



Agenda
Green Committee

October 16, 2019
5:30 pm
Municipal Operations Centre
408 James Street South, St. Marys

Pages

1. **CALL TO ORDER**
2. **DECLARATION OF PECUNIARY INTEREST**
3. **AMENDMENTS AND APPROVAL OF AGENDA**

RECOMMENDATION

THAT the October 16, 2019 regular Green Committee agenda be accepted as presented.

4. **DELEGATIONS**

None.

5. **ACCEPTANCE OF MINUTES**

3

RECOMMENDATION

THAT the September 18, 2019 regular Green Committee minutes be approved and signed by the Chair an Committee Secretary.

6. **BUSINESS ARISING FROM MINUTES**

7. **REPORTS**

- 7.1 **PW 66-2019 WASTE MANAGEMENT SERVICES BY-LAW**

7

RECOMMENDATION

THAT Report PW 66-2019, Waste Management Services By-Law be received; and,

THAT the Green Committee recommend to Council:

THAT Council approve the Waste Management Services By-law.

8. OTHER BUSINESS

8.1 Town of St. Marys - Climate Change Coordinator

Staff will provide an update regarding the Town's shared Climate Change Coordinator position.

9. UPCOMING MEETINGS

November 20, 2019 at 5:30 PM - Active Transportation Network

10. ADJOURNMENT

RECOMMENDATION

THAT this meeting of the Green Committee adjourn at



Minutes

Green Committee

September 18, 2019

5:30 pm

Municipal Operations Centre
408 James Street South, St. Marys

Members Present	Lynette Geddes, Chair Katherine Moffat, Vice-Chair Councillor Craigmile John Stevens David Vermeire
Members Absent	Fred Stam
Staff Present	Morgan Dykstra, Committee Secretary

1. CALL TO ORDER

The Chair called the meeting to order at 5:31 PM.

2. DECLARATION OF PECUNIARY INTEREST

None declared.

3. AMENDMENTS AND APPROVAL OF AGENDA

Resolution: GC-2019-07-01

Moved By Katherine Moffat

Seconded By Councillor Craigmile

THAT the September 18, 2019 regular Green Committee agenda be accepted as presented.

Carried

4. DELEGATIONS

4.1 Upper Thames River Conservation Authority re: Invasive Species in Sparling Bush

John Stevens arrived at 5:34 PM.

Morgan Dykstra introduced Vanni Azzano and Jay Ebel of the Upper Thames River Conservation Authority. Vanni and Jay discussed their letter to the Committee and recommendations for improving the health of the Sparling Bush.

The Committee discussed the benefit of using filter cloth to suffocate dog-strangling vine. In two to three years, the filter cloth will deteriorate, and the Town can plant native species. The fabric will continue to smother the invasive species and allow new species to thrive.

The Committee affirmed that chemical treatment is unacceptable. To eliminate the invasive species, the Town must use a Class 9 herbicide.

Mr. Azzano and Mr. Ebel advised that any woodchips used in Sparling Bush should be clean. The wood chips should not contain any remnants of Buckthorn or Manitoba Maple trees. The application of woodchips on the trail and the perimeter should be three to four inches high.

Resolution: GC-2019-07-02

Moved By David Vermeire

Seconded By Katherine Moffat

THAT the Upper Thames River Conservation Authority invasive species Sparling Bush letter be received.

Carried

5. ACCEPTANCE OF MINUTES

Resolution: GC-2019-07-03

Moved By David Vermeire

Seconded By Councillor Craigmile

THAT the June 19, 2019 regular Green Committee minutes be approved and signed by the Chair and Committee Secretary

6. REPORTS

6.1 PW 58-2019 Review & Endorsement of DRAFT Sparling Bush Plan 2020-2022

The Committee recommends that staff should use metrics to determine the effectiveness of the approaches.

Resolution: GC-2019-07-04

Moved By Lynette Geddes

Seconded By David Vermeire

THAT PW 58-2019 Review & Endorsement of DRAFT Sparling Bush Plan 2020-2022 be received;

THAT the Committee endorse the DRAFT Sparling Bush Plan 2020-2022; and

THAT the Committee recommend Council allocate funds in the 2020 Capital Budget to implement the Plan's objectives for 2020.

Carried

7. OTHER BUSINESS

7.1 Bluewater Recycling Association – Mixed Paper Recycling

The Committee discussed how Bluewater Recycling Association processes mixed paper. The Company currently complies with existing contamination restrictions for mixed paper.

7.2 Solid Waste Management By-law Update

M. Dykstra provided the Committee with an update on the draft Solid Waste Management By-Law, and decisions made by the Strategic Priorities Committee on September 17, 2019.

J. Stevens proposed that the use of plastic water bottles at Council meetings be prohibited. Councillor Craigmile will discuss the ban with Council.

8. UPCOMING MEETINGS

October 16, 2019 at 5:30 p.m. - Solid Waste Management By-law

November 20, 2019 at 5:30 p.m.

9. ADJOURNMENT

Resolution: GC-2019-07-05

Moved By John Stevens

Seconded By Councillor Craigmile

THAT this meeting of the Green Committee adjourn at 6:45 PM

Carried

Chair

Committee Secretary



FORMAL REPORT

To: Chair and Members of the Advisory Committee

Prepared by: Dave Blake, Environmental Services Supervisor

Date of Meeting: 16 October 2019

Subject: **PW 66-2019 WASTE MANAGEMENT SERVICES BY-LAW**

PURPOSE

This Report presents the Green Committee with information regarding the DRAFT Waste Management Services By-law for the Town of St. Marys for review and discussion.

RECOMMENDATION

THAT Report PW 66-2019, Waste Management Services By-Law be received; and,

THAT the Green Committee recommend to Council:

THAT Council approve the Waste Management Services By-law.

BACKGROUND

On June 19, 2019 Staff presented the Green Committee an Information Report regarding a Waste Management By-Law Update. At that time, Staff presented a summary of proposed or potential changes to the existing waste management by-law for discussion and consideration. Additionally, Staff requested input from the Committee on potential by-law updates, inclusions, etc. for consideration as the by-law development progressed.

Since that time, Staff have now completed a DRAFT Waste Management Services By-law for discussion and consideration by the Committee.

REPORT

Over the course of 2019, Staff have been working to review, evaluate and update the Waste Management Service By-law for the Town of St. Marys. Consultation has been undertaken with the Green Committee as well as the Strategic Priorities Committee on potential by-law updates or modifications.

