
WASTE MGMT DRAFT BYLAW ENG.DOCX

DRAFT BY-LAW

SEPTEMBER 2, 2022
TOWN OF HAWKESBURY

Table of Contents

1	DEFINITIONS	3
2	APPLICATION	7
3	WASTE MATERIALS	7
3.1	WASTE COLLECTION SERVICES	7
3.2	OBLIGATIONS OF AN OWNER OR OCCUPANT	7
3.3	OBLIGATIONS OF A MULTI-DWELLING BUILDING OWNER & CONDOMINIUM CORPORATION	8
3.4	SETTING OUT OF WASTE MATERIALS IN A DESIGNATED CONTAINER.....	8
3.5	INTERRUPTION OF SERVICES BY THE TOWN.....	8
3.6	MAINTENANCE OF CONTAINERS.....	8
4	RECYCLABLE MATERIALS	8
4.1	OBLIGATIONS FOR COLLECTION.....	8
4.2	CONTAINERS.....	8
5	ORGANIC MATERIALS	9
	TYPES OF ORGANIC WASTE MATERIALS	9
5.1	GREEN RESIDUE - OBLIGATIONS FOR COLLECTION	9
5.2	GREEN RESIDUE - CONTAINERS.....	9
5.3	CHRISTMAS TREES - OBLIGATIONS FOR COLLECTION.....	10
5.4	ORGANIC MATERIAL FOR HOUSEHOLD COMPOSTER.....	10
5.5	FOOD RESIDUE FOR INDUSTRIAL COMPOSTING.....	10
5.6	GRASSCYCLING AND LEAF MULCHING	10
6	ELECTRONIC MATERIALS	10
6.1	OBLIGATIONS FOR COLLECTION.....	10
6.2	COLLECTION POINTS	10
7	HAZARDOUS WASTE	10
7.1	OBLIGATIONS FOR COLLECTION.....	10
7.2	COLLECTION POINTS	10
8	GARBAGE	11
8.1	OBLIGATIONS FOR COLLECTION.....	11
8.2	CONTAINERS.....	11
8.3	DISTRIBUTION OF GREY BINS	11
9	BULKY MATERIALS AND CRD	12
9.1	OBLIGATIONS FOR COLLECTION.....	12
10	STORAGE OF WASTE MATERIALS.....	13
10.1	MULTI-DWELLING BUILDING, CONDOMINIUM & COMMERCIAL ESTABLISHMENT ..	13
10.2	STORAGE IN A RESIDENTIAL BUILDING	13
10.3	PESTS AND VERMIN	13
10.4	DISPERSAL OF WASTE MATERIALS IN THE ENVIRONMENT.....	13
10.5	PRIVATE COLLECTION	13
11	WASTE MATERIAL COLLECTION	13

11.1 COLLECTION HOURS 13

11.2 COLLECTION DAYS 13

11.3 COLLECTION ON STATUTORY HOLIDAYS 14

11.4 DISPOSAL OF WASTE MATERIALS 14

12 SPECIAL COLLECTION 14

13 DISPOSAL OF VARIOUS OBJECTS..... 15

14 INFRINGEMENT 15

15 OFFENCES AND PENALTIES 15

16. SCOPE AND SEVERABILITY 16

17. REPEAL 16

18. EFFECTIVE DATE 16

SCHEDULE “A” (TO BE CONFIRMED)..... 17

SCHEDULE “B” 19

SCHEDULE “C” (TO BE CONFIRMED) 19

CORPORATION OF THE TOWN OF HAWKESBURY

DRAFT BY-LAW

Being a By-law to replace By-law 86-96,
a By-law to regulate the storage, collection,
removal and disposal of residual waste
in the Town of Hawkesbury

WHEREAS section 11 (3) of the Municipal Act, 2001, provides that the council of a municipality may establish a system for the collection, removal and disposal of garbage, of non-hazardous solid waste and recyclable material;

AND WHEREAS section 41(7) of the Planning Act, R.S.O. 1990, a municipality may require the owner of the land to provide to the satisfaction of and at no expense to the municipality any or all of the following: Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material;

AND WHEREAS Section 127 of the Municipal Act, 2001 authorize a municipality to require the owner or occupant of the land to clean refuse or debris from the land, not including the buildings **AND** prohibit the depositing of refuse or debris on land without the consent of the owner or occupant of the land;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Hawkesbury enacts as follows:

1 DEFINITIONS

Waste materials are comprised of various residues, many of which can be revalued either by reuse, recycling, or composting. In this By-law, unless the context indicates otherwise, the following definitions apply:

“ASHES” means the extinct residue from the burning of coal and wood which would normally accumulate at a dwelling or place of business and includes soot;

