

CORPORATION OF THE VILLAGE OF POINT EDWARD

BY-LAW NO. 17 of 2005

Being a by-law to regulate the collection, removal and disposal of waste in the Village of Point Edward.

Whereas the Village Council deems it necessary and expedient to pass a by-law for establishing and maintaining a system for the collection, removal and disposal waste;

Now therefore the Municipal Council of the Corporation of the Village of Point Edward enacts as follows:

SECTION A DEFINITIONS

1. Corporation

Means the Corporation of the Village of Point Edward.

2. Householder

Any owner, occupant, lessee, tenant, or any person having use, occupation and /or charge of any dwelling, hotel, restaurant, apartment, house, office building, public institution, service station, commercial building, store, shopping centre or plaza or any portion thereof respectively in the Corporation of the Village of Point Edward. Public institution does not include County of Lambton operated facilities.

3. Person

Means any individual human being, any partnership, any body corporate or politic, any agent or trustee and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to the law.

4. Superintendent

Means the Superintendent of Works for the Corporation of the Village of Point Edward.

5. Garbage

Means all rejected, abandoned or discarded non-recyclable household waste, but shall not include "non-collectible" waste as hereinafter defined.

6. Non-Collectible Waste

Means any waste or matter other than ashes, garbage and residential household rubbish and shall include items set out in Schedule A.

7. Recyclable Material

Means any waste or matter listed in Schedule B.

Effective July 1, 2005, recycling collections will take place bi-weekly.

8. Collection Days

Garbage Collection:

Regular garbage collection shall take place during the following specified times:

- Every Tuesday and Friday from June 1 to September 30.
- Every Tuesday from October 1 to May 31.

No leaf, brush or grass collection will take place on Tuesdays or Fridays.

Leaf, Brush and Grass Collection shall take place during the following specified times:

- Every Monday of each week from April 1 to November 30 of each year. If the Monday falls on a statutory holiday, the collection will take place on Wednesday of that week.
- Brush and tree limbs shall be bundled in lengths not to exceed four (4) feet and not to exceed fifty (50) pounds.
- All leaves and grass shall be placed in clear plastic bags to accommodate composting requirements.

In the event garbage is not picked up, the bag will be tagged giving the reasons for non-collection.

Junk Day-

One day during the month of May and one day during the month of October as determined by the Superintendent.

Junk day includes the services of a chipper for disposal of branches no larger than 3 inches in diameter.

Items not picked up on Junk Day are listed in Schedule C.

Recyclable Materials:

Cardboard and paper materials are collected bi-weekly on Tuesdays per the annual schedule provided by the Corporation.

Metal, glass and plastic materials are collected bi-weekly on alternate Tuesdays other than cardboard and paper materials, per the annual schedule provided by the Corporation

Effective July 1, 2005, recycling collection will take place bi-weekly.

SECTION B **RIGHTS AND RESPONSIBILITIES OF THE CORPORATION**

- I. (a) The Corporation will be responsible for the control, collection and disposal of garbage, by collectors and private contractors subject to the provisions of the by-law.
- (b) Any garbage placed on the boulevard or in any other area for collection as designated from time to time by the Superintendent shall be deemed to be under the control and in the possession of the Corporation as of the time the same is placed upon the boulevard or other area for collection and the same shall not be moved or collected by any person, persons or corporation other than as may be authorized in writing by the Superintendent.

SECTION C

PREPARATION OF ASHES, GARBAGE AND OTHER REFUSE FOR COLLECTION

1. GENERAL

- (a) Householders shall deposit in one or more containers, all material defined as "Garbage".
- (b) Each householder shall be restricted to a maximum of six containers of "garbage" on each "garbage" collection day.
- (c) Garbage shall be drained of all liquids and be securely wrapped and then placed in the prescribed containers.
- (d) Ashes shall be cold when placed in the prescribed container or garbage bag.
- (e) Any garbage container or bundle shall not exceed twenty-two point six eight (22.68) kilograms (fifty [50] pounds) in weight and no dimension of any such bundle shall exceed point nine two (.92) metres (three [3] feet).

2. Householder to Provide Proper Containers

Proper containers shall be provided by the householder as follows:

- (a) For all garbage:

Every householder shall provide and maintain in proper order for the purpose of sorting and putting out for collection of garbage a sufficient number of tightly sealed water-tight containers with handles having a capacity of not more than point zero nine (.09) cubic metres (three [3] feet) each, and shall be of larger diameter at the top than the bottom.