A copy of the DRAFT proposed Waste Management Services By-law can be referenced in Attachment No. 1 to this report.

A summary of key items within the proposed Waste Management Services By-law is as follows:

- The formatting and structure of the by-law has been updated to improve readability, clarity and function;
- Rates and Fees for collection programs, services, and disposal rates have been removed from the Waste Management Services By-law and are now included in a stand-alone Schedule to a pending “Fee By-law” update for the Town of St. Marys;

- Provisions for restrictions on Cell Dumping within 30-minutes of Site closure and on Saturdays have been included.
- Provisions for Business Recovery options have been included for power failures and weigh scale issues with axle weight charges, to be included in the updated Fee By-law for the Town of St. Marys;
- Improved clarity has been incorporated around the wheelie bin collection program for multi-residential properties, and when containerized service options would need to be considered.
- Enhanced definitions and material examples have been included for improved clarity on program usage, and acceptable materials;
- Inclusion of the Leaf and Yard Waste depot facility, and provisions around its operation have been included in the By-law;
- Calibration requirements have been detailed within the By-law for the on-site weigh scale operation for improved clarity and transparency;
- Service club exemptions have been incorporated into the By-law for curb-side collection programs;
- Enhanced diversion initiatives, and options have been incorporated as the Town considers additional programs and services.

FINANCIAL IMPLICATIONS

There are no Financial Implications related to the updated Waste Management Services By-law.

SUMMARY

Based on information detailed within this Report, as well as the updates included in the proposed Waste Management Services By-law, Staff recommends that the Green Committee recommend to Council that the proposed Waste Management Services By-law be considered for adoption.

The updated by-law will align with existing and planned service delivery options for waste management services for the Town of St. Marys while also incorporating forward thinking options for waste diversion.

STRATEGIC PLAN

- ☒ This initiative is supported by the following priorities, outcomes, and tactics in the Plan.
 - Pillar # 1 – Infrastructure, Waste Management Plan:
 - Outcome: With anticipated proactive measures for growth (residential, commercial and industrial), there will be a need for active consideration of optimizing landfill services, but with a view to controlled costs and forward thinking environmental initiatives.
 - Tactic(s): Plan for a new long-term review of waste management, taking account of new and more prescriptive provincial standards. Explore alternatives to status quo waste management with a view to reduction and recycling initiatives for all residential, commercial and industrial properties.

OTHERS CONSULTED

Morgan Dykstra, Public Works Coordinator – Town of St. Marys

Jed Kelly, Director of Public Works – Town of St. Marys

Strategic Priorities Committee – Town of St. Marys

Green Committee – Town of St. Marys

ATTACHMENTS

Attachment No. 1 – Waste Management Services By-Law (DRAFT)

REVIEWED BY

Recommended by the Department



Dave Blake, C.E.T.
Environmental Services Supervisor



Jed Kelly
Director of Public Works

BY-LAW XX-2019

THE CORPORATION OF THE TOWN OF ST. MARYS

Being a By-Law to establish and maintain a system for collection, removal and disposal of waste, other refuse and recyclable materials within the Town of St. Marys.

- WHEREAS:** Subsection 10(1) of the Municipal Act, 2001, C.O. 2001, c. 25 authorizes a single tier municipality to provide any service that the municipality considers necessary or desirable for the public;
- AND WHEREAS:** The Town of St. Marys considers the management of waste as necessary or desirable for the public;
- AND WHEREAS:** Subsection 10(2), paragraph 7 of the Municipal Act, 2001 authorizes a single-tier municipality to pass by-laws respecting services that the municipality is authorized to provide under Subsection 10(1);
- AND WHEREAS:** Subsection 8(3), paragraphs (a) and (b) of the Municipal Act, 2001 provide that a by-law under Section 10 respecting a matter may regulate or prohibit respecting the matter and may require persons to do things respecting the matter;
- AND WHEREAS:** Section 127 of the Municipal Act, 2001 further authorizes a local municipality to prohibit the depositing of refuse on land without the consent of the owner or occupant of the land, and to define “refuse” for this purpose;
- AND WHEREAS:** Section 128 of the Municipal Act, 2001 authorizes a local municipality to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances, and provides that the opinion of council, if arrived at in good faith, is not subject to review by any court;
- AND WHEREAS:** Council for the Town of St. Marys has determined that Waste which is in such a condition that it can be blown in the wind, allows odours to escape, is likely to attract animals, including, but not limited to, insects or birds, or presents a health, safety or fire risk, is, or could become or cause a public nuisance;
- AND WHEREAS:** Section 391 of the Municipal Act, 2001 provides that the municipality may impose fees and charges on persons for services or activities provided or done by or on behalf of it;

AND WHEREAS: Subsection 446(1) of the Municipal Act, 2001 provides that if a municipality has the authority under a by-law to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

NOW THEREFORE: The Council for the Corporation of the Town of St. Marys hereby enacts as follows:

SECTION 1 – DEFINITIONS

1.1 For the purposes of this By-Law, the following terms shall have the corresponding meanings:

- a) "Ashes" shall mean and include wood, coke or coal ash, cinders, clinkers, inert soil and sweeping.
- b) "Asbestos Waste" shall mean solid waste that results from the removal of asbestos containing construction or insulation material or the manufacture of asbestos-containing products and contains 0.5 percent or more asbestos by dry weight;
- c) "Bulky Item" means a large or heavy article such as a stove, refrigerator, furnace, bed spring, mattress, furniture, box, barrel, water tank and the like;
- d) "Boxboard" shall mean non-corrugated cardboard;
- e) "Box Spring" shall mean a frame for a mattress with a set of vertical springs;
- f) "By-law" means this By-law including any Schedules forming part of it, together with any amendments to this By-law or Schedules;
- g) "Building Waste" shall mean broke broken concrete, masonry, metal, wood and other material resulting from the construction, alteration, repair, demolition, or removal of any building or structure;
- h) "Bundle" shall mean and include all material of similar size and composition securely tied together having a dimension no greater than one (1) metre by 0.5 metre by 0.5 metres and not exceeding 22 kilograms in weight;
- i) "C.A.O" Shall mean the Chief Administrative Officer for the Town of St. Marys

