

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

## **BY-LAW 2010-26**

BEING A BY-LAW TO PROHIBIT AND/OR REGULATE THE DISPOSAL  
OF WASTE AT THE BIN SITES AND LANDFILL SITES IN  
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 pass a By-law to establish a disposal policy for all household and non-household waste at all bin sites, and the landfill site within the Municipality,

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

### **Section 1     Definition:**

- a)     “By-Law Enforcement Officer” means anyone appointed by the Municipality of French River to enforce the provisions of this By-Law.
- b)     “Brush” means trees, branches, leaves, stumps and roots.
- c)     “Clean construction”, demolition and renovation materials, but is not necessarily limited to, the following:
  - i)     manufacturers waste including wire;
  - ii)    broken plaster, lumber, rubble, shingles or other waste or residue resulting from the construction, alteration, repair, demolition or removal of any building or structure;
  - iii)   stock of any wholesaler which shall be regarded as manufactures waste;
  - iv)    wire, wire mesh and fencing;
  - v)     discarded plumbing sinks, toilet bowls and seals, pipe fittings and hot water tanks;
  - vi)    loose minor rubble.
- d)     “Compost material” means any compost material and includes grass cuttings, garden refuse, and leaves.
- e)     “Contractor” means a person or corporation that engages in any waste collection within the Municipal jurisdiction at specific prices for a profit.

- f) “Household Hazardous” waste means waste generated from a dwelling and designated by the Municipality as acceptable at a household hazardous waste depot and includes:
- i) corrosive wastes including batteries, drain cleaners and oven cleaners;
  - ii) toxic wastes including pesticides, poisons, pharmaceuticals and cleaning fluids;
  - iii) reactive wastes including pool chemicals, ammonia, bleach and aerosols;
  - iv) flammable wastes including paints, solvents, oils, varnishes, stains & preservatives, wood protector & polish, epoxies, rust removers, fire extinguishers, cements, glues, transmission fluid, brake fluid, engine coolant, motor oil & filters, propane tanks & cylinders, gasoline, kerosene and butane lighters;
  - v) fluorescent tubes and thermometers;
  - vi) fertilizers, weed & bug killers;
  - vii) distillates.
- g) “Household waste” means all waste generated within the household, and does not include bulky items such as brown goods (furnishings, carpets, mattresses, etc.) and white goods (refrigerators, stoves, washers, etc.) All household waste must be deposited only at the sites indicated on Schedule “A” of this By-Law.
- h) “Landfill Site” means a site where bulky items, clean construction material, brush and scrap metal must be deposited. The Noëlville Landfill Site is the site within The Municipality of French River and is subject to applicable fees.
- i) “Scrap metal” means materials with metal content including appliances, aluminum siding, bedsprings and metal beds and/or articles acceptable to the scrap metal program.
- j) “Special items” means items or materials that are not defined in the above definitions.
- k) “Untreated wood” means wood that is not painted, pressure-treated, soaked with creosote or any other toxic substance
- l) “Waste bin” means a container that is placed at a waste drop off site to deposit only household waste.
- m) “Waste Bin Sites” means a site location containing a number of HAUL-All, animal-proof, household waste receptacles, and being operated by the Municipality of French River.

- n) “Waste” means garbage, refuse and other waste materials generated from domestic household sources and similar uses for disposal at the waste bin sites and landfill sites. For the purpose of this definition includes construction but shall not include hazardous waste.

**Section 2      Restrictions:**

- a) No person shall deposit any waste in any location within the Municipality except at the landfill sites and the waste bin sites established in accordance with this By-Law.
- b) No person shall deposit or otherwise dispose of any waste brought in from outside the Municipality of French River, upon any lands, whether publicly or privately owned, including Noëville Landfill Site and/or waste bin sites by the Municipality of French River.
- c) No person shall deposit or otherwise dispose of waste, as herein defined, at the landfill site except during the hours of operation.
- d) No person shall scavenge, interfere with, remove, exchange or scatter any waste found at waste bin sites or municipal landfill.
- e) No person shall deposit or otherwise dispose of the any items as set out in Schedule “B”, in, near, or around any waste bins, or at the gates of the landfill site within the Municipality of French River.
- f) No person shall deposit any waste in the waste bins unless in the appropriate regular garbage bags, or plastic grocery bags.
- g) Anyone dumping or depositing any cardboard or cardboard boxes shall open and or flatten the cardboard or cardboard boxes to save space.
- h) No person shall dump, deposit, throw, or otherwise dispose of any type of waste near or around the waste bins, or otherwise deposit waste other than directly into the inside of the waste bins at the Municipal waste bin depot sites as described in Schedule “A” of this By-Law.
- i) Everyone who deposits or otherwise disposes of waste, as herein defined, at the landfill site or at the bin sites shall have in their possession a valid landfill pass issued by the Municipality of French River, or a current government issued photo identification which proves residence within the Municipality of French River, and shall, upon request, provide the landfill pass or photo identification to Municipal Staff for inspection.

