

CORPORATION OF THE TOWNSHIP OF PELEE

BY-LAW NO. 2010-18

BEING a By-law to establish and maintain a system for the disposal of garbage, yard waste and recyclable materials in the Township of Pelee.

NOW THEREFORE BE IT ENACTED by the Council of the Township of Pelee as follows:

1.0

Definitions

Building Waste shall mean broken concrete, masonry, metal, wood and other material resulting from the construction, alteration, repair, demolition, or removal of any building or structure;

Council shall mean the Township Council of the Township of Pelee Island;

Environmental Suitable Soil means material that due to its nature of contamination must be landfilled. This material cannot be classified as hazardous waste and must meet the guidelines of Regulation 347.

Garbage shall include all animal and vegetable waste material from the preparation of food, sweepings, wearing apparel, furniture and discarded household utensils. Recyclable material and yard waste are not considered as garbage within this definition.

Garbage Bag shall mean a garbage bag having dimensions no greater than 76 centimeters by 96 centimeters (32 inches by 40 inches);

Garbage Tag is a specially manufactured adhesive tag sold for the exclusive purpose of supporting waste management in the Township of Pelee. Purpose of a garbage tag is to identify a garbage unit for disposal within the Township of Pelee. Cost of a tag shall be as listed in Schedule "A" of this By-law as amended from time to time.

Non-disposable waste shall not include garbage as defined, but shall include and mean the following: manufacturer's waste, building waste, sawdust, shavings, or excelsior, swill or other organic matter not properly drained or wrapped, liquid waste, biomedical wastes, hay, straw and manure, night soil, carcass of any animal (other than food waste), live animals or birds, large household appliances, refrigerators, freezers, air conditioners, dehumidifiers, stoves, washers, dryers, dishwashers, furnaces and water heaters; recyclable material and yard.

Recyclable Material shall mean all materials accepted in the recycling program provided by the Township.

Landfill Transfer Station shall mean any area of land at 1413 McCormick Road designated as such by the Township to be used for the disposal of waste and as approved by the Ministry of the Environment;

Tipping Fee shall mean the charge levied by the Township at the Landfill Site for disposable waste under the terms of this by-law;

Township shall mean the Corporation of the Township of Pelee;

User shall mean any person or persons utilizing or depositing waste at the Landfill Transfer Station;

Waste shall mean garbage, building waste; domestic waste, industrial solid waste, municipal garbage and such other waste as may be designated in this by-law.

Yard Waste shall mean organic material including yard plants and weeds, hedge and shrub trimmings, tree limbs having a diameter of less than 10 centimetres (4 inches) and length of not more than 1 metre (40 inches), lawn and garden cuttings, leaves, twigs and other compostable yard items;

3.0

Disposal

3.1 Landfill Transfer Station

3.1.1

Public access to the Landfill Transfer Station shall be limited to hours determined by Council and posted at the site.

3.1.2

No person shall:

a) deposit waste at the Landfill Transfer Station outside the hours of operation as determined by Council and posted at the site;

b) deposit any waste at the Landfill Transfer Station which is:

i) subject waste as defined by Ontario Regulation 347, dangerous and hazardous materials such as poisons, hot live ashes, caustics, acids, infected materials, explosives,

pesticides, radio-active material, raw animal manure, septic tank pumpings, raw sewage sludge, bulk liquids, semi-solids, highly flammable or volatile substances, industrial process sludge, animal carcasses or parts, biomedical wastes, live animals or birds, substances which may cause personal or environmental problems;

ii) waste from outside of Township;

iii) of a class or kind which has been designated by the Township as prohibited waste, including tires and appliances containing C.F.C's or freon.