- j) "Collection Point" shall mean that part of a property which has been designated by the Director of Public Works or their Designate for the setting out and collection of waste.
- k) "Container" shall mean one of three optional waste containers supplied by the applicable service provider as part of the automated collection service. Small Bin capacity of 120 litres (35 Gallon), medium bin capacity of 240 litres (65 Gallon) or large bin capacity of 360 litres (95 Gallon);
- l) "Contaminated Soil" shall mean material due to its nature of contamination must be landfilled. This material cannot be classified as hazardous and must meet the requirements and guidelines of Ontario Regulation 347.
- m) "Downtown Collection Area" shall mean the area delineated in Schedule 3 to this By-law.
- n) "Garbage" shall mean material or item discarded by the occupant of a dwelling unit or industrial and commercial unit that is not recyclable material, organic material, yard material, white goods or any other non-collectable refuse. For greater certainty, refer to Schedule 4 of this by-law.
- o) "Garbage Cart" shall mean a cart for garbage, as provided by the waste collection company.
- p) "Hazardous Waste" means; hazardous industrial waste, acute hazardous waste chemical, hazardous waste chemical, severely toxic waste, ignitable waste, corrosive waste, reactive waste, radioactive waste, except radioisotope wastes disposed of in a landfilling site in accordance with the written instructions of the Canadian Nuclear Safety Commission, pathological waste, leachate toxic waste, all as defined in O. Reg. 347 under the *Environmental Protection Act*, explosive waste and PCB waste as defined in O. Reg. 362, R.R.O. 1990 under the *Environmental Protection Act*, and includes a mixture of acute hazardous waste, chemical hazardous waste, chemical hazardous industrial waste, pathological waste, radioactive waste or severely toxic waste and any other waste or material, and any other waste identified as a hazardous waste in any Provincial or Federal statute, regulation, Order in Council or otherwise from time to time;
- q) "Household Hazardous Waste" means any household product, material or item labeled as "corrosive", "toxic", "reactive", "explosive" or "flammable", and which is accepted under the Town's household hazardous waste program. Such waste shall consist of paints, stains, varnish, urethanes, oils, pesticides, herbicides, household and automotive batteries and gas cylinders. For greater clarity, refer to Schedule 9 of this By-law.

- r) "Kraft Bag" shall mean a large bag constructed of easily decomposable paper;
- s) "Leaf and Yard Waste" shall mean organic material consistent with the materials and details identified in Schedule 6 of this By-law.
- t) "Lot Frontage" shall mean the width of a lot, as measured from the front of the lot, or as determined by the Director of Public Works or their Designate;
- u) "Mattress" shall mean a fabric case filled with deformable or resilient material of any size.
- v) "Non-Collectable 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, any material which has become frozen to the receptacle and cannot be removed by shaking, large household appliances, large household furniture (couches, chairs etc.), refrigerators, freezers, air conditioners, dehumidifiers, stoves, washers, dryers, dishwashers, furnaces and water heaters; recyclable material and yard waste or garbage containing more than 5% of recyclable material; For greater clarity, refer to Schedule 5 of this By-law;
- w) "Property Owner" shall mean the registered owner of property, including leased premises, and the owner's agent or property manager, or any other person having charge or control of the property.
- x) "Public Lane" shall mean any lane designated by the Director of Public Works or their Designate for use by Collection vehicles.
- y) "Recycling" shall mean all materials accepted in the curbside recycling program provided by the Town and shall include the following: glass bottles and jars, newspapers, magazines, phone books, food and beverage cans, plastic bottles, plastic tubs, mixed paper, corrugated cardboard and boxboard, and as amended from time to time. For greater certainty, refer to Schedule 7 of this by-law.
- z) "Recycling Cart" shall mean a cart for recycling, as provided by the recycling collection company.
- aa) "Scavenging" shall mean the unauthorized removal by a person other than the Town or its designate of waste, recyclable material or other refuse or material that has been set out for collection, or the unauthorized removal of waste,

recyclable material or other refuse of material that has been deposited at the Landfill Site.

- bb) “Sharp Objects” shall include broken glass, razor or other blade, sewing needle, clinical glass, knife, scissors, screw, nail, axe, hatchet lawn mower blade and the like;
- cc) “Scrap Metal” includes but is not limited to; metal bicycles, metal bed frames, metal fencing/posts, metal filing cabinets, hot water tanks, metal sinks, nuts/bolts/nails/screws, passenger vehicle tire rims, metal desks, metal shelves, metal lawnmowers, metal no longer than 3 metres in length, aluminum siding, automotive parts, pipe fittings, and Barbeques excluding propane tanks;
- dd) “Street” shall mean any public highway, road, street, lane, alley, square, place, thoroughfare or way within the Town of St. Marys;
- ee) “Textiles” shall mean a type of cloth or woven fabric and shall consist of, but not limited to; clothes, sheets, shows, towels, blankets and the like;
- ff) “Tipping Fee” shall mean the charge levied by the Town at the Landfill Site for disposable waste under the terms of this by-law in accordance with the Towns Fee By-law, as amended;
- gg) “Town” shall mean the Corporation of the Separated Town of St. Marys;
- hh) “Waste” shall mean garbage, building waste, domestic waste, industrial solid waste, municipal garbage or non-collectable waste and such other waste as may be designated within this By-law.
- ii) “Waste Management Facility” shall mean any area of land at #1221 Water Street South designated as such by the Town to be used for the disposal or waste and as approved by the Ministry of Environment, Conservation and Parks.
- jj) “Waste Management System” shall mean facilities and equipment used in and operations carried out for the management of Waste by the Town including but not limited to the planning, collection, handling, transportation, storage, processing, marketing and/or disposal; and may also include Waste diversion programs;
- kk) “Waste Generator” shall mean any person or persons generating waste in the Town of St. Marys;

- II) “White Goods” means; air conditioners, window mounted and central air systems, clothes dryers, dehumidifiers, dishwashers, freezers, hot water tanks, drained, microwave ovens, ovens, pool heaters, refrigerators, stoves, water pressure tanks, and, water coolers.

SECTION 2 – COLLECTION

2.1 The Town shall provide and maintain and / or contract services for a multi-stream waste collection system. Those specific and separate collections are described as Garbage, Recycling and Leaf and Yard Waste.

