of this By-law:

1.3.1 "Commercial Waste" means waste, refuse and litter generated from and incidental to any business operation.

1.3.2 "Construction Waste" means non-hazardous waste, refuse and litter generated from and incidental to lawful construction activities and shall include items as: bricks and scrap lumber and non-treated wood products, asphalt shingles, drywall, vinyl siding and eavestrough.

1.3.3 "Council" means the Council of the Corporation of the Township of Edwardsburgh/Cardinal.

- 1.3.4 "Hazardous Waste" means waste and materials as may be defined from time to time by the Ministry of Environment as hazardous and shall include but not be limited to the following:
flammable or incendiary materials and liquids; incinerator ash; explosives; offal; sewage; drugs and medicines; chemical wastes; dry cell and wet cell batteries; paint containers; pathological waste including syringes, needles, dressings, body parts and fluids, tissues, medical instruments and other such items as may or could reasonably contain pathogenic bacteria or micro-organisms; dead animals, motor oil, propane tanks; radioactive materials; and other similar materials that may be hazardous or dangerous to the public health, safety or environment.
- 1.3.5 "Industrial Waste" means waste materials from any one or more industrial or manufacturing process, or waste from any property assessed for industrial or manufacturing uses.
- 1.3.6 "Landfill Area" means that operative area of a municipal waste disposal site which is designated as an area for the disposal of waste by the deposition or dumping of waste and subsequent covering by earth fill.
- 1.3.7 "Official" means an officer, servant or employee duly appointed by the Corporation of the Township of Edwardsburgh/Cardinal.
- 1.3.8 "Person" means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee and any heirs, executors, successors, assigns or other legal representative of a person to whom a contract can apply according to law.
- 1.3.9 "Public Works Manager" shall mean the Public Works Manager of the Township of Edwardsburgh/Cardinal, or in his absence, the Chief Administrative Officer of the Township.
- 1.3.10 "Township" means the Corporation of the Township of Edwardsburgh/Cardinal.
- 1.3.11 "Waste" means garbage, refuse and other waste materials approved for disposal by the Ministry of Environment and the Township Council at the Municipal Waste disposal site and shall for the purpose of this definition include commercial/residential waste and recyclable waste but shall not include hazardous waste, commercial construction or industrial waste.
- 1.3.12 "Waste Disposal Site" means any land or land covered by water upon, into, in or through which, or building or structure in which, waste is deposited or processed and any machinery or equipment or operation required for the treatment or disposal of waste;
"Municipal Waste Disposal Site" means a waste disposal site designated and operated by the Corporation of the Township of Edwardsburgh/Cardinal for the disposal or transfer of waste in accordance with the provisions of this By-law and the terms and conditions of a certificate of approval issued by the Ministry of Environment.
- 1.3.13 "Waste Disposal Attendant" means an official duly appointed by Council responsible for the supervision and operation of a municipal waste disposal site and for the administration of this By-law.
- 1.3.14 "White Goods" means refrigerators, freezers, stoves, ovens, hot water heaters, water tanks, washing machines, clothes dryers and similar such items, goods and materials.

2. MUNICIPAL WASTE DISPOSAL SITE

- 2.1 The following area shall be designated as Municipal Waste Disposal Site for the Township of Edwardsburgh/Cardinal.
- 2.1.1 Scott Road Waste Disposal Site - Located at 1225 Scott Road, Concession 1, Part Lot 12, Township of Edwardsburgh/Cardinal, County of Grenville as described by the Ministry of Environment Certificate of Approval No. A441403, as amended.
- 2.2 No person shall use any lands within the Township of Edwardsburgh/Cardinal for that of a waste disposal site except lands designated for such use by by-law by the Council of the Corporation of the Township of Edwardsburgh/Cardinal.
- 2.3 The Municipal Waste Disposal Site shall be operated and maintained by the Township in accordance with the terms and conditions of the Certificate of Approval, the provisions of this By-law, and the requirements of the Ministry of the Environment.
- 2.4 Notwithstanding any other penalty or remedy of law available to the Township, the owner, occupant, lessee or person using any structure or lands within the boundaries of the municipality for the dumping or disposing of garbage, refuse, industrial waste, hazardous materials or waste of any kind where such lands or structures are not designated as a waste disposal site, shall upon written notice served by the Township cease using such lands or structures for such purposes and to remove or cover such garbage, refuse, industrial waste, hazardous materials or other waste in the manner as may be prescribed by the Township.
- 2.5 Hours of Operation of Waste Disposal Site
- 2.5.1 The municipal waste disposal site shall be open for the disposal of waste and other permitted materials in accordance with the times set out in Schedule "A" to this By-law.
- 2.5.2 Notwithstanding the provisions of Section 2.5.1 above, public access to the Municipal Waste Disposal Site shall be restricted to those times when a Township Waste Disposal Attendant is on duty and in attendance at the site.
- 2.5.3 No person shall trespass on the Municipal Waste Disposal Site except as is required to transfer material to the site in accordance with this By-law, or as is necessary to conduct lawful business with the Corporation of the Township of Edwardsburgh/Cardinal during the designated hours of operation of the Waste Disposal Site in the presence of the Waste Disposal Attendant or other official.