“BACK-LOAD CONTAINER” means a metal container with a cover which is weather-resistant and animal-resistant designed for the disposal of waste with a capacity of 1.5 to 6 m3, with handles on both sides, which must not be filled higher than its sides, and which can be collected using a back-load collection truck. Commonly referred to as a dumpster;

“BULKY MATERIAL” includes large items which can be recycled or which cannot be placed in a bin with the lid closed, such as mattresses, carpets, boxes, sinks, toilets, hot water tanks, baths, large household electrical appliances and furniture. “Bulky materials” excludes car parts, scrapped cars, branches, logs, firewood, and all loose materials stacked in bulk. In case of disagreement about whether an article should be collected or not, the Director's decision is final;

“BY-LAW ENFORCEMENT OFFICER” means anyone appointed by the Corporation of the Town of Hawkesbury to enforce the provisions of this by-law;

“COLLECTION” means the action of collecting all the waste at the edge of the pavement, sidewalk, curb or shoulder of a street or other area according to established practice and approved by the Director, and of loading the contents into trucks;

- “COLLECTOR” means a person or firm employed by the Town for the purpose of collecting waste material;
- “COMMERCIAL ESTABLISHMENT” includes any property, building or land classified as zone Community Core Commercial (CC), Highway Commercial (CH), Local Commercial (CL) or Regional Commercial (CR) as per the Town’s Zoning By-law;
- “CONDOMINIUM” means a building or multiple unit development in which each individual unit is held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants are owned, administered and maintained by a corporation created pursuant to the provisions of the Condominium Act;
- “CONDOMINIUM CORPORATION” means a corporation created pursuant to the provisions of the Condominium Act for the administration and management of a condominium;
- “CRD” includes material from the construction, renovation and demolition (CRD) of residential buildings, for work carried out by the occupants of residential buildings placed in a container (other than the blue bin), or any other debris tied together allowing for safe manual handling. "CRD" material includes: timber; gypsum; ferrous and nonferrous metals; asphalt shingles; large plastic or cardboard packaging; doors and windows, vinyl coating; hard plastics; bricks and unistone placed in containers. "CRD" excludes demolition debris and work carried out by contractors; sharp or dangerous objects for collectors; tires; sand, concrete paver slabs, stone, soil, asphalt and concrete residues; and all materials stacked in bulk. In case of disagreement about whether an article should be collected or not, the Director's decision is final;
- “COUNCIL” means the Municipal Council of the Town of Hawkesbury;
- “DIRECTOR” means person serving as the Director of Public Works and Engineering department of the Town and his or her delegates;
- “DWELLING” or "DWELLING UNIT" means one (1) or more rooms connected together as a separate unit in the same structure and constituting an independent housekeeping unit for residential occupancy by persons with facilities for persons to sleep, cook and eat and including its own sanitary facilities;
- “ELECTRONIC MATERIAL” includes computer hardware such as CRT monitors or flat screens, printers, desktop computers, servers, laptops, scanners, mouse and keyboards; communication devices such as cellphones, landline phones and portable phones; office equipment such as copiers and fax machines; domestic appliances such as televisions, DVD and VHS players, radios, and in general, all equipment accepted by the Resource Productivity & Recovery Authority (RPRA);
- “FOOD RESIDUE FOR INDUSTRIAL COMPOSTING” includes organic compostable materials in industrial installations and refused in household composters: meat, fish and bones; fats, sauces, cheeses, dairy products. Food oils should be disposed of with the household hazardous waste;
- “GARBAGE” includes waste material which cannot be recycled and which is destined for landfill. Garbage excludes: reusable items, recyclable materials, green residue, trees, bulky materials and CRD, electronic materials, batteries, light bulbs, hazardous waste, tires, Christmas trees and any other waste material separately collected by the Town;
- “GRASSCYCLING & LEAF MULCHING” means the recycling of dead leaves or grass by leaving the leaf debris or grass clippings on the lawn when mowing;
- “GREEN RESIDUE” includes compostable materials from plant remains, from green space maintenance and from pruning of hedges. This includes grass; dead leaves, plants and other plant residues (coniferous needles, hedge clippings, weeds, etc.); bark, shavings, sawdust; residues from the garden, residues from fruit trees; branches tied in bundles;

houseplants including potting soil and twigs. "Green residue" excludes food residue; recyclable materials; plastics; clothing; animal litter and excrements from domestic animals or humans; pieces of wood; lumber; paint, oil and other household hazardous waste; tree trunks, stumps; rocks, earth, pebbles and stone; dead animals;

"GREY BIN" means the plastic container on wheels, designed for the disposal of waste approved by the Town, with a capacity of 240 litres for a residential property and with a capacity of 360 litres for a commercial or multi-dwelling residential building, filled no higher than its sides. The grey bin is supplied by the Town, has a serial number and the Town logo and remains the property of the Town;

