

The Corporation of the Township of Douro-Dummer

By-Law No. 2017-50

Being a By-Law to provide for the collection and disposal of certain garbage in the Township of Douro-Dummer and Repeal By-law 2013-10

Whereas the Municipal Act, S.O. 2001, C.25 Section 11(3), as amended, provides that "a lower tier municipality and an upper tier municipality may pass by-laws, subject to the rules set out in subsection (4) respecting matters within the following spheres of jurisdiction;

Whereas the Municipal Act, S.O. 2001, C.25 Section 11(3), paragraph 3, as amended specifies that waste management is a sphere of jurisdiction that a lower tier municipality has authority";

And Whereas The Corporation of the Township of Douro-Dummer deems it advisable to collect and dispose of certain garbage and other refuse from certain premises within the Township of Douro-Dummer;

Now Therefore The Corporation of the Township of Douro-Dummer enacts as follows:

1. Definitions:

That for the purpose of this By-Law, the following words shall have meaning given herein;

- 1.1. "Garbage" shall mean all rejected, abandoned, or discarded household waste, sweepings (if properly prepared as set out below), and other refuse matter but shall not include wearing apparel, disused furniture, metal, appliances, building materials, shingles, drywall, ashes, swill, or other liquid waste, manure or night soil, hot material capable of starting fires, industrial waste, wholesale, retail or commercial trade waste, garage or service station waste, recyclable materials, leaves, dead animals, compostable materials, used needles or syringes (unless they are properly packaged in a puncture and leak proof container, or material frozen to receptacles which cannot be removed by shaking).
- 1.2. "Ashes" shall mean any residue of any fuel for heating or cooking purposes and soot or other cleanings from chimneys.
- 1.3. "Householder" shall mean any owner, occupant, lessee, tenant or any person in charge of any dwelling, hotel, restaurant, apartment house, office building, public institution, or other building.
- 1.4. "Dwelling" shall mean any building or place of abode other than a hotel, restaurant, apartment house, tenement or building which accommodates more than two separate dwelling units and shall include schools, charitable institutions, public hospitals, and libraries- as well as residences.
- 1.5. "Street" shall mean any public road, street, lane, alley, square, place, thoroughfare, or way within the Township of Douro-Dummer.

- 1.6. "Supervisor" shall mean the Manager of Public Works, or any other person from time to time named by the Council of the Township of Douro-Dummer to oversee and control the collection and disposal of garbage and other refuse materials.

2. Supervision:

The proper collection and disposal of garbage, ashes, and other refuse matter shall be placed under the control of the Supervisor who shall be responsible to the C.A.O. of the Township of Douro-Dummer.

3. Collection Procedure:

- 3.1. Collections shall be made from all premises within the Township of Douro-Dummer, save and except for island premises and those premises on mainland not accessible by road, according to the following schedule and on one or more "Special Collection Days" each as prescribed by Council from time to time:

- 3.1.1. From all dwellings, and other premises not otherwise provided for, one time each week.

- 3.1.2. Collection from any dwelling shall consist of a total of: Effective January 1, 2014 – not more than three (3) receptacles, bags or bundles (6 cu ft./ 0.18 cu meters) per collection; and Effective January 1, 2015 – not more than two (2) receptacles, bags or bundles (4 cu ft./ 0.12 cu meters) per collection; which meet the requirements of Section 4 of this by-law.

- 3.2. Material for collection shall not be placed on a highway or other public property before 6:00 p.m. on the day preceding collection and shall be placed at the prescribed location for collection not later than 7:00 a.m. on the collection day.

- 3.3. Empty receptacles as well as all material which the collector refuses must be removed from the highway or from public property by the occupant of the premises from which they came, before 8:00 p.m. on the same day that the garbage is collected or the materials refused.

4. Householders' Responsibilities:

- 4.1. No person shall permit garbage, or other refuse matter to be blown or dropped from the premises occupied by that person or from a vehicle owned or operated by that person onto any land, street, roadway, lake, river, or other waterway, or other public property in the Township of Douro-Dummer.

- 4.2. No person shall sweep, throw, drop or place, or cause to be swept, thrown, dropped or placed, any garbage, or other refuse matter of any kind on any land, street, roadway, lake, river or other waterway, or other public property in the Township of Douro-Dummer except for and in the manner approved for collection as hereinafter provided.

