

THE CORPORATION OF THE TOWNSHIP OF STIRLING-RAWDON

BY-LAW NO. 1332-19

BEING A BY-LAW to regulate the collection, removal and disposal of garbage and recyclable waste in the Township of Stirling-Rawdon;

WHEREAS the Municipal Act, R.S.O. 1990, c.25 as amended, authorizes the council of a local municipality to pass by-laws to establish, maintain and operate a waste management system;

AND WHEREAS section 11(1) 3 of the Act authorizes the council of a local municipality to pass by-laws to prohibit or regulate the use of any part of a waste management system and to establish fees to the use of any part of the waste management system;

AND WHEREAS Council of the Township of Stirling-Rawdon deems it in the public interest to continue the establishment of and to 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 Stirling-Rawdon enacts as follows:

1. **TITLE OF BY-LAW**

This By-Law may be cited as the "Waste Collection, Disposal and Separation By-Law".

2. **APPLICATION**

The provisions of this By-Law apply to the owners and occupants of all lands within the Municipality.

3. **SCOPE OF BY-LAW**

- (a) Where the provisions of this By-Law conflict with the provisions of any other By-Law in force in the Municipality the provisions of this By-Law shall prevail.
- (b) If any provision of this By-Law is declared invalid for any reason by a Court of competent jurisdiction, it is intended that such a provision shall be severed from the By-Law and that the remainder of the By-Law shall continue in full force and effect.

4. **EFFECTIVE DATE/REPEAL OF BY-LAW**

- (a) This By-Law shall come into full force and take effect on and after the passing thereof.
- (b) By-Law 576-07 and all amendments thereto and all predecessors thereto shall be repealed upon the effective date of this By-Law.

5. **DEFINITIONS**

In this By-law:

- (a) Blue Box shall mean the Container or other device supplied by or on behalf of the Municipality for the collection of Recyclable Waste.

- (b) I.C. or I. Establishment shall mean a commercial, industrial and/or institutional land use.
- (c) Construction Debris shall mean discarded building material resulting from the erection, repair, demolition or improvement of buildings or structures.
- (d) Container shall mean a reusable galvanized metal or plastic container with a maximum capacity of eighteen (18) gallons and having carrying handles and watertight lid; or a **clear** polyethylene plastic bag measuring approximately 26 inches X 36 inches (66 cm X 91.4 cm) of 1.5 gauge thickness fastened at the top.
- (e) Council shall mean the elected Council of the Municipality.
- (f) Dwelling Unit means any part of a building or structure, used, designed or intended to be used as a domestic establishment in which one or more persons may sleep and are provided with culinary and sanitary facilities for their exclusive use.
- (g) Hazardous Materials shall mean any and all of the following:
Antifreeze - Auto Batteries - Degreasers - Drain Cleaner - Gasoline - Herbicides - Motor Oil - Oven Cleaner - Paints - Pesticides - Septic Tank Cleaners - Solvents - Wood Preservatives.
- (h) Major Appliances and/or Large Household Furnishings shall mean any and all large or bulky household mechanisms and/or other articles usually used in the home including without limiting the generality of the foregoing refrigerators, freezers, stoves, washers, dryers, chairs, sofas, tables, beds, carpet, etc.
- (i) Municipal Waste Collector(s) shall mean the person(s) authorized by the Municipality from time to time to collect Non-Recyclable Garbage and/or Recyclable Waste within the Municipality.
- (j) Municipality shall mean the Corporation of the Township of Stirling-Rawdon.
- (k) Non-Collectible/Disposable Waste shall mean the following:
 - i) Any explosive, highly combustible materials of any nature whatsoever;
 - ii) Construction Debris;
 - iii) Sawdust and/or shavings;
 - iv) Liquid Waste;
 - v) Hay, straw and manure;
 - vi) Carcass of any animal;
 - vii) Leaves, grass clippings, garden material, tree limbs and trunks, brush, stones;
 - viii) Major appliances and/or large household furnishings;
 - ix) Any material which has become frozen or otherwise stuck to the Container and cannot be removed by shaking;
 - x) Tires;
 - xi) Bio-medical Waste;
 - xii) Automobiles, vehicles or any parts thereof;
 - xiii) Fences, fence posts, page wire;
 - xiv) Scrap metal;
 - xv) Hazardous materials;
 - xvi) Propane tanks.
- (l) Non-Recyclable Garbage shall mean all garbage and other refuse except Non-Collectible Waste and Recyclable Waste;
- (m) Person shall include individuals, corporations and partnerships;
- (n) Recyclable Waste shall mean such items as the Municipality, by written resolution, identifies from time to time as being suitable for recycling

purposes. Certain items defined in this By-law as Non-Collectible Waste may, in Council's discretion, also be included in the list of Recyclable Waste. Council shall designate by Resolution which items of Recyclable Waste are collectible by the Municipal Waste Collector(s) and which items are not;

