

THE CORPORATION OF THE TOWNSHIP OF SOUTH STORMONT

BY-LAW NO. 2013-051

BEING a By-law to provide and regulate a Waste Management System for the Township of South Stormont.

WHEREAS the *Municipal Act, 2001*, c. 25 s. 5 (1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the *Municipal Act, 2001*, c. 25 s. 5 (3) provides that the powers of every council are to be exercised by by-law;

AND WHEREAS the *Municipal Act, 2001*, c. 25 s. 11 (3) (3) authorizes Council to pass by-laws for the establishment of a waste disposal system;

AND WHEREAS it is in the interest of society as a whole and of the Township of South Stormont and its residents that the amount of waste material generated by citizens be reduced; that wherever possible such materials be re-used or recycled; that the environment be protected from contamination of hazardous substances and that the lifetime of existing and future municipal landfill sites be extended.

NOW THEREFORE Council of the Corporation of the Township of South Stormont enacts as follows:

1.0 TITLE

1.1 This By-law shall be known and cited as the "Township of South Stormont Waste Management System By-law".

2.0 DEFINITIONS

As used in this bylaw, the following terms shall have the meanings indicated:

2.1 AGRICULTURAL GARBAGE – Garbage generated from the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production and has a farmland assessment.

2.2 BIO MEDICAL WASTE – shall mean bandages, dressings, drugs, medicines, needles, syringes, vaccines, vials and other similar materials or substances that contain or could reasonably be expected to contain pathogenic bacteria or micro-organisms or could reasonably be expected to be infectious, hazardous or dangerous.

- 2.3 BUILDING WASTE – shall mean broken concrete, masonry, metal, wood, gypsum board (drywall) and other material resulting from the construction, alteration, repair, demolition, or removal of any building or structure from the Owner's Dwelling Unit only.
- 2.4 BULK WASTE – means large household items, including, but not limited to:
- a) bicycles and parts thereof;
 - b) carpet;
 - c) discarded plumbing fixtures, fittings and pipe;
 - d) floor lamps;
 - e) furniture, mattresses, and bed springs;
 - f) pool filters;
 - g) pool covers and solar blankets; and
 - h) wood.
- 2.5 BUNDLE – shall mean and include all material of similar size and composition securely tied together having a dimension no greater than one 1 metre by 1 metre by 0.5 metres (approximately 2 feet by 2 feet by 12 inches) and not exceeding 22 kilograms (approximately 50 pounds) in weight.
- 2.6 CHRISTMAS TREES – shall mean natural christmas trees without any tinsel or ornaments.
- 2.7 COMMERCIAL GARBAGE - Garbage generated by business establishments such as stores, markets, office buildings, restaurants, shopping centers, and theaters and is commercially assessed.
- 2.8 CONTAINER – shall mean a receptacle, as more specifically defined in section 5 of this By-law, for the purpose of collecting and disposing of the types of Garbage.
- 2.9 CONTAMINATED SOIL – material due to its nature of contamination must be land filled. This material cannot be classified as hazardous waste and must meet the guidelines of Ontario Regulation 347/12.
- 2.10 COUNCIL – shall mean the Council of the Township of South Stormont.
- 2.11 DWELLING UNIT - shall mean one or more rooms designed as a housekeeping unit, used or intended to be used as a domicile by one or more persons and in which separate cooking, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants, with a private entrance from outside the building or from a common hallway or stairway inside the building.

2.12 ENFORCEMENT OFFICER – means a Police Officer or Municipal By-law Enforcement Officer appointed for the Township to enforce the provisions of the Township of South Stormont by-laws.

2.13 ELECTRONIC EQUIPMENT – shall mean Waste Electrical and Electronic Equipment (WEEE) and shall include but not be limited to:

- a) computer peripherals including modems;
- b) printing devices;
- c) copiers;
- d) scanners;
- e) typewriters;
- f) telephones, (physical and accessories);
- g) cellular phones;
- h) PDAs and pagers;
- i) audio and video players;
- j) cameras;
- k) equalizers;
- l) amplifiers;
- m) radios;
- n) receivers;
- o) speakers;
- p) tuners;
- q) turntables;
- r) video players and projectors;
- s) video recorders; and
- t) personal handheld computers.

2.14 GARBAGE – means discarded material other than:

- a) Bio Medical Waste;
- b) Bulk Waste;
- c) Hazardous Waste;
- d) Household Hazardous Waste;
- e) Leaf and Yard Waste;
- f) Liquid Waste;
- g) Recyclable Materials; and
- h) White Goods.

