

Corporation of the City of Clarence-Rockland

By-law 2023-36

Being a By-law to Govern the Collection of Waste and the Provision of Waste Management Services in The City of Clarence-Rockland and to Repeal By-law 1998-57 of The City of Clarence-Rockland

Whereas the Council of The City of Clarence-Rockland is authorized by Part II of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, to pass by-laws for regulating, prohibiting, and requiring persons to do things respecting waste management;

NOW THEREFORE, the Council of The City of Clarence-Rockland hereby enacts as follows:

1. SHORT TITLE

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

2. ADMINISTRATION

Director of Operations — Powers and Duties

The Director of Operations or his designate is authorized to:

- a. designate Collection locations;
- b. determine whether a property is eligible for Collection as described in Article 4 - Eligibility Requirements for Collection and whether it will receive Curbside Collection or Bulk Collection;
- c. without limiting any other remedy of, or enforcement measure available to, the City upon thirty (30) days written notice to the Owner discontinue or refuse Collection to any Property:
 - i. that ceases to meet any eligibility requirement described in this Bylaw; or;
 - ii. for which, in the Director of Operations' opinion, it is not feasible for any other reason to provide, or to continue to provide, Collection;
- d. suspend Collection in all or part of the City for specific periods of time, in the event of inclement weather, labour disputes or conditions that may render the provision of Collection unsafe;
- e. establish site specific Collection and storage requirements;
- f. approve additional Collection for any Multi-Residential Property, subject to the payment by the Owner of the associated costs or fees; and
- g. establish such other measures as required for the proper administration of the City's waste management system.

Director of Operations — Powers and Duties

The Director of Operations is authorized to:

- a. determine the frequency and scheduling of Collection, in accordance with the provisions of this by-law;
- b. designate Approved Containers in addition to those described in Schedules "A" and "B";
- c. designate those items or materials comprising Recyclable Material, Organics, Yard Waste, a Metal Item or Large Appliance or that are otherwise collectible as Garbage;
- d. designate additional materials or items other than those described in Schedule "C" as Non-Collectible Waste; and
- e. approve any Waste Standards from time to time.

3. DEFINITIONS

For the purposes of this By-Law:

- 3.1. "Apartment" means a place of residence for persons consisting of four or more rental units;
- 3.2. "Bulky Items" shall mean large articles such as stoves, refrigerators, furniture, table, mattresses, bathtubs, water tanks, bicycles and the like which would normally accumulate at a dwelling unit and any other items designated as bulky items in Schedule "E" of this by-law;
- 3.3. "CFC" shall include any refrigerant containing the following substances: chlorofluorocarbon or hydrochlorofluorocarbon or the placement of appropriate notice by the licensed mechanic upon the refrigeration equipment, prior to disposal;
- 3.4. "City" shall mean The Corporation of the City of Clarence-Rockland;
- 3.5. "Collectable Waste" shall mean bulky items, garbage, recyclable material, and yard waste, each of which individually constituting a type of collectable waste, but shall not include non-collectable waste;
- 3.6. "Collection" shall mean the collection and removal of one or more type of collectable waste by the City or contractor hired by City;
- 3.7. "Contaminate" or "contaminated waste" shall mean the mixing of one type of collectable waste with another type of collectable waste or non-collectable waste;
- 3.8. "Commercial property" shall mean a property falling outside of the definition of dwelling unit;
- 3.9. "Composting" means the process of collecting and depositing Yard Waste or food waste in a suitably constructed enclosure or composting unit (composter) for the purpose of converting this material into fertilizer for soil;
- 3.10. "Disposable Waste" shall mean items falling outside of the definition of non-disposable waste;
- 3.11. "Dwelling Unit" shall mean suite of two (2) or more rooms used by one (1) or more persons living together, in which cooking, eating, living, sleeping and sanitary facilities are provided, and with a private entrance

accessed from outside the building, from a common hallway or from a common stairway. A dwelling unit does not include a bunk house, group home, recreational vehicles, hotels, motels, apartment buildings over six units;