3. GENERAL PROVISIONS

- 3.1 No person shall dispose of, or cause to be disposed of, waste at the Municipal Waste Disposal Site that originates or is generated from a location or use outside of the municipal boundaries of the Township.
- 3.2 Persons shall dispose of permitted waste at the Municipal Waste Disposal Site in accordance with the directions of the Waste Disposal Attendant and in accordance with the provisions of this By-law.

- 3.3 Waste conveyed to the Municipal Waste Disposal Site shall be so contained and transported as not to be blown or scattered from the transport vehicle or to leave deposits along road allowances and abutting lands.
- 3.4 No person shall deposit or cause to be deposited waste of any kind on any lane, street, watercourse, private or public property.
- 3.5 No person shall offer to, or give to, any Waste Disposal Attendant any fee or gratuity for services provided by the Township, nor shall any Waste Disposal Attendant accept any fee or gratuity.
- 3.6 No person shall dispose of, or cause to be disposed of, in a Municipal Waste Disposal Site any prohibited waste material as listed in Schedule "B" to this By-law or any industrial waste as previously described.
- 3.7 The Waste Disposal Attendant shall be and is hereby authorized to refuse access to the Municipal Waste Disposal Site any person who is in contravention of any provisions of this By-law, as may be reasonably determined by the attendant. All such persons refused access to or use of the Waste Disposal Site shall be referred to the Public Works Manager by the attendant to review the grounds of such access refusal, such grounds to be provided to that person by the attendant.
- 3.8 Persons who desire to access the Municipal Waste Disposal Site will be required to provide evidence or documentation upon demand acceptable to the Waste Disposal Attendant or other Township official so as to determine the residency of that person or the origination of the waste to be disposed of and the conformity of such residency or origination of waste with the provisions of this By-law.
- 3.9 No person, unless authorized by the Public Works Manager, shall pick over, interfere with, remove or scatter any materials in the landfill area of the Municipal Waste Disposal Site.

4. SPECIAL PROVISIONS

4.1 Construction Waste

No person shall dispose of construction waste at a municipal landfill site unless:

4.1.1 A valid building permit or demolition permit issued by the Township or a letter of authorization issued by the Chief Building Official for the site from which such construction waste originates is submitted to the Waste Disposal Attendant at the time of disposal.

4.1.2 Commercial construction waste is not permitted.

4.2 Recyclables, Scrap Metal, White Goods, Burning of Brush

4.2.1 Recyclable waste shall be those items listed in Schedule "D" to this By-law.

4.2.2 Recyclable waste shall be separated from other waste to be disposed of in the landfill area of the Municipal Waste Disposal Site and shall be deposited in the recycling container at the site in accordance with the directions of the Waste Disposal attendant and the provisions of Schedule "D" to this By-law.

- 4.2.3 Scrap metal, white goods and tires shall be separated from other waste to be disposed of in the landfill area of the Municipal Waste Disposal Site and shall be deposited in the designated area located at the Scott Road Waste Disposal Site only and in accordance with the directions of the Waste Disposal Attendant.
- 4.2.4 No person shall dispose of waste, white goods or scrap metal that contains residue of propane, gasoline, toxic chemicals, PCB or other such hazardous materials.
- 4.2.5 Brush may be deposited for disposal at the Scott Road Waste Disposal Site only and in accordance with the directions of the Waste Disposal Attendant.
- 4.2.6 No person shall dispose of a recyclable waste, white good, tire, or scrap metal except in the areas of the waste disposal site designated for such items.

5. PENALTIES & ENFORCEMENT

- 51 Any person guilty of an infraction of any provisions of this by-law shall on conviction pay a fine or penalty not exceeding \$2,000.00, exclusive of costs, for each and every offence and such penalty shall be recoverable under the Provincial Offences Act. Upon conviction for a breach of the provisions of this by-law, the court of jurisdiction may make an order prohibiting the continuation or repetition of the offence by the offender.
- 52 Where a person fails or defaults to carry out any direction or action required by the Township as authorized by this By-law, upon reasonable and written notice, the Township may proceed to do such things or carry out such actions as directed at the expense of the person and such expense may be recovered by the Township in a like manner as taxes in accordance with the provisions of Section 398(2) of the Municipal Act S.O. 2001, c.25, and amendments thereto.

