

**THE CORPORATION OF THE
TOWNSHIP OF EDWARDSBURGH CARDINAL**

BY-LAW NO. 2019-64

**“A BY-LAW TO PROVIDE FOR THE COLLECTION OF
GARBAGE AND OTHER WASTE MATERIALS”**

WHEREAS the Municipal Act, 2001, SO 2001, c.25, Sections 8 and 9(1)(a) provides authority to enable a municipality to govern their affairs as they consider appropriate;

AND WHEREAS the Council of the Corporation of the Township of Edwardsburgh/Cardinal deems it expedient to pass a by-law setting out policies and procedures for the collection and removal of garbage in the Township;

NOW THEREFORE the Council of the Corporation of the Township of Edwardsburgh/Cardinal enacts as follows:

1. DEFINITIONS

For the purpose of this by-law, the following words shall have the meaning given herein:

- 1.1 **“Alternating Weekly Collection”** means collection of plastics and cans one week and fibre the following week.
- 1.2 **“Collection Route”** means the work performed by one collection vehicle during a Regular Collection Day.
- 1.3 **“Collection Schedule”** means the area divisions for the purpose of waste collection service as described in Schedule “A” of this by-law.
- 1.4 **“Contractor”** means the company, firm or supplier that has entered into a contract to supply the goods and equipment and to perform the services of curbside waste collection.
- 1.5 **“Eligible Units”** means households, dwellings, multi-residential units and/or commercial units on a collection route.
- 1.6 **“Enforcement Officer”** means a person appointed by Council as a municipal By-law Enforcement Officer, Ontario Provincial Police, or the Royal Canadian Mounted Police to enforce this By-law.
- 1.7 **“Fibre”** means newspaper, corrugated cardboard, box board, magazines and catalogues, telephone books, books and mixed residential papers and other items identified in Schedule “C” of this by-law.
- 1.8 **“Garbage”** means a waste stream that includes household waste but shall not include bulky items such as household furniture, hazardous waste, non-collectable waste or significant quantities of recyclables.
- 1.9 **“Non-collectable waste”** means items such as construction waste, hazardous waste and other items outlined in Schedule “D” of this by-law.
- 1.10 **“Recyclables”** means the items outlined in Schedule “C” of this by-law.
- 1.11 **“Refusal Sticker”** means a sticker to be attached by the Contractor to problem waste(s) or receptacle(s) containing contaminated or non-collectable waste identifying why the waste was not collected.

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- 1.12 **"Township Issued Garbage Bag"** means garbage bags purchased from the Township or one of the Township's vendors to hold garbage for curbside collection.

2. COLLECTION OF GARBAGE & OTHER WASTE MATERIALS

Every person shall comply with the follow conditions:

- 2.1 The collection of garbage shall be made as per Schedule "A" to this by-law.
- 2.2 No bag shall exceed 40 pounds in weight.
- 2.3 The maximum number of bags placed out for collection by the occupant shall not exceed five per collection for each eligible unit.
- 2.4 Residents shall place garbage bags in a suitable container sufficient to prevent the entry of water, rain, flies and animals and the escape of noxious odours therefrom.
- 2.5 The containers or garbage bags shall be placed for pick up as close as possible to the travelled portion of the street and in a manner as not to impede pedestrians or traffic;
- 2.6 Garbage bags or containers shall be placed on the street allowance before 7:00 a.m. on the day of collection for that particular street to ensure collection
- 2.7 No person shall place garbage bags on the street allowance prior to 5:00 a.m. on the day of collection for that particular street unless it is in a suitable container as outlined in section 2.4.
- 2.8 No person shall place garbage on private property other than their own.
- 2.9 No person shall spill, scatter, deposit, throw, cast, lay or cause to be thrown, cast or laid, any garbage or disturb or interfere with any garbage on any street, public or private property.
- 2.10 Spillage from containers or bags caused by animals or persons shall not be gathered up by the Township or its contractor and shall be the responsibility of the occupant.
- 2.11 No person shall set out for collection any non-collectable items included in Schedule "D". The disposal of waste and refuse of an industrial establishment shall be the sole responsibility of the occupant of such establishment and the Township shall bear no responsibility for collection or disposal of the same.
- 2.12 All waste, except for accepted recyabables shall be placed in Township issued garbage bags to be purchased for a fee as per Schedule "B" of this by-law.
- 2.13 The monies so collected from the sale of Township issued garbage bags shall be used by the Township to assist in maintaining a system for collection, removal and disposal of garbage from eligible units.
- 2.14 Garbage purposely not collected will be identified with a refusal sticker noting the reason (not contained in Township issued garbage bag, exceeds weight restriction, contains recyclables, etc.) for refusal.