- 4.3. All garbage or other refuse to be collected by the Township of Douro-Dummer must be placed and kept in receptacles or containers in accordance with the regulations herein.
- 4.4. Every household shall provide sufficient proper receptacles of not more than two (2) cubic feet (0.06 cu meters) capacity which, with contents, weigh not more than fifty (50) pounds (23 kilograms) and are satisfactory to the Supervisor for the deposit of garbage.

Receptacles shall have suitable handles, shall be kept dry and regularly disinfected. Receptacles which are smaller at the top than at the bottom shall not be used for the deposit of garbage and all receptacles therefore shall be circular or rectangular in construction and every householder shall maintain the said receptacles in proper order and repair for the dwelling occupied by said person.

Until the date of January 1, 2018, notwithstanding any other provision of this By-Law proper receptacles shall be deemed to include polyethylene plastic bags or coloured material of minimum 1.5 gauge thickness, and sound condition, with maximum content of fifty (50) pounds (23 kilograms).

Effective January 2, 2018, every household shall provide sufficient proper receptacles of not more than two (2) cubic feet (0.06 cu meters) capacity which, with contents, weigh not more than forty (40) pounds (18.1 kilograms) and are satisfactory to the Supervisor for the deposit of garbage.

Effective January 2, 2018, notwithstanding any other provision of this By-Law proper receptacles shall be deemed to be clear polyethylene plastic bags of minimum 1.5 gauge thickness, and sound condition, with maximum content of forty (40) pounds (18.1 kilograms).

Pick -up Limits for Households:

Every clear polyethylene plastic bag, as well as the contents of every other type of receptacle and effective January 2, 2018, every clear polyethylene plastic bag, where the number is more than one per collection, shall bear a "Tag" issued by the Township of Douro-Dummer, and are subject to the maximums under Section 3.1.2 of this by-law.

Each clear polyethylene plastic bag may contain one (1) small privacy bag (shopping or grocery bag) for personal items.

Bags or receptacles, in excess of one per collection, not bearing this "Tag" shall not be collected by the collector.

Pick-up Limits for Businesses:

Every clear polyethylene plastic bag as well as the contents of every other type of receptacle, where the number is more than two per collection and effective January 2, 2018, every clear polyethylene plastic bag, shall bear a "Tag" issued by the Township of Douro-Dummer, and are subject to the maximums under Section 3.1.2 of this by-law.

Bags or receptacles, in excess of two per collection, not bearing this "Tag" shall not be collected by the collector.

Each clear polyethylene plastic bag may contain one (1) small privacy bag (shopping or grocery bag) for personal items.

Bags or receptacles from a household or a business bearing a "Tag" that is not complete, or that has been tampered with in any way, shall not be picked up by the collector.

- 4.5. Every householder shall thoroughly drain and securely wrap in paper all garbage, before placing it in receptacles or containers. No liquid materials shall be placed in receptacles or containers and receptacles or containers having such materials mixed with garbage shall not be emptied by the collector. This section shall not be deemed to apply, nor shall it apply to hotels, restaurants, boarding houses or to any place where this provision would so increase the quantity of garbage that the number of receptacles or containers would be such as to entitle the householder to more than one collection per week.
- 4.6. No receptacles shall be filled above the top level and all receptacles shall be provided with good watertight covers which shall be properly placed and maintained on such receptacles at all times, so as to preclude ingress and egress of flies or the escape of odours therefrom. Plastic garbage bags of type permitted for use by this By-Law shall be securely tied at the top before placed for collection.
- 4.7. On the days of collection all such receptacles shall be placed as close as possible to the edge of the roadway without obstructing the roadway, sidewalk, or footpath and shall be placed in a position easily accessible to the collector and approved by the Supervisor.
- 4.8. Such refuse as crates, packing materials and material of like nature may be collected in like manner as garbage if securely tied into compact bundles or parcels not exceeding three (3) feet (0.9 meters) in length and two (2) feet (0.6 meters) in any other dimension or weighing over fifty (50) pounds (23 kilograms), or placed in sufficient receptacles as specified herein so that they will not be scattered.

Effective January 2, 2018, such refuse as crates, packing materials and material of like nature may be collected in like manner as garbage if securely tied into compact bundles or parcels not exceeding three (3) feet (0.9 meters) in length and two (2) feet (0.6 meters) in any other dimension or weighing over forty (40) pounds (18.1 kilograms), or placed in sufficient receptacles as specified herein so that they will not be scattered.
- 4.9. No householder shall allow garbage, or other refuse to accumulate upon any premises nor keep a garbage dump or receptacle or repository 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 odours or harbours or attracts rats or other vermin or insects and the body of any dead animal must be promptly disposed of by the owner thereof, so that the same shall not become a nuisance.

