

CORPORATION OF THE TOWNSHIP OF PELEE

BY-LAW NO. 2011-34

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 land filled. 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, and 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 prohibited waste shall not include garbage as defined, but shall include and mean the following: manufacturer's 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) with the exception of the Pelee Island Pheasant Hunt period, live animals or birds, recyclable material and compostable yard waste.

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 hedge shrub trimmings and tree limbs having a diameter greater than 1.5 centimeters (0.5 inches). Stumps free of dirt and debris.

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 with the exception of the time period during the Pelee Island Pheasant Hunts, 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,

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

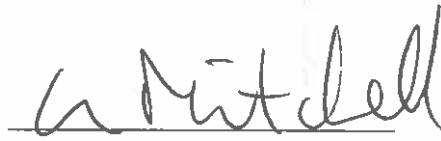
5.1

By-law 2011-21 is hereby repealed.

READ a first and second and third time and passed this 3rd day of October, 2011



Mayor



CAO/Clerk/Treasurer

Schedule "A"

For municipal garbage disposal:

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

- i) Garbage bag tags – two dollars (\$2.00) each
- ii) Yard waste as defined in this by-law shall be accepted at no charge;
- iii) All Construction and Demolition waste will be charged;
 - fifty (\$50.00) dollars for a full, level standard equipment pickup truck box
 - twenty five (\$25.00) dollars for a ½ full standard equipment pickup truck box
 - all other sized containers shall be charged at a rate of thirty (\$30.00) dollars per cubic yard
- iv) All Garbage as defined shall be bagged (defined size or smaller) and sealed and cost Two Dollars (\$2.00) for disposal unless already tagged.
- v) All bagged garbage for disposal exceeding the defined bag size limit will be subject to double disposal costs. No bag exceeding 150% of the defined size will be accepted for disposal.
- vi) Environmental suitable soil - \$40 per cubic yard
- vii) Mixed bulk loads of waste that is found to have recyclable material, waste wood and yard waste 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 and bagging of the material will be mandatory.
- viii) White Goods will be charge of;
 - \$50.00 per unit for appliances that once contained, or do contain refrigerant that have not been certified and tagged saying Freon has been removed
 - \$25.00 per unit if the unit is certified of having the refrigerant removed and or has never contained a refrigerant
- x) Vehicles will be charged \$100.00 – tires and all fluids and fuel tanks must be removed

No tipping fees for properly separated recyclables, clean metal or tires (rim removed).