

BY-LAW 101-2019

THE CORPORATION OF THE TOWN OF ST. MARYS

Being a By-Law to establish and maintain a multi-stream system for collection, removal and disposal of Waste, other refuse and recyclable materials within the Town of St. Marys.

- WHEREAS:** Subsection 10(1) of the *Municipal Act, 2001*, C.O. 2001, c. 25, as amended, authorizes a single tier municipality to provide any service that the municipality considers necessary or desirable for the public;
- AND WHEREAS:** The Town of St. Marys considers the management of Waste as necessary or desirable for the public;
- AND WHEREAS:** Subsection 10(2), paragraph 7 of the *Municipal Act, 2001* authorizes a single-tier municipality to pass by-laws respecting services that the municipality is authorized to provide under Subsection 10(1);
- AND WHEREAS:** Subsection 8(3), paragraphs (a) and (b) of the *Municipal Act, 2001* provide that a by-law under Section 10 respecting a matter may regulate or prohibit respecting the matter and may require persons to do things respecting the matter;
- AND WHEREAS:** Section 127 of the *Municipal Act, 2001* further authorizes a local municipality to prohibit the depositing of refuse on land without the consent of the owner or occupant of the land, and to define “refuse” for this purpose;
- AND WHEREAS:** Section 128 of the *Municipal Act, 2001* authorizes a local municipality to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances, and provides that the opinion of council, if arrived at in good faith, is not subject to review by any court;
- AND WHEREAS:** Council for The Corporation of the Town of St. Marys has determined that Waste which is in such a condition that it can be blown in the wind, allows odours to escape, is likely to attract animals, including, but not limited to, insects or birds, or presents a health, safety or fire risk, is, or could become or cause a public nuisance;
- AND WHEREAS:** Section 391 of the *Municipal Act, 2001* provides that the municipality may impose fees and charges on persons for services or activities provided or done by or on behalf of it;

AND WHEREAS: Subsection 446(1) of the *Municipal Act, 2001* provides that if a municipality has the authority under a by-law to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

NOW THEREFORE: The Council for The Corporation of the Town of St. Marys hereby enacts as follows:

1.0 DEFINITIONS

1) For the purpose of this By-Law:

"Ashes" means and includes wood, coke or coal ash, cinders, clinkers, inert soil and sweeping.

"BOXBOARD" MEANS NON-CORRUGATED CARDBOARD;

"BOX SPRING" MEANS A FRAME FOR A MATTRESS WITH A SET OF VERTICAL SPRINGS;

"BUILDING WASTE" MEANS broken concrete, masonry, metal, wood and other material resulting from the construction, alteration, repair, demolition, or removal of any building or structure;

"BUNDLE" MEANS AND INCLUDES ALL MATERIAL OF SIMILAR SIZE AND COMPOSITION, SECURELY TIED TOGETHER, HAVING A DIMENSION NOT GREATER THAN ONE (1) METRE BY 0.5 METRE BY 0.5 METRES AND NOT EXCEEDING 20 KILOGRAMS (44 LBS) IN WEIGHT;

"COLLECTION POINT" MEANS THAT PART OF A PROPERTY WHICH HAS BEEN DESIGNATED BY THE DIRECTOR OF PUBLIC WORKS, OR THEIR DESIGNATE, FOR THE SETTING OUT AND COLLECTION OF WASTE, RECYCLING, AND LEAF AND YARD WASTE;

"CONTAINER" means one of three Waste containers or Recycling container supplied by the applicable service provider as part of the automated collection service;

"DOWNTOWN COLLECTION AREA" MEANS THE AREA DELINEATED IN SCHEDULE 3 TO THIS BY-LAW.

"GARBAGE" MEANS material or item discarded by the occupant of a dwelling unit or industrial and commercial unit that is not recyclable material, organic material, yard material or any other Non-Collectable Waste (for greater clarity, refer to Schedule 3 of this by-law);

“Hazardous Waste” means hazardous industrial Waste, acute hazardous Waste chemical, hazardous Waste chemical, severely toxic Waste, ignitable Waste, corrosive Waste, reactive Waste, radioactive Waste, except radioisotope Wastes disposed of in a landfilling site in accordance with the written instructions of the Canadian Nuclear Safety Commission, pathological Waste, leachate toxic Waste, all as defined in O. Reg. 347 under the *Environmental Protection Act*, explosive Waste and PCB Waste as defined in O. Reg. 362, R.R.O. 1990 under the *Environmental Protection Act*, and any other Waste identified as a hazardous Waste in any Provincial or Federal statute, regulation, Order in Council or otherwise from time to time;

“LEAF AND YARD WASTE” MEANS ORGANIC MATERIAL CONSISTENT WITH THE MATERIALS AND DETAILS IDENTIFIED IN SCHEDULE 5 OF THIS BY-LAW;

