

# **THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY**

## **BY-LAW NO. 2016-06**

### **BEING A BY-LAW FOR ESTABLISHING AND MAINTAINING A SYSTEM FOR THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE, RECYCLABLE MATERIALS, YARD WASTE AND OTHER REFUSE**

**WHEREAS** section 10 (1) of the Municipal Act, 2001, as amended, gives single-tier municipalities the authority to provide any service or thing that the municipality considers necessary or desirable for the public;

**AND WHEREAS** Section 10 (2) of the Municipal Act, 2001, as amended gives single-tier municipalities the authority to pass by-laws respecting such matters;

**AND WHEREAS** the Council of the Municipality of Killarney 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 users of the Killarney village landfill site and to implement tipping fees to cover costs associated with the disposal of garbage and other refuse.

**NOW THEREFORE** the Council of the Municipality of Killarney enacts as follows:

#### **SECTION I – DEFINITIONS**

1. “Bag/container” shall mean a plastic bag/container which:
  - i) For Residential Use: has a capacity of not more than 128 litres, and dimensions not greater than 30" x 38"
  - ii) For Commercial Use: has a capacity of not more than 205 litres, and dimensions not greater than 35" x 50".
2. “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;
3. “Commercial User” shall mean an owner/operator of an industrial, commercial or institutional facility/business (IC&I) entitled to place refuse into the Killarney village landfill.
4. “Residential 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 in the Killarney village landfill site.
5. Those who are not ratepayers or tenants of ratepayers are not entitled to place refuse in the Killarney village landfill site.
6. “Council” shall mean the Council of the Municipality of Killarney.
7. “Domestic Waste” shall mean the waste produced by residents in their homes;
8. “Household Hazardous Waste” shall mean waste requiring special care, including but not limited to the examples shown in ‘Schedule A’ to this By-law;
9. “IC&I waste” shall mean waste produced by the industrial, commercial or institutional sector;
10. “Landfill/Recycling Site Manager” shall mean the person duly appointed and responsible for supervision and control of operations at the Landfill/Recycling Site;

11. "Non-Collectable Waste" shall mean the materials as described in 'Schedule B' that also will not be picked up at the curbside;
12. "Recyclable" shall mean those classifications of waste capable of being diverted from the normal waste stream as specified in 'Schedule E';
13. "Refuse" shall mean the same as "waste";
14. "Salvaging" shall mean the process of finding items for the purpose of reuse;
15. "Scavenging" shall mean the process of finding items for the purpose of reuse;
16. "Special Area" shall mean an area at the Landfill/Recycling Site, designated for a particular purpose;
17. "Township" shall mean the Corporation of the Municipality of Killarney.
18. "Waste" shall include domestic and solid non-hazardous, non-recyclable refuse and other wastes as designated and as approved by the Ministry of Environment;
19. "Unacceptable Waste" shall mean waste not accepted at the waste site as itemized in 'Schedule F' to this By-law.

**SECTION II - "PARTIAL PAY-PER-BAG" and "TIPPING FEES"**

1. Residential Users will be provided with 104 free bag tags per year.
2. Commercial Users will be provided with 208 free bag tags per year.
3. Additional bag tags will be available at the municipal office at a cost of \$2.00 per tag.
4. Free tags will be available for pick-up at the Municipal office. Tags will be provided on a prorated basis to new Residential Users (2 per week for each week a residential ratepayer) and to new Commercial Users (4 per week for each week a commercial ratepayer).
5. New Residential Users and Commercial Users may pick up their free tags from the Municipal office upon confirmation of purchase of property.
6. Residential Users of the landfill site using bins or bags larger than those identified herein, shall apply sufficient tags based on the following: One tag = 128 litres or less, and 23 kg or less, and dimensions of 30" x 38" or less.
7. Commercial Users of the landfill site using bins or bags larger than those identified herein, shall apply sufficient tags based on the following: One tag = 205 litres or less, and 28 kg or less, and dimensions of 35" x 50" or less.
8. Vacant land owners are not classified as "users" as defined in this By-law, and will not be provided with free tags. Tags will be available to them for purchase at the Municipal office for the cost of \$ 2.00 per tag, and proof of land ownership in an acceptable form will be required, e.g.: tax bill, letter from lawyer confirming ownership).
9. Tipping fees for brown waste, tires and other materials deemed not suitable for curbside pick-up can be paid at the Municipal office, where a proper ticket will be issued to the user.

10. Once a year for the period of one week, tipping fees will be waived for non-collectable items including metals and brown waste. Users will be responsible for transporting or making arrangements for transporting such material to the landfill site.