### **Section 3      Contractors**

All contractors working within the Municipality of French River in a waste management capacity shall by Provincial Legislation under Sections 27, 30, 31 and 32 of the Environmental Protection Act R.S.O. 1990 have approval from the Ontario Ministry of Environment through their application process.

Any contractors **NOT** working within the prevailing Legislation are subject to fines of up to one hundred thousand dollars (\$100,000) through the Environmental Protection Act.

Before applying for approval of a Waste Management System Certificate, the Municipality cautions potential applicants that the Municipality reserves the right to approve all contractors operating a waste management operation within the boundaries of the Municipality of French River under sec. 75 of the Municipal Act 2001

### **Section 4      Additional**

- a) Everyone using the landfill site shall first see the attendant when entering the site. The attendant has the right to inspect all material entering the landfill site and may not accept materials that are contaminated with items not accepted at the landfill site. Everyone depositing materials at the landfill site shall deposit the materials in areas designated by the attendant.
- b) Everyone who enters a Municipal Landfill site or waste bin depot location for the purpose of dumping, depositing, or otherwise disposing of any type of waste, recyclables, or any other items, shall follow any and all instructions given by any Municipal staff.
- c) Everyone who enters a Municipal Landfill site or waste bin depot location for the purpose of dumping, depositing, or otherwise disposing of any type of waste, recyclables, or any other items, and who is required to pay a tipping fee, shall first stop at the entrance to the landfill site and see the landfill attendant to remit the tipping fees and receive instructions.

### **Section 5      Penalty and Liability for Expenses:**

- a) Any person who contravenes any of the provisions of this By-Law, and the procedures with respect thereto is guilty of an offence and upon conviction shall pay a fine or penalty not exceeding \$5,000.00, and shall be recoverable under the Provincial Offences Act, R.S.O. 1990.
- b) Any costs and expenses for services provided by or on behalf of the municipality, or for which the Municipality is liable in endeavoring to remove waste, garbage or other refuse caused by or resulting from a person contravening or failing to comply with any provision of this By-Law shall be charged pursuant to Section 425 (1) of the Municipal Act 2001 and shall constitute a debt of such person to the municipality. Service charges pursuant to this By-Law shall be as follows:

\$100.00 minimum charge, \$75.00/hour or whichever is the greater amount, for work involved in cleaning the sites.

Any service charge imposed pursuant to this By-Law shall be payable within fifteen (15) days after the Municipality has delivered or sent by regular mail an Invoice to the person responsible, and interest shall accrue and be added to the amount at the rate interest of 1.25% per month shall be used to calculate interest on unpaid service charges.

- c) Any person who contravenes any provision of this By-Law is guilty of an offence and is liable to a fine set by the Chief Justice of the Ontario Court of Justice for the purpose of proceeding commenced under Part I of the Provincial Offences Act, R.S.O. 1990.

**Section 6 Any and all By-Laws inconsistent with this By-Law are hereby repealed.**

**Section 7 Severability**

- a) It is hereby declared that each and every of the foregoing provisions of this by-law is severable and that, if any provision of this By-Law should for any reason be declared invalid by any Court, it is the intention and desire of this council that each and every of the then remaining provisions hereof shall remain in full force and effect.