"HOUSEHOLD APPLIANCE" means a large electrical appliance used in a household, such as a refrigerator, stove, dishwasher, hot water tank and other similar appliance;

"HOUSEHOLD COMPOSTER" means a receptacle which can receive organic material for composter and serves to create household compost;

"HAZARDOUS WASTE" includes any substance, which, by reason of its properties, presents a danger to health or the environment and which corresponds to the definition of corrosive, toxic, flammable, radioactive or oxidizing as provided in the Environment Quality Act, as well as any substance or object treated as a hazardous material. Also referred to as household hazardous waste;

"INSTITUTIONAL ESTABLISHMENT" includes any property or building used by or for a religious institution, government institution, educational facility, retirement home or nursing home, as well as any other institutional use as defined in the Town's Zoning By-law;

"MULTI-DWELLING BUILDING" includes any property or building classified as Apartment or Townhouse (Street or Planned Unit) as per the Town's Zoning By-law and may also be referred to as a multi-residential, multi-dwelling residential building, multi-dwelling apartment or multi-dwelling property;

"OCCUPANT" means:

- i. the tenant of the property or part thereof whose consent shall extend only to the control of the land of which they are tenant and any parking spaces allotted to them under their lease or tenancy agreement;
- ii. the spouse of a tenant;
- iii. a person or a municipality, or a local board thereof, having an interest in the property under an easement or right of way granted to or expropriated by the person, municipality or local board whose consent shall extend only to the part of the property that is subject to an easement or right of way;
- iv. a person authorized in writing by an occupant as defined in clauses a), b), or c) to act on the occupant's behalf for requesting the enforcement of a by-law under this paragraph;

"ORGANIC MATERIAL" includes green residue, waste from trees or shrubs, organic material for composter, food residue for industrial composting;

"ORGANIC MATERIAL FOR HOUSEHOLD COMPOSTER" includes waste materials of plant origin, with the exception of oils, such as: green residue; fruit and vegetable residue, bread, pasta, legumes, crushed eggshells; coffee filters and coffee grounds, tea and herbal tea bags and leaves, dead leaves, twigs, straw; shavings, pellets and sawdust; newspaper (grey ink only), cardboard egg boxes. Rejected materials: meat, fish, bones; fats and oils, sauces, cheeses, dairy products; animal feces; sick plants and sick leaves;

"OWNER" when used in relation to property means:

- i. the registered owner of the property;

- ii. the registered owner of a condominium unit, whose consent shall extend only to the control of the unit of which they are owner and any parking spaces allotted to them by the condominium corporation or reserved for their exclusive use in the declaration or description of the property;
- iii. the spouse of a person described in clauses i or ii;
- iv. where the property is included in a description registered under the Condominium Act, S.O. 1998, C.19, the board of directors of the condominium corporation;
- v. a person authorized in writing by the property owner as defined in clauses i, ii, iii or iv;
- vi. to act on the owner's behalf for requesting the enforcement of a by-law passed under this paragraph;

“PUBLIC PROPERTY” means the streets, alleys, squares and public places, including sidewalks, medians, stairs, off-street bike paths, excess right-of-way of the public road, watercourses, parks and public gardens;

“PERSON” includes an individual, an association, an organization, a firm, a partnership, a corporation, an agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law;

“PERSON AUTHORIZED BY THE TOWN” means a licence inspector, an inspector appointed under any by-law of the Town, a By-law Inspector, a Public Health Inspector and the District Medical Officer and any person authorized by the Medical Officer;

“POLICE FORCE” means the Ontario Provincial Police (OPP) and includes any detachment to the Town of Hawkesbury by agreement or otherwise having jurisdiction in the Town of Hawkesbury;

“RECYCLABLES” includes any material accepted in the blue box program, to be disposed of by an occupant or owner in the blue box along with other recyclables too bulky to be placed in the blue box, such as tied paper or cardboard bundles. The list of materials accepted under the blue box program generally include paper, cardboard, aluminum, glass containers and select plastics. The list of accepted materials is subject to change and the updated list is published by the Town annually;

“RFID TECHNOLOGY” means the wireless reading technology of identification markers (transponders) by radio frequency;

“REUSABLE” includes any items for which a real and practical secondary application exists, without substantial change to its form or function, including appliances and furniture which can be economically repaired or refurbished and building materials and textiles, which can be re-utilized in further building or textile applications;

“SPECIAL COLLECTION” means collection of household trash articles which are not normally picked up in the regular weekly collection. Special Collection shall take place in accordance with a predetermined schedule;

“TRANSPONDER” means the identification marker comprised of an encapsulated microchip, readable at a distance by RFID technology. The transponder affixed to a bin links it to a property;