“MATTRESS” MEANS A FABRIC CASE FILLED WITH DEFORMABLE OR RESILIENT MATERIAL OF ANY SIZE;

“Municipal Hazardous or Special Waste” means any household product, material or item labeled as "corrosive", "toxic", "reactive", "explosive" or "flammable", and which is accepted under the Town's household hazardous Waste program. Such Waste shall consist of paints, stains, varnish, urethanes, oils, pesticides, herbicides, household and automotive batteries and gas cylinders (for greater clarity, refer to Schedule 8 of this By-law);

“Non-Collectable Waste” does not include Garbage as defined, but includes and means the following: manufacturer’s Waste, Building Waste, sawdust, shavings, or excelsior, swill or other organic matter not properly drained or wrapped, liquid Waste, biomedical Wastes, hay, straw and manure, night soil, carcass of any animal (other than food Waste), live animals or birds, any material which has become frozen to the Container and cannot be removed by shaking, large household appliances, large household furniture (couches, chairs etc.), refrigerators, freezers, air conditioners, dehumidifiers, stoves, washers, dryers, dishwashers, furnaces and water heaters; recyclable material and yard Waste or Garbage containing more than 5% of recyclable material. For greater clarity, refer to Schedule 4 of this By-law;

“PROPERTY OWNER” MEANS THE REGISTERED OWNER OF PROPERTY, INCLUDING LEASED PREMISES, AND THE OWNER’S AGENT OR PROPERTY MANAGER, OR ANY OTHER PERSON HAVING CHARGE OR CONTROL OF THE PROPERTY;

“RECYCLING” MEANS all materials accepted in the curbside recycling program provided by the Town and shall include the following: glass bottles and jars, newspapers, magazines, phone books, food and beverage cans, plastic bottles, plastic tubs, mixed paper, corrugated cardboard and Boxboard, as amended from time to time (for greater clarity, refer to Schedule 6 of this by-law);

“Road” means any public highway, street, lane, alley, square, place, thoroughfare or way within the Town of St. Marys;

“SCAVENGE” MEANS THE UNAUTHORIZED REMOVAL BY A PERSON OTHER THAN THE TOWN OR ITS DESIGNATE OF WASTE, RECYCLABLE MATERIAL OR OTHER REFUSE OR MATERIAL THAT HAS BEEN SET OUT FOR COLLECTION, OR THE UNAUTHORIZED REMOVAL OF WASTE, RECYCLABLE MATERIAL OR OTHER REFUSE OF MATERIAL THAT HAS BEEN DEPOSITED AT THE WASTE MANAGEMENT FACILITY;

“SHARP OBJECTS” INCLUDES BROKEN GLASS, RAZOR OR OTHER BLADE, SEWING NEEDLE, CLINICAL GLASS, KNIFE, SCISSORS, SCREW, NAIL, AXE, HATCHET, LAWN MOWER BLADE AND THE LIKE;

“SCRAP METAL” includes but is not limited to; metal bicycles, metal bed frames, metal fencing and posts, metal filing cabinets, hot water tanks, metal sinks, nuts/bolts/nails/screws, passenger vehicle tire rims, metal desks, metal shelves, metal lawnmowers, metal no longer than 3 metres in length, aluminum siding, automotive parts, pipe fittings, and barbeques excluding propane tanks;

“Textiles” means a type of cloth or woven fabric and shall consist of, but not limited to; clothes, sheets, shoes, towels, blankets and the like;

“Tipping Fee” means the charge levied by the Town at the Waste Management Facility for disposable Waste under the terms of this by-law in accordance with the Town’s Fee By-law, as amended;

“TOWN” SHALL MEAN THE CORPORATION OF THE TOWN OF ST. MARYS;

“WASTE” SHALL MEAN GARBAGE, BUILDING WASTE, DOMESTIC WASTE, INDUSTRIAL SOLID WASTE, MUNICIPAL GARBAGE OR NON-COLLECTABLE WASTE AND SUCH OTHER WASTE AS MAY BE DESIGNATED WITHIN THIS BY-LAW;

“WASTE MANAGEMENT FACILITY” SHALL MEAN ANY AREA OF LAND AT #1221 WATER STREET SOUTH DESIGNATED AS SUCH BY THE TOWN TO BE USED FOR THE DISPOSAL OF WASTE AND AS APPROVED BY THE MINISTRY OF ENVIRONMENT, CONSERVATION AND PARKS, OR ITS INHERITED MINISTRY;

“WASTE GENERATOR” SHALL MEAN ANY PERSON OR PERSONS GENERATING WASTE IN THE TOWN.

2.0 CURBSIDE COLLECTION

1. Qualification for Curbside Collection

- (1) Curbside collection shall be provided for single residential detached, semi-detached, or townhomes fronting a municipal road allowance.