2.15 HAZARDOUS WASTE – means:

- a) hazardous industrial waste;

- b) acute hazardous waste chemical;
- c) hazardous waste chemical;
- d) severely toxic waste;
- e) ignitable waste;
- f) corrosive waste;
- g) reactive waste;
- h) radioactive waste, except radioisotope wastes disposed of in a landfill site in accordance with the written instructions of the Canadian Nuclear Safety Commission;
- i) pathological waste;
- j) leachate toxic waste, all as defined in Ontario Regulation 347/12 under the *Environmental Protection Act*;
- k) explosive waste; and
- l) PCB waste as defined in Ontario Regulation 362, R.R.O. 1990 under the *Environmental Protection Act*, and includes a mixture of acute hazardous waste, chemical hazardous waste, chemical hazardous industrial waste, pathological waste, radioactive waste or severely toxic waste and any other waste material identified as a hazardous waste in any Provincial or Federal statute, regulation, Order in Council or otherwise from time to time.

2.16 HOUSEHOLD HAZARDOUS WASTE – means any household product, material or item labeled as "corrosive", "toxic", "reactive", "explosive" or "flammable", and which is accepted under the Township's household hazardous waste program, if any, in effect from time to time including:

- a) aerosols;
- b) antifreeze;
- c) asbestos;
- d) bulked fuel;
- e) car/vehicle batteries; dry-cell batteries;
- f) fire extinguishers;
- g) flammable liquids;
- h) flammable solids;
- i) fluorescent light bulbs;
- j) halogenated pesticides and herbicides;
- k) ignitable gas cylinders;
- l) inorganic acids;
- m) inorganic bases;
- n) inorganic cyanides;
- o) inorganic oxidizers;
- p) isocyanates;
- q) large propane tanks;
- r) mercury switches;

- s) non-basic fire suppressants;
- t) non-ignitable gas cylinders;
- u) non-PCB light ballasts;
- v) non-halogenated pesticides;
- w) oil;
- x) oil filters;
- y) organic oxidizers;
- z) paint;
- aa) paint sludge;
- bb) PCB contaminated waste;
- cc) PCB light ballasts;
- dd) pharmaceuticals; and
- ee) small gas cylinders.

2.17 HOUSEHOLD PET WASTE – shall mean animal excrement generated by a domesticated animal that is not living on a farm or in a kennel.

2.18 INDUSTRIAL GARBAGE – Garbage generated by an industrial operation and is assessed industrial for property tax purposes.

2.19 LANDFILL PASS – means a card issued to a resident or ratepayer of the Township of South Stormont authorizing them use the Trillium Road Landfill Site subject to the Rules and Regulations and other requirements set out in this by-law.

2.20 LANDFILL SITE – shall mean any area of land at 14595 Trillium Road designated by the Township to be used for the disposal of waste and as approved by the Ministry of the Environment.

2.21 LEAF AND YARD WASTE – shall mean organic material including yard plants and weeds, hedge and shrub trimmings, tree limbs having a diameter of less than 7.62 centimetres (approximately 3 inches) and length of not more than 1 metre (approximately 40 inches), lawn and garden cuttings, leaves, twigs and other compostable yard items.

2.22 LIQUID WASTE – shall mean Waste that is not solid and that exhibits evidence of free water, or other liquids, whether or not contained.

2.23 MATERIAL RECOVERY FACILITY – means the City of Cornwall Material Recovery Facility.

2.24 OWNER – includes:

- a) both the owner in trust and the beneficial owner of property that is subject to this By-law;
- b) the person for the time being managing or receiving the rent of the property that is subject to this by-law in connection with which the word is used, whether on the

person's own account or as agent or trustee of any other person or who would receive the rent if the property was let; and

- c) a lessee or occupant of the property who manages or controls the condition of the property that is subject to this By-law.

