

# **THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER**

## **BY-LAW 2022-21**

BEING A BY-LAW TO PROVIDE FOR THE COLLECTION, REMOVAL AND DISPOSAL OF WASTE, RECYCLABLE MATERIAL AND OTHER WASTE WITHIN THE MUNICIPALITY OF FRENCH RIVER

**WHEREAS** Section 10 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that a single-tier municipality may pass By-laws to provide any service or thing that the municipality considers necessary or desirable for the public;

**AND WHEREAS** the Municipality of French River deems it desirable to establish, maintain and regulate a system for the collection, removal, recycling and disposal of Waste within the Municipality of French River;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:**

### **1. DEFINITIONS:**

- 1.1 **“Animal Carcass”** means the whole or partial body of a deceased animal, not including spoiled or rotten cuts of meat that were intended for human or household pet consumption.
- 1.2 **“Approved Curbside Household Waste Container”** means a plastic bag that is securely tied or cinched closed that is no heavier than eighteen (18) Kilos when filled with Waste. Said bag may be contained within another container so long as the bag is easily removed from said container.
- 1.3 **“Approved Curbside Recycling Container”** means any open container, no larger than one (1) metre cubed and no heavier than eighteen (18) Kilos when filled with recyclable Waste.
- 1.4 **“Ashes”** means the solid residue of any fuel for heating or cooking purposes, and soot or other cleanings from chimneys, fireplaces or heating appliances.
- 1.5 **“Brush”** means trees or any part thereof, bushes or any part thereof, and/or grass cuttings.
- 1.6 **“Bulky Waste”** means any single item of Waste with at least a single dimension larger than thirty (30) centimetres and/or a single item of Waste that weighs in excess of five (5) Kilos. This definition does not include properly flattened cardboard.
- 1.7 **“Commercial Waste”** means any Waste that is generated through the operations of a commercial business.
- 1.8 **“Construction Waste”** means any Waste generated during, or intended for use in the demolition, renovation or construction of any building, structure or property or parts thereof and shall include fill.
- 1.9 **“Collection Contractor”** means a person, limited company or corporation retained by the Municipality to collect, remove, transport and deliver Waste and recyclable materials.

- 1.10 **“Curbside Waste Box”** means a fully enclosed box constructed of a sturdy material that is no longer than two (2) metres, no taller than one (1) metre and no deeper than one (1) metre. Said box must be constructed competently to withstand destructive wildlife and limit smells attractive to wildlife from escaping. Said box must have a lid with a latching system to deter wildlife from accessing its contents but must be easy to open for collection. Said box may not be a refrigerator or other similar repurposed item.
- 1.11 **“Electronic Waste”** means any electronic Waste such as but not limited to monitors, televisions, computers, telephone and cellular devices, audio and video devices, printing and copying devices.
- 1.12 **“Hazardous Waste”** means any Waste that has the potential to harm anyone through inadvertent handling of said Waste and also means the usual containers for, or any other container that at one time held said Waste, empty or otherwise. This includes but is not limited to any materials that are or may become under any reasonable circumstances:
- i) Corrosive
  - ii) Toxic
  - iii) Reactive
  - iv) Combustible
  - v) Flammable
  - vi) Explosive
  - vii) Pressurized
  - viii) Sharp(e.g. glass, knives, sewing needles, etc...)
  - ix) Biohazardous (excluding household pet Waste and dirty diapers)
  - x) Carcinogenic
- 1.13 **“Household Waste”** means all waste generated during the usual daily activities of an individual but does not include bulky waste, scrap metal, commercial waste, construction waste, brush, hazardous waste, electronic waste, recyclable materials, liquid waste or animal carcasses.
- 1.14 **“Landfill Site”** means the site located at 330 Houle Road in Noelville, designated and operated by the Municipality for the disposal or transfer of Waste in accordance with the provisions of this By-law and the terms and conditions of a Certificate of Approval issued by the Ministry of the Environment, Parks and Conservation.
- 1.15 **“Liquid Waste”** means any Waste that does not comply with the slump test as per the test method set out in Ontario Regulation 347 in Schedule 9, as amended pursuant to the Environmental Protection Act, R.S.O. 1990, c.E.1 9.
- 1.16 **“Municipality”** means the Municipality of French River.
- 1.17 **“Municipal Law Enforcement Officer”** means anyone appointed by the Municipality of French River to enforce the provisions of this By-Law.
- 1.18 **“Recyclable Materials”** means any material that is accepted by the Municipality’s recycling program.
- 1.19 **“Resident”** means a rate payer of the Municipality of French River and/or an individual who permanently resides in the Municipality of French River.
- 1.20 **“Scrap Metal”** means any materials with metal content including electrical appliances, aluminum siding, bedsprings and metal beds and/or articles acceptable to the scrap metal program.
- 1.21 **“Tipping Fees”** means a waste disposal fee, as established by the Fees and Related Charges By-law, as amended from time to time.

