



SOLID WASTE COLLECTION BY-LAW

THE CORPORATION OF TOWN OF THE BLUE MOUNTAINS

BY-LAW NO. 16/03

Being a by-law for establishing and maintaining
a system for the collection and removal of garbage,
recyclable material, and other refuse.

WHEREAS the provisions of the Municipal Act, S.O. 2001, c.25, sections 5(3) and 11(1) permit the Municipality to pass by-laws respecting matters within the sphere of waste management;

WHEREAS such by-laws may require the separation of any class of waste at the point of collection and establish fees for the use of any part of the waste management system and may establish different rules, fees and incentives for different defined areas of the municipality, different classes of premises, and different classes of waste; and

WHEREAS the Council recognizes that the establishment of a new waste management program would result in maximizing the life of the Town's landfill site, protecting the health of the environment and achieving a cost effective and equitable system of waste management.

NOW THEREFORE BE IT RESOLVED THAT the Municipal Council of the Corporation of Town of The Blue Mountains enacts as follows:

PART 1 - DEFINITIONS

For the purpose of the by-law the term:

- (a) "biomedical waste" shall mean whether 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, medicines, vitamins, drugs, vaccines, needles, syringes, vials or any other similar material or substance which contains or may contain pathogenic micro-organisms or which may be hazardous or dangerous;
- (b) "building materials" shall mean all waste materials generated from the construction, demolition, renovation or repair of a structure;
- (c) "collection day" shall mean the day designated for the purpose of collection and removal of collectible waste and recyclable material from within a designated area;
- (d) "collectable garbage" shall mean all manner of waste and refuse, but does not include yard waste, recyclable material or wastes as defined as being non-collectable in this by-law;
- (e) "commercial resort unit" shall mean one room or a group of rooms in a building or one building or a grouping of buildings on a property used or designed or intended to be used by one person or jointly by two or more persons, as a single commercial accommodation unit within a commercial resort unit complex (i) in which food preparation and sanitary facilities are provided for the exclusive use of such person or persons; and (ii) which has a private entrance from a common hallway or entrance either inside or outside the building; and (iii) which is part of a rental or lease management program which consists of a minimum of ten such units in one building or on one property; and (iv) which is not used or designated as a principal residence; and (v) which has been established to provide accommodation for gain or profit; and (vi) which may be zoned commercial even

though it is assessed as residential;

- (f) “commercial unit” shall mean a building, structure, or individually assessed and taxed sections within a building or structure that exist for the purpose of buying, selling, leasing and/or renting commodities, and/or supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.
- (g) “curbside” shall mean a convenient and readily accessible place as close to the edge of the roadway as possible without obstructing the roadway, sidewalk or any of the Town operations as determined by the Town, and the Town may further specify the exact location where solid waste shall be placed to facilitate collection;
- (h) “designated area ” shall mean those areas within the Town of The Blue Mountains designated from time to time in which the Town of The Blue Mountains shall regularly collect and remove solid waste;
- (i) “dwelling” shall mean a building occupied or capable of being occupied exclusively as a home, residence or sleeping place by one or more persons, but shall not include hotels, motels, mobile homes, travel trailers, tents, boarding, lodging, commercial resort units, or rooming houses, institutions, railroad car or other railroad rolling stock, or living quarters for a caretaker, watchman, or other person or persons using living quarters which are accessory to a non-residential building or structure;
- (j) “dwelling unit” a living accommodation used or designated for habitation by one person or by two or more persons living together which consists of a room or suite of two or more rooms in which both culinary and sanitary facilities are provided for the exclusive use of the person or persons; but does not include a room in a dwelling unit or in a hotel, tourist or guest home;
- (k) “garbage box” shall mean a stationary enclosure, located at curbside, with a door that readily opens to make the collection of solid waste by the collector unconstrained;
- (l) “hazardous waste” shall mean any waste material that is an acute hazardous waste chemical, hazardous industrial, corrosive, flammable, reactive, PCB waste, radioactive waste, severely toxic, leachate toxic or pathological waste and as defined in the regulation 347 to the Environmental Protection Act R.S.O. 1990, as amended;
- (m) “household hazardous waste” shall mean any household product, material or item labelled as “corrosive,” “toxic,” “reactive,” “explosive,” “oxidizing,” “poisonous,” “infectious,” or “flammable,” including but not limited to the following:
 - (i) pool or photographic chemicals;
 - (ii) drain, oven, toilet, and carpet cleaning solutions;
 - (iii) paint thinner and paint remover;
 - (iv) rat and mouse poison;
 - (v) flea collars and powders;
 - (vi) insect killers;
 - (vii) moth balls;
 - (viii) weed killers;
 - (ix) fungicides;
 - (x) wood preservatives;
 - (xi) oil-based and latex paints;
 - (xii) engine oil;
 - (xiii) brake and transmission fluid;
 - (xiv) antifreeze;
 - (xv) automotive batteries;
 - (xvi) Ni-Cd, Ni-MH, Li-ion, small sealed lead rechargeable batteries less than 2 pounds or 1 kilogram each;
 - (xvii) non-rechargeable batteries;
 - (xviii) propane tanks;