2.2 Waste Set Out for Collection

Every Waste Generator and Property Owner shall ensure that:

- a) Ashes are not set out for collection until at least five (5) days after they have been removed from fire, and that they have been safely stored in a suitable, sealed container;
- b) Waste is drained of liquids before it is placed in the Container for collection and that the liquids are managed appropriately;
- c) Recyclables are free of any solid, semi-solid or liquid contaminant which would render them non-recyclable;
- d) All branches, limbs and brush, excluding Christmas Trees placed out for Leaf and Yard Waste Collection shall be stripped and securely tied in compact bundles. No such bundle shall weigh in excess of 20.5 kg (45 pounds) or have a dimension greater than 1 metre (40 inches) in length;
- e) Waste set out for collection is separated into the appropriate waste collection container and placed in accordance with the waste collection contractor collection requirements;

2.3 Times to Set Out Waste for Collection

(1) Except in the Downtown Collection Area, every Waste Generator and Property Owner shall ensure that:

- a) No Waste is set out for collection before 5:00 pm on the day preceding the day scheduled for collection; and,
- b) Waste to be collected is set out for collection no later than 7:00 am on the day scheduled for collection.

(2) In the Downtown Collection Area every Waste Generator and Property Owner shall ensure that:

- a) No waste is set out for collection before 5:00 pm on the day preceding the day schedule for collection; and,
- b) Waste to be collected is set out for collection no later than 6:30 am on the day scheduled for collection.

(3) No Waste Generator or Property Owner shall set out, or permit to be set out, any Waste for collection, except in accordance with the times described above.

2.4 Placement of Containers for Collection

Every Waste Generator and Property Owner shall ensure that containers for curbside collection programs are placed in accordance with requirements as determined by the Town or their designate at an approved Collection Point.

2.4.1 Unless otherwise determined by the Director of Public Works, or their Designate, the Collection Point for a property is where pedestrian and / or vehicular traffic is not impeded, and;

- 2.4.1(a) Where the property is beside a Road, and the road has a curb, within 0.3 metres away from the road, behind the curb
- 2.4.1 (b) Where the property is beside a road and the road has a gravel shoulder, at the outside edge of the shoulder.
- 2.4.1 (c) Where the property is beside a Public Lane, as close as possible to the edge of the Public Lane.
- 2.4.1 (d) In the Downtown Collection Area, on the sidewalk directly adjacent to the curb.

2.4.2 Every Waste Generator or Property Owner shall ensure that:

- 2.4.2 (a) All Waste set out for collection is placed so as not to impede or obstruct pedestrian or vehicular traffic or road maintenance operations, or so as to endanger the safety of waste collection personnel or any other person.
- 2.4.2 (b) No Waste is set out for collection on top of any snow bank exceeding 0.3 metres in height, and the area in which such Waste is placed is clear of snow and ice to provide for the ready and safe access for collection.
- 2.4.2 (c) All containers containing Garbage are set out adjacent to each other.

2.4.2 (d) All containers containing Recycling are set out adjacent to each other.

2.4.2 (e) All containers or bundles of Leaf and Yard Waste are set out adjacent to each other.

2.4.3 Every Waste Generator and Property Owner shall ensure that any Container set out for collection, is placed so that there is at least 1.0 metres of clearance on each side of the Container and at least 5.0 metres clearance above the container for automated collection, or as directed by the Director of Public Works.

2.4.4 Where it is deemed more convenient in the opinion of the Town to make collection from the rear of the premises, collections may be made by entering lanes or alleys provided that safe access and turning space are available as determined by the Town or their Designate.

2.4.5 Where a private development has multiple units with internal lanes or roads, automated collection may be permitted in accordance with Section 2.6, inside the private development at the sole discretion of the Town or the Contracted Service Provider. Should internal collection be permitted, the property owner shall enter into a Private Agreement with the Waste Collection service provider for the delivery of services.

2.5 **Removal of Waste Not Collected and Containers**

Every Waste Generator and Property Owner shall ensure that Waste not collected and all Containers are removed from the Collection Point before 7:00 pm on the day of collection, except that in the Downtown Collection Area, every Waste Generator and Property Owner shall ensure that Waste not collected and all Containers are removed from the Collection Point at or before 10:30 am on the day of collection.

2.6 **Container Requirements for Waste Placement**

Every Waste Generator and Property Owner shall ensure that no Waste is set out for collection except in Containers in accordance with the following:

2.6.1 General Waste

Loose in Garbage Cart as provided by waste collection service provider;

In a bag or liner inside Garbage Cart as provided by waste collection service provider.

Approved Quantities:

	Waste Containers			Recycling Container
	Small Cart	Medium Cart	Large Cart	Large Cart
Volume	120 litres (35 gallons)	240 litres (65 gallons)	360 litres (95 gallons)	360 litres (95 gallons)
Weight (Max)	54 KG (120 lbs)	100 KG (220 lbs)	145 KG (320 lbs)	145 KG (320 lbs)

Capacity of a Waste Cart shall be deemed to be exceeded when the container exceeds the approved maximum referenced weight, or when the container lid will not completely close. In such instances, the Town or their designate may elect not to collect material until capacity requirements are met for curbside collection.

Automated Collection Requirement:

Automated Waste Collection shall be provided for single residential detached, semi-detached, or townhomes fronting a municipal road allowance. For Multi-residential and Industrial, Commercial and Institutional properties, a maximum of one waste collection cart shall be permitted for every 8.5 metres of Lot Frontage, or at the discretion of the Director of Public Works.

For properties where waste generation rates, volumes or container needs do not comply with the above at the discretion of the Town, private containerized services shall be contracted at the sole responsibility of the waste generator.

2.6.2 Sharp Objects

In a rigid container, no larger than 0.6 metres (2 feet) in any dimension, securely taped to secure the contents, clearly labelled as containing Sharp Objects, placed inside the Garbage Cart

2.6.3 Recyclables

Loose in a Recyclables Cart, as provided by the recycling collection service provider or as otherwise directed by the Town or their recycling collection service provider.

2.6.4 Leaf and Yard Waste

Lose in a “Kraft Style” paper yard waste bag or in a rigid reusable container as supplied by the property owner.

A rigid reusable container shall have suitable handles or indentations to facilitate lifting and emptying of the container and shall have a weight not to exceed 20 KG (44 lbs).

All branches, limbs, brush (excluding Christmas trees) which meet the definition for Yard Waste shall be stripped and securely tied in compact bundles. No such bundle shall have a weight in excess of 20 KG (44 lbs) or have a dimension greater than 1 metre in length.

2.7 Collection Frequency

2.7.1 Collection of garbage material shall be collected on a weekly basis, year round with the exception of properties within the Downtown Core as noted in Schedule 3 which will receive waste collection twice per week, year round. Additional collection requirements shall be made by other means and at the expense of the Waste Generator or Property Owner.