3. RECYCLING

- 3.1 All residents and occupants must recycle any items that are recyclable.

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3.2 The list of accepted recyclables is as set out in Schedule "C" of this by-law.

3.3. Recyclable waste must be sorted from garbage and the contents of the bin must follow the collection schedule.

3.4 If recyclables are not sorted from garbage, the Township or its contractor shall not pick up those bags.

3.5 Residents may place recyclables in a receptacle other than a blue or green bin so long as its contents can be clearly seen (i.e. laundry bin or clear plastic bag).

4. COMPOSTING

4.1 All occupants are encouraged to compost any suitable organic material such as grass clippings, garden debris and waste, vegetable and fruit wastes, coffee grounds, tea leaves, leaves and wood chips

5. OTHER

5.1 The Township and the United Counties of Leeds Grenville may provide alternatives and programs in conjunction with the curbside collection program to assist residents and occupants to reduce, reuse and recycle.

5.2 Where a provision of this By-law conflicts with a provision of another by-law enforced in the Township of Edwardsburgh Cardinal, the provisions that established the higher standards shall prevail in order to protect the health, safety and welfare of the general public.

5.3 It is the declared intention of the Council of the Corporation of the Township of Edwardsburgh Cardinal that any section or part of this By-law which may subsequently be held to be illegal shall be severable from the remainder of the By-law and shall not be deemed to have persuaded or influenced the Council to pass the remainder of the By-law.

6. PENALTIES & ENFORCEMENT

6.1 Every person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c.P. 33, as amended.

6.2 A person who is convicted of an offence under this by-law is liable for each day or part of a day that the offence continues, where the minimum fine shall not exceed \$500.00 and a maximum fine of \$10,000.00 and the total of all daily fines for the offences is not limited to \$100,000.00 as provided for in Section 429(3) of the Municipal Act, SO 2001, c. 25, as amended.

6.3 Upon registering a conviction for a contravention of any provision of this By-law, the court in which the conviction has been entered, may in addition to any other remedy and to any penalty imposed by this By-Law, make an order prohibiting the continuation or repetition of the offence by the person convicted, pursuant to Section 431 of the Municipal Act 2001, SO 2001, c.25, as amended.

6.4 Where a person fails or defaults to carry out any direction or action required by the Township as authorized by this by-law, upon reasonable and written notice, the Township may proceed to do such things or carry out such actions as directed at the expense of the person and such expense may be recovered by the Township in a like manner as taxes in accordance with the provisions of Section 326 of the Municipal Act, 2001, S.O. c. 25

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- 6.5 Every person who contravenes this by-law, including a notice to remedy issued under this by-law is guilty of an offence.
- 6.6 No person shall obstruct or hinder or attempt to obstruct or hinder an Enforcement Officer or other authorized employee or agent of the Township in the exercise of a power or the performance of a duty under this By-law.
- 6.7 An Enforcement Officer who has reasonable grounds to believe that a person has contravened any provision of this By-law may issue a notice to remedy, notice of violation, an order to comply and every person shall comply with said notice or order.

GENERAL

- 7. That Schedules "A", "B", "C", "D", and "E" shall constitute part of this by-law.
- 8. By-law 2015-10 as amended, And all other by-laws previously passed that are inconsistent with the provisions of this by-law are hereby repealed.
- 9. That this by-law will come into force and effect on the day of passage.

Read a first and second time in open Council this 28th day of October, 2019.

Read a third and final time, passed, signed and sealed in open Council this 28th day of October, 2019.

Mayor



Deputy Clerk



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SCHEDULE "A": COLLECTION SCHEDULE

- | | |
|------------------|--|
| Monday | Northwest corner of the Township, bounded by County Road 44 (both sides) in the east and Glen Smail/Patterson Road in the south, including Spencerville. |
| Tuesday | Northeast corner of the Township, bounded by but not including Pittston Road in the south and up to but not including County Road 44 in the west. |
| Wednesday | South part of the Township from Pittston Road to, Glen Smail and Patterson Roads south to Highway 401 |
| Thursday | Cardinal |
| Friday | Remaining areas south of Highway 401, including Johnstown and New Wexford. |

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SCHEDULE "B": FEES

Township Issued Garbage Bags

Imprinted, plastic garbage bags are available for purchase at the Township office during regular office hours or from authorized agents of the Township during regular business hours. The fee per bag shall be determined and set during the annual budget deliberations and shall include all provincial and federal taxes.