- (xix) other gas tanks;
 - (xx) aerosol cans;
 - (xxi) laundry bleach; and
 - (xxii) fire extinguishers.
- (n) “industrial unit” shall mean a building or structure for the manufacturing, assembly, and prefabrication of goods or materials and shall include warehousing, transportation terminals, construction and other similar uses.
- (o) “institutional unit” shall mean a building, structure or part thereof used for a non-commercial purpose by any organization, group, or association for religious, charitable, education, health or welfare purpose.
- (p) “non-collectable waste” shall mean the following materials unless otherwise stated and only in such collection programs as defined including but not limited to the following:
- (i) liquid or semi-liquid waste;
 - (ii) hay, straw, manure and night soil;
 - (iii) carcasses or parts of any animal or fowl with the exception of bonafide kitchen waste;
 - (iv) human or animal excrement;
 - (v) industrial, manufacturers or trade waste including abandoned, condemned or rejected product and the stock of any wholesale or retail merchant;
 - (vi) yard waste;
 - (vii) appliances and/or household furnishings;
 - (viii) tires;
 - (ix) automobiles, vehicles or any parts thereof;
 - (x) fences, fence posts, fence wire;
 - (xi) building material or building rubbish;
 - (xii) sawdust and/or shavings;
 - (xiii) swill or organic matter not drained or wrapped;
 - (xiv) biomedical waste;
 - (xv) hazardous waste;
 - (xvi) household hazardous waste
 - (xvii) propane tanks;
 - (xviii) scrap metals;
 - (xix) crates or packing material that are recyclable;
 - (xx) ashes hot or cold;
 - (xxi) any explosive or highly combustible material of any nature whatsoever; and
 - (xxii) earth, soil, stones, rocks.
- (q) “multi unit property” shall mean any series or grouping, attached or detached, of more than six (6) residential dwelling units located on a single private property; and which may be accessible only by a private lane; but does not include commercial resort units, commercial units, industrial units, and/or institutional units;
- (r) “receptacle” shall mean:
- (i) a reusable receptacle of such design that the receptacle shall have smooth internal surfaces, have two (2) suitable handles, be not greater than eighty-four (84) centimetres (33 inches) in height and not more than fifty-six (56) centimetres (22 inches) in width or diameter, a weight not more than eighteen (18) kilograms (40 pounds) with contents, and wider at the top than the bottom;
 - (ii) heavy-duty plastic bags shall be not greater than ninety-six and a half (96.5) centimetres (38 inches) in height by seventy-six (76) centimetres (30 inches) in width, be properly sealed, have a volume not exceeding 0.1 cubic metres (100 litres or 26 gallons), have a weight not exceeding eighteen (18) kilograms (40 pounds) with contents, and be sufficiently durable to withstand lifting without breaking open;

- (s) “recyclable material or recyclables” shall mean the materials outlined in Schedule “A” and items in the description below:
- Blue Box Class
- (i) any waste material designated by the Town from time to time as being blue box or blue bag material, or being what is also described as co-mingle and being acceptable for collection and without limiting the generality of the foregoing includes: type 1 through 7 plastic containers and beverage or food containers made of glass or metal; and
- Grey Box Class
- (ii) any waste material designated by the Town from time to time as being grey box or clear bag material, or being what is also described as fibre or paper and being acceptable for collection and without limiting the generality of the foregoing includes: newsprint and inserts, unwaxed corrugated cardboard, magazines, boxboard, and fine paper.
- (t) “recycling receptacle” shall mean:
- (i) a blue box and/or a blue bag (maximum bag size 67 litres or 18 gallon) as approved by the Town, for co-mingle recyclable material;
- (ii) a grey box and/or a clear bag (maximum bag size 67 litres or 18 gallon) as approved by the Town, for fibre or paper recyclable material; and
- (iii) for multi unit residences and properties and other locations as designated by the Town, roll-out carts of a volume and configuration as specified by the Town.
- (u) “solid waste” shall mean garbage, recyclable material, rubbish and debris, but does not include any material not collected by the Town;
- (v) “tag” shall mean a sticker or adhesive label issued by the Town (upon payment of the applicable fee, outlined in Schedule “B”, as determined by Council) to be affixed to the garbage bag or the upper most piece of garbage in an approved receptacle put out for collection at curbside;
- (w) “Town” shall mean the Corporation of the Town of The Blue Mountains;
- (y) “yard waste” shall mean without limiting the generality of the foregoing grass clippings, sod, garden material, tree limbs, branches, trunks, stumps, roots and brush.

