

## Township of Cavan Monaghan

### By-Law 2012-06

#### **Being a By-Law to Provide for the Collection, Removal, and Disposal of Residential Garbage 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 **Bag Tag** shall mean a tag or a sticker issued by the Municipality (available upon payment of the applicable fee, as set out in Schedule "A", from the Municipal Office and/or other outlets to be established), to be affixed to any bag or bags of garbage and non-recyclable rubbish put out for curbside collection or taken to the Transfer Station.
- 1.2 **Construction Debris** shall mean discarded building material, resulting from the erection, repair, demolition or improvement of buildings, structures or property.
- 1.3 **Container** shall mean standard metal or plastic refuse containers with lids or standard garbage bags fastened at the top weighing no more than 30 pounds each.
- 1.4 **Council** shall mean the Council of the Township of Cavan Monaghan.
- 1.5 **Garbage** shall mean kitchen and house refuse and table cleanings, fruit and vegetable parings, decaying vegetable, fruit and other food matter. Items that cannot be reused, recycled or that are not deemed hazardous waste.
- 1.6 **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).
- 1.7 **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.
- 1.8 **Major Appliances and Large Household Furnishings** shall mean all large or bulky household mechanisms and/or other articles actually 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.
- 1.9 **Municipality** shall mean the Township of Cavan Monaghan.
- 1.10 **Non-Collectable Waste** shall mean any waste or matter other than garbage and non-recyclable waste and shall include the following:

1. Manufacturer's or Industrial Waste
2. Any explosive, hazardous or highly combustible material of any nature whatsoever, including ashes
3. Construction debris
4. Scrap metal
5. Sawdust and/or shavings
6. Liquid waste
7. Hay, straw and manure
8. Carcass of any animal
9. Leaves and grass clippings (except special pick ups)
10. Tree Trunks, branches, green bundles greater than 3 feet
11. Major Appliances and/or Large Household Furnishings
12. Any material which has become frozen to the container and cannot be removed by shaking
13. Discarded tires
14. Recyclable Waste
15. Household Hazardous Waste
16. Electronics Waste
17. Medical Sharps

Note: Scrap metal and discarded tires (with or without rims) are accepted free of charge at the Township Transfer Station. Household Hazardous Waste, Electronics Waste, and Medical Sharps can be disposed of free of charge at the Peterborough City/County Household Hazardous Waste Depot.

1.11 **Non-Recyclable Waste** shall mean rags, sweepings, rubber, leather, crockery, shells, clothing, dirt, filth and similar waste material.

1.12 **Recyclable Materials** shall mean:  
Accepted recyclable items as per the County of Peterborough Schedule and may change on occasion. Such as:

#### **Containers**

1. Clear or coloured glass bottles and jars – metal lids removed
2. Plastic food and drink containers, tubs and lids
3. Metal pop cans, pie plates and tin foil
4. Metal food and drink cans and tins
5. Empty metal paint cans, lids removed
6. Empty aerosol cans
7. Milk cartons and juice boxes without straws

#### **Fibres**

8. News/writing paper, magazines, telephone books, envelopes, junk mail and flyers
9. Corrugated cardboard, file folders, construction paper  
Food boxes (liners removed)
10. Flattened and bundled cardboard 30" x 30" x 8"
11. Clean film plastic, grocery, milk, bread bags

**Please consult the current County of Peterborough Recycling Guidelines.**

1.13 **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 garbage and non-recyclable waste.

1.14 **Township** shall mean the Township of Cavan Monaghan.

## **Supervision**

- 2.1 The proper collection and disposal of garbage 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 Curbside collections shall be made at all current residential and commercial properties in Millbrook and North Monaghan Wards except for those which are located on roads that are not passable.
- 3.2 The collection of garbage, where applicable, shall be made once each week from each collection point.

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.
- 3.3 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.
  - 3.4 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 garbage is collected or the material refused.
  - 3.5 Collection from:
    1. Any residential dwelling shall consist of a total of not more than two (2) bags as defined in Section 1.3, and weighing 30 pounds or less each bag, per collection. Each bag shall have a bag tag affixed where visible to the Collector.
    2. Any existing commercial property using municipal service, shall consist of a total of not more than four (4) bags, as defined in Section 1.3, and weighing 30 pounds or less per bag per collection. Each bag shall have a bag tag affixed where visible to the Collector.
    3. Additional bag tags may be purchased as per Schedule "A".

- 3.6 Containers or bags in excess of the limits established in Section 3.5 shall not be collected but may be taken to the Transfer Station if a bag tag issued by the Municipality, as defined in Section 1.1, is affixed thereto.
- 3.7 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.
- 3.8 Any appliances containing freon are not accepted at the Township's Transfer Station.
- 3.9 Electronics Waste, Household Hazardous Waste and Sharps are banned from disposal with residential or commercial garbage and must be responsibly disposed of at an appropriate facility.
- 3.10 Recyclable Waste shall be collected throughout the Township by the County of Peterborough on designated days.
- 3.11 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.
- 3.12 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 medical requirements or the Adopt-A-Road program.
- 3.13 Curbside collection of lawn and garden waste will occur once in the spring and once in the fall of each calendar year throughout the Township.

#### **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 daily 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 1.3 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 garbage 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.

### **Householder's Responsibilities**

- 5.1 Recyclable waste must be separated from garbage and non-recyclable rubbish.
- 5.2 All garbage and non-recyclable rubbish to be collected by the Township must be placed and kept in bags/containers, which meet with the standards set out in Section 1.3. 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 garbage and recyclables must be placed out in a manner which is not dangerous to the Collector.
- 5.4 All garbage and recyclable items must be placed out for collection by 7 a.m. on the appropriate collection day.
- 5.5 All Household Hazardous Waste and Electronics Waste must be properly disposed of at such locations as the Peterborough City/County Hazardous Waste Depot, private operators or through authorized County events.

### **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 garbage 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.
- 6.3 No person shall permit garbage, rubbish, recyclable garbage or any other waste material to be blown or dropped from the premises occupied by him 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 garbage 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 garbage 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 1.1, 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 2012-06 shall come into full force April 1st, 2012 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 6th day of February, 2012.

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Mayor John Fallis

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Clerk Gail Empey

**Schedule "A"**  
**To By-Law 2012-06**

**Schedule of Fees**

**Tipping Fees**

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

<b>Volume or Type</b>	<b>Rate</b>
Loose Garbage 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
<b>Construction Debris</b>	
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
<b>Bag Tags</b>	
<b>Rate</b>	
Bag Tags issued by the Township	\$ 2.25 each
<b>Transfer Station – Items for Sale</b>	
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.