

THE CORPORATION OF THE TOWNSHIP OF GREATER MADAWASKA

BY-LAW NUMBER 21-2018

Being a By-law to enact a By-law to establish, maintain and regulate a system for the disposal of Municipal Waste, Recyclables and other Refuse.

WHEREAS the *Municipal Act S.O 2001*, Chapter 25, Section 11(3) authorizes the Council of a local municipality to pass by-laws for establishing, maintaining and operating a waste management system;

AND WHEREAS the *Municipal Act S.O 2001*, Chapter 25, Section 127 authorizes the Council of a local municipality to pass by-laws prohibiting the throwing, placing or depositing of refuse or debris on private property or on property of the municipality or any local board thereof without authority from the owner or occupant of such property;

AND WHEREAS *O. Reg. 244/04*, Section 4 authorizes Council of the local municipality to impose fees for the disposal of waste and recycling of waste materials within the municipality;

NOW THEREFORE the Council of the Corporation of the Township of Greater Madawaska deems it expedient to enact a by-law that reflects the provisions of the current provincial legislation and protects the ecological wellbeing of the Municipality as follows:

1. Title, Scope and 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, structures and uses within the boundaries of the Township of Greater Madawaska

1.2.2 No person shall dispose of, or cause to be disposed, any waste, refuse, garbage or recyclables except in conformity with the provisions of this by-law and schedules annexed hereto.

1.2.3 This by-law shall not be effective to relieve, reduce or mitigate any person from compliance with any provision of the Public Health Act or Environmental Protection Act or any regulation 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 “Blue Box Recyclables” means acceptable cans, plastics, glass, newspaper and corrugated cardboard.

1.3.2 “Bulky Waste” means large items such as carpet, stumps, furniture, mattresses and other waste of a similar nature.

1.3.3 “Clean” in reference to lumber shall refer to lumber which has not been painted, stained or treated with preservatives which will prevent the burning of said lumber due to the environmental impact of the smoke and toxic gases. The lumber may contain nails.

“Clean” in reference to Blue Box recyclables such as cans, plastic and glass shall mean items have been rinsed and are free of food and/or beverage residues.

1.3.4 “Commercial Hauler” means a person engaged in the collecting, transporting or disposing of waste materials for profit or gain and includes persons collecting,

transporting or disposing of waste generated or originating from and incidental to a residence that is not the principal residence of that person.

1.3.5 "Construction Waste" means nonhazardous waste, refuse and litter generated from and incidental to lawful construction activities and include such items as: drywall, scrap lumber and wood products, fiberglass insulation (bagged), SM Styrofoam (bagged or tied), windows, doors, fiberglass tub surrounds, shingles, etc.

1.3.6 "Council" means the Council of The Corporation of the Township of Greater Madawaska.

1.3.7 "Demolition Waste" means nonhazardous waste, refuse and litter generated from and incidental to lawful demolition activities, those being the complete destruction of buildings or other structures, and shall include items as: drywall, burnable wood and non-burnable wood; scrap steel; vinyl siding, shingles, etc. Masonry (brick, block and stone) etc.

1.3.8 "Household Hazardous Waste" means those wastes generated by Township ratepayers not appropriate for landfill disposal and is designated as 'hazardous' by the Ministry of the Environment and is not acceptable at any waste disposal site or transfer stations in the Township.

1.3.9 "Landfill Area (face)" means that operative area of a municipal waste disposal site which is designated as an area for the disposal of approved waste and the subsequent covering by earth fill.

1.3.10 "Mixed Waste" is a combination of Waste and/or Recyclable Waste.

1.3.11 "Official" means an officer, servant or employee duly appointed by Council.

1.3.12 "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 accordingly to law.

1.3.13 "Recyclable Waste" means those clean, washed materials and items which are accepted by the Township at the Municipal Waste Disposal Sites for collection, transfer and processing at a recycling centre or third party re-user and as may be further defined in the Schedule(s) annexed to this By-law.

1.3.14 "Re Use" means authorized removal of items from the Waste Sites. Authorization would come from the Waste Site Attendant(s).

1.3.15 "Scavenging" unauthorized removal of items from the Waste Sites.

1.3.16 "Waste" means garbage, refuse and other waste materials generated from domestic household sources and similar uses approved for disposal, by the Ministry of Environment and Council, at the Municipal Waste Disposal Sites and shall for the purpose of this definition include construction waste and demolition waste but shall not include recyclable waste, hazardous waste or industrial waste.