PART II - RESPONSIBILITIES

- (a) In designated areas, the Town shall collect and remove, or cause to be removed, collectable garbage and recyclables at regular intervals from dwelling units, commercial units, industrial units, and institutional units subject to the provisions of this By-law, and from time to time designate certain days for the collection of specific types of material.
- (b) The decision of the Council shall be final as to quantities and types of solid waste to be collected and the procedures employed for collection.
- (c) Except when specifically authorized by the Town no collection vehicle owned or leased by the Town or by any person, business or company for the benefit of the Town shall enter upon any private property for the purpose of collecting or removing any material and no handler employed by the Town or any of its agents, representatives or contractors shall be required to enter into or upon any building or structure located on private property for the purpose of collecting or removing any material.

- (d) All property owners of rented or leased premises, including their agents and/or property management firms, shall ensure that a copy of the applicable and current Town waste and recycling educational information for dwelling units or commercial units, is located on site for each tenant of the rental or leased premises.

PART III - COLLECTION PROCEDURES

Every person required to use or making use of collection and removal services shall comply with the prescribed procedures for collection. However, the ultimate responsibility shall be on the owner of the property from where the solid waste or refuse is generated:

- (a) Solid waste shall be set out in the prescribed receptacles for garbage and recycling collections, and shall be placed at the curbside in front of or adjacent to the dwelling, commercial, industrial, or institutional unit at which the solid waste is generated;
- (b) Exemptions under PART III (a) exist for the following residential locations:
 - (i) Swiss Meadows (Plan # 807) shall have a centralized area provided by the Town for the collection of solid waste during the winter months, but residents shall conform to normal collection procedures throughout the remaining portion of the year;
 - (ii) Castle Glen (Plan # 910 and 921) shall have a centralized area to be serviced or collected by the Town, throughout the entire year, but be maintained by and located on the property of Castle Glen;
 - (iii) Lake Drive (Plan # 931 and 346) (west of Cameron Street) shall have a centralized area provided by the Town for the collection of solid waste throughout the entire year; and
 - (iv) multi unit properties that do not readily adapt to the Town's collection procedure shall not place solid waste at the curbside but will form an agreement with the Town to have solid waste collected from a designated centralized location upon the owners private property. The property owner or manager is required to provide an adequate centralized location with a smooth hard surface that is easily and safely accessible to the collection vehicle on their own property for the storing of collectable waste, and shall be solely responsible for the maintenance of the centralized location, the Town shall also provide collection of recyclable material from specified recycling receptacles from the said centralized location. The owner and occupants shall ensure that the area surrounding the centralized location is kept clear of snow, ice, or any other obstructions including vehicles so that collection vehicles have proper access to the bins and carts.

Designating Centralized Location

The Town may designate or authorize a specific location on a private property as a collection point. The Town will consider the following when designating a collection point for the collection of solid waste:

- (1) the availability of a collection point that is freely accessible for collection vehicles;
 - (2) the configuration of the private streets and roadways in a townhouse or condominium complex and the ability of collection vehicles to manoeuvre on such streets and roadways;
 - (3) the desirability of an enclosure for the storage of waste collection receptacles or bins as well as the availability of a freely accessible site for such an enclosure;
 - (4) requirements under the Property Standards By-law 2002-18 and Condominium Development Agreements.
- (c) collectable garbage and recyclable materials shall be distinctly separated from each other

at the prescribed locations to facilitate collection;

