

The Corporation of the Township of Hornepayne

By-Law No. 2000

A By-Law for establishing and maintaining a system for the collection, removal and disposal of garbage and other refuse in the Corporation of the Township of Hornepayne in the District of Algoma

WHEREAS it is deemed expedient that rules and regulations be made for establishing and maintaining a system for the collection, removal and disposal of garbage and other refuse within the Corporation of the Township of Hornepayne, in the District of Algoma; and,

WHEREAS of Section 11 (3) of the *Municipal Act, 2001*, provides that a municipality may pass by-laws to establish, maintain and operate a solid waste management system for the collection, removal and disposal of garbage and other refuse;

NOW BE IT THEREFORE ENACTED by the Council of the Corporation of the Township of Hornepayne:

1. DEFINITIONS

For the purpose of this by-law the following shall have the meaning given herein:

Ashes shall mean the solid residue of any fuel for heating or cooking purposes, and cleaning from chimneys.

Commercial Establishment shall mean any commercial establishment, singular or multiple.

Compostable Material shall mean all compostable material and shall consist of, but not limited to the following: grass cuttings, garden refuse, leaves, kitchen vegetable waste etc.

Corporation means the Corporation of the Township of Hornepayne in the District of Algoma.

Dwelling shall mean any building or place of abode other than a hotel, motel, restaurant, or business.

Garbage shall mean all rejected, abandoned, or discarded household waste, either animal or vegetable, wearing apparel, wastepaper, broken crockery; but shall not include weighty or bulky articles such as stoves, fencing, furnaces, bed springs, furniture, boxes and barrels or anything of a similar nature.

Household shall mean any family dwelling.

Householder shall mean any owner, occupant, lessee, tenant, or any person in charge of any dwelling.

Non-Collectible Waste shall mean any waste or matter other than garbage or ashes and shall include the following:

- (i) Manufactured waste, including wire;
- (ii) Celluloid cuttings, moving-picture film, oil-soaked or gasoline-soaked absorbent material and any explosive or highly combustible material of any nature whatsoever;
- (iii) Broken plaster, lumber or other waste or residue resulting from the construction, alteration, repair, demolition or removal of any building or structure;
- (iv) Sawdust and/or wood shavings;

- (v) Swill or other organic matter not properly drained or wrapped;
- (vi) Liquid waste;
- (vii) Bandages, poultices, dressings and other such waste;
- (viii) Hay, straw and manure;
- (ix) Night soil;
- (x) Carcass of any animal;
- (xi) Live animals or birds;
- (xii) Furniture;
- (xiii) Stock of any wholesaler which shall be regarded as manufacturers' waste;
- (xiv) Any material which has become frozen to the receptacle and cannot be removed by shaking;
- (xv) Motor vehicle tires;
- (xvi) Tree branches, roots or stumps,
- (xvii) White goods including stoves, refrigerators, hot water heater, and the like;
- (xviii) Derelict vehicles or parts thereof; and
- (xix) Hazardous waste as per regulation 347 of the Environmental Protection Act - General Waste Management.

Non-Hazardous solid industrial waste shall have the same meaning as is set out in the conditions of the ECA 6672-57HTDH for the Corporations' solid waste disposal site, or any amended successor Environmental Compliance Approval.

Public Works Manager shall mean the Public Works Manager as appointed by the Corporation or delegate.

Street shall mean any travelled road, street, lane, alley, square, place, thoroughfare, or way within the limits of the Corporation of the Township of Hornepayne owned and maintained year-round by the Corporation of the Township of Hornepayne.

2. COLLECTIBLES

Householders in the collection areas as designated from time to time by the Council of the Corporation of the Township of Hornepayne will normally have collections weekly by the Corporation or its subcontractors.

The occupants of each separate residence, tenement, or other premises, shall be informed by the garbage collector by public notice, of the days or date when vehicles will call for the ashes, garbage and other refuse, and the different routes which shall be passed over with such regularity that all occupants may know when their respective premises will be visited, at approximately the same time each collection day, weather, equipment, and manpower permitting, by the said garbage collector.