1.3.17 "Waste Disposal Site" means a waste disposal site designated and operated by the Township of Greater Madawaska for the disposal or transfer of waste (Transfer Station) in accordance with the provisions of this By-law and with the guidelines of the Ministry of the Environment.

1.3.18 "Waste Disposal Attendant" means an official duly appointed by Council responsible for the supervision and operation, under the direction of Council, of a Municipal Waste Disposal Site and for the administration of this By-law.

1.3.19 "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 Sites and Transfer Stations

2.1 The following is a list of the designated Municipal Waste Disposal Sites and Transfer Stations:

| | |
|----------------------|--|
| Norway Lake Site | 574 Norway Lake Road |
| Mt. St. Patrick Site | 134 Flat Road |
| Griffith Site | 6 Finns Road |
| Black Donald Site | 34 Hydro Dam Road (Not Open to the Public) |

2.2 No person shall use any lands within the Township of Greater Madawaska for a waste disposal site except lands designated for such use by by-law.

2.3 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 or the Public Health Act or the Environmental Protection Act or any provision or order prescribed by the Medical Officer of Health or the Minister of Environment.

2.4 The Municipal Waste Disposal Sites shall be operated and maintained by the Township of Greater Madawaska in accordance with the provisions of this By-law and the requirements of the Ministry of Environment.

2.5 Disposal Hours of Operation of Waste Site

2.5.1 The Municipal Waste Disposal Sites shall be open for the disposal of waste and other permitted materials in accordance with the times prescribed by Council and subsequently advertised in a newspaper and on the Township's website, which in the opinion of Council, is sufficient general circulation to give users reasonable public notice.

2.5.2 No unauthorized access to the Waste Disposal Sites shall be permitted when an attendant is not on duty.

2.5.3 No person shall trespass on the Municipal Waste Disposal Sites except as is required to transfer material to the site in accordance with this by-law.

3. General Provisions

3.1 Authorized taxpayers of the Township of North Frontenac, from those areas bordering our Township, are permitted users of any of our sites. Authorized persons may dispose of, or cause to be disposed, household waste, Blue Box recyclables, Construction and Demolition (C&D) and Bulkies at this site from a location or use within the designated municipal boundaries of the Townships of North Frontenac and Greater Madawaska.

3.2 An exception will also be made for persons with written permission from the Chief Administrative Officer (CAO), Public Works Manager or their designates.

3.3 Persons shall dispose of permitted waste at the Waste Disposal Sites in accordance with the directions of the Waste Disposal Attendant and in accordance with the provisions of this By-law.

3.4 All household waste to be disposed of at the Municipal Waste Disposal Sites shall be in a bag or other acceptable container in such a way to prevent scattering on the site.

3.5 Waste being transported to a Municipal Disposal Site shall be so contained so as not to be blown or scattered from the transport vehicle or to leave deposits along road allowances and abutting lands.

3.6 No person shall deposit or cause to be deposited waste of any kind on any lane, street, watercourse, private or public property.

3.7 No person shall dispose of, or cause to be disposed of in the Waste Disposal Site any strictly prohibited waste material as listed in Schedule "B" to this By-law.

3.8 Waste materials such as recyclable waste, brush, construction and demolition waste, electronics, white goods and tires shall only be deposited in specific areas

3.9 No person shall dispose of waste that is not in a bag or other acceptable container except for large or bulky items and loose construction waste.

3.10 The Waste Disposal Attendant shall advise their supervisor of any person who is in contravention of any provision of this By-law. The supervisor is hereby authorized to refuse access to a Municipal Waste Disposal Site by any person who is in contravention of any provision of this By-law, as may be reasonably determined by the Supervisor. All persons refused access to or use of a Waste Disposal Site shall be referred to the Township Office by the Supervisor to review the grounds of such access refusal, such grounds to be provided to that person by the Attendant.

3.11 Unauthorized removal/scavenging of materials from Waste Disposal Sites shall not be permitted.

3.12 No persons shall dispose of permitted waste at the Municipal Waste Disposal Sites in any area except those designated for the specific type of waste which is being deposited. Non-compliance shall result in waste being refused.

Persons depositing waste in areas outside of the Waste Disposal Sites, including the access area to these sites, will be deemed to be contravening this By-law and shall be subject to the penalties stated herein.