6. ADMINISTRATION

- 6.1 The Waste Disposal Attendants shall supervise all operations at the Municipal Waste Disposal Site and shall enforce compliance with the provisions of this By-law.
- 6.2 Council may by resolution authorize the waiving or reduction of fees or grant minor variances to provisions of this By-law for community groups, special activities and other circumstances where Council in its unfettered sole discretion deems that such actions are within the public interest and not contrary to the intent of this By-law.
- 6.3 Council may authorize studies and programs and prepare policies for the maximization of the life expectancy, efficiency and effectiveness of the Municipal Waste Disposal Site and the reduction, reuse and recycling of waste.

7. SCHEDULES

- 7.1 The following schedules annexed and attached to this By-law shall form a part of this By-law:

Schedule "A" - Municipal Waste Disposal Site Hours of Operation
Schedule "B" - Prohibited Waste Materials
Schedule "C" - Fee Schedule
Schedule "D" - Recycling Policy

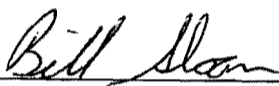
8. IMPLEMENTATION

8.1 By-law 2002-25 as amended is hereby repealed.

8.2 This By-law shall come into force and effect on the date of passing.

READ a first and second time in open Council this 14th day of February, 2011.

READ a third and final time, passed, signed and sealed in open Council this 25th day of April, 2011



Mayor



Clerk

SCHEDULE "A"
BY-LAW 2011-07
MUNICIPAL WASTE DISPOSAL SITE
HOURS OF OPERATION

Scott Road Landfill Site:

Saturdays from 8:00 a.m. to 12:00 noon, or as determined to be necessary by the Public Works Manager.

Municipal Waste Disposal Site shall be closed on all statutory holidays.

Municipal Waste Disposal Site shall be closed to the public during any absence of the Waste Disposal Attendant from the Waste Disposal Site.

SCHEDULE "B"
BY-LAW 2011-07
PROHIBITED WASTE MATERIALS

The following items shall be prohibited from disposal within the licensed landfill area of the Municipal Waste Disposal Site:

- Residential/domestic waste that can be set out for the weekly garbage bag collection as provided for in By-law 2001-69
- Hazardous waste
- Industrial waste
- Commercial waste
- Commercial construction waste
- Dead animals
- Car bodies
- Farm machinery
- Recyclable waste as defined herein and in Schedule "C" of By-law 2001-69

SCHEDULE "C"
BY-LAW 2011-07
FEE SCHEDULE

Residential Waste

Residential waste that cannot be accommodated in the weekly garbage bag collection as provided for in By-law 2001-69:

a)	Personal cars with trailers	\$20.00
b)	Personal trucks 1/4 ton (227 kg) to 1/2 ton (453 kg)	\$20.00
c)	Personal trucks (as in 'b' above) with trailer	\$30.00
	Add \$30 for trailer with rack	
d)	Cargo Van	\$30.00
e)	Personal trucks 3/4 ton (680 kg) to 1 ton (907 kg)	\$40.00
f)	Trucks 1/4 ton (227 kg) to 1 ton (907 kg)	\$100.00
	Flatbed trailer alone	\$100.00
	Trucks with racks	\$125.00
	Trucks with flatbed trailer	\$200.00
	Trucks with rack and trailer	\$250.00
g)	Trucks 1 ton (907 kg) to 3 ton (2721 kg), cube van, platform body	\$250.00
h)	Trucks 3 ton (2721 kg) to 5 ton (4536 kg)	\$350.00
	Add \$50 per additional two feet of trailer	
	Add \$80 per additional two feet of trailer with racks thereafter.	

Contaminated Materials

Contaminated materials are items as defined in Regulation #347 of the Environmental Protection Act and may only be disposed of with prior approval of the Manager of Public Works.

a)	Up to and including single axle trucks	\$250.00
b)	Tandems	\$300.00
c)	Tri-axle	\$375.00
d)	Trailers	\$500.00

Miscellaneous

a)	Tire with rim	\$15.00 each
b)	White goods and specified metal washers, dryers, furnace oil tanks (empty), stoves, refrigerators, hot water tanks, freezers	\$10.00 each
c)	Large items such as chesterfields, chairs, mattresses, carpeting, etc.	\$10.00 each
d)	Brush, leaves and garden waste	\$5.00 per load
e)	Scrap metal deposited in the transfer area of the site	Free

Notes

The Waste Disposal Attendant shall have the discretion to determine the fee for a mixed or partial load in accordance with the above schedule.

SCHEDULE "D"
BY-LAW 2011-07
RECYCLING POLICY

Brush shall be accepted at the Waste Disposal Site in accordance with the provisions of this By-law.

Scrap metal, white goods and tires shall be accepted for recycling at the Waste Disposal Site and in accordance with the provisions of this By-law.

Scrap metal, white goods and tires shall be placed within the designated metal collection area in accordance with the directions of the Waste Disposal Attendant.