c) deposit any burning material or set any fire at the Landfill Transfer Station;

d) deposit waste at the gate or entrance to the Landfill Transfer Station or at any place other than the place designated for its receipt thereat;

e) neglect or failure to provide proof of the origin of waste tendered for disposal at the Landfill Transfer Station when such is demanded, provided that in lieu of providing such proof the person tendering the waste shall remove it without unloading it;

f) deposit waste at the Landfill Transfer Station when such deposit has been forbidden by Council or the person for the time being in charge at the Landfill Transfer Station, on the grounds that the deposit would be contrary to this By-law or on the grounds that the origin of the waste has not been satisfactorily proved;

g) operate a motor vehicle on the Landfill Transfer Station;

i) other than on designated roadways or driveways

ii) without due care and attention, or

iii) at greater than the posted rate of speed

h) scavenge or salvage at the Landfill Transfer Station;

i) transport waste to or at the Landfill Transfer Station in a vehicle which has not been properly covered and protected in the manner required in the Highway Traffic Act;

j) deposit waste at the Landfill Transfer Station while barred from doing so.

3.1.3

Waste produced outside Township or which does not comply with this By-law shall not be delivered to or unloaded at the Landfill Transfer Station and, whether unloaded or not, shall be removed by or at the expense of the user seeking to dispose of it.

3.1.4

All waste deposited at the Landfill Transfer Station shall become the property of the Township and may be salvaged, reclaimed, recycled, disposed of or otherwise dealt with by the Township as the Township may deem fit, subject to the provisions of the Environmental Protection Act but this shall not relieve a user from an obligation imposed by Section 3.2.2 of this By-law.

3.1.5

No person shall attend at or trespass on the Landfill Transfer Station except for the purposes of depositing waste or for other lawful business, except with the express permission of Council.

3.1.6

The employee designated by Council as being in charge of the Landfill Transfer Station may at any time order any person found scavenging or conducting any other illegal activity on the Landfill Transfer Station or having no lawful reason to be there, to leave forthwith and if any such person fails or refuses to leave, may call for police assistance and cause trespass charges to be laid.

3.2

Landfill Transfer Station Fees

3.2.1

The Township may, from time to time, prescribe rates or charges for the use of the Landfill Transfer Station and provide for the terms of payment thereof as set out in Schedule "A".

3.2.2

Every user depositing waste at the Landfill Transfer Station shall pay the tipping fee as set forth in Schedule "A" for the disposal of the waste that is in effect at the time of payment. In default of timely payment of tipping fees a user shall be barred from access to the Landfill Transfer Station pending payment and for a period of fourteen (14) days after payment.

4.0

Penalties

4.1

Any person who contravenes any provision of the By-law is guilty of an offence and upon conviction shall be liable to a fine of not more than \$2,000.00 exclusive of costs.

5.0

Other By-laws

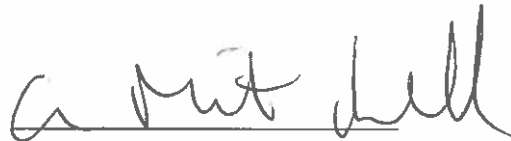
5.1

All previous by-laws pertaining to collection and disposal of waste are hereby repealed.

READ a first and second and third time and passed this 18th day of October, 2010



Mayor



CAO

Schedule "A"

For municipal garbage disposal:

Tipping fees of all waste at the Landfill Transfer Station as follows:

- i) Garbage tags – two dollars (\$2.00) each
- ii) Separated brush, yard waste, grass clippings and leaves placed at the brush pile or compost area shall be accepted at no charge;
- iii) All other bulk waste containers will be charged at the rate of thirty dollars (\$30.00) per cubic yard.
- iv) All other smaller loads shall pay; Each Bag/container/unit - Two Dollars (\$2.00) each
Pickup/small trailer – Fifty Dollars (\$50.00)
- v) Environmental suitable soil - \$40 per cubic yard
- vi) Mixed bulk loads of waste that is found to have recyclable material, waste wood and brush are to be separated and placed at the appropriate locations at the Landfill site.
Failure to separate will result in a surcharge at twice the rate paid at the site for the load.
- vii) White Goods will be charge of \$40.00 per unit
- viii) Vehicles will be charge of \$100.00 – tires must be removed

No tipping fees for properly separated recyclables.