4. Special Provisions

4.1 Bagged wastes for disposal at Greater Madawaska Waste Disposal Sites shall be securely contained within a clear/transparent bag that permit inspection for prohibited wastes as listed in Schedule B. Each clear/transparent bag may contain one opaque privacy bag of no more than 1 cubic foot (1'x1'x1') capacity. Any resident not using clear bags for household waste will still be permitted to deposit the waste at the Site. The Waste Disposal Attendant will encourage such resident, in a calm and respectable manner, to use clear bags in the future.

4.2 Construction waste may be disposed at a designated site (Schedule "A") and deposited in accordance with the directions of the Waste Disposal Attendant.

4.3 Waste which is deemed reusable by the Waste Disposal Attendant shall be deposited in a designated area. Waste deemed to be reusable, if not removed by the end of the day on which it was received, shall be placed in the respective bin and/or designated area at the end of each day. Items which are no longer in working order are not to be deemed reusable and are to be properly disposed of.

4.4 No person shall dispose of demolition waste at a Municipal Waste Disposal Site that is not properly separated.

4.5 Recyclable waste shall be those clean, washed items listed in Schedule "C" and may be deposited in the recycling containers at a designated site and shall be deposited in accordance with the directions of the Waste Disposal Site Attendant and the provisions of this by-law and Schedule "C". No person shall dispose of recyclable wastes in a landfilling (face) area of a Municipal Waste Disposal Site.

4.6 Scrap metal and all white goods, except for units containing Freon or Ozone depleting refrigerant such as refrigerators, freezers, air conditioners, shall be separated

from other waste to be disposed of in the designated area at a designated site (Schedule A) and in accordance with the directions of the Site Attendant.

4.7 White goods containing Freon or any Ozone depleting refrigerant such as refrigerators, freezers, air conditioners or any other unit containing this substance shall not be deposited until the required tipping fee, as set out in Schedule "D" is paid to the Waste Disposal Attendant, who will in turn issue a receipt for payment.

4.8 Brush and clean, untreated lumber shall be deposited at a designated site (Schedule A) and in accordance with the directions of the Waste Disposal Attendant.

4.9 Tires may be disposed of at a designated site (Schedule A) in a designated area as determined by the Waste Disposal Attendant. No fee shall be charged to dispose of a dry and clean passenger car or light truck tire .

4.10 Electronics shall be deposited at a designated site (Schedule A) in accordance with the directions of the Waste Disposal Attendant.

4.11 Burning operations at a Waste Disposal Site shall be in conformity with the requirements of the Ministry of Environment as well as the Public Works Manager and provisions of this by-law as set out in Schedule "F".

4.12 No person shall dispose of waste, white metal or scrap metal that contains residue of gasoline, toxic chemicals, P.C.B. or other such hazardous materials in the landfilling (face) area at any Waste Disposal Site in the Township of Greater Madawaska.

4.13 Residents of the Township of Greater Madawaska wishing to dispose of Household Hazardous Waste shall do so at the Household Hazardous Waste Depot located at The Town of Renfrew's Waste Site, 376 Bruce St. The types and quantities of Household Hazardous Material accepted are as listed in Schedule "E".

Household Hazardous waste deposited at the access areas to the site are to be safely moved by the Waste Disposal Attendant away from the entrance. The Waste Disposal Attendant is to then notify their Supervisor to have it removed. At no time is anyone, including a Waste Disposal Attendant, to transport the Household Hazardous Waste into the Site or to any other location;

4.14 Commercial haulers shall only be permitted to dispose of garbage that has originated within the boundaries of the Township of Greater Madawaska. The Waste Disposal Attendant shall report any suspected contravention of this clause to the C.A.O. Clerk Treasurer, who will provide the individual or firm with a written warning. Failure to heed the warning shall entitle the Waste Disposal Attendant to insist on being provided with written verification of the origin of the suspect garbage. Continued contravention of this Clause and/or failure to provide the above required written verification shall be deemed to be an infraction and subject to penalties as provided herein.

Mixed waste as defined in Section 1 shall be disposed of as Household waste. At no time shall a Waste Disposal Attendant open and/or remove recyclable waste items.

4.15 Wastes properly disposed of at Waste Disposal Sites in the Township of Greater Madawaska and approved Township of North Frontenac residents are subject to fees as defined in Schedule "D".

5. Penalties and Enforcement

5.1 Any person guilty of an infraction of any provision of this By-law may on conviction, pay a fine or penalty not exceeding \$5,000.00, 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.