2.25 PUBLIC PROPERTY - shall mean any property owned by the Township or by Her Majesty the Queen in right of either Canada or Ontario and includes both the traveled and untraveled portions of any and all highways as defined in the *Highway Traffic Act*, as amended, that are located in the Township;

2.26 RECYCLABLE MATERIALS – shall mean Recyclable Containers and Recyclable Fibres, including, but not limited to:

a) Recyclable Containers

- i) aseptic containers (drinking boxes);
- ii) dry empty metal paint and empty aerosol cans;
- iii) gable-top containers (juice and milk cartons);
- iv) glass bottles and jars and containers;
- v) metal beverage and food containers, foil and plates;
- vi) plastics #1-#7, packaging and containers from food, beverage and household products, including:
 - plastic bottles and jugs;
 - plastic soft drink and water containers;
 - tubs and lids; and
 - frozen juice containers.

and

b) Recyclable Fibres

- i) boxboard (cereal and cracker boxes);
- ii) corrugated cardboard;
- iii) envelopes, direct mail advertising, paper egg cartons, greeting cards and all remaining paper and paper products generated by households, save and except tissue, paper towels, napkins, waxed paper, laminated, lined and metalized paper and contaminated paper;
- iv) fine paper;
- v) magazines;
- vi) newsprint;
- vii) telephone books; and
- viii) paperback books and hard cover books with the covers removed; and hat beverage paper cups.

2.27 RESIDENTIAL GARBAGE – Garbage generated from a Dwelling Unit.

2.28 SCAVENGING – shall mean the unauthorized removal by a person other than the Township or its agent of Waste, Recyclable Material or other refuse that has been set out for collection or special collection programs, or the unauthorized removal of Waste, Recyclable Material or other refuse from in, around or among disposable solid Waste at the Site.

2.29 SCRAP METAL – includes but is not limited to:

- a) metal bicycles;
- b) metal bed frames;
- c) metal fencing/posts;
- d) metal filing cabinets;
- e) hot water tanks;
- f) metal sinks;
- g) nuts/bolts/nails/screws;
- h) passenger vehicle tire rims;
- i) metal desks;
- j) metal shelves;
- k) metal lawnmowers;
- l) metal no longer than 3 metres (approximately 9.8 feet) in length;
- m) aluminum siding;
- n) automotive parts;
- o) pipe fittings; and
- p) barbeques, excluding propane tanks.

2.30 STREET – shall mean any public highway, road, street, lane, alley, square, place, thoroughfare or way within the Township of South Stormont.

2.31 TIPPING FEE – shall mean the charge levied by the Township at the Landfill Site for disposable Waste under the terms of this By-law.

2.32 TOWNSHIP – shall mean the Corporation of the Township of South Stormont.

2.33 TOWNSHIP GARBAGE BAG (LOGO) – is a specially manufactured garbage bag affixed with the Township logo sold for the exclusive purpose of supporting waste management in the Township of South Stormont. Purpose of a Township Garbage Bag is to identify a garbage unit for collection and disposal within the Township of South Stormont. Cost of a bag shall be as listed in the Township's current Fees and Charges By-law.

2.34 UNACCEPTABLE WASTE – shall include, but not be limited to:

- a) Bio Medical Waste;

- b) Building Waste;
- c) Bulk Waste;
- d) carcasses of dogs, cats, fowl and other creatures or part thereof;
- e) earth, brick and stone;
- f) hay and straw;
- g) Hazardous Waste;
- h) Household Hazardous Waste;
- i) Human and animal excrement, except for Household Pet Waste and diapers;
- j) industrial, commercial and trade Waste;
- k) Leaf and Yard Waste;
- l) Liquid Waste;
- m) Recyclable Materials;
- n) sawdust, shavings and vermiculite;
- o) steel barrels;
- p) car parts;
- q) wood in excess 0.9 metres (3 feet) in length, wooden boxes and barrels;
- r) wire, wire mesh and fencing; or
- s) White Goods.

2.35 UNACCEPTABLE LANDFILL WASTE – shall include, but not be limited to:

- a) Bio Medical Waste;
- b) Building Waste as a result of a house or structure fire;
- c) commercial waste;
- d) industrial waste;
- e) condemned or dead animals or their carcasses;
- f) Hazardous Waste;
- g) Household Hazardous Waste;
- h) explosives or highly flammable materials or chemicals;
- i) motor vehicles or parts of motor vehicles; and
- j) waste oil or petroleum products.

2.36 USER – shall mean any person or persons utilizing or depositing waste at the Landfill Site.

2.37 WASTE – shall mean Bio Medical Waste, Bulk Waste, Garbage, Building Waste, Hazardous Waste, Household Hazardous Waste, Leaf and Yard Waste, Liquid Waste, Recyclable Materials, White Goods and such other waste as may be designated in this By-law.

2.38 WHITE GOODS – means:

- a) air conditioners, window mounted and central air systems;
- b) clothes dryers;
- c) dehumidifiers;
- d) dishwashers;
- e) freezers;
- f) hot water tanks, drained;
- g) microwave ovens;
- h) ovens;
- i) pool heaters;
- j) refrigerators;
- k) stoves;
- l) water pressure tanks; and
- m) water coolers.