- (o) Residential Establishment shall mean a building or structure containing one or more Dwelling Units;
- (p) Waste shall mean Non-Recyclable Garbage and/or Recyclable Waste;
- (q) Waste Disposal Sites shall mean
 - i) those lands legally described as Part of Block A, south of Front Street, as described in Certificate of Approval No.A360901 as amended from time to time and located in the former Village of Stirling;
 - ii) those lands legally described as Part of Lot 17, Concession 9, as described in Certificate of Approval No. A362401, as amended from time to time and located in the former Township of Rawdon.
- (r) Waste Disposal Site Operators shall mean the persons retained by the Municipality, from time to time, who are responsible for the operation and maintenance of the Waste Disposal Sites or their designate or assistant.

6. COLLECTION OF WASTE

- (a) Collection of Non-Recyclable Garbage will be made within the Township of Stirling-Rawdon or any part or parts thereof on the day or days of the week to be determined by resolution of the Council from time to time, subject to the provisions of this By-law. Note: Clear bags are required for all household waste left for curbside collection and all household waste taken to the municipal landfill sites for disposal in accordance with the "Clear Garbage Bag Policy" attached hereto as Schedule 'B'.
- (b) Collection of Recyclable Waste will be made on the day or days of the week to be determined by resolution of the Council from time to time, subject to the provisions of this By-law.
- (c) All Recyclable Waste shall be separated from Non-Recyclable Garbage and Non-Collectible Waste and shall be prepared for collection as follows:
 - i) Clean newspapers and magazines shall be contained in bags (other than green or black garbage bags) or tied in bundles and may be placed beside the Blue Box;
 - ii) Corrugated cardboard shall be broken down, laid or folded flat and tied in a bundle not to exceed 30 inches X 30 inches X 8 inches;
 - iii) Boxboard and household paper shall be cleaned of any food or liners and shall be flattened and placed inside a bag or boxboard box and placed beside the Blue Box;
 - iv) Clean plastic bags and wrap shall be placed in a plastic bag (other than green or black plastic bags), tied shut and placed beside the Blue Box;
 - v) All other Recyclable Waste shall be placed loose in the Blue Box. Glass bottles and jars shall be rinsed and their tops removed. Metal cans shall be rinsed. Plastic bottles and jars shall be rinsed and their tops removed. Aluminum trays and foil shall be clean, folded together and placed loose in the Blue Box.
- (d) No person shall put any Hazardous Material out for collection and no person shall knowingly deposit any Hazardous Material at the Waste Disposal Sites. Hazardous Materials shall be taken to an approved Household Hazardous Waste Depot.
- (e) Except as otherwise provided in this By-law, the Municipality shall not collect Non-Collectible Waste as defined in this By-law from any Residential or I.C. or I. Establishment within the Municipality.

- (f) The Municipality shall not collect from any Residential or I.C. or I. Establishment within the Municipality any Non-Recyclable Garbage unless such garbage is placed in a proper Container meeting the requirements of Paragraph 5(d) of this By-law.
- g) No person other than an owner or an occupant of a Residential and/or I.C. or I. Establishment within the Municipality, or their agents, shall set out Waste for collection within the boundaries of the Municipality. Waste set out for collection shall not include Waste from Residential or I.C. or I. Establishments not within the Municipality.
- (h) No person shall set out Waste for collection except at the Residential or the I.C. or I. Establishment at which the Waste is generated.
- (i) The Municipality shall not collect from any residential or I.C. or I. Establishment a Container weighing more than fifty (50) pounds when filled.
- (j) All Non-Recyclable Garbage placed in Containers shall be securely contained within a non-returnable plastic bag or bags.