No container shall have a height greater than point nine two (.92) metres (three [3] feet) or less than point four six (.46) metres (one and one-half [1½] feet), or shall have a diameter larger than point five one (.51) metres (twenty [20] inches) or smaller than point three eight (.38) metres (fifteen [15] inches) and no container shall weigh more than twenty-two point six eight (22.68) kilograms (fifty [50] pounds, including contents).

Non-returnable plastic or water-proof kraft paper bags of point zero eight (.08) cubic metres (two and three-quarters [2 3/4] cubic feet] maximum capacity and having a point six one (.61) metre (two [2] foot) pr mil. Impact strength and capable of lifting twenty-two point six eight (22.68) kilograms (fifty [50] pounds) of contents may also be used as a container for residential household garbage.

- (b) All unserviceable and other containers which are not in conformity with the provisions of Article C2 (a) hereof shall be considered waste material and may be collected and disposed of by the Corporation or by any contractor employed by the Corporation to perform the collection of garbage.

3. Collection Times and Routes.

Collection times and routes and alterations thereto may be proposed by the collector engaged by the Corporation, but shall be subject to the approval of the Superintendent.

4. Transporting Garbage

No person shall haul, convey or transport through or upon any street within the Corporation limits any garbage or any non-collectible waste except in properly covered containers or vehicles totally enclosed or covered with canvas or tarpaulins, so fastened down around the edges as to prevent any of the contents falling upon the streets and to protect the same from flies and to prevent the escape of any offensive odours therefrom.

SECTION D MAINTENANCE OF SANITARY CONDITIONS

(a) No person shall suffer or permit the accumulation upon his/her premises or upon lands occupied by him/her or under his/her control, or deposit or permit the deposit upon any lands belonging to him/her or in his/her occupation or under his/her control of any garbage.

Every householder of any premises within the Corporation shall, as often as necessary to prevent the accumulation of same, cause all garbage to be placed in receptacles and put out for collection.

(b) Garbage, shall be stored in vermin-proof containers and the householder shall keep the storage area vermin-free and in a sanitary condition so as to prevent the emission therefrom of obnoxious odours.

(c) No person shall sweep, throw, cast, lay or deposit or suffer any agent or employee to sweep, throw, cast, lay or deposit any ashes, offal, garbage, fruit skins, cinders, straw excelsior, store sweepings, shavings, paper, dirt, lawn rakings, broken glassware, handbills, crockery, bottles, carcass of any animals, or rubbish of any kind whatsoever in any lane, street, road allowance, park or other municipally-owned land, vacant privately owned land, creek or water course, in the Corporation.

(d) No person shall pick over, salvage or in any way interfere with any article placed out for collection, whether contained in a covered container or otherwise provided, however, that the householder shall be permitted access to the article placed by the said householder for garbage collection by the collector.

Placement of Containers and Bundles for Collection

1. (a) Containers and bundles set out for collection shall be placed as close to the street curb as possible without obstructing the roadway or sidewalk and in any case, the Superintendent shall have the power to designate the precise point at which containers and/or bundles shall be placed for collection.
- (b) Containers and bundles shall not be placed on sidewalks without permission of the Superintendent.
- (c) Containers and bundles shall only be set out for collection on such days and during such hours as are prescribed by the Superintendent.
- (d) No containers or bundles shall be placed out before 7:00P.M. local time of the day before the day established for collection and all containers shall be removed from the street by 11:00 P.M. local time, of the day established for collection.
- (e) No garbage will be put out for collection by a householder other than that generated from his/her premises.

SECTION E COLLECTION, TRANSPORTATION, AND DISPOSAL OF ASHES, GARBAGE AND OTHER REFUSE.

1. **Private Property**

(a) No garbage collection vehicle shall be required to enter a privately-owned driveway, roadway or land for the purpose of collecting garbage from privately-owned property except for multiple-family residential households.

(b) No collector shall be required to enter any house, apartment house or other building, or ascend or descend any stairway or enter any elevator, or hoist or load any platform for the purpose of collecting or removing any garbage.

2. **Waste Not Collected by the Corporation**

All garbage in excess of that set out in Section "C", Articles 1 and 2 hereof, shall be disposed of by and at the expense of the householder.

3. **Disposal of Non-Collectible Waste**

Any person wishing to dispose of non-collectible waste may contact the Superintendent for advice on how to do so. The Public Works Department will maintain a list of contractors who are able to provide the required collection of non-collectible waste at the cost of the householder. The Public Works department will establish a list with prices for pick-up of non-collectible waste by their Department, if they are able to carry out the collection.

SECTION F ENFORCEMENT AND PENALTY

1. **Enforcement**

The provisions of the by-law shall be enforced by the Works Superintendent or the By-law Enforcement Officer of the Village of Point Edward.