2.39 WOODWASTE – means:

- a) that is wood or a wood product, including tree trunks, tree branches, leaves and brush;
- b) pressure treated wood, and
- c) from which easily removable hardware, fittings and attachments, unless they are predominantly wood or cellulose, have been removed;

but does not include;

- an upholstered article, or
- an article to which a rigid surface treatment is affixed or adhered, unless the rigid surface treatment is predominantly wood or cellulose.

3.0 PROHIBITIONS

In addition to the prohibitions on specific types of Waste, as defined in this By-law, the following general provisions shall apply:

- 3.1 No person shall deposit, or allow or cause any other person to deposit any Waste on or onto any Street or Public Property.
- 3.2 No Owner shall allow or cause the accumulation or storage of Waste on his property so that it becomes a public nuisance or emits offensive odours or is likely to attract birds, rats or other vermin or insects.
- 3.3 No person shall deposit or allow, or cause to be deposited Waste generated on private property in Waste receptacles located on Public Property.

4.0 AUTHORITY

The Public Works Manager, or designate, shall have the authority to:

4.1 Discontinue or refuse Waste collection services to any Owner whose property in the opinion of the Public Works Manager, or designate, is unsafe for entry or egress by Waste collection personnel for any reason, including, but not limited to, the physical layout, loading facilities or methods of handling Waste on the property; or

4.2 Suspend Waste collection service in all or part of the Township in the event of inclement weather or other condition that in the opinion of the Public Works Manager, or designate, renders the provision of Waste collection services unsafe or otherwise undeliverable.

5.0 COLLECTION

5.1 The Township shall provide and maintain a three-stream collection system. Those specific and separate collections are described as Garbage collection, collection of Recyclable Materials and Leaf and Yard Waste collection.

5.2 Receptacles

a) No person shall place Garbage out for collection unless it is contained in a receptacle described as follows:

i) A returnable receptacle that is waterproof, durable, rust resistant, non absorbent with a close fitting cover and two suitable handles. Such container shall not weigh more than 22 kilograms (approximately 50 pounds) including contents. Every such container shall be provided with a good watertight cover, which cover shall at all times remain in position before and after pickups, so as to preclude the ingress and egress of flies, rats, insects, vermin or the escape of odours there from. No container shall be greater than 82 litres (approximately 22 gallons) and shall be specifically manufactured for the purpose of containing garbage. Furthermore, Garbage placed in a receptacle must be contained in a plastic bag(s), not loose in the container.

b) No person shall place Recyclable Materials out for collection unless they are contained in one of the following approved receptacles:

i) Blue or black plastic boxes with a lip for handling, that is clearly and easily identifiable to contain Recyclable Materials without spilling and that do not exceed 60.5 litres (approximately 16 gallons) and shall be specifically manufactured for the purpose of recycling collection; or

ii) Clear plastic bags, not exceeding 22 kilograms (approximately 50 pounds);

or are placed out for collection in the following manner:

- iii) Recyclable Fibres and other waste paper tied securely in Bundles not larger than 1 metre by 1 metre by 0.5 metres (approximately 2 feet by 2 feet by 12 inches) and not exceeding 22 kilograms (approximately 50 pounds) in weight;
- c) No person shall place Leaf and Yard Waste out for collection unless it is placed as follow:
 - i) in paper bags with the tops folded to prevent precipitation from entering and are specifically designed for composting purposes
or are placed out for collection in the following manner:
 - ii) boughs, twigs and cuttings may be placed for collection in securely tied Bundles that do not exceed 1 metre by 1 metre by 0.5 metres (approximately 2 feet by 2 feet by 12 inches) and not exceeding 22 kilograms (approximately 50 pounds) in weight;
- d) Any receptacle placed out for collection that is broken or that breaks when lifted will not be collected.
- e) Plastic bags are prohibited as a receptacle for Leaf and Yard Waste.

5.3 Preparation for Collection

- a) Items shall be drained of all liquids and be securely wrapped and then placed in a suitable receptacle.
- b) No person shall place bleach or any type of chemical on the approved Container or clear plastic bag for the purpose of deterring birds or animals.