**Section 8 Municipality of French River By-Laws 2005-12 and 2005-44 are hereby repealed.**

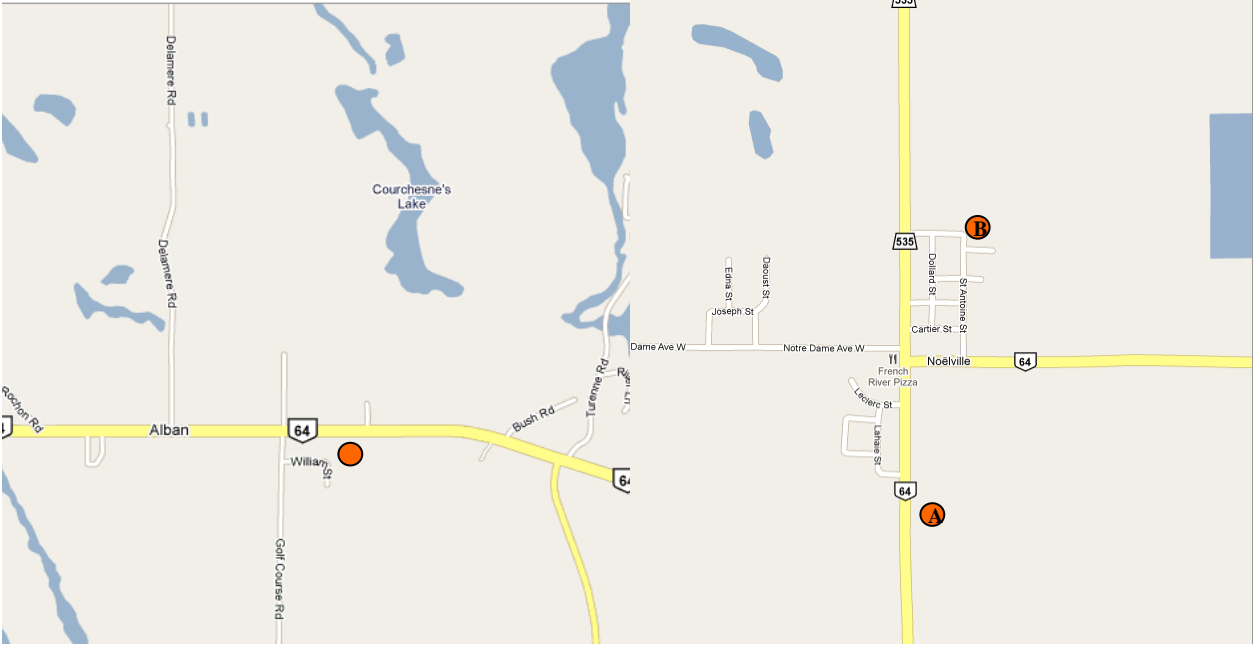
**Section 9 Enactment**

- a) This By-Law shall be known as the “Waste Management By-Law”.
- b) This By-Law shall come into force and effect on August 1<sup>st</sup>, 2010.
- c) Schedules A, and B, Set Fine Schedule Part I Provincial Offences Act shall form part of this by-law.