### SECTION III - SITE OPERATION

1. The village of Killarney operates a landfill/recycling site (hours of operation attached as Schedule D' to this By-law) described as follows: Killarney Municipal Landfill Site, 1111 Highway 637, Killarney ON.
2. The Landfill/Recycling Site shall be available for the depositing of waste and recyclables produced within the boundaries of the Municipality of Killarney.
3. No person shall enter and/or leave the Landfill/Recycling Site without:
  - a) Attendant inspection and verification of their refuse and instruction(s) on dumping of said material.
  - b) Giving their name and address to the Landfill/Recycling Site Attendant upon request;
  - c) Declaring the nature and origin of the waste if requested.
4. The landfill/recycling site shall only be used when an Attendant is on duty. The attendant will be on duty and the site open as outlined in 'Schedule D' to this By-law.
5. The Attendant shall have the authority to direct anyone to leave the site if that person is not following the Attendant's directions or is behaving in a threatening or harassing manner.
6. All waste material shall be transported to the Landfill/Recycling Site in a manner so as to prevent scattering or losing of waste while en route to the waste site.
7. All waste must be properly sorted e.g. landfill, recyclable, and burnable and disposed of in the designated areas.
8. Tipping fees may apply, as per 'Schedule C' to this Bylaw.
9. Household Hazardous Waste, as identified in 'Schedule A' to this By-law, shall not be accepted at the landfill/recycling site.
10. Other unacceptable items, listed in 'Schedule F' to this By-law, will not be accepted at the landfill/recycling site.
11. Scavenging and salvaging will not be permitted at the Landfill/Recycling Site. This applies to the entire site and includes the scrap metal, white goods, electronics, and glass.
12. All on-site health, sanitary and site operations shall be maintained in accordance with the current *Environmental Compliance Approval* issued by the Ministry of the Environment.
13. Regulations of the Ministry of Environment, the *Environmental Protection Act* and the Municipality of Killarney's *Environmental Compliance Approval* document shall be observed at all times.
14. The Municipality of Killarney reserves the right to prohibit any person, firm or Corporation from using the landfill/recycling site.
15. Any garbage bags brought to the landfill by residents shall be tagged. Untagged bags will not be accepted.

16. Recyclables must be placed in clear plastic bags. There is no limit on the amount of clear bags containing recyclables that will be accepted at the site.
17. During curbside collection, bags of recyclables containing non-recyclable materials will be left at curbside.
18. During the summer season, a bear-proof container is encouraged, as well as placing garbage at curbside on the morning of pick-up (not the night before) whenever possible.
19. At the time of the passing of this by-law by Killarney council, construction, renovation, and demolition waste is not accepted at the Killarney landfill site. The future capacity of the site is yet to be determined and at such time as the governing overseers determine the capacity restraints on the site, the ban on such material may or may not be lifted.

#### **SECTION IV – CURBSIDE GARBAGE/RECYCLING COLLECTION**

1. Village curbside residential pickup will take place as stated in Schedule D.
2. Village curbside recycling pickup will take place as stated in Schedule D.
4. Every User required to use or making use of curbside garbage/recycling collection shall comply with the following:
  - i) No User shall mix or place out for garbage collection any material which is defined by the Municipality of Killarney as hazardous or non-collectible.
  - ii) Collectible garbage placed out for collection shall be properly tagged as specified in Section 2.6 and 2.7 of this By-law.
  - iii) Garbage and recycling bags must be placed at curbside by 8:00 a.m. on the morning of the scheduled pick-up.
  - iv) Garbage bag size and weight shall not exceed those limits set out in Section 1.1.

#### **SECTION V - ENFORCEMENT, REPEAL AND ENACTMENT**

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 recoverable under the provisions of the Provincial Offences Act.
2. That all Schedules attached hereto form part of this By-law.
3. All previous By-laws and resolutions and parts of By-laws and resolutions inconsistent with the provisions of this By-law, are hereby repealed.
4. That this By-law shall come into force and effect on the 1st day of April, 2016.

