

THE CORPORATION OF THE TOWN OF MISSISSIPPI MILLS

BY-LAW NO. 14-33

See also By-law 02-100 Use and Care Roads
By-law 02-78 Littering

BEING a by-law to establish and maintain a system for collection, removal and disposal of waste, other refuse and recyclable material.

WHEREAS section 11(3) of the Municipal Act, 2001, S.O 2001, c.25 as amended, provides that lower tier municipalities may pass by-laws within the sphere of waste management;

AND 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 Town of Mississippi Mills;

AND WHEREAS the Council of the Corporation of the Town of Mississippi Mills deems it necessary to charge fees to recover the costs;

NOW THEREFORE the Council of the Corporation of the Town of Mississippi Mills enacts as follows:

1. DEFINITIONS

- a. "Boxboard" shall mean non-corrugated cardboard.
- b. "Corrugated Cardboard" shall mean and include all material made from corrugated paper, excluding wax-coated cardboard.
- c. "Container" shall mean an acceptable container for curbside collection as defined in schedule C Table I
- d. "Bundle" shall mean an acceptable bundle for curbside collection as defined in schedule C Table I
- e. "Town" shall mean The Corporation of the Town of Mississippi Mills.
- f. "Enforcement Officer" shall include a municipal by-law enforcement officer appointed by the Town Council to enforce the provisions of this by-law.
- g. "Highly combustible material" shall include photographic film celluloid, gasoline, oil or other flammable liquid or material soaked with any of the same.
- h. "Occupier" shall mean a person who is in physical possession of premises or who has responsibility for and control over the condition of premises or the activities carried on there, or control over persons allowed to enter the premises.
- i. "Owner" shall include the legal title holder of the property, the occupier of property or the person, for the time being managing or receiving rent of the land or premises in connection with which the work is used, whether on their own account or as agency or trustee of any other person or who would so receive the rent of such land and premises where rented, and shall also include a lessee or occupier of the property who, under the terms of the lease, is required to repair and maintain the property in accordance with municipal by-laws.

- j. "Person" shall include an individual, a partnership or corporation to whom or to which the context can apply.
- k. "Premises" shall mean and include one self-contained dwelling unit, residential or commercial, and in cases where buildings are subdivided and in possession of two or more occupiers, each occupier shall be deemed to be an occupier of a premise within the meaning of this by-law.
- l. "Residential Unit" shall mean and include single family homes, each unit in a duplex or triplex, and each unit in a multi-residential apartment.

2. SHORT TITLE

This By-law may be referred to as the "Waste Management and Collection By-Law".

3. GARBAGE COLLECTION AREA

The entire geographical area of the Town of Mississippi Mills be designated as a "Garbage Collection Area".

4. LEAF AND YARD WASTE PICK UP DAYS

"Leaf and Yard Waste Pick up Days" shall be provided periodically, at the discretion of the Town. The schedule of collection shall give notice as to the day that leaf and yard waste will be collected with the said notice to be given on the website and in the local paper.

5. SALE OF BLUE BOXES

The first blue box is free of charge and each subsequent blue box will be charged at cost, in accordance with the current By-law that imposes fees and charges for blue boxes.

6. HOUSEHOLD ORGANICS

- a. Property owners are strongly discouraged from disposing of household organic waste in the curbside collection of Type I waste as described in this by-law.
- b. The Town shall encourage diversion methods such as composting by providing residents with information and through the sale of backyard composters.
- c. The Town shall make backyard composters available to residents for their own use; composters, shall be sold to residents and charged at cost, in accordance with the current by-law that imposes fees.

7. WASTE ELECTRICAL & ELECTRONIC EQUIPMENT

- a. Waste electrical and electronic equipment shall not be included for disposal as part of Type I waste, and shall not be permitted to be disposed of at any municipally operated landfill or transfer station.

8. RULES FOR COLLECTION, REMOVAL AND DISPOSAL

The following rules apply to the curbside collection, removal and disposal of garbage or recycling and other refuse:

- a. Property owners are responsible for the proper disposal of all waste generated from their properties. Owners may utilize the municipal waste collection system for disposal of their permitted waste.
- b. Types I, II and III Wastes as identified in Schedule B of this by-law may be set out at the curb for collection.
- c. Items to be picked up are to be left at the end of the owner's driveway at the edge of the travelled, open, maintained roads or other designated area.
- d. Items to be picked up may be placed out after 6:00 pm the day before collection, but must be placed out no later than 7:00 am on the designated collection day.
- e. All empty containers, or material, waste, leaf or yard waste or recyclable material must be removed by the occupant by 9:00 pm on the day of collection.
- f. When waste collection cannot be made on the regular day as prescribed by the collection schedule, the Town shall make reasonable effort to notify affected residents.
- g. Bag tags shall be issued annually, in August of each year for September 1st to August 31st. Bag tags issued in the previous years will be honoured. The allotment of bag tags is set out in Table I of Schedule D of this by-law.
- h. Bag tags are allocated on a per unit basis and property owners are responsible to distribute bag tags to their tenants and to apportion bag tags between former and new tenants.
- i. All items not collected shall be properly disposed of at approved locations in accordance with the regulations of the Ministry of the Environment.
- j. Each rate payer shall be permitted to set out one (1) acceptable container of waste per week. No bag tag is required for the first container. Each additional container set out shall have a bag tag affixed to the container.
- k. A second container may be placed out for pickup at curbside without a bag tag affixed to it, during collections taking place the week immediately following Christmas Day, New Years Day, and Easter Monday of each year.
- l. No person shall set out any of the materials identified as uncollectable Type IV waste in Table 1 of Schedule B of this by-law.
- m. Every person shall set out recyclable materials for collection in recycling containers as prescribed in this by-law. Additional recyclable materials shall be placed beside the recycling container in a manner convenient to the collection staff as prescribed by the Town. There is no limit to the number of recycling containers placed out for collection by an owner or occupier of a premise. Recycle items to be set out for curbside collection are included in Type II and Type III Waste as defined in Table 1 of Schedule B of this By-law.
- n. Owners, householders or occupants placing garbage or other refuse out for collection are responsible for same until it is picked up.

- o. The Town shall not be responsible to any property owner, householder or occupant for loss or damage to garbage containers.
- p. The Town shall not be responsible for pick up of any garbage placed out for pick-up which has been spilled or otherwise displaced by persons other than Town employees or by acts of nature.
- q. Cottages, which are only accessible by water or by air, are permitted to “opt out” of the Town’s municipal waste collection system and not pay for the service.
- r. Businesses may “opt out” of the Town’s municipal waste collection system and not pay for the service, but must first provide proof that they have another service provider hired to remove their garbage and recycling.
- s. No person shall throw, place or deposit in or on any street, highway, lane, alley or other public place within the Town any material, refuse or waste, except as provided for in this by-law.
- t. In commercial premises, including, but not limited to restaurants, grocery stores, food stores, butcher and meat shops, refreshment stands, hardware stores or any premises where it is necessary to accumulate waste in large amounts, the same shall be placed in containers and contents shall be stored in a waste room or bin so constructed to prevent the entrance of flies, rats or other vermin, and the said room or bin shall be maintained in a sanitary condition at all times. There shall be no pick up of corrugated cardboard under this by-law from these premises.
- u. No person shall place highly combustible material in a container for collection by the Town, either in a separated form or combined with other waste.
- v. The Town may designate certain days or times as “Exchange Days” whereby items placed at the curb side on the specified day or time may be removed by other residents of the Town for the purpose of reuse.

9. MANAGEMENT/OPERATION OF WASTE AND RECYCLING DEPOTS

- a. The Town will designate and post the hours of operation for all municipally operated waste and recycling sites. Any change in hours of operations will be posted on the Town website two weeks in advance of the change in hours.
- b. Any hazardous waste materials, propane tanks or batteries entering the site shall be refused entry at all municipal waste and recycling sites.
- c. If a load of waste is dumped at the site and is found to contain material that is not accepted, the carrier of the waste will be warned in writing and may be required to remove the unaccepted materials. The warning shall be in writing and advise the carrier that the material is not accepted and that a subsequent incident may result in the owner being prohibited from accessing services to the site.
- d. One landfill pass will be distributed to all home owners with the garbage tags as per the allotment authorized in Schedule D, Table 1. The pass is valid for one free load up to 500kg. Free Landfill pass will expire on December 31 of the year following the date of issuance. Hazardous waste will not be accepted. Tires are free but are subject to an additional charge if they are still on the rim. Household appliances not tagged “Freon Free” will have an additional charge as outlined in Schedule “A”.

- e. The municipal waste and recycling sites shall fall under the supervision of the Director of Public Works or his or her designate.
- f. Tipping fees for disposal of materials shall be established by the Town and prescribed in Schedule "A" of this by-law shall be applicable to all persons authorized to access municipally operated waste and recycling sites.
- g. No person shall dump or deposit waste or other refuse at the municipal waste and recycling sites in accordance with the provisions of this by-law, except waste generated from a source located within the Town, unless otherwise authorized in writing by the Director of Public Works or his or her designate.
- h. All materials delivered to the Towns waste and recycling sites shall be placed in the areas as designated in the operational plan for the facility.

