

The Township of Cavan Monaghan

By-law No. 2020-05

Being a by-law to provide for the collection, removal, and disposal of residential waste and other waste material for the Township of Cavan Monaghan.

Whereas The Municipal Act S.O. 2001, Chapter 25, as amended, under Section 11 states that a lower tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public subject to the rules set out in Subsection (4);

Now Therefore the Municipal Council of the Township of Cavan Monaghan **enacts** as follows:

Definitions

Unless the context requires otherwise:

- 1.1 **Municipality** shall mean the Township of Cavan Monaghan.
- 1.2 **Council** shall mean the Council of the Township of Cavan Monaghan.
- 1.3 **Collector** shall mean a contractor or employee of the Municipality identified by the Director of Public Works to carry out the collection and disposal of waste and non-recyclable waste.
- 1.4 **Container** shall mean standard metal or plastic refuse containers with lids or standard clear waste bags fastened at the top weighing no more than 30 pounds each.
- 1.5 **Waste** shall mean garbage, refuse, and other waste that cannot be reused or recycled that is generated from acceptable sources (ie. Domestic household, commercial etc.) and approved from disposal by the Ministry of Environment and Climate Change and this By-law at the curbside and/or Transfer Station.
- 1.6 **Clear Waste Bag** shall mean a transparent bag no larger than 30 lbs (13.6 kg) which shall have no tint or colouring.
- 1.7 **Medical Waste Bag*** shall mean a solid coloured/tinted bag, no larger than 30 lbs (13.6 kg) for the purpose of medical waste disposal. *Exemption authorized by the Township of Cavan Monaghan required.
- 1.8 **Privacy Bag** shall mean a single non-transparent opaque bag no larger than

12" by 18" (30 cm by 45 cm) that may contain personal/private waste, which may be placed in the clear waste bag.

1.9 **Recyclable Materials** shall mean:

Accepted recyclable items as per the County of Peterborough Schedule and may change on occasion. Such as:

Containers

1. Glass - Clear and coloured food and drink bottles and jars
2. Plastic - Tubs and lids: yogurt, spreads and dips, sour cream, margarine
3. Bottles and jugs - water, juice, pop, lotion, shampoo, laundry detergent
4. Containers and trays - pre-cut fruit and vegetable trays, strawberry and baked goods containers. Including black plastic containers.
5. Cartons and Cups
6. Juice and milk cartons
7. Drinking and broth boxes
8. Coffee Cups (no lids)
9. Take-out cold drink cups. Single use disposable plastic cups are waste
10. Metal - Pop cans, pie plates and aluminum foil, Food and drink cans and tins, Empty paint cans (lids off and dry), Empty aerosol cans

Fibres

1. Boxes and Rolls - All boxes: cereal, cracker, shoe, shipping, Paper rolls: toilet, paper towel, wrapping paper tubes
2. Paper - printed paper and envelopes, newspaper and flyers, magazines and telephone books
3. Shredded paper - place in clear plastic bag
4. Plastic Bags - grocery, milk, bread bags, toilet paper and water bottle overwrap, soil and water softener bags, newspaper bags

Please consult the current County of Peterborough Recycling Guidelines.

1.10 **Bag Tag** shall mean a tag or a sticker issued by the Municipality (available upon payment of the applicable fee or otherwise, as set out in Schedule "A", from the Transfer Station at 1427 Syer Line), to be affixed to any clear bag or clear bags of waste and non-recyclable rubbish taken to the Transfer Station.

1.11 **Construction Debris** shall mean discarded building material, resulting from the erection, repair, demolition or improvement of buildings, structures or property.

1.12 **Household Hazardous Waste** shall include but not be limited to automobile fluids, paint or stain, cleaners, pesticides, batteries, fluorescent lights, medications or vitamins, propane tanks, or sharps

(needles/lancets). Household Hazardous Waste can be disposed of at Pido Rd or other approved facilities.

- 1.13 **Electronic Waste** shall mean any old or obsolete electronic equipment that cannot be reused. For example computers, printers, televisions, photocopiers, stereos, telephones, cell phones, cameras, video/cd/dvd/cassette players. This does not include electric items such as vacuum cleaners, kettles, blenders, or microwaves.
- 1.14 **Major Appliances and Large Household Furnishings** shall mean all large or bulky household mechanisms and/or other articles used in the home (stoves, washers, dryers, chairs, sofas, tables, beds, carpet, etc.) Note: Appliances containing freon will not be accepted at the Transfer Station.