2.7.2 Collection of recyclable material shall be collected on a bi-weekly basis, year round with the exception of properties within the Downtown Core as noted in Schedule 3 which will receive recycling collection twice per week, year round.

2.7.3 A curbside leaf and yard waste material collection shall occur at the discretion of the Director of Public Works or their designate.

2.8 General Nuisance

2.8.1 No person or property owner shall suffer or permit within the Town the accumulation upon their premises or lands, any garbage, waste or any other matter or thing which may endanger public health.

2.8.2 No person shall cause any waste material to be swept, thrown, cast, laid or otherwise directed on any land, road, creek, or public place in the Town.

2.9 Subject to Section 2.10 herein, no person shall pick over, interfere with, scavenge, disturb, remove or scatter any waste, recyclable material or other refuse set out for collection except an employee, authorized agent or representative of the Town providing collection services.

2.10 Notwithstanding Section 2.9 above, Town Council may designate certain days or times 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.

SECTION 3 – WASTE MANAGEMENT FACILITY

3.1 The Town shall designate the hours of operation for the Waste Management Facility in accordance with the Site's Environmental Compliance Approval and, as determined by

the Director of Public Works, or their Designate and shall be posted at the Site. Any changes in the hours of operation, will be posted at the Site a minimum of two (2) weeks in advance of the change in hours.

- 3.2 The Waste Management Facility shall be under the supervision of the Director of Public Works or their designate.
- 3.3 Waste collected by the Town, any citizen or private contractor within the limits of the Town shall be deposited at the Town's Waste Management Facility in accordance with this by-law.
- 3.4 The Town shall designate such areas within the Waste Management Facility as deemed necessary and appropriate for the depositing, temporary storage, handling and processing of all material regulated under this by-law.
- 3.5 Rates established by the Town and prescribed in the Towns Fee By-law, as amended, shall be applicable to all persons authorized to use the Site.
- 3.6 Material accepted for disposal and / or diversion at the Site shall be appropriately sorted and placed as follows:
 - (a) Disposable solid waste in the designated fill area or bin(s);
 - (b) Metal or Steel shall be placed in the designated scrap metal area or bin(s)
 - (c) Municipal Hazardous and Special Waste (MHSW) in the MHSW Depot sorting area or bin(s);
 - (d) Leaf and Yard Waste shall be placed in the designated composting area or transfer bin(s);
 - (e) Recyclable material in the recycling area or bins;
 - (f) Electronic Waste in the designated drop area or bin(s);
 - (g) Brush material shall be placed in the designated drop off area;
 - (h) Wood Waste shall be placed in the designated drop off area;
 - (i) Mattresses and Box Springs shall be placed in the designated container or bin;
 - (j) Textiles shall be placed in the designated container or bin.
- 3.7 No person shall by-pass the weigh scale, attempt weight manipulation or by any other means avoid assessment of tipping fees provided for by by-law.

- 3.8 No person shall fail to pay tipping fees in full provided for by by-law before leaving the Site unless a charge account has been approved in accordance with Town Policy.
- 3.9 Any loads of waste entering the Site which contain material not accepted for disposal shall be refused entry at the Waste Management Facility.
- 3.10 Small loads of waste carried by light trucks, cars and trailers will be accepted during the posted operational hours at the Site.
- 3.11 Loads of waste entering the Site which are carried by packers, luggers, cube vans, dump trucks or trailers or roll off trucks shall not be accepted within 30 minutes of the Sites closure. Furthermore, loads entering the Site by these means shall not be accepted at the Site on Saturdays without the prior approval of the Site's Supervisor.
- 3.12 No person shall dump or deposit waste, material, recyclable material or other refuse at the Site in accordance with the provisions of this by-law, except waste generated from a source located within the Town.
- 3.13 The Waste Management Facility shall employ a vehicular weigh scale for the purposes of fee determination and disposal tracking purposes. The Scale shall be calibrated a minimum of once per calendar year, with the time frame between calibrations not exceeding 16-months and shall be completed by a third party source as contracted by the Town.
- 3.14 In the event that the on-site scale system is unable to be used, the Waste Management Facility shall employ a price per axil fee system in accordance with the Towns Fee By-law, as amended. Should incoming loads be on a transportation vehicle equipped with a scale, the fee(s) may be determined by the provided weight, as determined by the Site Supervisor or their designate.
- 3.15 No person shall:
- 3.15 (a) Deposit waste at the Site outside of the hours of operation as determined by the Director of Public Works, or their designate.
 - 3.15 (b) Deposit any waste at the Site generated from outside of the Town's municipal boundary.
 - 3.15 (c) Deposit any waste which has been designated by the Town as a prohibited material, and as posted at the Site.
 - 3.15 (d) Deposit any burning material or have any material with an open flame at the Site.
 - 3.15 (e) Deposit waste in a location other than its designated disposal area and / or as directed by Site Operators.

- 3.15 (f) Operate a motor vehicle at the Site other than on designated roadways or driveways, without due care and attention or at greater than the posted speed.
- 3.15 (g) Permit pets or animals to be at the Site, other than within a transportation vehicle.
- 3.15 (h) Scavenge or salvage at the Site.
- 3.15 (i) Transport waste to or at the Site in a vehicle that has not be properly covered and protected in a manner required in the Highway Traffic Act.
- 3.15 (j) Transport or cause to be transported to the Site Waste that does not meet the requirements for Solid Non-Hazardous Waste.
- 3.16 All Waste deposited at the Site shall become the property of the Town and may be salvaged, reclaimed, recycled, disposed of or otherwise dealt with by the Town as the Town may deem fit.
- 3.17 Every user depositing waste at the Site shall pay the fee(s) as set forth in the Towns Fee By-law, as amended.
- 3.18 The Town may at its own discretion prohibit certain materials from the landfill site that may be difficult to process, handle, damaging to the environment and / or personal safety. Prohibited material shall be posted and visible at the landfill site.
- 3.19 An administration fee shall be charged by the Town to provide duplicate copies of tickets for tipping fees when requested, in accordance with the Towns Fee By-law, as amended.
- 3.20 No person(s) shall attend or trespass at the Site except for the purposes of depositing waste or for other lawful business.