- 1.22 **“Waste Container”** means a container that is placed at a Waste Transfer Site or at a location by the Municipality for the disposal of Household Waste or Recyclable Materials.
- 1.23 **“Waste Transfer Site”** means a site established by the Municipality containing a number of Waste Containers, as shown in Schedule “A”.
- 1.24 **“Waste”** means any garbage, refuse and other unwanted materials.

## **2. CURBSIDE COLLECTION**

- 2.1 The Municipality has the authority to designate areas to provide curbside collection to and may expand or restrict those areas as is deemed necessary to provide adequate disposal services for its residents. The Municipality also designates what kinds of materials are to be collected through curbside collection and how much of each kind of material may be collected per household, as outline in Schedule ‘A’.
- 2.2 In areas where curbside collection is provided by either the Municipality’s own forces or by a Collection Contractor:
- a. Collection day will occur on a set, regular schedule as determined by the Municipality but may not occur if a collection day falls on a statutory holiday as determined by the Municipality. If a collection day falls on such a day the Municipality will inform residents of when the next collection day will be and will attempt to make the next collection day be as soon as is practical.
  - b. Waste for collection must be placed in a location where it is readily visible from the road and able to be easily and safely reached for collection. Waste that is not visible from the road or not easily and safely reachable will not be collected.
  - c. No person shall place Waste:
    - i. in a location that disrupts vehicular or pedestrian traffic;
    - ii. on public roadways or sidewalks; or,
    - iii. in a location that disrupts the use of shared driveways for other residents also using said shared driveway.
  - d. No person (s) shall place for curbside collection any Waste other than materials as defined in Schedule “A”.
  - e. Only the approved amount of Waste will be collected.
  - f. In the event of a hazardous weather event that inhibits the ability to safely operate a curbside collection vehicle or safely collect curbside collection, curbside collection will not take place until it is safe to do so. The Municipality will inform residents of when the next curbside collection will occur and will attempt to make the next collection day be as soon as is practical.
  - g. All Waste that is placed out for curbside collection must be sorted. All Recyclable Waste must be placed in an Approved Curbside Recycling Container. All Household Waste must be placed in an Approved Curbside Household Waste Container. Waste that is not sorted and placed in appropriate containers will not be collected.

- h. No person shall cause or allow any uncollected Waste and/or any curbside waste container to remain curbside after 7 PM the same day that collection was scheduled to occur unless they are kept securely in a Curbside Waste Box.
- i. No person shall cause or allow any Waste to be placed curbside before 5 AM the same day that collection is scheduled to occur unless it is kept securely in Curbside Waste Box.
- j. All Waste that is placed out for curbside collection must originate from the household whose property it is located on. No person shall place or allow the Waste from one household on another household's property.
- k. If a Curbside Waste Box cannot be opened or accessed easily, Waste will not be collected. The lid of the Curbside Waste Box as well as a path from the roadway to the Curbside Waste Box must be kept clear of snow and other obstructions so as to permit easy removal of Waste for collection.
- l. No person shall cause or allow more than one Curbside Waste Box to be located on their property.
- m. No person shall allow a Curbside Waste Box to become soiled with loose debris, waste or any other materials that could attract wildlife.
- n. No person shall place any Hazardous Waste out to be removed for curbside collection.