- 3.12. "Garbage" shall mean items other than bulky items, recyclable material, yard waste and non-collectable waste;
- 3.13. "Garbage Container" shall mean: A non-returnable plastic bag, securely tied, having a capacity of not more than 80 litres, and composed of material not less than 1.5 millimetre gauge,
 - a. A returnable container manufactured for the purpose of storing garbage or waste, and having a capacity of no more than 121 litres, only if such a container is used for holding non-returnable plastic bags;
 - i. Max of weight capacity, less than 15kg/35 lbs when full,
 - ii. Watertight lid, and
 - iii. No fixed lid.
 - b. A bundle, flattened, compacted, and tied, with no dimension greater than 100 centimetres; and
 - c. Such other receptacle, in good working order, designated by the City as acceptable for setting out garbage.
- 3.14. "Designated Municipal Official" shall mean the Environment Manager of the Operations Services Department of the City of Clarence-Rockland, or designate;
- 3.15. "Environmental Laws" means, any and all statutes, by-laws, regulations, permits, approvals, certificates of approval, licenses, judgments, orders, judicial decisions, injunctions, and authorizations related to environmental matters or occupational health and safety, and which are applicable to the regulation of the Collectible Material;
- 3.16. "Household Hazardous Waste" shall mean the items referred to in Schedule D of this by-law;
- 3.17. "Household" shall mean a building containing at least one (1), but not more than six (6) dwelling units;
- 3.18. "IC&I Property" shall mean Industrial, Commercial, and Institutional" shall mean property or an industrial, commercial, and/or institutional unit in a mixed use property;
- 3.19. "Institutional Property" shall mean a property used for a public or non-profit purpose, including religious, charitable, or welfare, by an organization, foundation or society, and may include but is not limited to such uses as a place of worship or community centre;
- 3.20. "Municipal Law Enforcement Officer" shall mean a person appointed by the Council of the Corporation of the City of Clarence-Rockland for the purposes of enforcing City by-laws and for the purposes of this By-Law shall include the Ontario Provincial Police;
- 3.21. "Non-collectable Waste" shall mean the items referred to in Schedule A

of this by-law;

- 3.22. "Non-disposable Waste" shall mean the items referred to in Schedule B of this by-law;
- 3.23. "Person" shall mean any individual, company, corporation, partnership, firm, trust, sole proprietorship, government, or government agency;
- 3.24. "Premises" shall mean any land or any building, public or private, not defined under the definition of a dwelling unit;
- 3.25. "Recyclable Material" shall mean the items referred to in Schedule C of this by-law;
- 3.26. "Yard Waste" shall mean organic plant material generated from a yard or garden of a household residence including but not limited to leaves, tree trimmings, hedge trimmings, plants, weeds, cones, fruit, nuts and vegetables, Christmas trees, and any other items designated as yard waste by the City.

4. COLLECTION

Persons making use of any collection service shall comply with this section:

- 4.1. No person shall place any 'recyclable material' in the waste. If more than 10 percent (10%) of recyclable material is in the waste, it shall not be collected.
- 4.2. No person shall set out for collection any item not defined as collectable waste in this by-law. No person shall deposit or place out for collection collectable waste on a property not owned by that person or adjacent to a property occupied by that person.
- 4.3. Collectable waste set out for collection shall be placed as close as practicable to the edge of the municipally assumed roadway upon which the premises generating the collectable waste fronts, without obstructing the passage of vehicles pedestrians or both.
- 4.4. No person shall set out collectable waste earlier than 7:00 p.m. on the day immediately prior to collection and no later than 7:00 a.m. on the day of collection.
- 4.5. Persons setting out collectable waste shall remove any waste uncollected for any reason before 9:00 a.m. on the day following collection, whether or not collection has occurred.
- 4.6. No person shall place out for collection contaminated waste.
- 4.7. Contaminated waste shall not be collected.
- 4.8. Collectable waste shall be collected no more than once per week from each dwelling unit and commercial property receiving collection unless deemed otherwise by the Designated Municipal Official.
- 4.9. No person shall set collectable waste out for collection except using approved receptacles.
- 4.10. In the event that a regular collection day falls on a holiday, the

collection days affected by the holiday shall shift one day later for the remainder of the week.