SECTION 4 – LEAF AND YARD WASTE CONVENIENCE DEPOT

- 4.1 The Town shall provide and maintain a Leaf and Yard Waste convenience depot at a location as determined by the Director of Public Works or their designate that is accessible to the public twenty four hours per day, seven days per week.
- 4.2 No person shall dump or deposit waste material, recyclable material or other refuse at the Convenience Depot in accordance with the provisions of this by-law.
- 4.3 Material accepted for disposal and / or diversion at the Convenience Depot shall be appropriately sorted and placed as follows:
 - (a) Brush material shall be placed in the designated storage area;

- (b) Leaf and Yard Waste shall be placed in the designated transfer area or bin(s);
- 4.4 Material deposited at the convenience depot shall be transferred to final storage or processing areas at the St. Marys Landfill Site as determined by the Director of Public Works or their designate.

SECTION 5 – GENERAL AND ENFORCEMENT PROVISIONS

5.1 Offences

Any person or corporation whom contravenes any provision of this By-Law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the Provincial Offences Act.

5.2 Fines

5.2.1 In addition to any other provision of this By-law, any person or corporation who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a minimum fine of \$500.00 and a maximum fine of \$100,000.00 as provided for in subsection 429(3)(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended.

5.2.2 A person or Corporation who is convicted of an offence under this By-Law is liable, for each day or part of a day that the offence continues, to a minimum fine of \$500.00 and a maximum fine of \$10,000.00, and the total of all daily fines for the offence is not limited to \$100,000.00 as provided for in subsection 429(3)(2) of the Municipal Act, S.O. 2001, c.25, as amended.

5.3 Conflicts with another Municipal By-Law

In the event of a conflict between the provisions of this By-Law and any other By-Law of the Town, the provision that establishes the higher standard to protect the health, safety and welfare of the general public shall prevail.

5.4 Validity

If a court of competent jurisdiction declares any subsection, section or part of this By-Law invalid, it is the intention of Council that the remainder of the By-Law shall continue to remain in force.

5.5 Severance

All Schedules, Forms and Tables attached to this By-Law shall form part of this By-Law, and the clauses, schedules and parts of schedules of this By-Law shall all be severable and any part of any of the schedules hereto annexed may be by By-Law altered by adding thereto or deleting therefrom.

SECTION 6 – EXEMPTIONS

- 6.1 Notwithstanding Section 2.9 of By-Law XX-2019 as amended, Town Council hereby grants an exemption(s) to the following named organization(s) and their authorized agents, from the specified Section or Sections of By-Law XX-2019 as amended, as follows:
- (a) The Kinsmen Club of St. Marys is exempt from Section 2.9 of By-law XX-2019 as amended, whereby Christmas Trees are placed by residents of the Town at curb side during the first week of January, which may be collected and removed by the Kinsmen Club of St. Marys and its authorized agents.
 - (b) The Kinsmen Club of St. Marys is exempt from Section 2.9 of By-law XX-2019 as amended, whereby Electronic Waste is placed by residents of the Town at curb side during the last week of April, which may be collected and removed by the Kinsmen Club of St. Marys and its authorized agents.
 - (c) The St. Marys Firefighter's Association is exempt from Section 2.9 of By-law XX-2019 as amended, whereby Scrap Steel is placed by residents of the Town at curb side during the last week of April, which may be collected and removed by the St. Marys Firefighter's Association and its authorized agents.

SECTION 7 – PREVIOUS BY-LAWS REPEALED

- 7.1 All previous By-laws pertaining to Waste Management are hereby repealed in their entirety: By Law 71-2012 is hereby repealed, By-Law 72-2012 is hereby repealed, By-Law 55-2015 is hereby repealed.

SECTION 8 – EFFECTIVE DATE

- 8.1 This By-law shall come into effect on the 1st day of January, 2020.

SECTION 9 – SCHEDULES

- 9.1 The following Schedule, as may be amended for part of this by-law:

Schedule 1 – Fees and Charges

Schedule 2 – Curbside Collection Areas

Schedule 3 – Downtown Collection Area

Schedule 4 – Examples of Materials included in the definition of Garbage

Schedule 5 – Examples of Materials included in the definition of Non-Collectable Waste

Schedule 6 – Examples of Materials included in the definition of Leaf and Yard Waste

Schedule 7 – Examples of Materials included in the definition of Recyclables

Schedule 8 – Examples of Materials included in the definition of Electronic Waste

Schedule 9 – Examples of Materials included in the definition of Municipal Hazardous and Special Waste (MHSW)

SECTION 10 – SHORT TITLE

10.1 This By-law may be referred to as the “Waste Management By-law”.

Read a first and second time this XX day of November, 2019.

Read a third and final time and passed this XX day of November, 2019.