**READ A FIRST, SECOND AND FINAL TIME THIS 16<sup>th</sup> DAY OF JUNE 2010.**

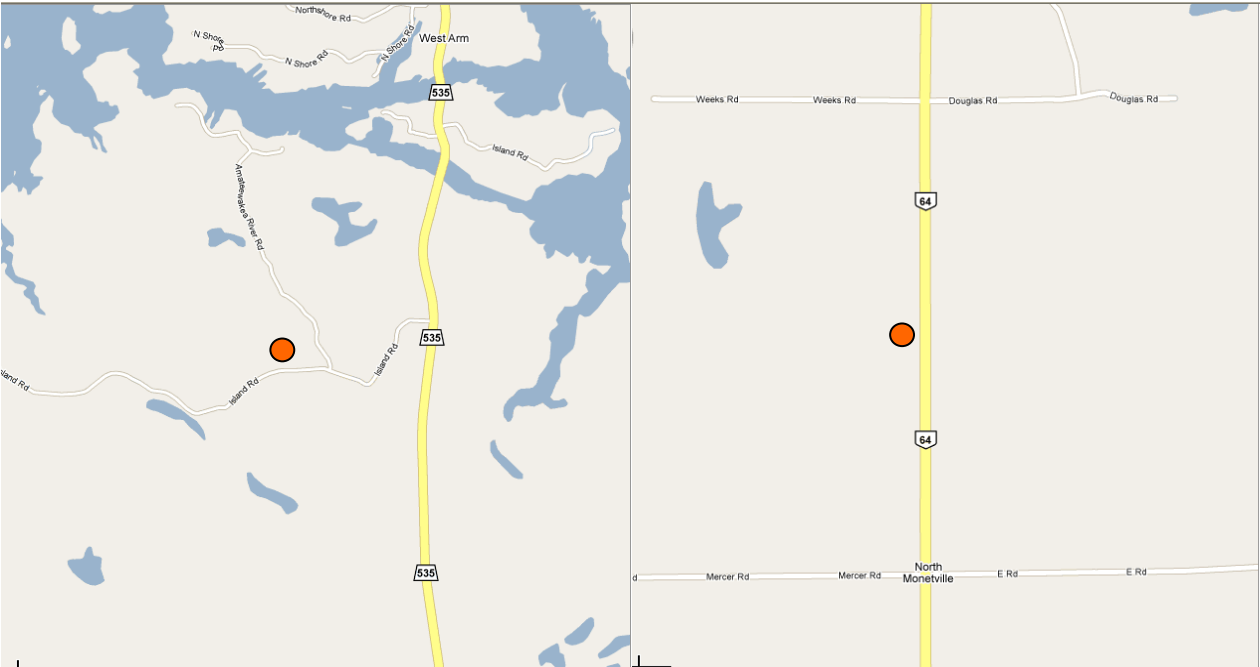
**THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER  
SCHEDULE "A"  
TO BY-LAW 2010-26**

**Landfill Site and Household Waste  
Bin Site Locations**



**Bin Site - Community Center - 796 Hwy 64, Alban**

**Bin Site - A - Public Works - St. David St South  
Bin Site - B - Noëlville Arena - 21 St. Christophe St**

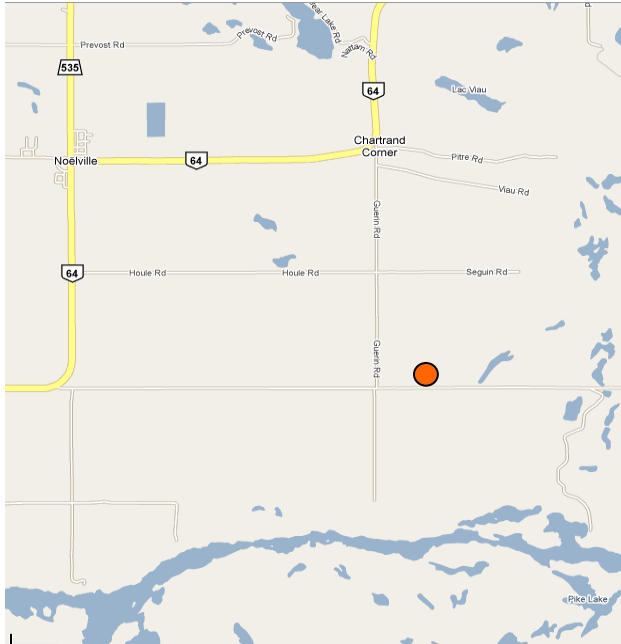


**Bin Site - Shaw Road Site - Shaw Rd, Municipality of French River**

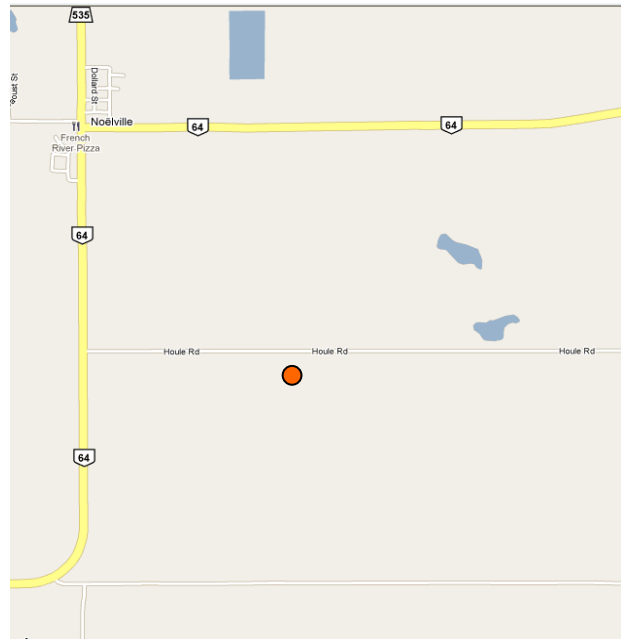
**Bin Site - Monetville Site - Hwy 64, Monetville.**

**THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER  
SCHEDULE "A"  
TO BY-LAW 2010-26**

**Landfill Site and Household Waste  
Bin Site Locations**



**Bin Site - Wolsley Bay Site - Hwy 528  
Municipality of French River**



**Landfill Site - Noëlville Landfill Site - 330 Houle  
Rd, Noëlville**

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

**SCHEDULE “B”  
TO BY-LAW 2010-26**

List of items not permitted for deposit in or around any waste bin sites or at the gates of the landfill site within the Municipality of French River.

- a. Wood (any kind of lumber)
- b. Flooring (any type)
- c. Insulation (any type)
- d. Any aluminum and scrap metal materials
- e. Drywall
- f. Paint cans (water or oil base)
- g. Hazardous waste materials
  - i. Oil base paints, stains or varnishes
  - ii. Any type of fuel
  - iii. Fire extinguishers
  - iv. Fluorescent tubes and thermometers
  - v. Fertilizers, weed & bug killers
  - vi. Reactive wastes including pool chemicals, ammonia, bleach and aerosols
  - vii. Oil filters
  - viii. Oil sludges
  - ix. Batteries
  - x. Crankcase oils and lubricants
  - xi. Transmission fluid
  - xii. Break fluid
  - xiii. Engine coolant
  - xiv. Propane tanks
- h. Shingles
- i. Used cars, car parts, or any mechanical equipment.
- j. Pathological diseased materials including syringes, bandages, poultices, dressing and any other medical waste or refuse from any medical clinic or dental clinic
- k. Explosives or highly combustible materials
- l. Liquid waste of any kind
- m. Hay, straw and manure
- n. Grass cuttings, leaves or branches
- o. Plumbing supplies
- p. Ashes which are live and warm
- q. Tires and/or rims
- r. Any appliances such as fridges, stoves, microwaves, toasters, freezers, dishwashers, or any white goods.
- s. Any electronics such as televisions, radios, speakers, computes, typewriters, printers, photocopiers
- t. Any type of furniture such as a couch, a sofa bed, chairs, tables, mattresses, box springs, dressers outdoor furniture,
- u. Bicycles
- v. Children’s toys
- w. Baby Strollers
- x. Any windows, sheets of glass, or broken glass.



**THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER  
BY-LAW 2010-26**

**Set Fine Schedule**

**Part I Provincial Offences Act**

BEING A BY-LAW TO PROHIBIT AND/OR REGULATE  
THE DISPOSAL OF WASTE AT THE BIN SITES AND LANDFILL SITES IN  
THE MUNICIPALITY OF FRENCH RIVER

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provision creating or Defining Offence	COLUMN 3 Set fines
1.	Deposit waste in location within the municipality except landfill sites or waste bin sites.	Section 2 (a)	305.00
2.	Deposit or dispose of waste from outside the Municipality of French River	Section 2 (b)	305.00
3.	Deposit or dispose waste at landfill sites after regular hours.	Section 2 (c)	305.00
4.	Scavenge, interfere with, remove, exchange or scatter waste found at waste bin or landfill sites	Section 2 (d)	305.00
5.	Deposit or dispose of any wood or lumber.	Section 2 (e) Schedule B (a)	305.00
6.	Deposit or dispose of any type of flooring	Section 2 (e) Schedule B (b)	305.00
7.	Deposit or dispose of any type of insulation	Section 2 (e) Schedule B (c)	305.00
8.	Deposit or dispose of any aluminum or scrap metal materials	Section 2 (e) Schedule B (d)	305.00
9.	Deposit or dispose of drywall	Section 2 (e) Schedule B (e)	305.00
10.	Deposit or dispose of paint cans	Section 2 (e) Schedule B (f)	305.00
11.	Deposit or dispose of oil base paint, stains and/or varnishes	Section 2 (e) Schedule B (g)(i)	305.00