- 4.11. Persons shall ensure that animals such as dogs are secured or tied to ensure safety of collection workers and uninterrupted collection.
- 4.12. IC&I properties must supply, yearly, a proof of contract for recycling services with a private supplier in order to be eligible for waste collection provided by the City.

5. RECYCLABLE MATERIAL COLLECTION

- 5.1. The collection of recyclable materials is not a municipal responsibility as of July 1st, 2023. The new Blue Box Regulation, made under the *Resource Recovery and Circular Economy Act, 2016*, mandates producers to operate and pay for the collection and reuse, refurbishment and recycling of blue box materials.
- 5.2. Recyclable Material is not allowed to be set out in any of the waste stream collections provided by the City.

6. GARBAGE COLLECTION

- 6.1. The total weight of an approved garbage receptacle including the contents shall not exceed 15 kilograms / 35 pounds.
- 6.2. Collection of garbage is limited to three (3) plastic bags (maximum 26" x 36") or two (2) garbage containers (20 gallons / 90 litres each) per unit per week.
- 6.3. Collection of additional garbage bags and containers that exceeds the limit must have a City issued bag tag attached.
- 6.4. Farm operations with bunk houses for seasonal workers shall be considered commercial property for the purposes of set out of garbage receptacles.
- 6.5. Every Owner of an apartment building, commercial or institutional establishment who places for collection more than ten (10) items per week shall be equipped, with an appropriate steel container, commonly known as dumpster, to be maintained in a location as approved by the Operations Services. Where a person has failed to equip himself with a dumpster the collector shall refuse to collect such waste.
- 6.6. Every Owner of an apartment building, commercial or institutional establishment shall be equipped, at Owner's expense, with an appropriate recycling container for the proper collection of recyclable materials.
- 6.7. Containers must be accessible at the time of collection. If not, collection will not occur, or a surcharge will be applied for the pick-up at a later date.
- 6.8. Containers located at apartment buildings, commercial or institutional establishments shall be picked-up by the City's contractor once a week. Should an additional garbage collection(s) be deemed necessary by Operations Services upon assessment of the collection needs of the establishment (including volume and types of waste) such collection(s) will be provided by the City's contractor. Unwarranted supplementary

garbage collection(s) will be provided by the City upon approval by Operations Services and conditional that the owner of the establishment remit payment of operational and administrative fees incurred, as determined by the City.

- 6.9. IC&I must comply with Section 3.1 (m) to be eligible for waste collection
- 6.10. The City shall provide all cottages, during the summer months, a regular and collection of garbage, provided that the material is placed at the intersection of a public road.

7. YARD WASTE COLLECTION

- 7.1. Collection of Yard Waste will occur every week during the period scheduled by the City, from April to November and in areas designated by the City.
- 7.2. 7.2 Any person making use of yard waste collection shall prepare and set yard waste out for collection using only a non-returnable kraft paper bag, constructed of wet strength kraft paper specifically designed for leaf and yard waste material, which shall be capable of supporting but have a weight not exceeding 15 kilograms / 35 pounds, and branches must be bundled, no larger than 1.2m/4 ft in length and 60 cm/2ft in width or individual branches must be less than 10cm/4 inch in diameter and 1.2m/4ft in length

8. BULKY ITEMS COLLECTION

- 8.1. The collection of bulky items shall be provided once per month on days designated by the City.
- 8.2. Curbside bulky items collection shall be provided only to properties on which a dwelling unit is situated.
- 8.3. Only Bulky Items with a prepaid sticker affixed will be collected.
- 8.4. Bulky items containing or having previously contained fluorocarbon refrigerants shall require an affixed ozone depletion tag as defined by Environmental Protection Act to be collected.
- 8.5. Bulky items will be accepted at the landfill subject to fees as set out by the City.