7. COLLECTION PROCEDURE

- (a) Where Non-Recyclable Garbage and Recyclable Waste are set out for collection on the same day, Containers of Non-Recyclable Garbage shall be placed together but set apart from the Recyclable Waste. Recyclable Waste shall be set out in or beside the Blue Box.
- (b) All Waste that is set out for collection shall be placed at the curb or on the boulevard of a public street in front of or adjacent to the Residential or the I.C. or I. Establishment at which the Waste is generated; provided that where the rear of a I.C. or I. Establishment is serviced by a lane along which collections are made, the Waste shall be placed at the rear of the I.C. or I. Establishment.
- (c)
 - (i) On any one day designated by the Municipality for the collection of Waste, no more than ten (10) Containers per I.C. or I. Establishment of Non-Recyclable Garbage shall be set out for collection by the Municipal Waste Collector in Ward 2 and no more than twenty (20) Containers per I.C. or I. Establishment of Non-Recyclable Garbage shall be set out for collection by the Municipal Waste Collector in Ward 1. There is no limit on the quantity of Recyclable Waste which may be set out for collection at one time except from an I.C. or I. Establishment where the amount of any type or types of Recyclable Waste to be collected may be limited by resolution of the Council from time to time.
 - (ii) The Municipal Waste Collector shall not collect any Waste in excess of the Maximum limits referred to in Paragraph 7(c)(i) above.
 - (iii) All non-recyclable garbage placed at the curb for collection shall have a bag tag firmly affixed.
- (d) Waste which is set out for collection shall be placed at the applicable curb or on the boulevard before seven o'clock (7:00 a.m.) in the forenoon of the day on which collection of that Waste is scheduled but shall not be set out prior to seven o'clock (7:00 p.m.) in the afternoon of the previous day and the Containers shall be removed no later than seven (7:00 p.m.) on the day of collection.
- (e) Containers which are set out for collection shall be placed as close to the street as reasonably possible without obstructing the travelled portion of

the roadway and/or any sidewalk.

- (f) Any Waste which is set out for collection and which has not been properly separated (eg. Recyclable Waste from Non-Recyclable Garbage) or which has not been prepared for collection according to the provisions of this By-law, shall not be collected. Any Waste which the Municipal Waste Collector declines to collect shall be removed by the owner or occupant of the residential or I.C. or I. Establishment by or on whose behalf the Waste was placed for collection before 7:00 p.m. on the day on which the collection was scheduled.
- (g) Notwithstanding anything in this By-law to the contrary, the Municipality, by notice to the public from time to time, may designate days and times for the collection of Christmas trees, leaves and garden material and such other types of Non-Collectible Waste as may be designated by Council from time to time. Note: Paper bags are required for all leaves/ yard waste left for curbside collection. Leaves and yard waste may be taken to the municipal landfill sites in paper bags or bulk in accordance with the "Paper Bag Policy" attached hereto as Schedule 'C'.
- (h) No person shall pick over, interfere with, disturb, remove or scatter any Waste which have been set out for collection PROVIDED THAT the Municipality, by notice to the public from time to time, may designate certain days for the salvaging or scavenging of Major Appliances, Large Household Furnishings and any other items that may be specified by the Municipality subject to such terms and conditions as are specified by the Municipality.

8. COLLECTOR'S RESPONSIBILITIES

- (a) The Municipal Waste Collector(s) shall follow the laid out routes and conform to all instructions as set out by the Municipality.
- (b) The Municipal Waste Collector(s) shall handle all Containers and Blue Boxes with due care and after thoroughly removing their contents, shall replace the reusable Containers and Blue Boxes where taken from. The collector shall not overload any truck nor allow any of the contents to fall therefrom and shall carefully gather up any Waste which may have been spilled on the ground.
- (c) In no instances shall the collector be called upon to make collections from any point which is unreasonably inconvenient or dangerous to any employee nor shall the collector be required to remove Containers, cardboard or disposable boxes or Blue Boxes from any point other than that designated in this By-law and then only from Containers, cardboard or disposable boxes that meet the requirements of this By-law.
- (d) No salvaging or scavenging of any description shall be conducted on the collection routes except as provided in Paragraph 7(h) above.

9. WASTE DISPOSAL SITES/TIPPING FEES

- (a) Notwithstanding anything to the contrary in this By-law, only those types of Waste and Non-Collectible Waste that are permitted by the Certificates of Approval for the Waste Disposal Sites (as amended from time to time) shall be accepted at the Waste Disposal Site.
- (b) The Waste Disposal Site Operators shall refuse to accept any type of Waste or Non-Collectible Waste at the Waste Disposal Site where the acceptance of such Waste or Non-Collectible Waste would be contrary to the provisions of this By-law and/or the Certificates of Approval for the Waste Disposal Sites.
- (c) Schedule "A" to this By-law setting out tipping fees and other information is hereby declared to form an integral part of this By-law.