Supervision

- 2.1 The proper collection and disposal of waste and non-recyclable waste shall be placed under the control of the Director of Public Works who shall be responsible to the Council either directly or through the Chief Administrative Officer as directed by Council.
- 2.2 In the event of it appearing during the administration of the provisions of this By-law that there is any matter or thing requiring to be dealt with as to which no provisions have been made or as to which the terms of this By-law are not clear, or which is in dispute, the Director of Public Works is hereby authorized to take such steps as are in his/her judgment advisable and to report the matter at the first opportunity to the Chief Administrative Officer and/or the Township Council.

Collection Procedure

- 3.1 The use of clear bags as noted in sections 1.4, 1.5, 1.6, 1.7, and 1.8 becomes mandatory as of January 1st, 2020.
- 3.2 Curbside collections shall be made at all residential and existing commercial properties in all Township wards.
- 3.3 Materials set out for collection shall normally be placed on the side of the road as established by the Director of Public Works and/or his/her designate. Materials are to be placed as close as possible to the edge of the road, or at the curb or on the boulevard of a public street in front of or adjacent to the residential or commercial establishment, without obstructing the roadway, sidewalk and/or mail delivery.
1. Where there is a change made to the precise point at which material shall be placed for collection, as determined to be

necessary by the Director of Public Works, written notice shall be given to the affected property owner/resident.

- 3.4 Material for collection shall not be placed on a highway, roadway, or other public property before 6:00 p.m. on the day preceding collection and shall be placed at the prescribed location for collection not later than 7:00 a.m. on the collection day.
- 3.5 Empty containers as well as all material which the collector refuses must be removed from the highway or from public property by the occupant of the premises from which they came, before 8:00 p.m. on the same day that the waste is collected or the material refused.
- 3.6 Collection from:
 1. Any residential dwelling shall consist of a total of not more than two (2) clear bags as defined in Section 1.4, 1.5, 1.6, 1.7, 1.8, and weighing 30 pounds (13.6 kg) or less each bag, per collection. Each bag placed curbside do not require bag tag but must be visible to collector.
 2. Any existing commercial property using municipal service, shall consist of a total of not more than four clear (4) bags, as defined in Section 1.4, 1.5, 1.6, 1.7, 1.8, and weighing 30 pounds (13.6 kg) or less per bag per collection. Each bag placed curbside do not require bag tag but must be visible to collector.
 3. Additional bag tags may be purchased as per Schedule "A" but purchase and disposal must be done at the Township Transfer Station.
- 3.7 Containers or bags in excess of the limits established in Section 3.6 shall not be collected but may be taken to the Transfer Station if a bag tag issued by the Municipality, as defined in Section 1.10, is affixed thereto.
- 3.8 Construction debris, major appliances and large household furnishings, recyclable waste and non-collectable waste as described shall not be collected by the Township but may be disposed of by an owner or tenant of land in the Township or his authorized agent at the appropriate location being the Transfer Station, Hazardous Waste Depot, or Peterborough City/County Landfill Site. Charges at the Transfer Station will be assessed according to Schedule "A" attached hereto.
- 3.9 Any appliances containing freon are not accepted at the Township's Transfer Station.
- 3.10 Electronics Waste will be accepted at the Township Transfer Station. Household Hazardous Waste and Sharps are banned from disposal with

- residential or commercial waste and must be responsibly disposed of at an approved facility.
- 3.11 Recyclable Waste shall be collected throughout the Township by the County of Peterborough on designated days.
 - 3.12 Non-Recyclable Waste may be disposed of by an owner or tenant of land in the Township, or his/her authorized agent, at the Township Transfer Station where charges will be assessed for the use of the site according to Schedule "A" attached hereto.
 - 3.13 Subject to the approval of the Director of Public Works, bag tags may be provided free of charge to an owner or tenant where there are extraordinary circumstances i.e. due to the Adopt-A-Road program.
 - 3.14 Curbside collection of lawn and garden waste will occur twice in the spring and four times in the fall of each calendar year throughout the Township, subject to annual scheduling.

Collector's Responsibilities

- 4.1 The persons employed as Collectors shall follow the established routes and conform to all instructions as set out by the Director of Public Works. The work of each route shall be completed as scheduled and the Collectors shall be courteous and render every reasonable service to the Householders for the proper execution of the work.
- 4.2 The Collector shall handle all receptacles with due care and after thoroughly removing their contents, shall replace the lids and place them where taken from. The Collector shall not overload any truck nor allow any of the contents to fall therefrom and shall carefully gather up any refuse, which may have been spilled on the ground.
- 4.3 In no instances shall the Collector be called upon to make collections from any point which, in the opinion of the Director of Public Works, is unreasonably inconvenient or dangerous to any employee, nor shall the Collector be required to remove containers from any point other than that designated by the Director of Public Works, and then only from containers in accordance with the definition provided in Section 1.4 of this By-law.
- 4.4 No salvaging of any description shall be conducted either on the collection routes or in and around the disposal area except within the designated Re-Use Centre at the Transfer Station.
- 4.5 Where, in the opinion of the Collector, there are reasonable grounds to suspect that there is recyclable waste or non collectable waste, in any waste

bag/container placed for collection, the Collector is authorized to open such bag to ascertain the contents thereof. The Collector has the authority to refuse to collect bags suspected of containing unauthorized contents.