9. HOUSEHOLD HAZARDOUS DEPOT

- 9.1. A temporary waste depot for the collection of household hazardous waste shall be established from time to time at locations designated by the City for the purpose of disposing of household hazardous waste.
- 9.2. A temporary waste depot event for the collection of household hazardous waste shall only accept household hazardous waste.
- 9.3. Household hazardous waste shall be accepted for disposal only if it originates from a dwelling unit located within the geographic area of the City.
- 9.4. No person shall deposit any item at a household hazardous waste event that is not defined as household hazardous waste in this by-law

10. GENERAL PROVISIONS

- 10.1. No person employed by the City, or its contractors shall accept or receive any fee or gratuity, in addition to his or her wages, for services rendered or to be rendered in regard to this by-law.
- 10.2. Notwithstanding anything else contained in this by-law, the City may, under conditions satisfactory to the City and Council, provide a higher level of collection, it being understood that an additional charge may be levied for such service and this additional charge shall be determined by the City and approved by Council.

11. ANTI-SCAVENGING

- 11.1. No person shall pick over, interfere with, disturb, remove or scatter any collectable waste set out for collection.

12. UNCONTAINED MATERIAL

- 12.1. The owner of a premise shall not permit collectable waste to be set out other than in approved receptacles.
- 12.2. The owner of a premise shall be responsible for the immediate clean up or re-securing of collectible waste that has, for any reason, fallen out of either approved garbage receptacles or approved recycling receptacles.

13. ENFORCEMENT

- 13.1. This by-law shall be enforced by a Municipal Law Enforcement Officer.
- 13.2. The proper collection and disposal of garbage, as set out in this By-Law shall be under the general control and direction of the City and its Council.
- 13.3. The provisions of this By-Law may be enforced by the municipal By-Law Enforcement Officer.
- 13.4. No person shall obstruct, hinder, or interfere with the municipal By-Law Enforcement Officer in the performance of his-her duties.
- 13.5. The council, its agents, servants, etc. reserve the right to refuse to accept for disposal any material or a questionable nature or origin or any other material or waste prohibited for disposal at the site by reason of the provisions of the Ministry of Environment Environmental Compliance Approval.

14. PENALTY

- 14.1. Any person who contravenes any provision of this by-law is, upon conviction, guilty of an offence and is liable to any penalty set out in Section 77 of the Municipal Act, 2001, S.O. 2001, c.25 as amended from time to time or any successor thereof.
- 14.2. Where any provision of this by-law is contravened and a conviction entered, the court in which the conviction has been entered an any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

15. REPEAL OF EXISTING BY-LAWS

- 15.1. By-Law 1998-57 of The Corporation of the City of Clarence-Rockland,

as amended, is hereby repealed.

16. EFFECTIVE DATE

16.1. The effective date of this By-Law shall be the date of final passage thereof.

Read, passed and adopted in open council this 14 day of June, 2023.

Mario Zanth, Mayor

Monique Ouellet, Clerk

Schedule A

Non-Collectable Waste

The following items shall be deemed to be non-collectable waste for the purposes of this by-law:

1. any non-disposable waste as described in Schedule B,
2. manufacturers or industrial waste,
3. any materials which have become frozen to a container and cannot be removed by shaking,
4. stock of any wholesaler or retailer,
5. broken plaster, lumber or other waste resulting from the construction, alteration, repair, demolition or removal of any building or structure,
6. tree trunks and stumps, and branches that do not fall under the definition of Yard Waste,
7. boulders and concrete,
8. fence and fencing material,
9. electronics, and
10. any other items designated as non-collectable waste by the City.

