

# THE CORPORATION OF THE MUNICIPALITY OF POWASSAN

## BY-LAW 2023-17

---

**Being a Bylaw for establishing and maintaining a system for the collection, removal, and disposal of garbage, recyclable materials, yard waste, and other refuse.**

---

**WHEREAS**, Section 11 (2) of the Municipal Act, 2001, as amended, gives municipalities the authority to pass by-laws respecting matters within the spheres of jurisdiction as described in the Table to this Section.

**AND WHEREAS**, the Table in Section 11 (2) of the Municipal Act, 2001, lists waste management as a "sphere of jurisdiction" for single tier municipalities.

**AND WHEREAS**, the Council of the Corporation of the Municipality of Powassan deems it necessary to establish rules and regulations governing policies relating to the disposal of garbage and to implement tipping fees to cover costs associated with the disposal of garbage and other refuse.

**NOW THEREFORE**, the Council of the Corporation of the Municipality of Powassan enacts as follows:

### 1. SECTION 1- DEFINITIONS

- 1.1. "Bag" shall mean a non-returnable plastic bag which is for Residential and Commercial use; bag dimensions not greater than 30" x 33", with a maximum volume of 90 litres and weighing not more than 40 pounds.
- 1.2. "Biomedical Waste" shall mean whether solid or liquid, including but not limited to any animal or human organ or part thereof, bone, muscle, or animal or human tissue or part thereof, used bandages, poultices, dressings, vials or any other similar material or substance which contains or may contain pathogenic micro-organisms, or which may be hazardous or dangerous.
- 1.3. "Commercial User" shall mean an owner/operator of an Industrial or Commercial facility or business, as determined where the assessed value of said facility or business is at least 40% in a Commercial or Industrial property tax class.
- 1.4. "Council" shall mean the Council of the Corporation of the Municipality of Powassan.
- 1.5. "Domestic Waste" shall mean the waste produced by residents in their homes.
- 1.6. "Household Hazardous Waste" shall mean waste requiring special care as itemized in Schedule 'A' of this By-law;
- 1.7. "IC&I Waste" shall mean waste produced by the industrial or commercial sector.
- 1.8. "Mixed Use" shall mean a property which contains both a primary dwelling unit, and meets the criteria to be classified as a Commercial User.
- 1.9. "Multi-Residential" shall mean complexes that contain three or more residential units.
- 1.10. "Municipality" shall mean the Corporation of the Municipality of Powassan.

- 1.11. "Non-Collection Waste" shall mean the materials as described in Schedule 'B' that will not be picked up at the curbside.
- 1.12. "Privacy Bag" shall mean an opaque bag no larger than a grocery bag, that provides an adequate method to enable residents to shield material they would prefer not to be exposed for view such as sanitary products, diapers, or incontinence products.
- 1.13. "Recyclable" shall mean those classifications of waste capable of being diverted from the normal waste stream as specified in Schedule 'D'.
- 1.14. "Refuse" shall mean the same as "waste".
- 1.15. "Residential Dwelling Unit" shall mean any single parcel of land containing a primary residential dwelling, or group of adjoining parcels of land which have at least one (1) mutually shared owner.
- 1.16. "Salvaging" shall mean the process of finding items for the purpose of reuse.
- 1.17. "Special Area" shall mean an area at the Landfill/Recycling site, designated for a particular purpose.
- 1.18. "Unacceptable Waste" shall mean waste not accepted at the waste site as itemized in Schedule 'E' to this By-law.
- 1.19. "Untagged Bags" shall mean bags for which payment is subsidized through property tax levy, and for which additional charges will not apply.
- 1.20. "User" shall mean an owner of a residence or multi residential property, or a tenant of a residence or multi residential property entitled to place refuse and recyclables at the curbside for collection or to dispose of them at the Landfill/Recycling Site.
- 1.21. "Waste" shall include domestic and solid non-hazardous, non-recyclable refuse and other wastes as designated and as approved by the Ministry of the Environment.

## **2. SECTION 2- RESIDENTIAL GARBAGE COLLECTION**

- 2.1. Users with a Residential Dwelling Unit located on a year-round maintained road will be provided with garbage collection at their curbside.
- 2.2. Users will be provided with two (2) Untagged Bags per week, per Residential Dwelling Unit for curbside collection.
- 2.3. Properties classified as Multi-Residential, with twelve (12) or fewer taxable units, shall be allocated two (2) untagged Bags per week, per unit.
- 2.4. Properties classified as Multi-Residential, with greater than twelve (12) taxable units, will not receive a weekly allocation of Untagged Bags and will not receive curbside collection services.
- 2.5. Bags in excess of the amount allocated per week must be tagged at the curbside to be collected. Tags must be purchased at the Municipal Office, for a fee as per the governing User Fees By-law.
- 2.6. Payment must be made for all Bags which are brought by a resident to the Landfill/Recycling site. Users may not claim these bags as part of their weekly Untagged Bag allocation.
- 2.7. Any unused allocation in any given week is forfeited and does not carry forward to be credited against collection in any future week.