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ITEM	COLUMN 1 Short form wording	COLUMN 2 Provision creating or Defining Offence	COLUMN 3 Set fines
12.	Deposit or dispose of any type of fuel	Section 2 (e) Schedule B (g)(ii)	305.00
13.	Deposit or dispose of fire extinguisher	Section 2 (e) Schedule B (g)(iii)	305.00
14.	Deposit or dispose of fluorescent tubes and/or thermometers	Section 2 (e) Schedule B (g)(iv)	305.00
15.	Deposit or dispose fertilizers, weed and/or bug killers	Section 2 (e) Schedule B (g)(v)	305.00
16.	Deposit or dispose of reactive waste including pool chemicals, ammonia, bleach and/or aerosols	Section 2 (e) Schedule B (g)(vi)	305.00
17.	Deposit or dispose of oil filters	Section 2 (e) Schedule B (g)(vii)	305.00
18.	Deposit or dispose of oil sludge	Section 2 (e) Schedule B (g)(viii)	305.00
19.	Deposit or dispose of batteries	Section 2 (e) Schedule B (g)(ix)	305.00
20.	Deposit or dispose of crankcase oils and lubricants	Section 2 (e) Schedule B (g)(x)	305.00
21.	Deposit or dispose of transmission fluids	Section 2 (e) Schedule B (g)(xi)	305.00
22.	Deposit or dispose of break fluids	Section 2 (e) Schedule B (g)(xii)	305.00
23.	Deposit or dispose of Engine Coolant	Section 2 (e) Schedule B (g)(xiii)	305.00
24.	Deposit or dispose of propane tanks	Section 2 (e) Schedule B (g)(xiv)	305.00
25.	Deposit or dispose of shingles	Section 2 (e) Schedule B (h)	305.00
26.	Deposit or dispose of used cars and/or parts, or mechanical equipment.	Section 2 (e) Schedule B (i)	305.00

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ITEM	COLUMN 1 Short form wording	COLUMN 2 Provision creating or Defining Offence	COLUMN 3 Set fines
27.	Deposit or dispose of pathological diseased materials	Section 2 (e) Schedule B (j)	305.00
28.	Deposit or dispose of explosives and/or highly combustible materials	Section 2 (e) Schedule B (k)	305.00
29.	Deposit or dispose liquid waste of any kind	Section 2 (e) Schedule B (l)	305.00
30.	Deposit or dispose of hay, straw and/or manure	Section 2 (e) Schedule B (m)	305.00
31.	Deposit or dispose of grass cutting, leaves and/or branches	Section 2 (e) Schedule B (n)	305.00
32.	Deposit or dispose of any plumbing supplies	Section 2 (e) Schedule B (o)	305.00
33.	Deposit or dispose of ashes which are live and warm	Section 2 (e) Schedule B (p)	305.00
34.	Deposit or dispose of tires and/or rims	Section 2 (e) Schedule B (q)	305.00
35.	Deposit or dispose of any electric appliance	Section 2 (e) Schedule B (r)	305.00
36.	Deposit or dispose of any electronics equipment	Section 2 (e) Schedule B (s)	305.00
37.	Deposit or dispose of any type of furniture indoor and/or outdoor	Section 2 (e) Schedule B (t)	305.00
38.	Deposit or dispose of a bicycle	Section 2 (e) Schedule B (u)	305.00
39.	Deposit of dispose of any kids toys	Section 2 (e) Schedule B (v)	305.00
40.	Deposit or dispose of any type of baby strollers	Section 2 (e) Schedule B (w)	305.00

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ITEM	COLUMN 1 Short form wording	COLUMN 2 Provision creating or Defining Offence	COLUMN 3 Set fines
41.	Deposit any cardboard or cardboard boxes not opened or flattened.	Section 2 (g)	305.00
41.	Deposit any waste near or around the waste bin sites.	Section 2 (h)	305.00
43.	Deposit waste not in possession of a valid landfill pass or proof of residence.	Section 2 (i)	305.00
44.	Deposit any waste at the landfill site in an area not designate by the attendant.	Section 4 (a)	305.00
45.	Failure to follow instructions when depositing waste.	Section 4 (b)	305.00
46.	Failure to remit tipping fees before depositing waste.	Section 4 (c)	305.00

**\*NOTE: Penalty provisions for the offences indicated above is Section 5(a) of By-Law number 2010- 26, a certified copy of which has been filed.**