3. RECEPTACLES

(a) **For Garbage**

All garbage except ashes shall be placed in plastic bags not larger than 36 inches by 24 inches and properly tied at the top and placed in either:

- (i) A sufficient number of covered metal or plastic containers with proper handles and a watertight cover, which shall at all times remain in position so as to preclude the ingress and egress of flies.
or
The escape of odors therefrom. No container shall be greater than 36 inches in height or have a diameter larger than 18 inches or weigh more than 50 pounds including contents.
or
- (ii) A container made of wood or similar durable material with water-tight cover of sufficient size to accommodate all household garbage.

(b) **For Cold Ashes**

Cold ashes shall be placed in a plastic bag and then placed in a sufficient number of containers, plastic, metal or wood, having a capacity of not greater than one bushel or one and one-quarter cubic feet.

- (c) Receptacles which do not conform to the requirements of Section 3 shall not be emptied nor collected by the Corporation. The householder shall be responsible for the clean-up of broken garbage bags or upset containers either before or after collection.

4. PREPARATION OF GARBAGE, ETC. FOR COLLECTION

- (a) Separate Ashes and Compostables.
- (b) Householders shall deposit in receptacles all material defined as garbage, ashes or compostables.
- (c) Ensure containers are drained of any liquid prior to being placed in a garbage bag and Receptacle.
- (d) Ensure ashes are cooled and placed in proper receptacles. The owner shall be held responsible for any related mishaps.
- (e) Such refuse as crates, packing materials, brush and material of like nature will be collected as garbage if securely tied in compact bundles or parcels not exceeding 3 feet in length or 2 feet in any dimension or weighing over 50 pounds or placed in sufficient receptacles as specified herein so that they will not be scattered.
- (f) Ensure cardboard cartons are knocked down flat and securely tied in convenient bundles. No such bundle shall weigh more than 50 pounds or have a dimension greater than 3 feet.
- (g) Grass clippings and other garden debris can be composted.
- (h) Ensure broken glass and other sharp objects shall be packaged in a secure manner that will ensure safe disposal.

5. PLACING RECEPTACLES FOR COLLECTION

- (a) Garbage and ashes in proper receptacles as in Section 3 above will be picked up by the garbage collectors from the usual location for such receptacles, i.e. near the street line at the driveway side of the premises, and not more than 10 feet from the edge of the road.
- (b) Brush, etc., securely tied in compact bundles as set out in Section 4 (d) above shall be placed by the householder in the same location used for setting out of proper garbage receptacles.
- (c) Receptacles must be placed for collection by 8:00 a.m. on the date set for collection.

6. AMOUNT OF COLLECTIBLE WASTE

- (a) The number of receptacles including plastic bags and tied bundles put out from any single dwelling shall not exceed 4 per week. Units requiring more than this amount of collection shall make private arrangements for storage, collection, and disposal entirely at their own expense.

7. GENERAL NUISANCE

- (a) No person shall suffer or commit within the Corporation of the Township of Hornepayne the accumulation upon his premises or upon land occupied by him or under his control, or deposit or permit the deposit upon any lands belonging to him or in his occupation or under his control, of any garbage, animal or vegetable matter, household waste or any other matter or thing which may endanger public health, the owner shall be held responsible.
- (b) No person shall sweep, throw, cast, lay or deposit any ashes, garbage, fruit skins, cinders, straw, excelsior, store sweepings, shavings, paper, dirt, lawn-rakings, broken glassware, handbills, crockery or bottles, carcass of any animal, or rubbish of any kind whatsoever, on any lane, street, creek, roadway or public place within the Corporation.
- (c) No person shall keep a garbage dump or receptacle or depository for waste material on his premises in such condition or in such a location that the same is a nuisance or emits foul or offensive odor or harbors or attracts rats or other vermin or insects. The body of a dead animal must be properly disposed of by the owner.
- (d) No person shall permit garbage, bottles, ashes or other refuse, including paper of any description, to be blown or dropped from the premises occupied by home or from a vehicle owned or operated by him onto any lane, street, creek, roadway or other public property within the Corporation of the Township of Hornepayne.
- (e) No person shall pick over, interfere with, disturb, remove, or scatter any bundle or paper, or article placed for removal, whether contained in a covered container or otherwise.
- (f) No person shall pick over, interfere with, disturb, remove or scatter any bundle or paper, or article placed at the disposal site excepting approved salvage operations in designated areas.
- (g) No derelict vehicles shall be deposited at the disposal site.
- (h) No burning shall be allowed at the disposal site except by municipal personnel.