- 4.6 All employees of the Contractor will follow all health and safety regulations as established by the Township and by the Province.

Householder's Responsibilities

- 5.1 Recyclable waste must be separated from waste and non-recyclable rubbish.
- 5.2 All waste and non-recyclable rubbish to be collected by the Township must be placed and kept in clear bags/containers, which meet with the standards set out in Section 1.4, 1.5, 1.6, 1.7, and 1.8. Containers shall be kept dry and regularly disinfected and shall be maintained in proper order and repair. No containers shall be filled above the top level.
- 5.3 All waste and recyclables must be placed out in a manner which is not dangerous to the Collector.
- 5.4 All waste and recyclable items must be placed out for collection by 7:00 a.m. on the appropriate collection day.
- 5.5 All Household Hazardous Waste must be properly disposed of at such locations as the Peterborough City/County Hazardous Waste Depot, private operators or through authorized County events. Electronics Waste can be disposed of at the Township Transfer Station.

Prohibitions

- 6.1 No person shall pick over, interfere with, disturb, remove or scatter any bundle, article or thing placed for removal, in containers or otherwise placed for removal.
- 6.2 No person shall keep a waste dump or container for waste material on his/her premises in such a condition or in such a location that the same is a nuisance or emits foul or offensive odors or harbours or attracts rats or other vermin or insects; and the body of any dead animal must be promptly disposed of by the owner thereof, so that the same shall not become a nuisance. Dead animals are not accepted at the Transfer Station or for curbside collection.
- 6.3 No person shall permit waste, rubbish, recyclable waste or any other waste material to be blown or dropped from the premises occupied by him/her on to any roadway or private property in the Township.

- 6.4 No person shall place, or permit to be placed or remain on or in any street or nature area, any article or thing in the nature of waste except as herein expressly authorized or as may be authorized by the Director of Public Works. Dumping is strictly prohibited and subject to costs and penalty under Provincial Law.

Enforcement and Penalty

- 7.1 For the purposes of this By-law, household waste and non-recyclable waste shall not be collected unless the recyclable waste components have been separated.
- 7.2 In the event that any section or sections of this By-law or parts thereof are found by a Court of competent jurisdiction to be invalid or ultra vires, such sections or parts thereof shall be deemed to be severable, with all other sections or parts of this By-law remaining in full force and effect.
- 7.3 Every person who contravenes any of the provisions of this By-law is guilty of an offence and is liable, upon conviction, to a fine as provided for in the Provincial Offences Act.
- 7.4 Duplication of the Official Bag Tag as described in section 1.10, without the express written consent of the Township of Cavan Monaghan is a contravention of this By-law.
- 7.5 Where any person fails to comply with the requirements or provisions of this By-law, such matter or thing may be done at such person's expense by the Municipality, and the Municipality may recover expenses therein incurred.

Enactment

- 8.1 That this By-law No. 2020-05 shall come into full force January 13, 2020 immediately upon the passing.
- 8.2 That any and all former By-laws with regard to this matter are hereby repealed in their entirety.

Read a first, second and third time and finally passed in Open Council this 13th day of January, 2020.

Mayor

Clerk

Schedule "A" To By-law No. 2020-05

Schedule of Fees

Tipping Fees

At the discretion of the Director of Public Works or his/her designate.

Volume or Type	Rate
Loose Waste and Non- Recyclable Waste	\$100.00 per ½ Ton Truck
Small Furniture	\$ 10.00 each
Large Furniture or Appliances	\$ 20.00 each
Special Items (i.e. boats)	\$100.00 each
Construction Debris	
Shingles (value determined by Transfer Station Supervisor)	\$10.00 Per Bundle Up to a maximum of \$100.00
Drywall	\$100.00 Per ½ Ton Truck
Excess Waste	\$100.00 Per ½ Ton Truck
Tires and Rims	Free Disposal As per Ontario Tire Stewardship Program
Scrap Metal	Free Disposal
Bag Tags	
Rate	
Bag Tags issued by the Township	\$ 2.25 each
Transfer Station – Items for Sale	
Sale of Blue Box	\$ 5.00 each

Fines

All Fines of offences under the Provincial Offences Act will be determined by the courts. Offenders, i.e. dumping, will be charged to the full extend of the Law for costs and penalty.