5.4 Placing for Collection

- a) No person shall set out for collection, or allow or cause to be set out for collection any Unacceptable Waste.
- b) No Owner shall set out Garbage or Recyclable Material for collection or allow or cause Garbage or Recycling Material to be set out for collection prior to 7:00 p.m. of the day prior to the scheduled collection day and after 7:00 a.m. of the scheduled collection day.
- c) No Owner whose property is vacant shall set out for collection, or allow or cause to be set out for collection any Waste on vacant property.
- d) No Owner shall fail to remove any Container, whether empty or not, from the Street by 7:00 p.m. on the scheduled collection day.

- e) No Owner shall set out for collection or allow or cause to be set out for collection, Waste generated on his property onto any other person's property or onto the Street abutting any other person's property without the prior consent of that other person.
- f) No person shall Scavenge, interfere with, disturb, remove or scatter or allow or cause to allow any Waste set out for collection be picked over, interfered with, disturbed, removed or scattered unless authorized to do so by the Public Works Manager, or designate.
- g) Containers set out for collection shall be placed as close to the Street curb as possible without obstructing the roadway or sidewalk and in any case the Public Works Manager, or designate shall have the power to designate the precise point at which the Containers or Bundles shall be placed for collection.
- h) Under no circumstances shall Containers be placed on roadways, lanes, public driveways or any other public areas that are used by vehicles.
- i) Where it is deemed more convenient, in the opinion of the Township, to make collection from the rear of the premises, collections may be made by entering lanes or alleys provided that safe access and turning space is available. During winter months pathways must be maintained clear of snow and ice by the owner or occupier. The Township shall have the sole right to determine whether safe access or sufficient turning space is available.
- j) Containers and Bundles of garbage shall be set out for collection on such days and at such hours as are fixed by the Township and no person shall place any receptacle or Bundle of garbage on the street on any day after the hour fixed for collection. The Township shall not be obliged to make a second call.

5.5 Collection Frequency

- a) Garbage collection shall take place once each week. If necessary, additional collection requirements shall be made by other means and at the expense of the Owner.
- b) Collection of Recyclable Materials shall be bi-weekly.

5.6 Collection Quantity

- a) Garbage Collection Limits
 - i) Agricultural Garbage – 6 Containers or Bundles per occupied address;
 - ii) Commercial Garbage – 6 Containers or Bundles per occupied address;
 - iii) Industrial Garbage – 6 Containers or Bundles per occupied address; and

- iv) Residential Garbage– 2 Containers or Bundles per Dwelling Unit;
- b) Recycling Collection Limits
 - i) There is no limit on the number of Containers for Recyclable Materials or the quantity of Recyclable Materials that may be set out for collection.
- c) Leaf and Yard Waste Collection Limit
 - i) 20 bags, Containers or Bundles per Dwelling Unit.

5.7 Garbage Bag Program (User Pay)

- a) Township Garbage Bags are available for purchase to allow Users to place Garbage in Containers out for collection when the number of Containers is in excess of their allowable limit.
- b) The cost of the Township Garbage Bags shall be determined in the Township's current Fees and Charges By-law.
- c) Township Garbage Bags are available for purchase at Town Hall and other approved locations throughout the Township.

6.0 MUNICIPAL LANDFILL SITE / MATERIAL RECOVERY FACILITY

6.1 The Township shall establish and operate a Landfill Site on designated property owned by the Township and authorized by the Ministry of Environment.

6.2 The Township shall establish a Recycling program and make provisions for Recycling Material at a Material Recovery Facility authorized by the Ministry of the Environment.

6.3 The use of the Landfill Site and Material Recovery Facility for the disposal of refuse is a privilege and not a right that will be extended to all residents and ratepayers in the Township. Only those residents and ratepayers in the Township who have been issued and are in possession of a valid Landfill Pass or who are able to provide proof of residence in the Township are entitled to use the Landfill Site and Material Recovery Facility.

6.4 Users will separate, sort and place each type of Garbage or other refuse in particular areas as directed by the Landfill Site attendant or signs. The categories are as follows:

- a) Recyclable Materials;
- b) Building Waste;
- c) Garbage;
- d) Scrap Metal;
- e) White Goods;
- f) Woodwaste; and
- g) Tires