8. DISPOSAL OF NON-COLLECTIBLE WASTE

Non-collectible waste may be delivered to the disposal sites only with the permission of the Corporation. Any person wishing to dispose of non-collectible waste shall apply to the Corporation's Landfill Site Superintendent and/or his appointed authority and on obtaining his permission shall haul such waste to the disposal site at their own expense, and shall deposit the same in accordance with the directions of the superintendent or the employee in charge of the disposal site acting under his direction, and shall pay such fees as may be imposed by Council.

9. WASTE NOT COLLECTED BY THE TOWNSHIP

- a) All garbage, ashes and other refuse not bound to be collected by the Corporation personnel as herein before set out, shall be the responsibility of the householder to dispose of at his own expense.
- b) Each household is entitled to deposit a weekly allotment of four (4) bags or tied bundles at no cost during normal hours of operation.

10. TRANSPORTING WASTE MATERIAL AND REFUSE

- (a) No person shall convey through the streets within the Corporation limits any garbage, ashes, or any non-collectible waste, except in properly covered containers or in vehicles totally enclosed or covered with canvas or tarpaulins, so fastened down around the edges as to protect from flies and wind-blown garbage and offensive odors therefrom.
- (b) Any person who fails to observe the provisions of Section 10 (a) and consequently causes waste material to fall upon any street, shall pick up same immediately; otherwise, the employees of the Township, at the expense of such person, shall be directed to pick up the material.

11. GARBAGE COLLECTORS NOT TO ENTER HOUSES, ETC.

- (a) No Corporation personnel shall be required to enter any house, apartment house, other buildings or ascend or descend any stairway or to enter any elevator or hoist or loading platform for the purpose of collecting or removing any ashes, garbage, or other refuse.
- (b) No Corporation personnel shall be required to remove any garbage or other refuse from a chute.

12. RESPONSIBILITY OF THE COLLECTOR & COLLECTOR'S EMPLOYEES

- (a) The Collector shall provide all necessary equipment and labour for the collection, removal and transportation and unloading of garbage and waste materials, from the premises and areas designated by the Council of the Corporation of the Township of Hornepayne.
- (b) The Collector shall be responsible for the collection, removal, transportation, and unloading of properly prepared garbage and waste materials as per section (4) at the waste disposal sites as designated by Council from the areas and premises designated by Council from time to time.
- (c) The said Collector shall from time to time fix the routes of collection and the day and place of collection for each such route, subject to the approval of the Council of the Corporation of the Township of Hornepayne.
- (d) There shall be a minimum of 52 collections per calendar year.

13. RESPONSIBILITY OF THE CORPORATION AND OF THE COLLECTOR

- (a) It shall be the duty of the Clerk or Superintendent and everyone acting under the direction of either of them, to enforce the observances of the provisions of the by-law and to prosecute every person who violates the provisions thereof.
- (b) It shall be the duty of the collector to enforce the observance of these sections of this by-law which affect the collection of garbage by the employees of the collector.
- (c) It shall be the duty of the collector to report to the By-law Department of the Corporation any violations of this by-law.

14. LANDFILL TRANSFER STATION HOURS OF OPERATION

The following schedule shall be hours of operating of the Landfill Transfer Station:

Monday	Closed
Tuesday	12:00 p.m. to 5:00 p.m.
Wednesday	Closed
Thursday	12:00 p.m. to 5:00 p.m.
Friday	12:00 p.m. to 5:00 p.m.
Saturday	12:00 p.m. to 5:00 p.m.
Sunday	12:00 p.m. to 5:00 p.m.

15. LANDFILL TIPPING FEES

The landfill tipping fees shall be in accordance with the Township of Hornepayne's Comprehensive User Fees & Service Charges By-law, as amended from time to time.

This By-law shall come into force and take effect on May 17th, 2023.

By-law No. 1424 is hereby repealed.

Read a first and second time this 17th day of May 2023

Read a third time and finally passed this 17th May 2023



Cheryl Fort (Jun 7, 2023 08:57 EDT)

PRESIDING OFFICER



Aileen Singh (Jun 14, 2023 08:12 EDT)

CLERK