### **3. GENERAL RESTRICTIONS:**

- 3.1 No person shall deposit any Waste in any location within the Municipality except at the Landfill Site, the Waste Transfer Sites or any other Waste Containers established in accordance with this By-Law unless it is placed out for curbside collection in accordance with Section 2 of this By-Law.
- 3.2 No person shall deposit or otherwise dispose of any Waste at the Landfill Site or any Waste Transfer Site except during the advertised hours of operation.
- 3.3 No person shall scavenge, interfere with, remove, exchange or scatter any Waste found at a Waste Transfer Site, Landfill Site, in Waste Containers or Waste that has been placed out for curbside collection.
- 3.4 No person shall deposit or otherwise dispose of any Waste at the gates of the Landfill Site or any Waste Transfer Site.
- 3.5 No person shall dispose of any cardboard or cardboard boxes that are not opened and/or flattened at the Landfill Site, the Waste Transfer Sites, for Curbside Collection or in any other Waste Containers.
- 3.6 Everyone who enters the Landfill Site or Waste Transfer Site for the purpose of dumping, depositing or otherwise disposing of any type of Waste shall follow any and all instructions given by any municipal staff as they pertain to Waste disposal.

#### **4. WASTE TRANSFER SITE RESTRICTIONS**

##### **4.1 While at any Waste Transfer Site:**

- a. No person shall deposit or otherwise dispose, or permit to deposit or otherwise dispose any Waste outside and/or around a Waste Container.
- b. No person shall deposit or otherwise dispose of any Waste from outside the Municipality.
- c. No person shall deposit any Household Waste in the Waste Container unless the Waste is wholly contained within an appropriate bag.
- d. No person shall deposit more than two (2) bags of Household Waste per day per household.
- e. No person shall dispose of Household Waste in bags larger than 125 centimetres in height and/or heavier than 18 Kilos.
- f. No person, who is not a resident of the Municipality, shall deposit or dispose of Waste in the Municipality.
- g. Everyone depositing or disposing of Waste shall, upon request from any municipal staff, provide proof of their residence.
- h. Everyone shall ensure that Recyclable Materials and Household Waste are sorted from each other and disposed of in the appropriately marked Waste Container.
- i. No person shall deposit Recyclable Materials in the appropriately marked Waste Container unless it is deposited loose, e.g. not contained within any bag or other container.
- j. No person shall deposit any waste other than Household Waste or Recyclable Materials
- k. No person shall deposit or dispose of any Waste that can be defined as:
  - i. Animal Carcass(es)
  - ii. Ashes
  - iii. Brush
  - iv. Bulky Waste
  - v. Commercial Waste
  - vi. Construction Waste
  - vii. Electronic Waste
  - viii. Hazardous Waste
  - ix. Liquid Waste
  - x. Scrap Metal

## **5. LANDFILL SITE RESTRICTIONS**

### **5.1 While at any Landfill Site:**

- a. No person shall deposit or dispose of any Waste brought in from outside of the Municipality or other municipality or township that has a Waste Disposal Services Agreement with the municipality.
- b. No person shall dispose of any Hazardous Waste that is specified by the Municipality as only disposable on hazardous Waste disposal days on any day that is not a hazardous Waste disposal day.
- c. No person, who is not a resident of the Municipality, shall deposit or dispose of Waste in the Municipality, unless the person is from a municipality or township that has a Waste Disposal Services Agreement with the Municipality.
- d. Everyone depositing or disposing of Waste shall, upon request from any municipal staff, provide proof of their residence.
- e. Everyone shall first report to the municipal staff when entering the site. The municipal staff has the right to inspect all material entering the landfill site and may refuse any material or Waste.
- f. Everyone disposing of Waste shall deposit the Waste in the areas designated by the municipal staff.
- g. The municipal staff has the right to impose a Tipping Fee for the disposal of materials as set out in the Municipality's Fees and Charges By-law, the owner of said Waste must first remit said Tipping Fee before entering the site.
- h. The Municipality reserves the right to restrict access to any individual or firm as a result of contravention(s) to this By-law.

## **6. ENFORCEMENT**

- 6.1. Every person who contravenes any provision of this By-Law is guilty of an offence and upon conviction shall be liable to a fine prescribed and recoverable under the provisions of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, for each offence committed.
- 6.2. The Administrative Monetary Penalty System By-law applies to each administrative penalty issued pursuant to this Bylaw.
- 6.3. No person shall hinder or otherwise obstruct, nor attempt to hinder or obstruct, either directly or indirectly, an Officer, an employee and/or agent of the Municipality in the lawful exercise of a power or duty under this By-Law.