- (2) For multi-residential, industrial, commercial and institutional properties, a maximum of one Garbage Container and one Recycling Container shall be permitted for every 8.5 metres of lot frontage, or at the discretion of the Town.
- (3) Where a property has multiple units with internal lanes or roads, curbside collection may be permitted inside the property at the sole discretion of the Town or their designate. Should internal collection be permitted, the Property Owner shall enter into a private agreement with the waste collection service provider for the delivery of services.
- (4) For properties where Waste generation rates, volumes or Container needs do not comply with the Town’s guidelines, private containerized services shall be contracted at the sole responsibility of the Waste Generator.

2. Frequency and Time for Collection

- (1) The Town shall devise a schedule for the curbside collection of Garbage, Recycling, and Leaf and Yard Waste utilizing Schedule 1 of this By-law to articulate which section of Town receives collection on which day.
- (2) Garbage may be collected on a weekly basis, year-round, with the exception of properties within the Downtown Collection Area, as identified in Schedule 3, which will receive Garbage collection twice per week, year-round.
- (3) Collection of Recycling may be collected on a bi-weekly basis, year-round with the exception of properties within the Downtown Collection Area, as identified in Schedule 3, which will receive Recycling collection twice per week, year-round.
- (4) Collection of Leaf and Yard Waste may occur at the discretion of the Director of Public Works, or their designate.
- (5) No person shall set out collection materials before 5:00 pm on the day preceding the day scheduled for collection.
- (6) Collection materials must be set out by 6:30 am in the Downtown Collection Area, and 7:00 am in all other curbside collection areas, on the day of collection. The Town is not responsible for collecting materials that are not placed at the curbside by the applicable time.

3. Requirements for Collection

(1) Approved Quantities

| | Garbage Containers | | | Recycling Container | Leaf & Yard Waste |
|--------|----------------------------|----------------------------|----------------------------|----------------------------|-------------------|
| | Small Cart | Medium Cart | Large Cart | Large Cart | Bundle |
| Volume | 120 litres (35 gallons) | 240 litres (65 gallons) | 360 litres (95 gallons) | 360 litres (95 gallons) | 1m x 0.5m x 0.5m |

| | | | | | |
|--------------|--------------------|---------------------|---------------------|---------------------|-------------------|
| Weight (Max) | 54 KG (120 lbs) | 100 KG (220 lbs) | 145 KG (320 lbs) | 145 KG (320 lbs) | 20 KG (44 lbs) |
|--------------|--------------------|---------------------|---------------------|---------------------|-------------------|

a) Garbage

- i. Loose, or in a bag, or liner and placed in the Container as provided by garbage collection service provider.
- ii. Garbage is drained of liquids before it is placed in the Container for collection and that the liquids are managed appropriately.
- iii. The capacity of a Container shall be deemed to be exceeded when the Container exceeds the approved maximum referenced weight, or when the Container lid will not completely close.
- iv. Sharp Objects shall be placed in a rigid, sealed container, no larger than 0.6 metres (2 feet) in any dimension, clearly labelled as containing Sharp Objects, and placed inside the Garbage Container.
- v. Ashes shall be set out for collection at least five (5) days after they have been removed from fire, and safely stored in a rigid, sealed container.

b) Recycling

- i. Recycling materials are free of any solid, semi-solid or liquid contaminant, and placed loosely in a Recycling Container, as provided by the recycling collection service provider.
- ii. The capacity of a Container shall be deemed to be exceeded when the Container exceeds the approved maximum referenced weight, or when the Container lid will not completely close.

c) Leaf and Yard Waste

- i. Smaller material may be placed loosely in a Kraft paper bag or in a rigid reusable container as supplied by the Property Owner having suitable handles or indentations to facilitate lifting and emptying of the Container.
- ii. All branches, limbs, brush, excluding Christmas trees, which meet the definition for Yard Waste shall be stripped of leaves and securely tied in compact Bundles.

4. Placement of Containers for Collection

(1) Every Waste Generator and Property Owner shall ensure that Containers for collection are placed with a minimum one (1) metre clearance on each side of the Container and at least five (5) metres clearance above the Container for automated collection.

(2) The Collection Point for a property is where pedestrian and / or vehicular traffic is not impeded, and;

- a) Where the property is beside a Road, and the Road has a curb, within 0.3 metres away from the Road, behind the curb

- b) Where the property is beside a Road and the Road has a gravel shoulder, at the outside edge of the shoulder
 - c) Where the property is beside a Public Lane, as close as possible to the edge of the Public Lane
 - d) In the Downtown Collection Area, on the sidewalk directly adjacent to the curb
- (3) No person shall:
- a) Set out Waste for collection that impedes or obstructs pedestrian or vehicular traffic or Road maintenance operations, or so as to endanger the safety of Waste collection personnel or any other person.
 - b) Set out Waste for collection on top of any snow bank exceeding 0.6 metres in height. The area in which such Waste is placed is clear of snow and ice to provide for the ready and safe access for collection.
- (4) Every Waste Generator or Property Owner shall ensure that:
- a) All Containers containing Garbage are set adjacent to each other.
 - b) All Containers containing Recycling are set adjacent to each other.
 - c) All Containers or Bundles of Leaf and Yard Waste are set adjacent to each other.
- (5) Where it is deemed more convenient in the opinion of the Town to make collection from the rear of the premises, collection may be made by entering lanes or alleys provided that safe access and turning space are available as determined by the Town or their designate.