## Schedule “A”

### Examples of Prohibited Household Hazardous Waste

<b>A</b>	<b>H</b>
acetic acid	herbicides
acid aerosols	household cleaners
anti-freeze	<b>I</b>
antiseptic kerosene	insulating foam
arsenicals	<b>L</b>
<b>B</b>	liquid medicines
barbeque lighter fluid	liquid waxes & polishes
bleach	<b>M</b>
botanicals	muriatic acid
bug killers	<b>O</b>
<b>C</b>	oils/brake fluids/transmission oil/oil filters
caulking tubes	oven cleaners/disinfectants
caustic aerosols	oxalic acid insecticide
cement cleaners	<b>P</b>
ceramic paints	paints
chlorinated hydrocarbons	petroleum distillates
<b>D</b>	photo processing waste/boric acid
degreaser pharmaceuticals	pool chemicals
detergents	power steering fluid
driveway sealers	propane cylinders
<b>E</b>	<b>R</b>
elemental mercury	rat poison
ethanol/methanol/toluene acetone	roofing tar
expired drugs (not liquid)	rust remover
<b>F</b>	<b>S</b>
fertilizers	shellac/resins/urethanes/varnish
fire extinguishers	spray paints
fondue fuel	steel/aluminum cleaners
fungicide soaps	sulfuric acid
fly sprays	<b>T</b>
flea sprays & collars	toilet bowl cleaners/drain cleaners
furniture polishes	<b>V</b>
<b>G</b>	varsol
gas/oil mix	<b>W</b>
gasoline/diesel/naphtha gas	WD 40
glue/epoxy/adhesives	window cleaners

## Schedule “B”

### Non-Collectible Waste

Items that will not be picked up at the curb include:

1. Household hazardous waste – see Schedule A
2. Items that require tipping fees – see Schedule C
3. Unacceptable waste – see Schedule F

## Schedule “C”

### Tipping Fees

PLEASE NOTE: This is not an all-inclusive listing. If items do not fall under categories listed below, they may be ‘specialty items’ which may or may not be accepted. Contact the Public Works Department for clarification.

#### *Brown Waste – Per Item*

Carpet	\$7.00 each
Mattress or box spring	\$7.00 each
Furniture – e.g., chair, sofa, loveseat, table	\$7.00 each

#### *Brown Waste – Per Load*

Car	\$15.00 each
Pick-up	\$60.00 each
Loader bucket	\$60.00 each
Single-axle trailer	\$60.00 each
Double-axle trailer	\$77.00 each
Tandem/dump truck	\$77.00 each
Tri-axle dump truck	\$144.00 each

#### *Bulky Items*

Pressure tank, hot water tank, barbeque	\$5.00 each
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#### *Tires*

Regular passenger vehicle	\$6.25 each
Transport	\$15.50 each

## Schedule “D”

### Landfill/Recycling Centre Hours, Curbside Collection Service

#### Landfill/Recycling Centre Hours of Operation

Summer hours of operation begin the Sunday before Victoria Day Weekend. Winter hours begin the Sunday after Thanksgiving Day.

#### *Summer Hours*

Mon	1:30 – 3:30 pm
Tue	Closed ( <i>Except after holiday Mondays, when the site will be open 1:30 – 3:30 pm</i> )
Wed	1:30 – 3:30 pm
Thu	Closed
Fri	1:30 – 3:30 pm
Sat	9:00 – 11:00 am and 1:30 – 3:30 pm
Sun	1:30 – 3:30 pm

#### *Winter Hours*

Tue	1:30 – 3:30 pm
Sat	1:30 – 3:30 pm

#### Curbside Collection Service

For household waste: every Tuesday, beginning at 8 am

For household (blue box) recycling: every Tuesday, beginning at 8 am

## **Schedule “E”**

### **Waste Diversion, Blue Box, and Recyclable Items**

- Clean wood (wood that has not been painted, stained or treated)
- Brush
- White goods (e.g., washing machines, dryers, cook stoves)
- Metal items (except those for which a tipping fee must be paid – see Schedule C)
- Electronics: See the Electronics Recycling Guide available at the municipal office and on the municipal website, describing acceptable electronics.
- Household (“blue box”) items: See the Recycling Guide available at the municipal office and on the municipal website, describing accepted recyclables and how to prepare them.

## **Schedule “F”**

### **Unacceptable Waste**

Items that are not acceptable at the Landfill/Recycling Site include, but are not limited to:

- stumps
- automobiles
- vehicle parts
- recreational vehicles - snow machines, canoes, campers, etc.
- recreational vehicle parts
- cement
- asphalt
- fluorescent bulbs

***READ A FIRST, SECOND AND THIRD TIME IN OPEN COUNCIL AND PASSED  
THIS 10<sup>th</sup> DAY OF FEBRUARY, 2016.***

***ORIGINAL DOCUMENT SIGNED***

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***Nancy Wirtz, Deputy Mayor***

***ORIGINAL DOCUMENT SIGNED***

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***Candy Beauvais, Clerk-Treasurer***