- 6.4. Each person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with Administrative Monetary Penalty System By-law, be liable to pay to the Municipality an administrative monetary penalty.
- 6.5. Upon registering a conviction for a contravention of any provision of this By-Law, the Provincial Offences Court 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.

## **7. SEVERABILITY**

- 7.1. Should a court of competent jurisdiction declare a part or whole of any provision of this By-Law to be invalid or of no force and effect, the provision or part is deemed severable from this By-Law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under law.

## **8. SCHEDULES**

- 8.1 Schedules “A”, “B” & “C” shall be deemed to form part of this by-law.

## **9. SHORT TITLE**


- 9.1 The short title of this By-Law shall be the “Waste Management By-Law”.

## **10. AUTHORITY**

- 10.1 This By-law shall supersede and rescind any by-laws inconsistent with this By-law.
- 10.2 This By-Law shall come into force and take effect on the day it is passed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 4<sup>th</sup> DAY OF MAY, 2022.**

  
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**MAYOR**

  
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**CLERK**

**SCHEDULE “A”  
WASTE MANAGEMENT BY-LAW 2022-21  
MUNICIPALITY OF FRENCH RIVER**

**CURBSIDE COLLECTION**

**Curbside Collection - Household Waste**

Curbside Household Waste Collection is a special service offered only to seniors or persons with disabilities or persons who have limited mobility.

Residents wishing to receive the special service shall apply on the prescribed form available by request at the Municipal Office. If the resident is not the owner of the property, the property owner must approve the request by signing the form prior to it being submitted to the Municipality. The Request will be reviewed for approval by the Environmental Services Manager.

An annual fee, as set out in the Municipality’s Fees and Charges By-law, will be applied to the property owner’s property tax account. It is the owner’s responsibility to advise the municipality in writing when the service is to be discontinued to have the fee removed. No refund will be issued for partial year cancellation of the service.

The collection shall be on a weekly schedule with a limit of (2) bags of Household Waste per collection day, each bag shall not be larger than 125 centimetres in height and/or heavier than 18 Kilos.

**Curbside Collection - Recyclable Materials**

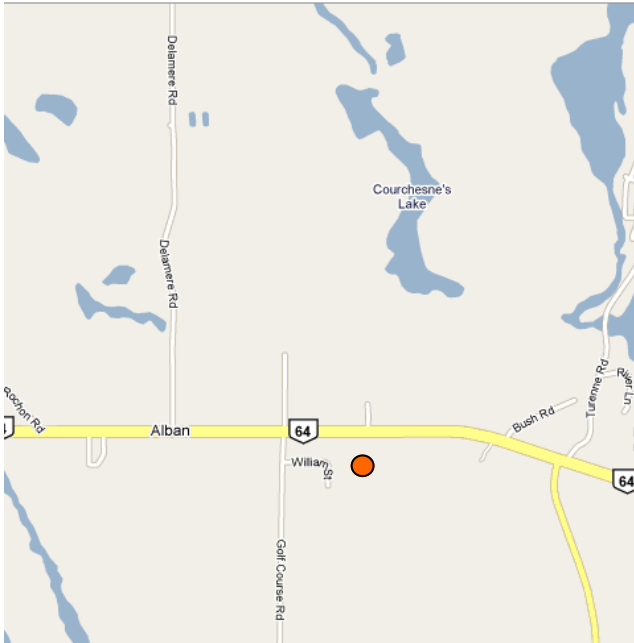
Curbside Recycling Collection is a “pilot” program for a period of two years starting on May 12, 2022 with the potential for Council to extend the program.

The Collection Contractor shall collect Recyclable Materials on a bi-weekly schedule. Curbside Recycling Collection shall be conducted in the areas as approved by Council.