- (d) All Waste and Non-Collectible Waste taken to the Waste Disposal Site from any Residential or I.C. or I. Establishment within the Municipality shall be subject to the applicable Tipping Fees set out on Schedule "A" hereto. However, as set out on Schedule "A" hereto, the provisions of this paragraph shall not apply to Waste taken to the Waste Disposal Site by the Municipal Waste Collector(s).
- (e) The owners and occupants of all Residential and/or I.C. or I. Establishments located within Ward 2 and/or Concession 1 to 5 inclusive in Ward 1, are hereby permitted, subject to the provisions of this By-law, to take Waste and Non-Collectible Waste to the Waste Disposal Site situated in Ward 2.
- (f) The owners and occupants of all Residential and/or I.C. or I. Establishments located within Concessions 6 - 14 inclusive in Ward 1 are hereby permitted subject to the provisions of this By-law to take Waste and Non-Collectible Waste to the Waste Disposal Site situated in Ward 1.
- (g) The Waste Disposal Site shall be opened only to those individuals identified in sub-paragraph 9(e) and 9(f) above on those days and times identified from time to time by written resolution of the Council of the Municipality.
- (h) The Waste Disposal Site Operators shall have the authority to demand from any person wishing to use the Waste Disposal Site proof that such person is (or is acting on behalf of) an owner or occupant of a Residential and/or I.C. or I. Establishment within the Municipality failing which such person shall be refused access to the Waste Disposal Site.
- (j) No person shall throw Waste and/or Non-Collectible Waste over the fence into the Waste Disposal Sites or leave or deposit Waste and/or Non-Collectible Waste anywhere in the Municipality that is outside of the fence at the Waste Disposal Sites.
- (k) No person shall have in his or her possession any firearm within the boundaries of the Waste Disposal Sites.
- (l) The Municipality shall not be liable to any person for any damage howsoever caused to person or property while at the Waste Disposal Sites.
- (m) No person shall smoke or light any cigarette, cigar or pipe at the Waste Disposal Sites.
- (n) The Waste Disposal Site Operators shall have the authority to direct where any and all Waste and Non-Collectible Waste shall be deposited at the Waste Disposal Sites.


10. GENERAL

- (a) No owner or occupant of lands within the Municipality shall permit any Waste and/or Non-Collectible Waste to accumulate upon such owner's or occupant's lands in a manner which may be injurious to public health or safety.
- (b) No person shall sweep, throw or deposit or allow to fall from any vehicle, any Waste and/or Non-Collectible Waste onto any lanes, streets, creeks, water courses and/or public lands within the Municipality.
- (c) The headings in this By-law are included solely for the convenience of reference and are not intended to be full or accurate descriptions of the contents thereof and are not to be considered as part of the By-law.

11. **ENFORCEMENT AND PENALTY**

Every person who contravenes this By-law is guilty of an offence and is liable, upon conviction, to such penalty as is authorized by the provisions of the Provincial Offences Act R.S.O. 1990, c.P.33, as amended.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
18TH DAY OF NOVEMBER , 2019.**


MAYOR


CLERK

SCHEDULE "A" TO BY-LAW NO. 1332-19

TOWNSHIP OF STIRLING-RAWDON

WASTE DISPOSAL SITE TIPPING FEES

1. **MAJOR APPLIANCES AND/OR LARGE HOUSEHOLD FURNISHINGS**

\$10.00 per item. This includes but is not limited to the following: refrigerators, freezers, stoves, washers, dryers, sofas, chairs, beds, mattresses, tables, carpet, etc.

NOTE: Some White Goods/Refrigeration Equipment are subject to environmental regulation and restriction and will only be accepted at the Waste Disposal Sites if all laws and regulations permit.

2. **CONSTRUCTION DEBRIS, SCRAP METAL AND/OR BRUSH**

\$25.00 per pickup truck or trailer load of clean brush or leaves

\$50.00 per pickup truck or trailer load of construction debris (i.e. lathe, plaster, lumber only)

NOTE: If the load is mixed (i.e. the load contains both construction debris and/or brush) the \$50.00 per pickup truck load tipping fee shall apply.

NOTE: Pickup trucks or 8' trailers will be charged an additional \$10.00 fee if the material is above the box height of such truck or trailer.

NOTE: All Construction Debris delivered to the Waste Disposal Sites must directly result from the specific work or project authorized by a current/ valid building permit issued by the Municipality for lands within the Municipality. A copy of such certificate and a signed statement confirming the foregoing must accompany every load of construction debris.