5.2 Where a person fails or defaults to carry out any direction or action required by the Township of Greater Madawaska as authorized by this By-law, upon reasonable and written notice, the Township of Greater Madawaska 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 of Greater Madawaska in a like manner as taxes in accordance with the provisions of the *Municipal Act 2001* Chapter 25, Section 398 (1) and amendments thereto.

5.3 Should any section, clause or provision in this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of this Bylaw shall not be affected.

6. Administration

6.1 The Waste Disposal Attendant shall supervise all operations at the Waste Disposal Site under the direction of the Supervisor and shall enforce compliance with the provision of this By-law.

6.2 Council may by resolution grant a minor variance to provisions of this Bylaw in circumstances where Council in its unfettered sole discretion deems that such action is within public interest and not contrary to the intent of this By-law.

6.3 Council may authorize studies and programs and the preparation of policies for the maximization of the life expectancy, efficiency and effectiveness of the Municipal Waste Disposal Sites and the reduction, reuse and recycling of waste.

7. Schedules

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

Schedule A – Designated Sites Where Specific Types of Waste May Be Deposited

Schedule B – Prohibited Waste Materials- Acceptable Waste/Recyclable Materials

Schedule C – Recycling

Schedule D – Tipping Fees

Schedule E – Hazardous Waste Policy

Schedule F – Burning Policy

8. Implementation


8.1 This By-law repeals any and all previous by-laws pertaining to waste disposal upon its effective date.

READ a first and second time this 14th day of May, 2018.

READ a third time and passed this 14th day of May, 2018.



Glenda McKay,
Mayor



Allison Holtzauer,
CAO Clerk/Treasurer

**SCHEDULE "A"
BY-LAW 21-2018**

Designated Sites for Waste

WASTE SITE HOURS

| Site | Recyclable | Scrap Metal | White Goods | Bulky | C&D | Tire | Commercial | Electronic | Household Waste |
|----------------------|------------|-------------|-------------|-------|-----|------|------------|------------|-----------------|
| | | | | | | | | | |
| Norway Lake Site | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| Griffith Site | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| Mt. St. Patrick Site | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| Black Donald Site | No | No | No | Yes | Yes | No | No | No | No |

Norway Lake Site, 574 Norway Lake Road

Wednesday 8 am – 4 pm

Saturday 8 am – 6 pm

Sunday 10 am – 5 pm

May long weekend to Thanksgiving weekend

Sunday 10 am – 6 pm • Holiday Monday 12 pm – 6 pm

Griffith Site, 6 Finns Road

Wednesday 3 pm – 5 pm

Saturday 1 pm – 5 pm

Sunday 1 pm – 6 pm

May long weekend to Thanksgiving weekend

Holiday Monday 12 pm – 6 pm

Mount St. Patrick Site, 134 Flat Road

Wednesday 12 pm – 2 pm

Saturday & Sunday 8 am – 12 pm

Holiday Monday Closed

SCHEDULE "B"
BY-LAW 21-2018

PROHIBITED WASTE MATERIALS

Disposal of the following items shall be strictly prohibited in any of the Waste Disposal Sites and/or Transfer Stations in the Township of Greater Madawaska:

- Asphalt pavement
- Biological or pathological waste
- Dead Animals
- Human Sewage
- Industrial or Manufacturers Waste
- Petroleum soaked rags or explosives or any other highly combustible Material
- Hazardous Waste

ACCEPTABLE WASTE/RECYCLING MATERIALS

- Appliances and White Goods
- Brush and/or leaves and clean, untreated lumber/wood
- Construction Waste – separated (i.e. clean lumber separated from contaminated lumber; glass separated from metal, etc.)
- Demolition Wastes – toilets, shingles, lumber, brick, masonry etc.
- Fiberglass Insulation and SM Styrofoam (waste)
- Household garbage
- Household Furniture – i.e. beds, mattresses, couches, chairs, etc.
- Scrap metal – i.e. B.B.Q.
- Tires
- Waste Electrical – i.e. televisions, radios, computers, monitors, etc

SCHEDULE "C"
BY-LAW 21-2018

RECYCLING

All recycling items shall be placed within the applicable compartment of the recycling bin located at the Waste Sites and or as directed by the Waste Disposal Attendant.