Schedule B

Non-Disposable Waste

The following items shall be deemed to be non-disposable waste for the purposes of this by-law:

1. carcasses or parts thereof of any animal or other creature, save for bona fide kitchen and table waste,
2. automobiles or auto bodies, and other vehicles including water or fuel tanks, tires, farm machinery and any parts thereof,
3. explosives and any highly flammable or volatile substances of any nature whatsoever,
4. septic tank liquid, raw sewage sludge and industrial process sludge,
5. liquid or gaseous wastes,
6. hay, straw and manure,
7. trees, tree stumps, boulders and concrete in excess of 0.3 cubic metres,
8. hazardous waste as defined in Ontario R.R.O. 190, Reg. 347, as amended from time to time,
9. polychlorinated biphenyls (PCBs),
10. caustics and acids,
11. radioactive materials,
12. poisons, pesticides and herbicides,
13. Transient Waste,
14. biomedical waste including sharps or medical instruments, anatomical parts, dressings, bandages or other infected materials,
15. household hazardous waste,
16. waste gas cylinders such as propane,
17. recyclable material,
18. electronics,
19. organic materials which has not been drained of all liquids,
20. live animals or birds,
21. materials that contain hot live coals or fire,
22. asbestos waste, and
23. any other items designated as non-disposable waste by the City.

Schedule C

Recyclable Material

RESIDENTIAL RECYCLING

The Blue Box Program will transition to the full producer responsibility framework starting on July 1, 2023 through to December 31, 2025.

On April 15, 2019, the Minister of the Environment, Conservation and Parks directed RPRA and Stewardship Ontario to transition the management of Ontario's Blue Box Program to producers of plastic and other packaging. This will enable the transition of materials collected under the program to individual producer responsibility under the *Resource Recovery and Circular Economy Act, 2016*.

The Blue Box Program will transition to the new regulatory framework for resource recovery starting on July 1, 2023, for the City of Clarence-Rockland.

Ontario's New Blue Box Regulation

On June 3, 2021, the Government of Ontario released the Blue Box Regulation <https://www.ontario.ca/laws/regulation/210391> under the *Resource Recovery and Circular Economy Act, 2016*, requiring producers to operate and pay for the collection and reuse, refurbishment and recycling of blue box materials:

1. the following items shall be deemed to be recyclable material for the purposes of this by-law for sites that may continue to be serviced for waste collection by the City No recyclable materials shall be placed in the waste stream, as the City reserves the right to refuse waste collection. corrugated cardboard,
2. glass jars and bottles,
3. metal beverage and food cans,
4. newspaper,
5. polyethylene terephthalate (P.E.T.) containers,
6. polyvinyl chloride (PVC) and polypropylene (PP) containers,
7. high density polyethylene (HDPE) and plastic tubs,
8. mixed household paper, fine paper,
9. aluminium trays and foil,
10. boxboard,
11. magazines, catalogues, telephone books,
12. low density polyethylene (LDPE) film bags,
13. gable top cartons, tetra pac boxes,
14. metal paint cans,
15. aseptic (Tetra Pak) containers,
16. aerosol containers,
17. spiral cardboard tubes and cans, and
18. any other items designated as recyclable material by the Province.

Schedule D

Household Hazardous Waste

The following items shall be deemed to be household hazardous waste for the purposes of this by-law:

1. lead acid batteries;
2. dry cell batteries;
3. propane cylinders;
4. motor oil;
5. antifreeze;
6. latex and oil-based paint;
7. solvents;
8. flammable liquids;
9. pesticides;
10. sharps
11. other household materials bearing the ignitable, corrosive, explosive, reactive or poisonous symbol;
12. pharmaceuticals;
13. any other items designated as household hazardous waste by the City.

Schedule E

Bulky Items

RESIDENTIAL ONLY

The following items shall be deemed to be bulky items for the purposes of this by-law:

1. sofas,
2. couches,
3. desk,
4. chair,
5. table,
6. patio furniture,
7. mattress,
8. bedsprings,
9. bed frames,
10. bathtubs,
11. toilets (cleaned & emptied of water),
12. sinks,
13. water tanks,
14. bicycles,
15. barbeques without propane cylinders,
16. other large items that would normally accumulate from a household, and
17. other items designated as bulky items by the City.