Eligibility for Free Garbage Bag Allotment

In order to be considered for a free allotment of bags due to health and financial reasons, the following criteria must be clearly demonstrated, in writing on the prescribed form, by the requester:

- (1) the medical or other condition creates a significant increase in the amount of garbage generated by the eligible unit;
- (2) net family income falls below the net family poverty line;
- (3) the waste generated and put out for curb side collection does not include non-collectable waste as per Schedule "D" of this by-law

If clauses 1 through 3 are met, the requester may be eligible to receive a 52 bag/year allotment. The request will be re-evaluated from time-to-time and proof of need must continue to be provided to Township staff annually.

Recycling Bins

One bin will be provided free of charge to residents of newly built homes in the Township.

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TOWNSHIP OF EDWARDSBURGH CARDINAL
Medical Exemption for Free Garbage Bag Allotment

The purpose of this form is to allow Edwardsburgh Cardinal residents the opportunity to apply for a medical exemption for free garbage bag allotment based on health and financial reasons.

In order to be granted this exemption, you must complete the required information below as well as provide a signed medical practitioner's note on letterhead stating that the extra garbage bags are required **due to medical and financial reasons**.

Required Information	
Name:	
Address:	
# of bags required (maximum 52/year):	
Net annual family income:	

I hereby certify that the information I have provided here is accurate and complete.

Signature

Please forward this form attached to the medical practitioner's note to the Township Office in person or by mail to P.O. Box 129 Spencerville, ON K0E 1X0.

IMPORTANT

- It is the responsibility of the requester to renew the exemption on the yearly anniversary date. A new application form and medical practitioner's note must be completed and provided for renewal
- The anniversary date for the exemption is considered to be one year to the date in which the exemption was granted. This information is noted on the letter you will receive with your garbage bags if an exemption is granted.
 - Please keep a copy of this form for your personal records

Personal information collected on this form, including your name and address, is collected under the authority and in accordance with the Municipal Freedom of Information and Protection of Private Act (MFIPPA). Your personal information will be used by staff of the Corporation of the Township of Edwardsburgh Cardinal in the administration of the medical exemption for garbage bags only. Questions regarding the collection, use, and disclosure of your personal information can be directed to the Clerk's Department.

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SCHEDULE "C": RECYCLABLES

Fibre (Green) Box Recyclables

Ensure that no loose material is on top that will blow out and cause litter

- ✓ Newspaper & flyers (glossy or plain)
 - ✓ Paper bags and cups
- ✓ Fine paper (writing paper, computer paper, mail)
- ✓ Boxboard such as cereal, cracker & cookie boxes, detergent/laundry cartons, file folders, shoe & tissue boxes, paper egg cartons, toilet & paper towel rolls, pizza boxes
 - ✓ Magazines, catalogues & telephone directories
 - ✓ Greeting cards
- ✓ Cardboard & corrugated cardboard – flattened and placed inside or beside recycling bin

Item which should NOT be placed in Fibre (Green) Box

No cookie or pet food bags
No Styrofoam
No waxed or coated boxes or bags
No photos
No ice cream or frozen juice containers
No gift wrap

Blue Box Recyclables

Ensure all items are empty and rinsed clean

- ✓ Glass food and beverage bottles & jars
 - ✓ Metal food & beverage cans
- ✓ Milk & frozen food bags, bread bags, mattress bags, paper towel & toilet paper wrap, diaper packaging, grocery & bulk food bags
 - ✓ Clean, empty paint cans (lid must be removed)
- ✓ Plastic bottles – only items marked with the recycling symbol containing numbers 1, 2, 3, 4, 5 or 6 (i.e. soft drink, juice & water containers, LCBO bottles, home cleaning & laundry products).
 - ✓ Aluminum pie plates & foil
 - ✓ Margarine and yogurt tubs

Items which should NOT be placed in Blue Box

No motor oil bottles or herbicide/pesticide bottles
No light bulbs
No ceramic
No window glass, dishes or mirrors
No clear prescription bottles
No chip bags
No straws
No pots & pans
No hard plastic toys
No plastic used to insulate windows
No styrofoam
No aerosol cans

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SCHEDULE "D": NON COLLECTABLE WASTE

The By-law to establish, maintain and regulate a system for the disposal of municipal waste and to provide for the establishment of policies, regulations and fees for the disposal of municipal waste, garbage and other refuse contains details associated with disposal of items not eligible for curb side collection

The following items shall be deemed to be Non-Collectable Waste for the purposes of this By-law:

1. Any materials that are not set out in accordance with the provisions of this By-law;
2. Electronic and Electric Equipment Waste (WEEE waste) as defined in the Waste Diversion Act, R.R.O. 2002, Regulation 393 / 04 includes desk top computers, portable computers, computer peripherals, monitors, televisions, printing devices, information technology equipment, telecommunications equipment, audio visual equipment;
3. Hazardous Waste including any product, material or item labeled as "corrosive", "toxic", "reactive", "explosive", "oxidizing", "poisonous", "infectious", "flammable", including but not limited to the following:
 - (a) Household cleaners including bleach, oven, drain, toilet and carpet cleaning solutions;
 - (b) Prescription medicines;
 - (c) Explosives, gasoline, motor oil, barbeque starter fluid, ammunition or other incendiary material;
 - (d) Pressurized containers including propane cylinders and tanks;
 - (e) Aerosol containers (full or partially full);
 - (f) Poisons, including rat and mouse poisons, moth balls, insect and weed killers;
 - (g) Fertilizers, fungicides, herbicides, insecticides or pesticides;
 - (h) Paints, solvents, coatings and wood preservatives;
 - (i) Engine oil, brake and transmission fluid;
 - (j) Batteries, including automotive batteries and ni-cad rechargeable batteries and lead acid batteries;
 - (k) Other material, including gas tanks, fire extinguishers, pool and photogenic chemicals; or
 - (l) Other Municipal Hazardous or Special Wastes as defined in the Waste Diversion Act, R.R.O. 2002, Regulation 542/06 and in the Environmental Protection Act, R.R.O. 1990, Regulation 347.
4. Pathological wastes whether solid or liquid, including but not limited to:
 - (a) Microbiology laboratory wastes;
 - (b) Animal or human anatomical waste including organs, bones, muscles or other animal or human tissue or part thereof;
 - (c) Animal or human blood or bodily fluids;
 - (d) Used medical dressings including bandages, poultices;
 - (e) Medicines, vitamins, drugs, vials, vaccines;
 - (f) Waste sharps, including but not limited to, hypodermic needles, syringes, blades; or
 - (g) Any other similar material or substance which contains or may contain pathological micro-organisms or which may be hazardous or dangerous and anything designated as pathological waste as defined in the Environmental Protection Act, R.R.O. 1990, Regulation 347.
5. Trade wastes including any industrial, commercial or manufactures' waste and shall include the following:
 - (a) Any waste generated, abandoned, condemned or rejected as a result of construction, alteration, repair, removal or demolition of any building or

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- structure or part of any building or structure, including, but not limited to, drywall, bricks, stone, concrete, wall board, insulation, asbestos, lumber, roofing shingles, counter-tops, siding and fencing;
- (b) The stock of any wholesale or retail merchant or fruit or vegetable dealers;
 - (c) Any waste materials originating from any industrial processes or any business industry or commercial establishment;
 - (d) Commercial/industrial appliances;
 - (e) Commercial/industrial furnaces and other types of heating units; or
 - (f) Discarded office furnishings, partitions, office equipment
6. Automotive wastes, discarded vehicle parts, tires, tire rims and other accessories
 7. Liquid wastes, including liquid in sealed containers or semi-liquid waste
 8. Sod, soil, dirt, manure, sand, root balls, stumps, aggregates, concrete products, bricks or stones;
 9. Sharp-edged material such as broken glass, broken crockery, cut metal or anything of a similar nature unless such material is placed in separate, secure container and whose contents are clearly marked
 10. Glass plate windows, doors, table tops, shower doors
 11. Carcasses of any animal (including animal parts) or fowl or live animal or fowl with the exception of bonafide household organic waste
 12. Ashes (warm or hot)
 13. Swill or any other organic not properly drained or wrapped
 14. Sewage
 15. Any other material or item designated as Non-Collectable Waste by the contractor
 16. Any other materials designated as 'designated waste' by the Waste Diversion Act or other applicable legislation

PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 2019-64 as amended of the Corporation of the Township of Edwardsburgh/Cardinal, attached hereto is the set fine for that offence. This Order is to take effect on November 19th, 2019.

Dated at Ottawa this 19th day of November 2019.



.....
Jean G. Legault, Regional Senior Justice
Ontario Court of Justice
East Region

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Schedule E
Township of Edwardsburgh Cardinal
Part I – Provincial Offences Act
By-law 2019-64
Waste Collection – Set Fines

ITEM	SHORT FORM WORDING	PROVISION CREATING OR DEFINING OFFENCE	SET FINE
1	Set out residential curbside garbage for collection before 5 am in unsuitable container	2.7	\$100
2	Set out garbage in an improper location	2.8	\$100
3	Throw/deposit/disturb/interfere with garbage	2.9	\$300
4	Set out non-complying waste for collection	2.11	\$100
6	Hinder/obstruct officer	6.6	\$200
7	Fail to comply with order/notice	6.7	\$100

Note: The general penalty sections for the offences indicated above is Section 6 of By-law 2019 - 64. A certified copy of which has been filed.

*Approved
R. J. ...
R.*

NOV 19 2019