- 2.8. Vacant landowners are not classified as Users as defined in this By-law and will not be provided with curbside collection.
- 2.9. No waste other than Bags shall be collected at the curbside; all other waste shall be considered Non-Collection Waste and must be brought to the Landfill/Recycling site.
- 2.10. Tipping fees for all Non-Collection Waste shall be as per the User Fees By-law.

### **3. SECTION 3- COMMERCIAL GARBAGE COLLECTION**

- 3.1. Commercial Users may elect to receive curbside waste collection services, for a fee as per the User Fees By-law.
- 3.2. Commercial Users receiving curbside waste collection services will be allocated 6 (six) Untagged Bags per week. For greater clarify, the six (6) bag allocation is per Commercial User; a single Commercial User will not be assigned multiple Untagged Bag allocations.
- 3.3. Bags in excess of the amount allocated per week will be invoiced to the Commercial User quarterly. Invoices will be due within thirty (30) days.
- 3.4. Any unused allocation in any given week is forfeited and does not carry forward to be credited against collection in any future week.
- 3.5. Invoices that are outstanding after thirty (30) days will be added to the tax roll, and interest accumulated thereon at 1.25% per month.
- 3.6. Any Commercial User for which two (2) invoices are unpaid in full, will receive a suspension of services. Service will only be reinstated at the discretion of the lead Municipal Administrator, after all outstanding balances have been paid in full.
- 3.7. No Waste other than Bags shall be eligible for commercial waste collection services.
- 3.8. A Commercial User is not permitted to tag bags in excess of their Untagged Bag allocation.
- 3.9. Payment must be made for all Bags which are brought by a Commercial User to the Landfill/Recycling site. Commercial Users may not claim these bags as part of their weekly Untagged Bag allocation.
- 3.10. A property which is considered Mixed Use shall receive eight (8) Untagged Bags weekly.
- 3.11. A Commercial User whose property is classed as 'Exempt' for the purposes of taxation shall not receive any Untagged Bags.

### **4. SECTION 4- SITE OPERATION**

- 4.1. The Municipality operates a Landfill/Recycling site, described as follows:  
40 Proudfoot Road, Powassan; CON 7 PT LOT 15 PT PCL 4820
- 4.2. The Landfill/Recycling site shall be available for the depositing of waste produced within the Municipality of Powassan, in accordance with this By-law.
- 4.3. No person shall enter and/or leave the Landfill/Recycling site without showing proper identification to the Landfill/Recycling site attendant upon request that verifies residence within the Municipality of Powassan, or by otherwise verifying that the origin of the waste is within the Municipality.

- 4.4. The Landfill/Recycling site shall only be used when the Attendant is on duty, as outlined in Schedule 'C' of this By-law, or otherwise by written agreement with the Municipality.
- 4.5. All waste material shall be transported to the Landfill/Recycling site in a manner as to prevent scattering or losing of waste while en route to the waste site.
- 4.6. All waste must be properly sorted and disposed of in the Designated Areas, upon payment of the applicable tipping fees as per the User Fee By-law.
- 4.7. Household Hazardous Waste as identified in Schedule 'A' of this By-law shall not be accepted at the Landfill/Recycling site. This waste must be disposed of at an external site as advertised by the Municipality.
- 4.8. Other Unacceptable Items as outlined in Schedule 'E' to this By-law will not be accepted at the Landfill/Recycling site.
- 4.9. Salvaging will not be permitted at the Landfill/Recycling site. This applies to the entire site and includes the scrap and white goods, electronics, and glass.
- 4.10. Regulations of the Ministry of Environment, the Environmental Protection Act, and Certificates of Approval shall be observed at all times.
- 4.11. The Municipality reserves the right to prohibit any individual, firm, or Corporation from accessing the Landfill/Recycling site.

## **5. SECTION 5- STORAGE AND CURBSIDE COLLECTION**

- 5.1. No person shall store waste on a property outside of a building that is not in a closed, animal resistant container and further, that said container shall not be stored in the front yard of that property.
- 5.2. Household Hazardous Waste as outlined in Schedule 'A' of this By-law shall not be collected as curbside waste and must be disposed of at an external site as advertised by the Municipality.
- 5.3. Other Unacceptable Items as outlined in Schedule 'E' of this By-law shall not be collected as curbside waste.
- 5.4. Scavenging of any kind will not be permitted.
- 5.5. Waste and recycling collection will be provided as per the schedule circulated annually by the Municipality. Waste and recycling must be to the curb by 7:00 a.m. of the collection day. The Municipality will not return to collect waste or recycling that was not brought to the curb on time.
- 5.6. Waste and recycling shall be placed as close as possible to the edge of the street adjacent to the owner's property but not so as to impede or interfere with the flow of traffic or maintenance of the roadway.
- 5.7. Collectible waste placed out for collection shall be properly tagged as specified in Sections 2.2 and 2.5 of this By-law.
- 5.8. Recycling shall be placed securely in a Blue Bin.
- 5.9. Tagged bags with large quantities of visible recycling (over 10%) will not be picked up.
- 5.10. Waste or recycling that does not comply with this bylaw shall not be collected and will have a sticker affixed to it indicating why it was not collected. It is the User's

responsibility to remove these materials from the curbside within 12 hours and to store them as per Section 4.1 of this By-law until the following scheduled collection day, or to transport them to the Landfill/Recycling site for disposal.

