

**THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR
BY- LAW #39-2018**

Being a by-law for establishing and maintaining a system for the disposal of garbage, recyclable materials, yard waste and other refuse and to rescind By-law #65-2016

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 this Section lists waste management as a “sphere of jurisdiction” for single tier municipalities.

AND WHEREAS, the Council of the Township of Armour deems it necessary to establish rules and regulations governing policies relating to the disposal of garbage and to implement a “Partial Pay-Per-Bag” system for residents and to implement tipping fees to cover costs associated with the disposal of garbage and other refuse.

NOW THEREFORE, the Council of the Township of Armour enacts as follows:

1. SECTION 1 - DEFINITIONS

- 1.1. “Access Pass” shall mean a card provided to vacant land owners which allows access to all on site diversion programs. Vacant land owners must pay to dispose of waste.
- 1.2. “Bag/container” shall mean a non-returnable clear or transparent plastic bag or container which is for:
 - Residential Use: a capacity of not more than 128 litres, and dimensions not greater than 30" X 36"
 - Commercial Use: a capacity of not more than 205 litres, and dimensions not greater than 35" X 50".
- 1.3. “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;
- 1.4. “Commercial User” shall mean an owner/operator of an industrial, commercial or institutional facility/business (IC&I) entitled to place refuse into the Waste Management Facility;
- 1.5. “Council” shall mean the Council of the Township of Armour;
- 1.6. “Domestic Waste” shall mean the waste produced by residents in their homes;
- 1.7. “Hazardous Waste” shall mean waste requiring special care as defined by the Environmental Protection Act R.S.O. 1990, c. E.19;
- 1.8. “IC&I Waste” shall mean waste produced by the industrial, commercial or institutional sector;
- 1.9. “Landfill Identification Card” shall mean a card provided to “users” which allows access to all on site diversion programs and provides a system to control the disposal of clear or transparent bags/containers per household or commercial business;

- 1.10. "Privacy Bag" shall mean a bag to provide an adequate method to enable residents to shield material that they would prefer not be exposed for view. Such items may include sanitary products, diapers, or incontinence products.
- 1.11. "Waste Management Administrator" shall mean the person duly appointed and responsible for supervision and control of operations at the Waste Management Facility;
- 1.12. "Non-Collectable Waste" shall mean the materials as described in the Environmental Protection Act R.S.O. 1990, c. e. 19.
- 1.13. "Recyclable" shall mean those classifications of waste capable of being diverted from the normal waste stream;
- 1.14. "Refuse" shall mean the same as "waste";
- 1.15. "Salvaging" shall mean the process of finding items for the purpose of reuse;
- 1.16. "Scavenging" shall mean the process of finding items for the purpose of reuse;
- 1.17. "Special Area" shall mean an area at the Waste Management Facility, designated for a particular purpose;
- 1.18. "Township" shall mean The Municipal Corporation of the Township of Armour;
- 1.19. "Unacceptable Waste" shall mean waste not accepted at the Waste Management Facility and shall include any hazardous waste, stumps, vehicles, cement, railway timbers, asphalt biomedical waste and any other garbage, refuse or waste which is refused by the Attendant on duty;
- 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 into the Waste Management Facility;
- 1.21. "Vacant Land" shall mean land with no houses, offices or other permanent structures. Properties with an active building permit must acquire an occupancy permit prior to a Landfill Identification Card being issued.
- 1.22. "Waste" shall include domestic and solid non-hazardous, non-recyclable refuse and other wastes as designated and as approved by the Ministry of Environment;
- 1.23. "Waste Management Facility" shall mean the property situated at 141 Chetwynd Road, being Concession 8, Part Lot 8, 9 RP 42R5242 Part of Part 1, Township of Armour, District of Parry Sound.

2. SECTION 2 - "PARTIAL PAY-PER-BAG" and "TIPPING FEES"

- 2.1. "Users" will be provided with a Landfill Identification Card which will specify the number of free clear or transparent bags/containers the user is entitled to dispose of per year. Additional bags may be disposed of at the landfill site at a cost set in the current Township Fee By-law. The Landfill Identification Card can be picked up at their municipal office by "users". Free bags will be provided to new "users" during the year on a pro-rated basis based on the number of months left in the year and the number of free bags approved by Council for that year. New "users" will pick up their Landfill Identification Pass from their municipal office upon confirmation of purchase of property.

- 2.2. "Users" of the landfill site using bins or bags larger than those identified herein, shall prorate the use of free bags or prorate and pay for additional bags based on the following:

One bag = 128 litres or less, and 23 kg or less, and dimensions of 30" X 36" or less

- 2.3. "Commercial Users" of the landfill site shall have to provide identification to the Landfill/Recycling Attendant or shall pick up an access pass from their municipal office proving that they are entitled to use the landfill and shall have to pay for any waste to be deposited in the landfill based on the current Township Fee By-law.
- 2.4. Vacant land owners are not classified as "users" as defined in this By-law and will not be provided with free bags. Vacant land owners will be provided with an access pass and must pay to dispose of bags of waste.
- 2.5. Tipping fees for building materials, and other non-recyclable waste shall be as prescribed in the current Township fee by-law.

3. SECTION 3 - SITE OPERATION

- 3.1. The Township of Armour operates the Waste Management Facility.
- 3.2. The Waste Management Facility shall be available for the depositing of waste produced within the Township of Armour, Township of Ryerson, and Village of Burk's Falls in accordance with this By-law. Waste must be in a clear/transparent bag or reusable waste container for disposal.
- 3.3. No person shall enter and/or leave the Waste Management Facility without:
- Showing their landfill identification card to the Waste Management Facility Attendant;
 - Giving their name and address to the Waste Management Facility Attendant upon request;
 - Declaring the nature and origin of the waste if requested.
- 3.4. The Waste Management Facility shall only be used when an Attendant is on duty.
- 3.5. All waste material shall be transported to the Waste Management Facility in a manner so as to prevent scattering or losing of waste while on route to the Waste Management Facility.
- 3.6. All waste must be properly sorted e.g. landfill, recyclable, and divertible and must be disposed in the designated areas. Tipping fees may apply.
- 3.7. Hazardous Waste as defined by the Environmental Protection Act shall not be accepted at the Waste Management Facility. This waste must be disposed of at the Hazardous Depot at the Township of Strong site, on such days designated and advertised for that purpose.
- 3.8. Scavenging and salvaging will not be permitted at the Waste Management Facility. This applies to the entire site and includes the scrap, white goods and electronics. Charities wishing to recover LCBO glass at the site must be approved by the Township prior to collection.
- 3.9. All on-site health, sanitary and site operations shall be maintained in accordance with the Environmental Protection Act and Certificates of Approval.
- 3.10. The Township of Armour reserves the right to prohibit any person, firm or Corporation from using the Waste Management Facility.

4. SECTION 4 - ENFORCEMENT, REPEAL AND ENACTMENT

- 4.1. 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.
- 4.2. This by-law repeals by-law #65-2016.
- 4.3. That this By-law shall come into force and effect on January 1st, 2019.

Read a first, second and third time,
signed and the seal of the
Corporation affixed thereto and
finally passed in open Council this
24th day of July, 2018.

Original Signed by Bob MacPhail
Robert MacPhail, Reeve

Original Signed by John Theriault
John Theriault, Clerk