- 6.5 No person shall deposit at the Landfill Site, or allow or cause to deposit any Unacceptable Landfill Waste at the Landfill Site.
- 6.6 No person shall deposit, or allow or cause to be deposited Waste at the Landfill Site outside the hours of operation as determined by this By-law and posted at the site.
- 6.7 No person shall deposit, or allow or cause to be deposited any Unacceptable Landfill Waste at the Landfill Site that is Waste generated outside of the Township.
- 6.8 No person shall deposit, or allow or cause to deposit any burning material or set any fire at the Landfill Site, save and except as permitted under the Township's Certificate of Approval by authorized Township personnel.
- 6.9 No person shall deposit, or allow or cause to deposit waste at the gate or entrance to the Landfill Site or at any place other than the place designated for its receipt.
- 6.10 No person shall neglect or fail to provide proof of the origin of Waste tendered for disposal at the Landfill Site when such is demanded, provided that, in lieu of providing such proof, the person tendering the Waste shall remove it without unloading it.
- 6.11 No person shall operate a motor vehicle at the Landfill Site:
 - a) other than on designated roadways or driveways;
 - b) without due care and attention; or
 - c) at greater than the posted rate of speed.
- 6.12 No person shall Scavenge or salvage at the Landfill Site.
- 6.13 No person shall deposit Waste at the Landfill Site while barred from doing so.
- 6.14 Waste not generated within the Township or that does not comply with this By-law shall not be delivered to or unloaded at the Landfill Site and, whether unloaded or not, shall be removed by or at the expense of the User seeking to dispose of it.
- 6.15 All Waste deposited at the Landfill Site shall become the property of the Township and may be salvaged, reclaimed, recycled, disposed of or otherwise dealt with by the Township as the Township may deem fit, subject to the provisions of the *Environmental Protection Act*. However, this shall not relieve a User from an obligation imposed by Section 6.4 of this By-law.
- 6.16 No person shall attend at or trespass on the Landfill Site except for the purposes of depositing Waste or for other lawful business.
- 6.17 The employee designated by Council as being in charge of the Landfill Site may at any time order any person found scavenging or conducting any other illegal activity on the Landfill Site or having no lawful reason to be there, to leave forthwith and if any

such person fails or refuses to leave, may call for police assistance and cause trespass charges to be laid. Such persons may be barred from the Landfill Site by the Public Works Manager, or designate.

7.0 LANDFILL SITE PASS

7.1 Upon request, the Township may issue one Landfill Site Pass to each Dwelling Unit, either property owner, or with the authorization of the property owner, the lessee of the property.

The Landfill Pass will permit the holder to dispose of two loads per year to the Landfill Site at no charge.

7.2 Notwithstanding 7.1, the Landfill Pass does not allow White Goods that have not been decommissioned to be disposed at no charge.

7.3 The Landfill Pass may only be used by the person to whom it was issued or a spouse or member of the Dwelling Unit or such person acting with the knowledge and consent of such person.

7.4 The person to whom the Landfill Pass was issued may be held responsible for the misuse of the Landfill Pass, including its use by an unauthorized person or any violation by any person using her/her Landfill Pass.

7.5 The Township may suspend, terminate or restrict the privilege of using the Landfill Site, in addition to cancelling the Landfill Pass, for any person who misuses or who continues to contravene the Waste Management System By-law.

8.0 LANDFILL SITE FEES

8.1 Every User depositing Waste at the Landfill Site shall pay the Tipping Fee as set forth in the current Fees and Charges By-law for the disposal of the Waste that is in effect at the time of payment.

9.0 MANDATORY RECYCLING

9.1 No person shall dispose of Recyclable Materials except by tendering them at the Landfill Site, Material Recovery Facility or properly placing them out for collection.

10.0 OFFENCES

10.1 Every person who contravenes any of the provisions of this By-law is guilty of an offence.

10.2 Every person who is convicted of an offence under this By-law is liable to a fine of not more than \$10,000 for a first conviction, and \$25,000 for any subsequent offence of this By-law, exclusive of cost under the *Provincial Offences Act, R.S.O. 1990*.

10.3 Where a corporation is convicted of an offence under the provisions of this By-law, the maximum fines that may be imposed on the corporation is \$50,000 for a first offence and \$100,000 for any subsequent offence of this By-law, exclusive of cost under the *Provincial Offences Act, R.S.O. 1990*.

10.4 Where a person has been convicted of an offence under this By-law,

- a) the Ontario Court of Justice, or
- b) any court of competent jurisdiction thereafter may in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed towards the continuation or repetition of the offence.

11.0 SEVERABILITY

11.1 It is hereby declared that each and every of the foregoing provisions of this By-law is severable and that, if any provisions 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.

12.0 REPEAL

12.1 That any by-law inconsistent to this By-law is hereby repealed.

READ AND PASSED in open Council, signed and sealed this 26th day of June, 2013.

Original signed by Bryan McGillis

Mayor

Original signed by Betty de Haan

Clerk