Al Strathdee - Mayor

Brent Kittmer, CAO / Clerk

SCHEDULE 1

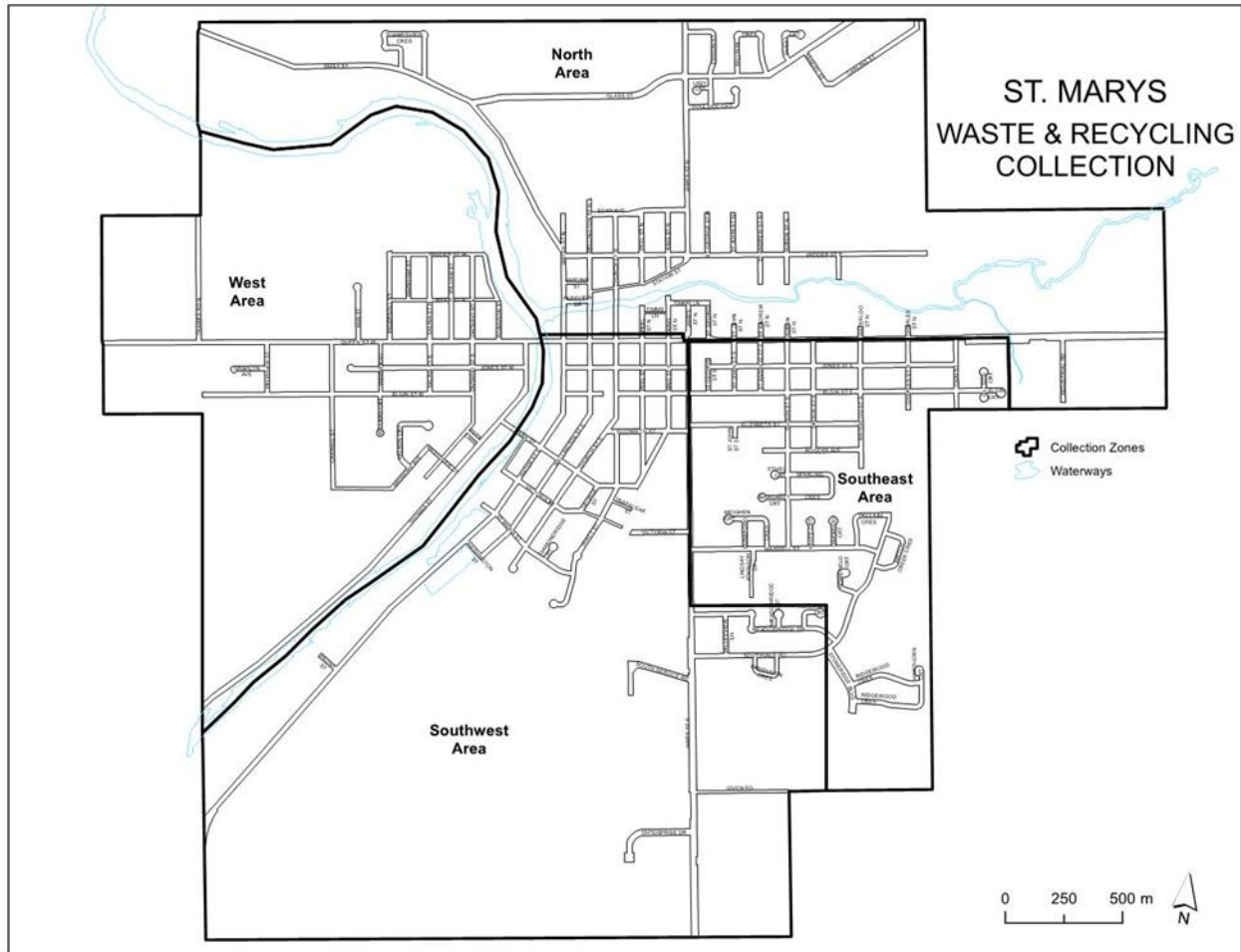
FEES AND CHARGES

Fees and Charges to be applied to Waste Management Services within the Town of St. Marys may be referenced within the most current "Fees By-law" for the Town of St. Marys, as amended.

SCHEDULE 2

CURBSIDE COLLECTION AREAS

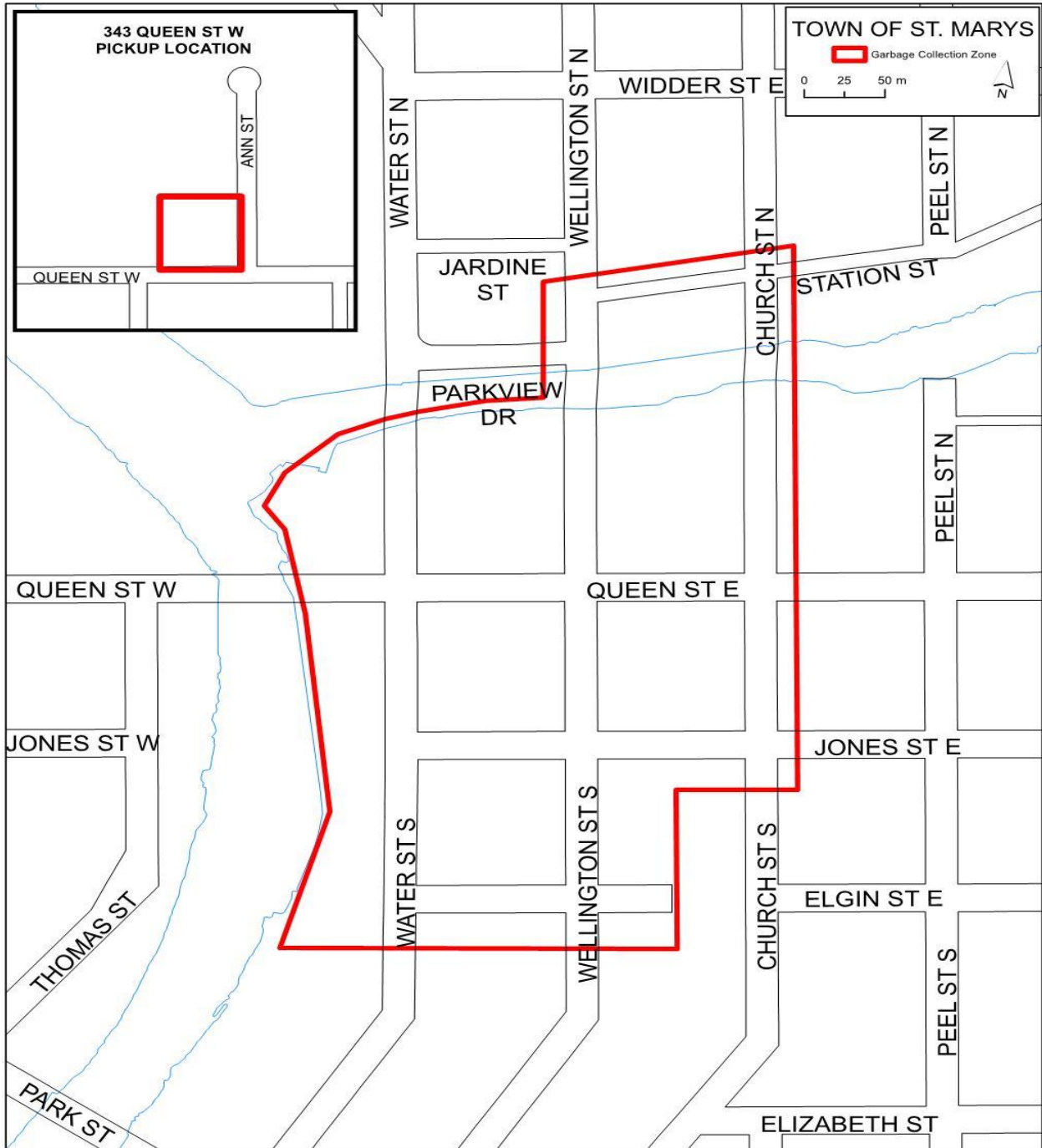
The “Curbside Collection Areas” means the area of the Town of St. Marys depicted on the following map within the boundaries identified:



SCHEDULE 3

DOWNTOWN COLLECTION AREA

The “Downtown Collection Area” means the area of the Town of St. Marys depicted on the following map within the boundaries identified:



SCHEDULE 4

EXAMPLES OF MATERIALS INCLUDED IN THE DEFINITION OF “GARBAGE”

The following are examples of materials included in the definition of “garbage” applied to waste management services within the Town of St. Marys:

- Artwork, a poster, vellum, a cleaned paint brush, and the like;
- Pet faeces, litter, litter waste and bedding waste, whether separate or intermingled enclosed in a Plastic Bag or bag;
- An empty plastic bag, cookie bag, cereal box liner, coffee package, foil pouch or packet, milk bag, butter wrapper, chip bag, plastic wrap, wrapper, and the like;
- Waxed paper, plastic lined fibre, a polycoated coffee cup;
- A piece of lint, dirt, dust, vacuum bag contents and the like;
- Diapers, hygiene products, sanitary products and the like;
- Balloon, board game, cards, electronic game part, crayon, sticker, piece of sporting equipment, toy, and the like;
- A binder, calculator, elastic band, marker, paper clip, pencil, pen, staple, piece of tape and the like;
- A small appliance no greater than 5 KG in weight, such as a hair dryer, kettle, toaster, clock and the like;
- A hair brush, comb, toothbrush, item of cosmetics, deodorant, soap and the like;
- An empty cooler, cork, furnace filter, lawn chair, picture frame, rubber glove, water softener salt, and the like;
- Polylactic Acid Plastic (PLA), biodegradable plastic, certified compostable plastic (including bag, liner, container, utensil, plate), and the like;
- Any other item designated as Garbage by the Director of Public Works or their Designate.

SCHEDULE 5

EXAMPLES OF MATERIALS INCLUDED IN THE DEFINITION OF “NON-COLLECTABLE WASTE”

The following are examples of materials included in the definition of “non-collectable waste” applied to waste management services within the Town of St. Marys:

- Any explosive or highly combustible material such as ammunition, oil soaked or gasoline soaked rag and the like;
- Any radioactive material;
- Any biomedical waste generated from an IC&I property such as a clinic, hospital, surgery or office of physician, surgeon, dentist, veterinarian and tattoo parlour, or the like;
- Any “Pharmaceutical” or “Sharp” as defined on Ontario Regulation 298/12 (Collection of Pharmaceuticals and Sharps – Responsibilities of Producers) under the Environmental Protection Act;
- Any infectious biomedical waste;
- Any “designated substance” as defined in the Occupational Health and Safety Act, R.S.O. 1990 Chapter 321;
- Any “Hazardous Waste” or “Liquid Industrial Waste” as defined in R.R.O. 1990, Regulation 347 (General – Waste Management) under the Environmental Protection Act;
- Any septic tank pumping, raw sewage, sewage sludge or industrial process sludge;
- Any “municipal hazardous or special waste”, as defined in Ontario Regulation 387/16 (Municipal Hazardous or Special Waste) under the Waste Diversion Transition Act, 2016) including but not limited to:
 - Soil, Rock, Stone, gravel and the like;
 - Waste brought into the Town from outside of its geographic limits;
 - A tire, car battery or large (greater than 2 KG) automotive parts;
 - Recyclables or Garbage which has not been drained, prepared or packaged for collection in accordance with the provisions of this By-law;
 - Material which is frozen or stuck to a container and cannot be removed by shaking manually or by the automated arm of the collection vehicle; and,
- An animal carcass, other part or any portion thereof of any dog, cat, fowl or any other creature with the exception of bona fide kitchen or food waste;
- Any other item designated as Non-collectable Waste by the Director of Public Works or their Designate.

SCHEDULE 6

EXAMPLES OF MATERIALS INCLUDED IN THE DEFINITION OF “LEAF AND YARD WASTE”

The following are examples of materials included in the definition of “organics” applied to waste management services within the Town of St. Marys:

- Leaves, branches (3 inches in diameter or smaller) and twigs;
- Flowers and garden plants;
- Shrubs;
- Pumpkins;
- Grass clippings, sod and weeds;
- Any other item designated as Leaf and Yard Waste by the Director of Public Works or their designate.

SCHEDULE 7

EXAMPLES OF MATERIALS INCLUDED IN THE DEFINITION OF “RECYCLABLES”

The following are examples of materials included in the definition of “recyclables” applied to waste management services within the Town of St. Marys:

- Aluminium foil, pie plate, pop can and the like;
- Boxboard: a tissue or cereal box, paper towel roll, frozen juice container and the like;
- Cardboard: a flattened box, pizza box, brown Kraft paper bag, and the like;
- Glass: a bottle, jar (any colour), and the like;
- Newsprint: a newspaper including a flyer or insert, an egg carton or flat, a magazine or catalogue, a telephone book, and the like;
- Paper: writing paper, envelope (includes windowed), calendar (spiral binding removed), book (covers removed), and the like;
- Plastic container: any plastic container, such as a bottle or jar, food or beverage container, tub and lid, and the like;
- Steel: food or beverage can or tin (soup, juice, etc.);
- Any other item designated as Recyclable by the Director of Public Works or their designate.

SCHEDULE 8

EXAMPLES OF MATERIALS INCLUDED IN THE DEFINITION OF “ELECTRONIC WASTE”

The following are examples of materials included in the definition of “Electronic Waste” applied to waste management services within the Town of St. Marys:

- Televisions and display monitors;
- Circuit boards;
- VCRs and DVD players;
- Storage and networking equipment;
- Computers: Desktops, Laptops and Tablets;
- Cell Phones and mobile devices;
- Any other item designated as Electronic Waste by the Director of Public Works or their designate.

SCHEDULE 9

EXAMPLES OF MATERIALS INCLUDED IN THE DEFINITION OF “MUNICIPAL HAZARDOUS AND SPECIAL WASTE”

The following are examples of materials included in the definition of “Municipal Hazardous and Special Waste” applied to waste management services within the Town of St. Marys:

- Antifreeze and the containers in which it is contained;
- Fertilizers, fungicides, herbicides, insecticides or pesticides and the containers in which they are contained;
- Containers that have a capacity of 30 litres or less and that were manufactured and used for the purpose of containing lubricating oil;
- Paints and coatings, and the containers in which they are contained;
- Pressurized containers such as propane tanks and cylinders;
- Single use dry cell batteries
- Solvents, and the containers in which they are contained.

All items under the Municipal Hazardous and Special Waste program to be deposited at the drop off facility shall be deposited in sealed, labelled containers free of leaks, defects, etc.