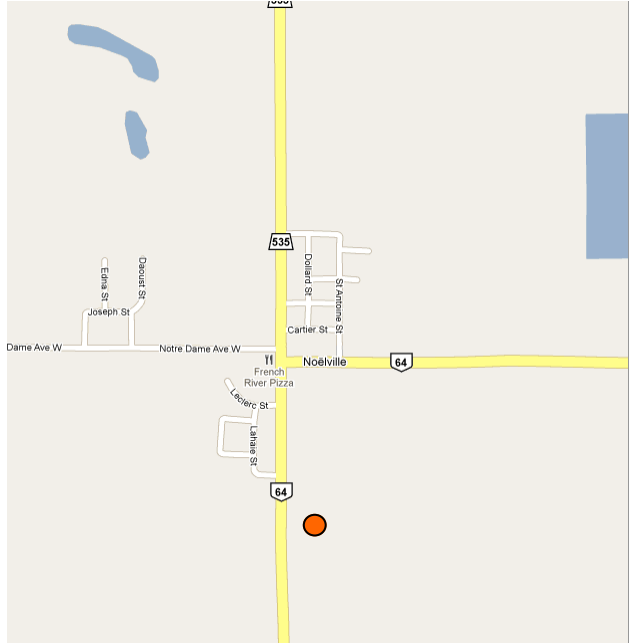


**SCHEDULE "B"**  
**WASTE MANAGEMENT BY-LAW 2022-21**  
**MUNICIPALITY OF FRENCH RIVER**

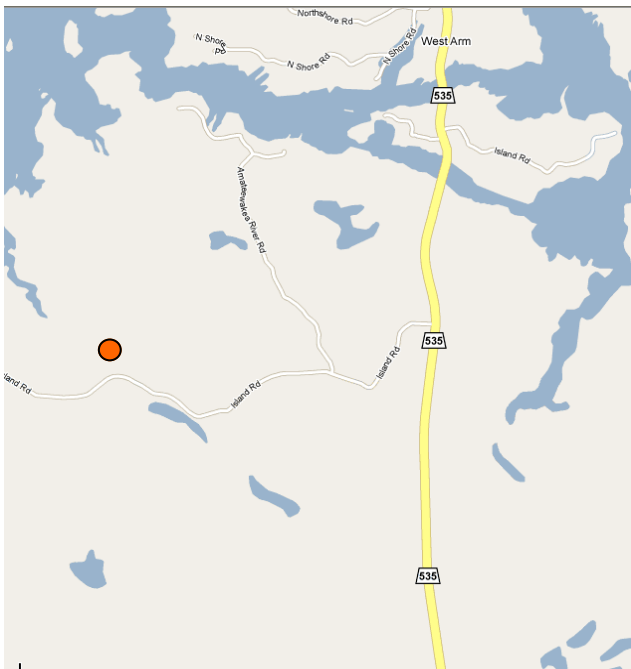
**WASTE TRANSFER SITE LOCATIONS**



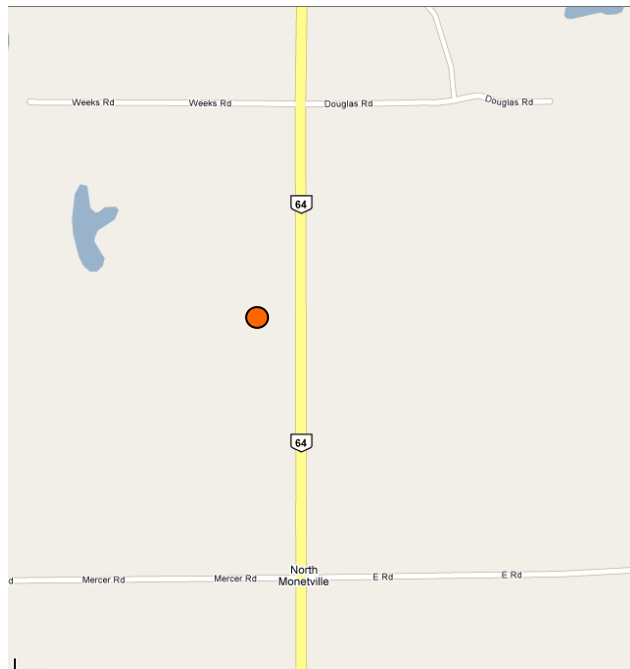
Alban Community Center - 796 Hwy 64, Alban