5. Collectors Responsibility

- 5.1. The person(s) employed as collectors shall follow such routes as shall be laid out by said collector. The work of each route shall be completed daily and the collectors shall be courteous and render every reasonable facility to the householders for the proper execution of the work.
- 5.2. The collector shall handle all receptacles with due care and after thoroughly removing their contents, shall replace the lids and place them where taken from. He shall not overload any truck nor allow any of the contents to fall therefrom and shall carefully gather up any refuse which may have been spilled on the ground during the collection of waste.
- 5.3. In no instances shall the collector be called upon to make collections from any point which, in the opinion of the Supervisor, is unreasonably inconvenient or dangerous to any employee nor shall the collector be required to remove receptacles from any point other than that designated by the Supervisor, and then only from receptacles or bundles in accordance with the requirements of Section 4 of this By-Law.
- 5.4. No salvaging of any description shall be conducted either on the collection routes or in and around the disposal area unless by the express consent and agreement of the Supervisor.
- 5.5. Except by order of the Supervisor, no garbage collection vehicle owned, hired or rented by the Township of Douro-Dummer shall enter a privately owned roadway or land or other private property for the purpose of garbage collection.
- 5.6. No Collector shall be required, except by order of the Supervisor, to enter any house, apartment house, or other building or ascend or descend any stairway or enter any elevator, hoist or loading platform for the purpose of garbage collection.

6. Administration

- 6.1. The Supervisor is hereby authorized and required to do all things which are required or empowered to do under the provisions of this By-Law or any other By-Law of the Township relating thereto.
- 6.2. In the event of it appearing during the administration of the provisions of this By-Law that there is any matter or thing requiring to be dealt with as to which no provision has been made or as to which the terms of this By-Law are not clear, or which is in dispute, the Supervisor is hereby authorized to take such steps as are in his judgement advisable and to report the matter at the first opportunity to the C.A.O.

7. Scope, Defrayment, or Expense:

- 7.1. The expense of the collection, removal and disposal of garbage and refuse from the Township of Douro-Dummer shall borne by the owners or occupants of the land in the municipality.

8. Transportation of Refuse:

- 8.1. Any person or persons carrying or taking garbage or other refuse to the Township Transfer Station in an uncovered vehicle of any kind shall at all times have and keep the said garbage or other refuse covered by a tarpaulin, canvas covering or other suitable covering, within a vehicle whose sides extend higher than the content therein, in such a manner as to prevent the said garbage or other refuse falling upon the streets or highways leading thereto.
- 8.2. The above provision shall apply when garbage or other refuse is being transported upon any highway, so defined by the Highway Traffic Act, within the Township of Douro-Dummer and upon any other such highway leading to the Township Transfer Station provided, however, that such regulation is not contrary to any regulation imposed by any other municipality or authority having jurisdiction over such other highway.
- 8.3. Any vehicle traversing the Township Transfer Station shall do so under the direction of the Supervisor or the Transfer Station Attendant appointed by said person to be in charge of the said Site and may be directed or dispersed by said person in such manner and to such place or position as he may deem fit, in order that the intent and purpose of this By-Law may be carried out and the said Supervisor or Transfer Station Attendant may at any time refuse to any person dumping or disposal privileges upon the said Site, if his directions and instructions are not carried out in a satisfactory manner by such person. Such vehicles using the said Transfer Station shall do so at their own risk and shall save the Township harmless from any damages or claims which may arise from their use of the said Site.
- 8.4. The decision of the Supervisor or the Transfer Station Attendant shall be final.

9. Penalty:

- 9.1. Any person who contravenes any of the provisions contained in this By-Law is guilty of an offence and on conviction is liable to a fine as provided for in Section 61 of the Provincial Offences Act,

10. Force and Effect:

- 10.1. This By-Law shall come into full force and effect on the date of passage.

11. Repeal:

- 11.1. That By-Law No. 2013-10, as amended, for the Township of Douro-Dummer is hereby repealed.

Passed in open council this 5th day of September, 2017.

Mayor, J. Murray Jones

Clerk, Crystal McMillan