- All container recycling may be mixed but must be kept separate from paper recyclables.
- Paper recyclables must be deposited loose inside the transfer station bins.
- Paper in plastic bags is not acceptable with the exception of shredded paper.
- Shredded paper can be in clear plastic bags or grocery bags.
- Paper must be kept as clean and dry as possible.
- All paper recycling can be mixed but must be kept separate from container recyclables.
- Cardboard boxes should be flattened.
- Container recyclables must be deposited loose inside the transfer station bins.

RECYCLABLE MATERIALS ACCEPTED

Paper Recycling

Material Accepted:

Advertising Flyers (bond & glossy)

Boxboard

Clean, corrugated cardboard

Computer paper

Egg cartons

Envelopes • File folders • Greeting cards

Hard cover books (covers & bindings removed)

Junk mail • Magazines • Mixed office paper

Newsprint • Packing paper • Phone books

Shredded paper (in a clear plastic bag)

Soft cover books • Wrapping paper

Container Recycling

Material Accepted:

Aluminum pop cans • Cardboard cans (with metal ends)

Coffee cup lids • Empty aerosol and paint cans

Milk & juice cartons, juice boxes

Non-refundable glass bottles and jars

Plastic food and beverage

Pop and water bottles

Small scrap metal items • Steel cans and lids

MATERIAL NOT ACCEPTED WITH RECYCLABLE ITEMS

Juice pouches & foil food wrappers

Plastic household items & toys

Chip & sandwich bags, plastic wrap

Home health care waste,

plastic tubing, IV bags

Glasses or dishes

Salt, fertilizer, soil & wood pellet bags

Plastic bags & food packaging

(bacon, hot dog, pizza wrappers)

Styrofoam packing Styrofoam cups and plates

These items may be placed in with your regular garbage

**SCHEDULE "D"
BY-LAW 21-2018**

WASTE SITE USER FEES & CHARGES

Fees & Charges By-law

To be in accordance with the most recent Fees & Charges By-law.

SCHEDULE "E"
BY-LAW 21-2018

HAZARDOUS WASTE LIST

- Solvents: Turpentine, Disinfectants, Household Cleaners, Bleach, Oven And Drain Cleaners, Furniture Stripper, Ammonia Etc .
- Pesticides: Herbicides, Pesticides And Insecticides, Weed Killer Etc.
- Pool Cleaners
- Used Oil: Oil And Brake Fluid
- Gasoline
- Anti-Freeze
- Batteries: Small Home Batteries, Car and Boat Batteries.
- Paints: All types of Paint and Stains, Varnish Etc.

HOUSEHOLD HAZARDOUS WASTE ACCEPTED AT:

Town of Renfrew Landfill Site (613-432-0731)

376 Bruce Street — Mid May to Mid August

Tuesday, Wednesday & Saturday 8:00 a.m. to 4:00 p.m.

Thursday 8:00 a.m. to 7:00 p.m.

Closed Friday, Sunday & Monday

SCHEDULE "F"
BY-LAW 21-2018

BURNING AT WASTE DISPOSAL SITES POLICY

- 1.** Burning will be carried out only in the designated burning area when prevailing weather conditions are suitable and according to the Site's Certificate of Approval. (i.e., no high winds and the operation should be supervised).
- 2.** Prior to burning, tires, plastics or wet materials which may cause smoke or other undesirable emissions must be segregated and not burned.
- 3.** The Public Works Manager shall notify the municipal office prior to burning in order that office staff may notify the Ministry of Natural Resources and the appropriate fire department personnel.
- 4.** The area of burning must be restricted in order to enable the operator to extinguish the fire immediately if necessary due to a change in weather or other conditions or if so ordered by the Ministry of Natural Resources, a designated official of a Municipal Fire Department, or the Ministry of Environment.
- 5.** Access to the burn area by the public and/or other unauthorized personnel shall be controlled when burning is carried out. The Waste Disposal Site shall be closed during burning and notice of closure shall be posted on the Township Website and Facebook Page as well as at the respective site at least one week in advance.
- 6.** Complaints from local residents regarding smoke or odor emissions will be referred to the Municipal Office. Office staff will work with the Public Works Manager to attempt to resolve the matter. If the situation cannot be resolved satisfactorily, the Public Works Manager will be ordered to stop burning.
- 7.** The Public Works Manager shall comply with the Environmental Protection Act (R.S.O. 1990, c E.19, s.27), when burning.
- 8.** Burning operations may only be carried out by authorized personnel.
- 9.** A minimum of one authorized personnel shall be present for the controlled burn.