5. Removal of Materials Not Collected and Containers

- (1) No person shall:
- a) Permit uncollected material or a Container or Waste to remain at the Collection Point after 7:00 pm on the day of collection, except in the Downtown Collection Area.
 - b) Permit uncollected material or a Container to remain in the Downtown Collection Area at the Collection Point after 10:30 am on the day of collection.

6. Fees for Collection

- (1) Rates established by the Town and prescribed in the Town's Fee By-law, as amended, shall be applicable to all persons authorized to use the Waste Management Facility.

7. Specialize Collection

- (1) The Town may designate certain days or times whereby a specialized collection is applicable.
- (2) No person shall pick over, interfere with, Scavenge, disturb, remove or scatter any materials set out for specialized collection except an employee, authorized agent or representative of the Town providing collection services.

3.0 WASTE MANAGEMENT FACILITY

- (1) The Town shall designate the hours of operation for the Waste Management Facility in accordance with the site's Environmental Compliance Approval, and shall be posted at the Waste Management Facility.
- (2) The Waste Management Facility shall be under the supervision of the Director of Public Works or their designate.
- (3) Materials collected by the Town, any citizen or private contractor within the limits of the Town shall be deposited at the Town's Waste Management Facility in accordance with this by-law.
- (4) The Town shall designate such areas within the Waste Management Facility as deemed necessary and appropriate for the depositing, temporary storage, handling and processing of all material regulated under this by-law.
- (5) Rates established by the Town and prescribed in the Town's Fee By-law, as amended, shall be applicable to all persons authorized to use the Waste Management Facility.
- (6) Material accepted for disposal or diversion at the Waste Management Facility shall be appropriately sorted and placed as follows:
 - (a) Garbage in the designated fill area or bin(s);
 - (b) Metal or Steel in the designated scrap metal area or bin(s);
 - (c) Municipal Hazardous or Special Waste (MHSW) in the MHSW Depot sorting area or bin(s);
 - (d) Leaf and Yard Waste in the designated composting area or transfer bin(s);
 - (e) Recycling in the recycling area or bins;
 - (f) Electronics in the designated drop area or bin(s);
 - (g) Brush in the designated drop off area;
 - (h) Wood in the designated drop off area;
 - (i) Mattresses and Box Springs in the designated container or bin;
 - (j) Textiles in the designated container or bin.
- (7) The Waste Management Facility shall employ a vehicular weigh scale for the purposes of fee determination and disposal tracking purposes. The scale shall be calibrated a minimum of once per calendar year, with the time frame between calibrations not exceeding 16-months and shall be completed by a third party source as contracted by the Town.

- (8) In the event that the on-site scale system is unable to be used, the Waste Management Facility shall employ a price per axle fee system in accordance with the Town's Fee By-law, as amended. Should incoming loads be on a transportation vehicle equipped with a scale, the fee(s) may be determined by the provided weight, as determined by the Site Supervisor or their designate.
- (9) No person shall by-pass the weigh scale, attempt weight manipulation or by any other means avoid assessment of Tipping Fees provided for by by-law.
- (10) Every person shall pay Tipping Fees in full before leaving the Waste Management Facility unless a charge account has been approved in accordance with Town Policy.
- (11) No person will be admitted to the Waste Management Facility with material not deemed acceptable for disposal.
- (12) Small loads of Waste carried by light trucks, cars and trailers will be accepted during the posted operational hours at the Site.
- (13) No person shall deposit Waste in the Waste Management Facility's operating cell within 30 minutes of the Waste Management Facility closure.
- (14) No person shall deposit Waste in the Waste Management Facility's operating cell on Saturdays without the prior approval of the Site's Supervisor.
- (15) No person shall:
 - a) Deposit material at the Waste Management Facility outside of the hours of operation.
 - b) Deposit any material at the Waste Management Facility generated from outside of the Town's municipal boundary.
 - c) Deposit any material which has been designated by the Town as a prohibited material, and as posted at the Waste Management Facility.
 - d) Deposit any burning material or have any material with an open flame at the Waste Management Facility.
 - e) Deposit material in a location other than its designated disposal area and / or as directed by Site Operator.
 - f) Operate a motor vehicle at the Waste Management Facility other than on designated roadways or driveways, without due care and attention or at greater than the posted speed.
 - g) Permit pets or animals to be at the Waste Management Facility, other than within a transportation vehicle, unless the animal is a service animal in accordance with the *Accessibility for Ontarians with Disabilities Act*.

h) Scavenge or salvage at the Waste Management Facility.