Public Works Yard - 142 St. David St South



Shaw Road Site - 1 km off Hwy 535



Monetville Site - Hwy 64 North Monetville

**SCHEDULE “C”  
WASTE MANAGEMENT BY-LAW 2022-21  
MUNICIPALITY OF FRENCH RIVER**

**PART 1 – PROVINCIAL OFFENCE ACT FINES**

<b>ITEM</b>	<b>COLUMN 1 SHORT FORM WORDING</b>	<b>COLUMN 2 PROVISION CREATING OR DEFINING OFFENCE</b>	<b>COLUMN 3 SET FINES</b>
1.	Place Waste in a location that disrupts traffic	Section 2.2 (c) (i)	150.00
2.	Place Waste on a public roadway or sidewalk	Section 2.2 (c) (ii)	150.00
3.	Place Waste in a location that disrupts the use of a shared driveway	Section 2.2 (c) (iii)	150.00
4.	Cause or allow unsecured Waste or Waste Containers to remain curbside after 7PM	Section 2.2 (h)	75.00
5.	Cause or allow unsecured Waste to be placed curbside before 5AM	Section 2.2 (i)	75.00
6.	Place or allow Waste from one household on another household’s property	Section 2.2 (j)	100.00
7.	Cause or allow more than one curbside Waste box to be located on property	Section 2.2 (l)	125.00
8.	Allow a curbside Waste box to become soiled	Section 2.2 (m)	75.00
9.	Place hazardous Waste out for curbside collection	Section 2.2 (n)	350.00
10.	Deposit Waste in a location except landfill sites, Waste transfer sites or other Waste Containers	Section 3.1	250.00
11.	Deposit Waste at landfill or Waste transfer sites outside of the hours of operation	Section 3.2	150.00
12.	Scavenge, interfere with, remove, exchange or scatter Waste	Section 3.3	75.00
13.	Deposit Waste at or near the gates of a landfill or Waste transfer site	Section 3.4	150.00
14.	Dispose of unopened and/or un-flattened cardboard	Section 3.5	50.00
15.	Fail to follow instructions while disposing Waste at a landfill or Waste transfer site	Section 3.6	135.00
16.	Dispose or permit to be disposed any waste outside and or around a waste container	Section 4.1 (a)	135.00
17.	Deposit Waste from outside the municipality	Section 4.1 (b)	135.00
18.	Deposit household Waste not contained within appropriate bags	Section 4.1 (c)	75.00
19.	Deposit more than 2 bags of Waste per day per household	Section 4.1 (d)	75.00
20.	Deposit Waste in bags larger and/or heavier than the prescribed limit	Section 4.1 (e)	75.00
21.	Deposit Waste while not a resident	Section 4.1 (f)	135.00

22.	Fail to provide proof of residence when requested	Section 4.1 (g)	135.00
23.	Fail to sort Waste	Section 4.1 (h)	75.00
24.	Fail to deposit recyclable Materials loose	Section 4.1 (i)	75.00
25.	Deposit any waste that is not household waste or recyclable materials	Section 4.1 (j)	150.00
26.	Deposit animal carcass(es)	Section 4.1 (k) (i)	150.00
27.	Deposit Ashes	Section 4.1 (k) (ii)	200.00
28.	Deposit brush	Section 4.1 (k) (iii)	75.00
29.	Deposit bulky Waste	Section 4.1 (k) (iv)	100.00
30.	Deposit commercial Waste	Section 4.1 (k) (v)	305.00
31.	Deposit construction waste	Section 4.1 (k) (vi)	175.00
32.	Deposit electronic waste	Section 4.1 (k) (vii)	150.00
33.	Deposit hazardous Waste	Section 4.1 (k) (viii)	350.00
34.	Deposit liquid Waste	Section 4.1 (k) (ix)	150.00
35.	Deposit scrap metal	Section 4.1 (k) (x)	175.00
36.	Deposit Waste brought from outside the municipality or other approved municipality at a landfill site	Section 5.1 (a)	135.00
37.	Deposit hazardous Waste on any day other than a hazardous Waste day	Section 5.1 (b)	350.00
38.	Deposit Waste at landfill while not a resident of the municipality or other approved municipality	Section 5.1 (c)	135.00
39.	Fail to provide proof of residence at a landfill site	Section 5.1 (d)	135.00
40.	Fail to report to municipal staff upon entering site	Section 5.1 (e)	135.00
41.	Fail to deposit waste in an area designated by municipal staff	Section 5.1 (f)	135.00
42.	Fail to remit tipping fee	Section 5.1 (g)	135.00
43.	Obstruct an Officer	Section 6.3	350.00

**NOTE:** Penalty Provisions for the offences indicated above is Section 6.1 of the By-law 2022-21, a certified copy of which has been filed.