5.11. Only recycling outlined in Schedule 'D' to this By-law will be collected.

**6. SECTION 6- ENFORCEMENT, REPEAL AND ENACTMENT**

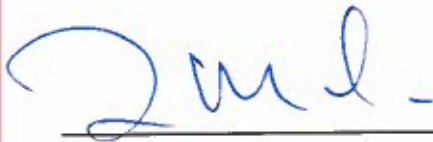
6.1. That any person, firm, or Corporation who contravenes any of the provisions of this By-law, or attempts to unlawfully dispose of garbage without the purchase or payment of applicable fees, will be guilty of an offence and upon conviction is liable to a fine not exceeding the sum of \$5,000.00, including costs for each offence and all such fines will be recoverable under the provisions of the Provincial Offences Act.

6.2. That all Schedules attached hereto form part of this By-law.

6.3. That all previous By-laws and resolutions, and parts of By-laws and resolutions, inconsistent with the provisions of this By-law are hereby repealed.

6.4. That this By-law shall come into force and effect on the 1<sup>st</sup> day of August 2023.

Read a FIRST, SECOND, and THIRD time and passed for the immediate benefit of the community this 1<sup>st</sup> day of August 2023.



Mayor



Clerk

## Schedule 'A'

### Household Hazardous Waste

Acetic acid- oxalic acid	Insecticide
Acid aerosols	Insulating foam
Anti-freeze	Kerosene/thinners
Antiseptic	Liquid waxes & polishes
Arsenicals	Liquid medication
Baking soda	Muriatic acid-pool chemicals
Barbecue lighter fluid	Nickel/cadmium/alkaline
Bleach	Oil filters
Botanicals	Oils/brake fluids/transmission oil
Bug killer	Organic bases
Caustic aerosols	Oven cleaners/disinfectants
Cell phones/games/flashlights, etc.	Petroleum distillates
Cement cleaner	Pharmaceuticals
Ceramic paints	Photo processing waste/boric acid
Chlorinated hydrocarbons	Power steering fluid
Degreaser	Propane cylinders
Driveway sealer	Rat poison
Elemental mercury	Roofing tar/calking tubes
Ethanol/methanol/toluene acetone	Rust remover
Expired medication (not liquid)	Shellac/resins/urethanes/varnish
Fertilizers	Silver polish
Fire extinguishers	Soaps/detergents
Fly sprays, flea sprays and collars	Spray paints
Fondue fuel/methyl hydrate	Stains/varnishes
Fungicide	Steel/aluminum cleaners/drain cleaner
Furniture polish	Sulfuric acid
Gas/oil mix	Toilet bowl cleaner
Gasoline/ diesel/naphtha gas	Varsol-paints
Glue/epoxy/adhesives	WD40
Herbicides	Window cleaners
Household paints	
Household cleaners	

**Schedule 'B'**  
**Non-Collectible Waste**

Items which will not be picked up at the curb will include the following:

- a) Household Hazardous Waste- Schedule 'A'
- b) Items which require Tipping Fees as per the User Fees By-law
- c) Unacceptable Waste as per Schedule 'F'

**Schedule 'C'**  
**Landfill Hours**

Regular Operating Hours:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Closed	Closed	Closed	8 a.m. – 12 p.m.	Closed	8 a.m. – 12 p.m.	8 a.m. – 4 p.m.

Closed on Holidays: New Years Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Remembrance Day, Christmas Day, and Boxing Day



## **Schedule 'D'**

### **Recyclable (Blue Box) Items**

- Cans (pop, soup, etc.)
- Plastic Bottles (water, pop, juice etc.)
- Plastic Tubs and Jugs (sour cream, yogurt, laundry detergent, etc.)
- Glass Bottles and Jars
- Empty, Dry Paint Cans (take lid off)
- Aerosols (empty health, beauty, food aerosols only)
- Grocery bags and Plastic film (newspaper bags, saran wrap etc.)
- Newspapers
- Coffee Cups
- Magazines/Catalogues/Phone Books
- Hard & Soft Covered Books
- Junk Mail and Office Paper
- Milk Cartons and TetraPaks
- Boxboard (cracker/cereal boxes etc.)
- Spiral Wound Tubes (Pringles, concentrated juice packages etc.)
- Corrugated Cardboard (breakdown no larger than 40"x40"x8" or 100cmx100cmx20cm).  
Loose cardboard must be bundled and tied together.

**Schedule 'E'**  
**Unacceptable Waste**

Items that are not acceptable at either the Hazardous Waste Days or the Landfill/Recycling Site include, but are not limited to:

- Stumps
- Automobiles
- Vehicle parts
- Recreational vehicles-snow machines, canoes, campers etc.
- Recreational vehicle parts
- Cement
- Asphalt
- Florescent bulbs