- (16) All material deposited at the Waste Management Facility shall become the property of the Town and may be salvaged, reclaimed, recycled, disposed of or otherwise dealt with by the Town as the Town may deem fit.
- (17) The Town may at its own discretion prohibit certain materials from the Waste Management Facility that may be difficult to process, handle, damaging to the environment or personal safety. A list of prohibited material shall be posted and visible at the Waste Management Facility.
- (18) An administration fee shall be charged by the Town to provide duplicate copies of tickets for Tipping Fees when requested, in accordance with the Town's Fee By-law, as amended.
- (19) No person shall attend or trespass at the Waste Management Facility except for the purposes of depositing material or for other lawful business.

4.0 LEAF AND YARD WASTE CONVENIENCE DEPOT

- (1) The Town may provide and maintain a Leaf and Yard Waste convenience depot at a location as determined by the Town that is accessible to the public twenty four hours per day, seven days per week.
- (2) No person shall dump or deposit material other than Leaf and Yard Waste at the convenience depot.
- (3) Material accepted for disposal at the convenience depot shall be appropriately sorted.
- (4) Material deposited at the convenience depot shall be transferred to final storage or processing areas at the Waste Management Facility.

5.0 SCHEDULES

- (1) The following schedules shall constitute and form part of this By-law:

Schedule 1 – Curbside Collection Areas

Schedule 2 - Downtown Collection Area

Schedule 3 – Garbage Examples

Schedule 4 – Non-Collectable Examples

Schedule 5 – Leaf and Yard Waste Examples

Schedule 6 - Recycling Examples

Schedule 7 – Electronics Examples

Schedule 8 –Municipal Hazardous or Special Waste Examples

6.0 ENFORCEMENT AND PENALTIES

(1) This by-law may be enforced by a Police Officer or a Municipal Law Enforcement Officer appointed by Council.

(2) Penalty

- a. Every person who contravenes any provision of this By-Law is guilty of an offence and;
 - i. Upon a first conviction is subject to a maximum fine of five thousand dollars (\$5,000);
 - ii. Upon a subsequent conviction is subject to a maximum fine of ten thousand dollars (\$10,000).
- b. Despite subsection (1), of section 5.2, where the person convicted is a corporation, the corporation is liable;
 - i. Upon a first conviction is subject to a maximum fine of ten thousand dollars (\$10,000);
 - ii. Upon a subsequent conviction is subject to a maximum fine of twenty-five thousand dollars (\$25,000).

(3) Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

7.0 SHORT TITLE

This By-law may be referred to as the “Waste Management By-law”.

8.0 REPEAL

The following By-laws are hereby repealed in their entirety:

By Law 71 of 2012, Solid Waste Management

By-law 72 of 2012, Amendment to By-law 12 of 2012

9.0 ENACTMENT

This By-law shall come into force and effect on the 1st day of January, 2020.

Read a first, second and third time and finally passed this 26th day of November, 2019.