- (d) collectable garbage placed out for collection shall be set out in a receptacle only as defined in this by-law, this does not exclude the use of curbside garbage boxes to house the garbage and/or recycling receptacle(s);
- (e) if a complaint from any resident or operator (collector) arises regarding waste strewn by animals and the complaint is confirmed by Town staff, the Town may designate that a more animal proof container shall be used by the occupant;
- (f) non-compliance of any provision within this by-law by a resident shall result in the solid waste or non-collectable waste not being collected from that residence by the Town until proper collection procedure is followed, at the time the solid waste and/or non-collectable waste is left at the curbside or centralized location notification may be given by the Town as to the reason(s) the solid waste or non-collectible waste was abandoned and a contact number may be given for further information;
- (g) solid waste shall be set out for collection at the prescribed location not earlier than 6:00 p.m. on the day immediately preceding collection day and not later than 7:00 a.m. on the designated day of collection;
- (h) every person who has placed any material or receptacle, unless concealed in a garbage box, for collection at the curbside shall remove from that public property or the curbside location before 8:00 p.m. on collection day, whether or not waste collection services have occurred;
- (i) no person shall sweep, throw, drop or place, or cause to be swept, thrown, dropped or placed, without authority, any material onto any lane, street, creek, roadway, walkway or other private land – other than their own – and/or public property in the Town except for collection as herein provided;
- (j) no person shall permit any material to be swept, thrown, or dropped from a premises occupied by her/him or from a vehicle owned or operated by him/her, without authority, onto any lane, street, creek, roadway, walkway or other private land – other than their own – and/or public property in the Town except for collection as herein provided;
- (k) no person shall keep on her/his premises or elsewhere a dump or repository for any material in such a condition that the dump or repository, as the case may be, or its contents, is a nuisance, emits foul or offensive odours, is unsightly or harbours or attracts rats, other vermin or insects; and
- (l) where the Town performs or has contracted for the collection and removal of solid waste other than curbside, such collection and removal shall be carried out only if such waste is placed in a bin(s) approved for the purpose by the Town and the approved bin(s) are placed in locations similarly approved.

PART IV - GARBAGE COLLECTION

Every person required to use or making use of regular garbage collection shall comply with the following:

- (a) no person shall mix or place out for garbage collection any materials which are defined by the Town as recyclable, yard waste, hazardous or non-collectible and where it is found to be mixed it shall not be collected;
- (b) collectible garbage placed out for collection shall be set out in a receptacle only as defined in this by-law;
- (c) a combination of not more than two (2) receptacles or items shall be collected from any dwelling or other unit on the day of collection; and

- (d) the combination of garbage receptacles to be placed at the curbside shall consist of one (1) receptacle as part of the service and one (1) tagged with a Town waste tag on the second optional receptacle.

PART V - RECYCLING COLLECTION

Every person required to use or making use of the recycling collection service shall comply with the following:

- (a) recyclable materials shall not be mixed with other non-recyclable or yard waste materials and where it is found to be mixed it shall not be collected;
- (b) where curbside recycling collection is provided, recycling materials shall be separated at source and prepared for collection as defined by the Town;
- (c) where recycling collection is provided to multi unit properties the following shall apply:
 - (i) recyclable materials shall be source separated and placed into designated recycling receptacles as defined by the Town;
 - (ii) the owner of each multi unit property shall designate and maintain an area for the storage or placement of the receptacles, it being understood that the storage area shall conform to the standards as specified by the Town: and
 - (iii) where it is found that the recyclable materials are not being recycled or are not source separated as specified, the Town may terminate collection services.
- (d) Every commercial, industrial, and institutional unit making use of the recycling collection service shall be restricted to placing out for recycling collection a maximum of nine (9) units in any combination. A unit of recyclables shall be either a blue box/blue bag or a grey box/clear bag or a bundle of cardboard/boxboard, as outlined in Schedule "A".

PART VI - GENERAL PROVISIONS

- (a) The provisions of this by-law shall not relieve any person from complying with the provisions of the Health Protection and Promotion Act, R.S.O. 1990, c. H.7, and the regulations made thereunder as may be amended from time to time.
- (b) No person shall pick over, interfere with, disturb, remove or scatter any solid waste or non-collectable waste placed out for collection other than the person who so placed it, his/her agent or representative(s), or a waste handler employed by the Town or any of its agents, representatives or contractors, unless in accordance with a special Town event - Schedule "C".
- (c) No person shall deposit or place out solid or non-collectable waste for collection on a property not owned or occupied by that person.
- (d) No person shall offer or give to any waste handler employed by the Town, and no waste handler employed by the Town shall solicit, accept or receive any fee or gratuity, in addition to his wages, for garbage handling services rendered to or to be rendered.
- (e) All sections of this by-law shall be deemed to be separate and independent and the invalidity of any section of provision hereof shall not affect the remaining sections.