NOTE: Construction Debris, Scrap Metal and/or Brush delivered in trailers measuring greater than eight (8) feet in length, tandem trucks, tri-axle trucks, and/or dumpsters will be refused entrance at the Waste Disposal Sites and must be taken to another approved site.

3. **TIRES**

In accordance with the Ontario's Individual Producer's Responsibility framework tires from passenger vehicles, light and medium trucks as well as small and medium OTR (off the road) tires (with or without rims) are accepted free of charge.

4. **RESIDENTIAL/ HOUSEHOLD GARBAGE**

\$2.50 per bag or Bag Tag attached.

All household garbage **must be placed in clear garbage bags** measuring approximately 26" x 36" (66 cm x 91 cm) see schedule "C" attached. Bags containing recyclables or household hazardous waste will not be accepted.

5. **COMMERCIAL/ INDUSTRIAL AND INSTITUTIONAL WASTE**

\$2.50 per bag (26" x 36")/ container (not to exceed 18 gallons (82 litres)

\$200.00 per load (single axle truck) for non-recyclable garbage from Industrial, Commercial or Institution establishments.

NOTE: Trailers measuring greater than eight (8) feet in length, tandem trucks, tri-axle trucks and/or dumpsters carrying Non-Recyclable Garbage and/or Non-Collectible Waste from I.C. or I. Establishments shall be refused entrance at the Waste Disposal Sites and must be taken to another approved site.

6. **RECYCLABLE WASTE**

CORRUGATED CARDBOARD

Small trucks, station wagons, vans, small trailers (i.e. eight (8) foot length maximum).

\$15.00 per load

NOTE: Trailers measuring greater than eight (8) feet in length, tandem trucks, tri-axle trucks and/or dumpsters carrying corrugated cardboard shall be refused entrance at the Waste Disposal Sites and must be taken to another approved site.

7. **CUMULATIVE TIPPING FEE**

The Tipping Fees set out in this Schedule are cumulative. For example, a person bringing a major appliance, household garbage and construction debris to the Waste Disposal Site shall pay to the Waste Disposal Site Operator the required Tipping Fee for each and every of the aforesaid items as set out in this Schedule.

Schedule "B" to By-law No. 1332-19

Township of Stirling-Rawdon

CLEAR GARBAGE BAG POLICY

The Township of Stirling-Rawdon has a 'Clear Bag Policy' for the disposal of household waste.

The Clear Bag policy applies to all residences and businesses in the Village and in the rural areas of the Township. Clear bags are required for all household waste left for curbside collection and all household waste taken to the municipal landfill sites for disposal.

The provisions of the Clear Bag Policy are as follows:

1. All household garbage must be placed in clear garbage bags. Clear tinted bags are permitted - green/dark bags are not permitted.
2. One small solid colour plastic bag (such as white kitchen-catcher bag) will be permitted in each clear garbage bag for personal hygiene items.
3. Each clear bag left for curbside pickup or taken to the landfill site for disposal must have a bag tag affixed.

The provisions for addressing non-compliance with the Clear Bag Policy are as follows:

Household garbage left for curbside collection:

1. Household garbage which is placed for curbside collection will be left at the curb if:
 - a clear bag was not used for the garbage
 - the bag contains recyclables
 - the bag contains household hazardous waste
 - privacy bag is larger than the normal 'kitchen-catcher' size
 - the bag does not have a bag tag affixed

Household garbage taken to municipal landfill site:

2. Household garbage which is taken to the landfill for disposal will not be accepted if the garbage is not in a clear bag.
3. Bags which have recyclables inside will not be accepted. Resident/business will have the option of removing the recyclables from the bag. A \$10.00 fee will be charged for each bag deposited in the landfill which has recyclables inside and from which the recyclables are not removed.
4. Bags which have household hazardous waste inside will not be accepted.
5. Bags will not be accepted if the privacy bag is larger than the normal 'kitchen-catcher' size.
6. A bag tag must be affixed to each bag.

Schedule "C" to By-law No. 1332-19

Township of Stirling-Rawdon

Paper Bag Policy for Leaf and Yard Waste

The Township of Stirling-Rawdon has a "**Paper Bag Policy**" for the disposal of leaves and yard waste at the Township's Waste Disposal Sites.

This policy applies to the annual fall pickup of bagged leaves within the former Village of Stirling. Only those leaves bagged in paper bags and placed at the curb will be picked up.

Leaves and yard waste can be delivered to the waste disposal sites in paper bags, or bulk for composting free of charge.

Leaves & Yard waste brought in plastic bags must be debagged at the site.