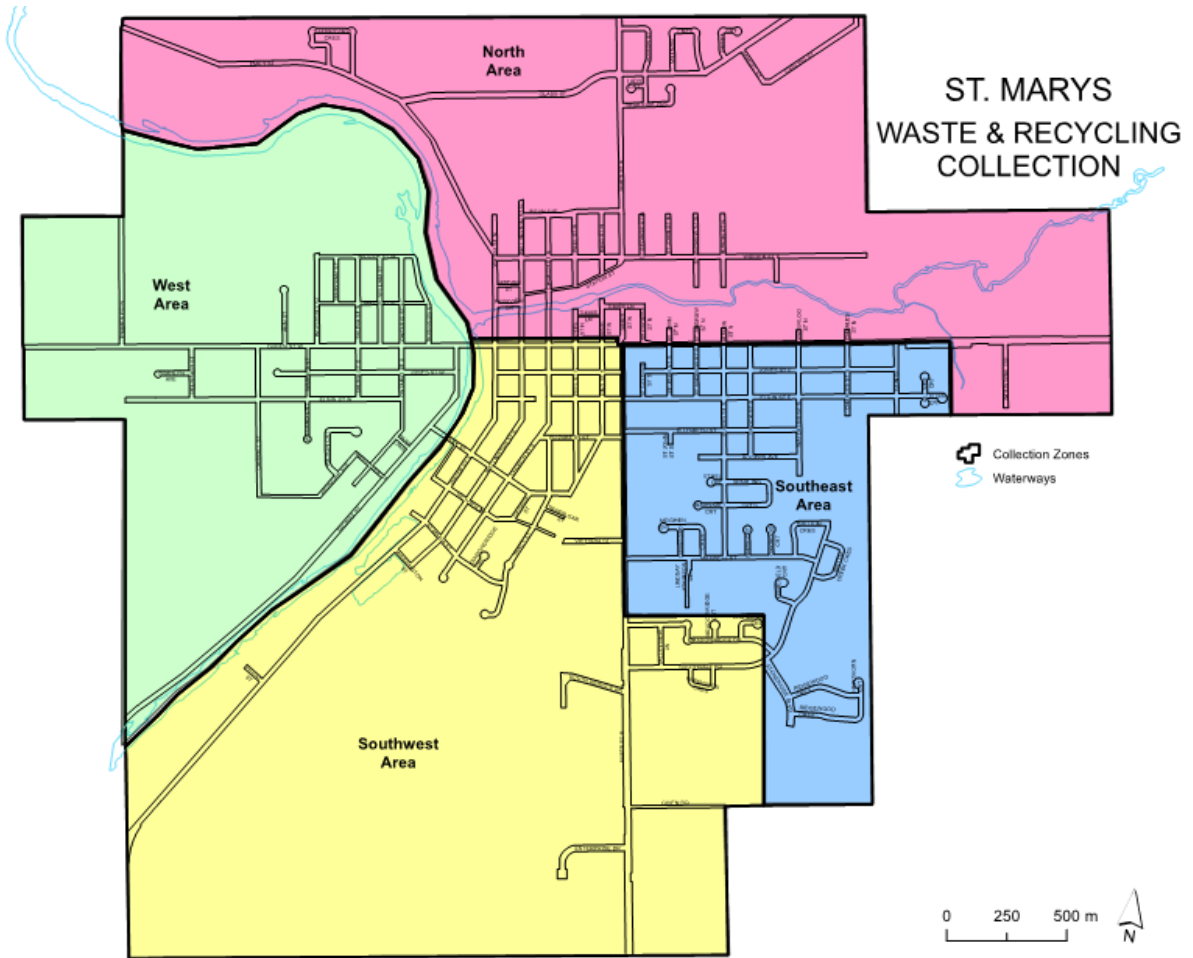
Signed by Mayor
Acting Mayor Luna

Signed by Clerk
Brent Kittmer, CAO / Clerk

SCHEDULE 1

Curbside Collection Areas

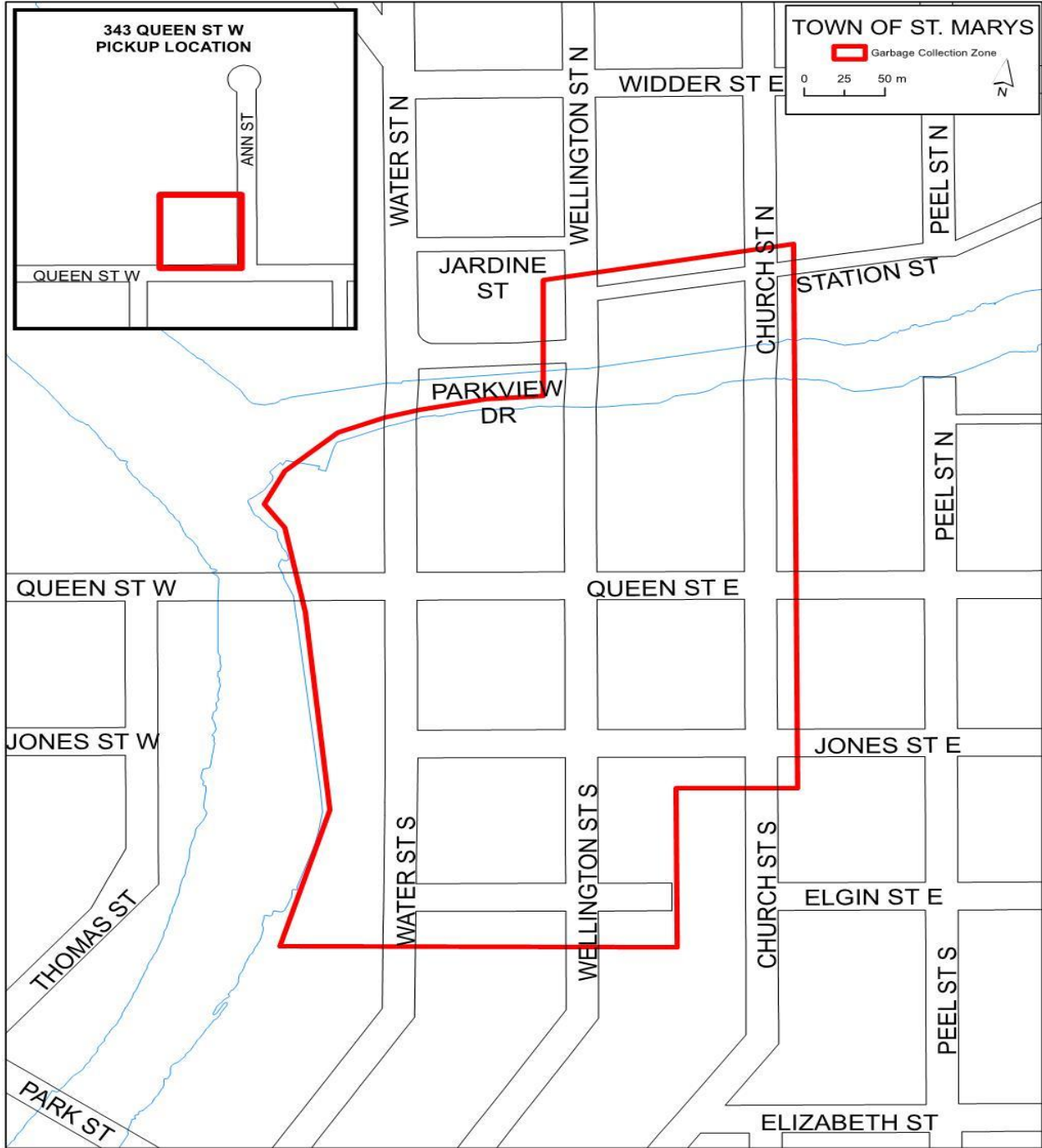
Curbside Collection Areas are depicted on the following map within the boundaries identified:



SCHEDULE 2

Downtown Collection Area

Downtown Collection Area is depicted on the following map within the boundaries identified:



SCHEDULE 3

Examples of Garbage

The following are examples of materials included in the definition of “garbage”:

- Artwork, a poster, vellum, a cleaned paint brush, and the like;
- Pet faeces, litter, litter Waste and bedding Waste, whether separate or intermingled enclosed in a Plastic Bag or bag;
- An empty plastic bag, cookie bag, cereal box liner, coffee package, foil pouch or packet, milk bag, butter wrapper, chip bag, plastic wrap, wrapper, and the like;
- Waxed paper, plastic lined fibre, a polycoated coffee cup;
- A piece of lint, dirt, dust, vacuum bag contents and the like;
- Diapers, hygiene products, sanitary products and the like;
- Balloon, board game, cards, electronic game part, crayon, sticker, piece of sporting equipment, toy, and the like;
- A binder, calculator, elastic band, marker, paper clip, pencil, pen, staple, piece of tape and the like;
- A small appliance no greater than 5 KG in weight, such as a hair dryer, kettle, toaster, clock and the like;
- A hair brush, comb, toothbrush, item of cosmetics, deodorant, soap and the like;
- An empty cooler, cork, furnace filter, lawn chair, picture frame, rubber glove, water softener salt, and the like;
- Polylactic Acid Plastic (PLA), biodegradable plastic, certified compostable plastic (including bag, liner, container, utensil, plate);
- Any other item designated as Garbage by the Town.

SCHEDULE 4

Examples of Non-Collectable Waste

The following are examples of materials included in the definition of “non-collectable waste”:

- Any explosive or highly combustible material such as ammunition, oil soaked or gasoline soaked rag and the like;
- Any radioactive material;
- Any biomedical Waste generated from an IC&I property such as a clinic, hospital, surgery or office of physician, surgeon, dentist, veterinarian and tattoo parlour, or the like;
- Any “Pharmaceutical” or “Sharp” as defined on Ontario Regulation 298/12 (Collection of Pharmaceuticals and Sharps – Responsibilities of Producers) under the Environmental Protection Act;
- Any infectious biomedical Waste;
- Any “designated substance” as defined in the Occupational Health and Safety Act, R.S.O. 1990 Chapter 321;
- Any “Hazardous Waste” or “Liquid Industrial Waste” as defined in R.R.O. 1990, Regulation 347 (General – Waste Management) under the Environmental Protection Act;
- Any septic tank pumping, raw sewage, sewage sludge or industrial process sludge;
- Any “municipal hazardous or special Waste”, as defined in Ontario Regulation 387/16 (Municipal Hazardous or Special Waste) under the Waste Diversion Transition Act, 2016) including but not limited to:
 - Soil, Rock, Stone, gravel and the like;
 - Waste brought into the Town from outside of its geographic limits;
 - A tire, car battery or large (greater than 2 KG) automotive parts;
 - Recyclables or Garbage which has not been drained, prepared or packaged for collection in accordance with the provisions of this By-law;
 - Material which is frozen or stuck to a Container and cannot be removed by shaking manually or by the automated arm of the collection vehicle; and,
- An animal carcass, other part or any portion thereof of any dog, cat, fowl or any other creature with the exception of bona fide kitchen or food Waste;
- Any other item designated as Non-Collectable Waste by the Town.