10. ENFORCEMENT

This By-law shall be enforced by the Municipal By-law Enforcement Officer and/or the Director of Roads and Public Works, and/or his/her designate. For the purposes of enforcing the provisions of this by-law, such enforcement officers may inspect waste and material set out for collection on public property and on private property upon the request of the owner or occupier of such property.

Every person who contravenes any provisions of this by-law, or any owner or originator of waste thrown, deposited or placed in contravention of this by-law, upon conviction is guilty of an offence and is subject to the penalties as prescribed in the Provincial Offences Act, R.S.O. 1990, Chapter P.33 or any successor legislation in substitution therefore.

11. FEES AND RATES

That fees and rates contained in Schedule "A" shall apply.

12. ENACTMENT

That this By-law will come into effect on May 1, 2014.

13. REPEAL OF BY-LAW

THAT By-law No. 13-56 and any other by-law inconsistent with the provisions contained herein are hereby repealed.

BY-LAW READ, passed, signed and sealed in open Council this 15th day of April, 2014.

John Levi, Mayor

Shawna Stone, Town Clerk

SCHEDULE "A" TO BY-LAW 14-33

Howie Road Depot Fees

Waste Management Fees –Howie Road Depot / Pakenham Depot			
Item Number	Description	Residential Customer Rates *Note 5	Commercial Customer Rates
1	Scrap Metal	No Charge	No Charge
2	White Goods	Freon Free *Note: 1	No Charge
		Containing Freon	\$50.00/Unit
3	Tires *Note: 2	Off the Rim	No Charge
		On The Rim	\$7.00/Unit
4	Leaf and Yard Waste * Note: 3	No Charge *Note 4	\$65.00/tonne

Notes:

1. All appliances that do or have contained freon require a tag attached to the unit certifying the freon has been removed by a licensed person.
2. The rates for tires on the rim shall apply to all tires not part of the Ontario Tire Stewardship program such as ATV and lawn tractor tires.
3. Leaf and yard waste includes branches up to a maximum size of 150mm in diameter. Wood waste larger than 150mm diameter will not be accepted.
4. The commercial rate for leaf and yard waste may be applied to residential customers bringing in large quantities of leaf and yard waste at the discretion of the Director of public works.

SCHEDULE "B" TO BY-LAW 14-33

Table 1 – Curbside Collection

Curbside Collection Materials	Type I Waste	<p>Generic Name: Household Waste</p> <p>Description/Definition: Solid non-hazardous waste that would normally be generated at a residential dwelling.</p> <p>Special Notes: * Materials defined as but not limited to uncollectable waste as per Type IV shall not be set out at curbside as part of Type 1 Waste.</p>
	Type II Waste	<p>Generic Name: Recyclable Fibres</p> <p>Description/Definition: Paper Including newspapers, flyers, magazines, envelopes, paper bags, telephone directories and books with covers removed Cardboard/Boxboard Including clean corrugated cardboard, boxboard such as cereal boxes, cardboard tubes and rolls</p> <p>Special Notes: * Cardboard is not collected from commercial or institutional customers * Cardboard or paper that is soiled, greasy or waxed, photographic paper, foil gift wrap, and composite products are not acceptable blue box materials</p>
	Type III Waste	<p>Generic Name: Recyclable Containers</p> <p>Description/Definition: Glass Including clear and coloured bottles and jars Plastic containers Including all plastic containers and lids numbered 1,2,3,4,5&7 generated from normal household activities, such as food containers Metal containers Including tin/aluminum cans, covers, lids, plates and clean foil wrap Gable tops and Tetra Paks Including milk and juice cartons, drinking boxes and spiral wound container</p> <p>Special Notes: * Number 6 plastics (Polystyrene) are not acceptable blue box materials * containers to be clean and free of contamination or residual product * containers which have contained household hazardous waste such as paint or motor oil are not acceptable blue box materials</p>
	Type IV Waste	<p>Generic Name: Un-Collectable Waste</p> <p>Description/Definition: Materials Defined in this By-Law as Type II, Type III, Type V, Type VI, Type VII, Type VIII, Type IX and Type X, and as well including the following; animal waste and carcasses, infectious and biomedical waste, explosive and combustible materials, radioactive waste, all hazardous waste, stones, earth, stumps, scrap metals, tires, medical waste, liquid waste, white goods, large items, and phase I and II waste electronics.</p> <p>Special Notes: C&D Exemption Small amounts of construction and demolition materials that could not otherwise be diverted or recycled, fitting into an acceptable garbage container, and not exceeding the maximum weight limit, will be accepted at curbside in Type I waste.</p>