PART VII - PENALTIES

- a) Every person who contravenes any provision of this By-law is guilty of an offence and shall be liable to a penalty as provided in the Provincial Offences Act. Each day that a person contravenes any provision shall be deemed to constitute a separate offence.
- b) Where any thing required to be done in accordance with this By-law is not done, the Town may, upon such notice as is deemed suitable, do such thing at the expense of the person required to do it and such expense may be recovered by action or in like manner as municipal taxes.

PART VIII - REPEAL OF EXISTING BY-LAWS

- a) Town of Thornbury By-law No. 31/96, as amended, is hereby rescinded.
- b) The Corporation of Town of The Blue Mountains By-law No. 2000-90, Schedule "I", sections I.1, I.1.a and I.1.b are hereby rescinded.
- c) The Corporation of Town of The Blue Mountains By-law No. 98-73, is hereby rescinded.

PART IX - CHANGE IN SCHEDULES


The Schedules of this By-law may be changed, upon approval of Council, without requiring the reading of and passing of a new or amended by-law.

PART X - EFFECTIVE DATE

The provisions of this by-law shall come into force and take effect on September 29, 2003 upon the final passing thereof.

Read a first and second time this 17th day of February 2003.

Read a third time and passed this 3rd day of September, 2003.



Ross Arthur, Mayor



Stephen Keast, Clerk

Schedule “A”
of By-law 16/03

Recyclable Material

- a) **Mixed Paper:** Includes newspaper, inserts, junk mail, magazines, catalogues, phone books, writing and computer paper, clean packaging paper and paperback books, stacked or placed in a Grey Box or Clear Bag.

- b) **Old Corrugated Cardboard (OCC):** Must be flattened and in bundles not larger than 61 cm x 46 cm and up to 15 cm thick (24" x 18" x 6"). It includes clean pizza boxes. The material should be placed neatly beside, under or in the Grey Box or Clear Bag.

- c) **Boxboard** cereal boxes, cardboard tubes and similar material flattened and placed neatly beside, under or in the Grey Box or Clear Bag - separate or with the OCC material.

- d) **Steel Cans:** Includes food and beverage cans, bottle and jar caps placed in the Blue Box or Bag.

- e) **Aluminum Cans and Foil:** Includes beverage cans, rigid containers such as pie plates and clean flattened foil. Mixed with steel cans in the Blue Box or Bag.

- f) **Glass, Clear & Coloured:** All food and beverage bottles and jars only, placed inside the Blue Box or Bag, excluding for example: non-container glass, heat-resistant glass, pyrex, mirrors, car windows, window glass, laboratory ware, light bulbs, and light tubes, insulators, drinking glasses, opaque glass, T.V. tubes, glass tubing, ceramics, chinaware, other tableware, porcelain, clay pots, brick, tiles, and the like; remnants of food and liquids.

- g) **P.E.T.:** All plastics and containers described as Polyethylene Terephthalate (PET or PETE) and designated with a recycling symbol and a #1. Placed inside the Blue Box or Bag.

- h) **H.D.P.E.: - Rigid** All plastics and containers described as High Density Polyethylene (HDPE) and designated with a recycling symbol and a #2. Placed inside the Blue Box or Bag.

- i) **P.P.:** All plastics and containers described as Polypropylene (PP), commonly margarine and dairy tubs, designated with a recycling symbol and a #5. Placed inside the Blue Box or Bag.

- j) **P.S.:** All plastics and containers described as Polystyrene (PS), clear and coloured food containers and cutlery and designated with a recycling symbol and a #6. placed inside the Blue Box or Bag. Excluding expanded polystyrene commonly foam trays, cups, egg cartons and packaging material.

- K) **V., LDPE., and Other:** All rigid plastic, containers and items described as Vinyl/Polyvinyle Chloride (V or type #3) - commonly vegetable oil bottles. All plastic containers described as Low Density Polyethylene (LDPE or type #4). All plastic containers described as Other or type #7.

Schedule “B”
of By-law 16/03

Tag Fee

The cost for a tag as required for a second receptacle over and above the first receptacle is \$1.00 per tag.

Schedule “C”
of By-law 16/03

Special Town Collection Event

At dates and in a manner to be decided by the Town, the Town will allow for the collection of special, oversized and large bulky items from curbside.

Note:

By-law # 2003-16 has had Part VIII b) and Schedule "B" deleted on the 8th day of September, 2003, by action of by-law # 2003- 82.

By-law # 2003-17 has been rescinded and repealed in it's entirety on the 8th day of September, 2003, by action of by-law # 2003- 82.