SCHEDULE 5

Examples of Leaf and Yard Waste

The following are examples of materials included in the definition of “Leaf and Yard Waste”:

- Leaves, branches (3 inches in diameter or smaller) and twigs;
- Flowers and garden plants;
- Shrubs;
- Pumpkins;
- Grass clippings, sod and weeds;
- Any other item designated as Leaf and Yard Waste by the Town.

SCHEDULE 6

Examples of Recycling

The following are examples of materials included in the definition of “recycling”:

- Pop can and the like;
- Boxboard: a tissue or cereal box, paper towel roll and the like;
- Cardboard: a flattened box, pizza box, paper bag, and the like;
- Glass: a bottle, jar (any colour), and the like;
- Newsprint: a newspaper including a flyer or insert, an egg carton or flat, a magazine or catalogue, a telephone book, and the like;
- Paper: writing paper, envelope (includes windowed), calendar (spiral binding removed), book (covers removed), and the like;
- Plastic container: any plastic container, such as a bottle or jar, food or beverage container, tub and lid, and the like;
- Steel: food or beverage can or tin (soup, juice, etc.);
- Any other item designated as Recyclable by the Town.

SCHEDULE 7

Examples of Electronic Waste

The following are examples of materials included in the definition of “Electronic Waste”:

- Televisions and display monitors;
- Circuit boards;
- VCRs and DVD players;
- Storage and networking equipment;
- Computers: Desktops, Laptops and Tablets;
- Cell Phones and mobile devices;
- Any other item designated as Electronic Waste by the Town.

SCHEDULE 8

Examples of Municipal Hazardous or Special Waste

The following are examples of materials included in the definition of “Municipal Hazardous or Special Waste”;

- Antifreeze and the containers in which it is contained;
- Fertilizers, fungicides, herbicides, insecticides or pesticides and the containers in which they are contained;
- Containers that have a capacity of 30 litres or less and that were manufactured and used for the purpose of containing lubricating oil;
- Paints and coatings, and the containers in which they are contained;
- Pressurized containers such as propane tanks and cylinders;
- Single use dry cell batteries;
- Solvents, and the containers in which they are contained;

All items under the Municipal Hazardous or Special Waste program to be deposited at the drop off facility shall be deposited in sealed, labelled containers free of leaks, defects, etc.

Penalties of Infraction

Part I: Provincial Offences Act

| Item | Short Form Wording | Provision creating or defining offence | Set Fine |
|-------------|---|---|-----------------|
| 1 | Set out collection material before 5:00 pm on the day preceding collection day | 2.2(5) | \$150.00 |
| 2 | Set out waste that impedes or obstructs traffic | 2.4(3)a) | \$150.00 |
| 3 | Set out waste on snow bank – exceed height allowance | 2.4(3)b) | \$150.00 |
| 4 | Permit collection material to remain after 7:00 pm on collection day | 2.5(1)a) | \$150.00 |
| 5 | Permit collection material to remain after 10:30 am on collection day in the downtown collection area | 2.5(1)b) | \$150.00 |
| 6 | Pick over, interfere with, scavenge, disturb, remove or scatter collection material | 2.7(2) | \$300.00 |
| 7 | By-pass the weigh scale, attempt weight manipulation or avoid assessment of Tipping Fees | 3(9) | \$300.00 |
| 8 | Fail to pay tipping fees | 3(10) | \$300.00 |
| 9 | Deposit waste in operating cell within 30 minutes of closure | 3(13) | \$300.00 |
| 10 | Deposit waste in operating cell on Saturday without prior approval | 3(14) | \$300.00 |
| 11 | Deposit material outside hours of operation | 3(15)a) | \$300.00 |
| 12 | Deposit material generated from outside of Town boundaries | 3(15)b) | \$300.00 |
| 13 | Deposit prohibited material | 3(15)c) | \$300.00 |
| 14 | Deposit burning material | 3(15)d) | \$300.00 |
| 15 | Deposit material in location other than designated location | 3(15)e) | \$300.00 |
| 16 | Operate vehicle other than on driveway | 3(15)f) | \$300.00 |

The Corporation of the Town of St. Marys
Schedule A – By-law 101- 2019
Being a By-law to Regulate Waste Management

| | | | |
|----|--|--------|----------|
| 17 | Permit animal outside of vehicle | 3(15)g | \$150.00 |
| 18 | Scavenge or salvage | 3(15)h | \$300.00 |
| 19 | Attend or trespass | 3(19) | \$300.00 |
| 20 | Dump or deposit unapproved material at convenience depot | 4(2) | \$300.00 |

NOTE: The penalty provisions for the offences listed above is Section 6.3 of by-law 101-2019, a certified copy of which has been filed.