2. **Penalty**

(a) Any person convicted of the breach of the provisions of this by-law shall forfeit and pay at the discretion of the convicting court a penalty not exceeding the sum of One Thousand Dollars (\$1,000.00) for each offence, exclusive of costs, and the provisions of The Provincial Offences Act as provided and limited by The Municipal Act shall apply thereto.

(b) The court, wherein the information is first laid, and any court of the competent jurisdiction thereafter, may issue an order prohibiting the continuance or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

(c) In addition to the penalty provided in Section "F" Articles 2(a) and 2 (b), where garbage is not collected by reason of the householder having failed to comply with the provisions of this By-law or in the event that any non-collectible waste is not disposed of as required by this By-law and is left by the occupant to cause an untidy or unsanitary condition, if after a demand in writing by the Superintendent, it is not removed, the work necessary to remove it may be performed by the Corporation, and failing payment therefore by the householder within ten (10) days after notice in writing of the cost of such work, the cost may be recovered in a like manner as Municipal Taxes.

SECTION G BY-LAWS REPEALED

1. The Following By-laws are repealed

- By-law N0 10 of 1975
- By-law No 13 of 1992
- By-law No 12 of 1995
- By-law No 10 of 1996
- By-law No 12 of 1998
- By-law No 16 of 2000

Read a FIRST AND SECOND READING on this 31st day of May, 2005.

Read a THIRD READING AND FINALLY PASSED this _____ day of _____, 2005.

MAYOR

CLERK/TREASURER

SCHEDULE A

NON-COLLECTABLE WASTE

- (a) Manufacturer's waste
- (b) Any explosive or highly combustible material of any Nature whatsoever;
- (c) Broken plaster, lumber or other waste or residue resulting from construction alterations, repairs, demolition or removal of any building or structure including such waste which results from alterations or repairs to a single-family dwelling performed by the owner or occupant thereof;
- (d) Sawdust and/or shavings from a commercial and/or industrial establishment;
- (e) Organic matter not properly drained or wrapped
- (f) Liquid wastes;
- (g) Hay, straw and manure
- (h) Carcass of any animal;
- (i) Live animals or birds;
- (j) Discarded furniture, including mattresses, appliances and other similar type goods;
- (k) The stock of any wholesaler;
- (l) Any material which has become frozen to the container and cannot be removed by shaking;
- (m) Discarded truck and automobile parts and accessories, including tires;
- (n) Recyclable materials;
- (o) Hazardous waste, including paints, solvents, batteries and pesticides;
- (p) Animal feces
- (q) Tree stumps;
- (r) Waste from alien ships (ships from other areas within or outside of Canada);

NON-COLLECTIBLE WASTE ON TUESDAY AND FRIDAY COLLECTION DAYS

- a) Grass;
- b) Leaves;
- c) Brush

SCHEDULE B

RECYCLABLE MATERIALS

Cardboard and paper materials are collected bi-weekly on Tuesdays per the annual schedule provided by the Corporation.

Metal, glass and plastic materials are collected bi-weekly on alternate Tuesdays other than cardboard and paper materials, per the annual schedule provided by the Corporation.

Effective July 1, 2005, recycling collection will take place bi-weekly for all recyclable materials.

Cardboard

Corrugated cardboard can be placed at the curb beside the recyclables but must be tied in bundles.

Maximum size is 1 metre x 1 metre x 39 cm bundles (3feet x 3feet x 18inches).

Maximum amount of bundles this size is three (or equivalent smaller bundles) per week.

If you have only one or two cardboard boxes, flatten them and place them in or under your blue box.

Paper

Newspaper
junk mail
white bond
photocopy letterhead
stationery
manila envelopes/folders
post it notes
coloured paper
business forms
NCR paper
telephone books
magazines.

Metal

Cans (labels OK),
foil trays (rinsed),
pie shell pans (rinsed),
food cans (rinsed),
juice boxes.

Glass

Clear and coloured, (rinse-lids removed).

Plastic

P.E.T. Code 1, H.D.P.E. Code 2 are acceptable. Codes are on the bottom of the bottles.

Examples:

HDPE opaque (natural),
Vinegar,
windshield washer bottles;
HDPE (polyethylene) coloured,
Bleach bottles,
Anti-freeze bottles (well drained),
PET-Plastic pop bottles

SCHEDULE C

ITEMS NOT PICKED UP ON JUNK DAY

tree stumps
automobiles
concrete
automobile parts
propane tanks
tires
hazardous materials
batteries
plaster, insulation or other building materials;
paint
liquid wastes

Refrigerators
Washers
Stoves
Freezers
Dryers
Air Conditioners

And all non-collectable materials as defined in Schedule A, and
Recyclable Materials as defined in Schedule B.