Table 2 – Other Diversion Methods

Other Divertible materials	Type V	Generic Name: Household Organics
		Description/Definition: Includes kitchen and table waste from all animal or vegetable origin
		Special Notes: * Composters are available for sale at the Municipal office at 3131 Old Perth Road. The Town sells the composters to residents at for their own use, at cost, as per the most up to date fees by-law. * Solid materials acceptable as part of Type 1 Waste.
Other Divertible materials	Type VI	Generic Name: Leaf and Yard Waste
		Description/Definition: Shall mean organic material having grown on the premises of an owner or occupier of said premises and consisting of yard plants and weeds, hedge and brush trimming and tree limbs with a diameter less than 50mm.
		Special Notes: * For the purposes of municipal depots, brush trimmings and tree limbs will be accepted with a diameter less than 150mm. * Regardless of diameters stumps are not included as part of leaf and yard waste and is not permitted for disposal at curbside or at depots.
Other Divertible materials	Type VII	Generic Name: Waste Electronics
		Description/Definition: Includes all Phase 1 and Phase 2 waste electrical and electronic equipment (WEEE) as defined by Waste Diversion Ontario (OES).
		Special Notes: * Waste Electronics are not permitted for disposal in the Town of Mississippi Mills. * Residents are encouraged to use WEEE recycling depots sponsored by OES or alternative diversion methods.

Table 3 - Other Divertible/Disposable Materials

Other Divertible/Disposable Materials	Type VIII	Generic Name: Large Items/Bulky Waste
		Description/Definition: Include weighty, bulky articles such as major appliances, furnaces, bedsprings, mattresses, furniture, boxes, barrels, water tanks and other similar items
		Special Notes: * Alternative diversion and recycling methods are available for much of this material. * Should alternative diversion or recycling options not be available, appropriate disposal is permitted at a facility permitted to accept the item(s)/waste.
	Type IX	Generic Name: Household Hazardous Waste
		Description/Definition: As defined and amended from time to time by Ontario Regulation 309, including paints, stains, varnish, urethanes, oils, pesticides, herbicides, household and automotive batteries, pharmaceuticals, pool chemicals, fuels and gas cylinders.,
		Special Notes: * Material shall be disposed of, diverted or recycled through a facility or program permitted to accept this type of waste. * It is the responsibility of the resident to ensure household hazardous waste is disposed of properly.
	Type X	Generic Name: Construction Demolition Waste
		Description/Definition: Waste normally generated during demolition or construction processes such as waste wood, drywall, shingles and ceramic tile.
		Special Notes: * Alternative diversion and recycling methods are available for much of this material. * Should alternative diversion or recycling options not be available, appropriate disposal is required at a facility permitted to accept the item(s)/waste.
	Type XI	Generic Name: Other Waste
		Description/Definition: Other Wastes not included as part of Type I through Type X Wastes
		Special Notes: * Alternative diversion and recycling methods may be available for much of this material. * Should alternative diversion or recycling options not be available, appropriate disposal is required at a facility permitted to accept the item(s)/waste.

SCHEDULE "C" TO BY-LAW 14-33

Table 1 – Curbside Containers

Waste Type	Container Type	Description	Maximum Weight
Type I	Garbage Container	Metal or plastic with exterior handles manufactured for waste disposal, height not exceeding 90cm (35 inches), maximum width 46 cm (18 inches).	15 kg (33 pounds) * Including container and waste.
Type I	Garbage Bag	Bags being of sufficient strength, with a height not exceeding 83cm (33 inches) and a width not exceeding 66cm (26 inches)	15 kg (33 pounds)
Type II and Type III	Blue Box	Blue plastic with maximum height of 30 cm (12 inches), width of 43 cm (17 inches), length of 56 cm (22 inches)	15 kg (33 pounds)
Type II	Bundle	Securely tied with maximum height of 15 cm (6 inches), width of 76 cm (30 inches), length of 76 cm (30 inches)	15 kg (33 pounds)
Type VI	Bundle	Securely tied with maximum height 15 cm (6 inches), width of 15 cm (6 inches), length of 76 cm (30 inches)	15 kg (33 pounds)
Type VI	Bag	Biodegradable paper bag with a maximum height of 90 cm (35 inches), width of 43 cm (17 Inches)	15 kg (33 pounds)

SCHEDULE "D" TO BY-LAW 14-33

Table 1

Type of Unit	No of Tags Allotted per year	Special Notes for Garbage Tags	Dump Passes	Special Notes
Residential Units	No Tags	* Includes home-based businesses and cottages * At the discretion of the Director of Public Works, Multi-Residential facilities may come to a mutual agreement with the Town and service provider where tag allotment is not required.	1 per unit	
Industrial, Commercial and Institutional Businesses	145 Tags		1 per unit	
Churches	No Tags	Additional tags available for free upon request	None	
The Hub/Rebound		The Almonte Community Coordinators may receive tags upon request.	None	Disposal services are municipally subsidized