“UNIT OF OCCUPANCY” means a room or suite of rooms used or destined to be used as a residence or for commercial, institutional or industrial activities;

“TOWN” means the Corporation of the Town of Hawkesbury;

“WASTE MATERIAL” means all abandoned materials or materials destined to be abandoned and shall not include reusable items. More specifically, waste material includes

recyclable materials, organic materials, bulky materials and CRD, electronic materials, household hazardous waste and garbage;

2 APPLICATION

- 2.1. The provisions of this by-law apply to the owners and occupants of all residential, multi-residential, commercial and institutional establishments within the Town of Hawkesbury as defined in Section 1 of this by-law.
- 2.2. Non-residents and persons not owning property within the Town of Hawkesbury shall not at any time have access to or use of the Town's waste collection services and, if found in contravention of this rule, shall be held accountable as per the offences and penalties set out in Section 16 of this by-law.
- 2.3. The Police Force which includes Police Officer, Constable or Special Constable, the By-law Enforcement Officers and any person authorized by the Town are hereby appointed for the purposes of the enforcement of this by-law as it applies within the geographic limits of the Town of Hawkesbury.

3 WASTE MATERIALS

3.1 WASTE COLLECTION SERVICES

- 3.1.1. The Town offers a waste collection service for materials generated by units of occupancy within its territory. Subject to the terms and conditions contained in this by-law, the Town shall collect recyclable materials, green residue, branches, bulky materials and CRD, garbage and items eligible for special collection services. The collection of waste materials is carried out according to the day and schedule determined by Council resolution.
- 3.1.2. The fee structure for the services authorized by this by-law is determined on an annual basis and provided in the following by-laws:
 - 3.1.2.1. For residential units: A by-law to impose a rate for the collection, removal and disposal of garbage and recyclable material (blue box program).
 - 3.1.2.2. For non-residential units: A by-law to impose a rate for the collection, removal and disposal of garbage for non-residential units.

3.2 OBLIGATIONS OF AN OWNER OR OCCUPANT

- 3.2.1. Every property owner or occupant in the Town shall promptly remove or place for removal all waste material which must be removed from the said property which he owns or occupies, in accordance with the provisions of this by-law. Every owner or occupant must ensure that he has separate regulation containers for waste material collection. Any private truck or vehicle carrying waste material shall be covered in such manner that the contents will not spill.
- 3.2.2. Every owner of a property containing more than one dwelling unit shall be responsible for the management of waste material containers and for any infringement of this by-law occurring upon their property whether or not such owner was the occupant of the property at the time the infringement occurred.
- 3.2.3. A condominium corporation shall be responsible for any infringement of this by-law occurring upon their shared property.
- 3.2.4. In an effort to reduce waste, the Town encourages all persons to assess whether an item is reusable and make use of an appropriate reuse center or service for all items deemed reusable. A table of local options for such reusable items is provided on the Town's website.

3.3 OBLIGATIONS OF A MULTI-DWELLING BUILDING OWNER & CONDOMINIUM CORPORATION

Every owner of a multi-dwelling residential building and condominium corporation shall maintain and keep located at all times, on the premise, sufficient separate regulation containers for waste materials to allow any occupant using the premises to comply with this by-law. Every owner of a multi-dwelling residential building and condominium corporation shall ensure that instructions regarding the collection of waste materials are posted in locations visible to any occupant residing in the building.

3.4 SETTING OUT OF WASTE MATERIALS IN A DESIGNATED CONTAINER

It is specifically prohibited to dispose of any waste material in a container other than the designated container for this material, which container shall exclusively be used for the storage of the waste material for which it is designated under the by-law. For example, green residue cannot be placed in plastic bags and garbage must be placed exclusively in the grey bin.

3.5 INTERRUPTION OF SERVICES BY THE TOWN

The Town reserves the right to interrupt its collection for any unit of occupancy where waste materials are not stored, placed or sorted according to this by-law.

3.6 MAINTENANCE OF CONTAINERS

No one shall set out any waste material in a container that is not in good working order. It shall be the responsibility of the owner or occupant of a unit of occupancy to ensure that all containers and the space where they are placed or stored is properly maintained and cleaned regularly, particularly to prevent the accumulation of waste material, or the presence of any insect, rodent, vermin or noxious odour.

4 RECYCLABLE MATERIALS

4.1 OBLIGATIONS FOR COLLECTION

4.1.1. Recyclable materials will only be collected if stored and placed in accordance with the present by-law. They will not be collected if the recyclables container contains materials other than recyclable materials.

4.1.2. For collection purposes, the recyclable materials must be prepared as follows:

- cardboard must be reduced, folded or compacted in order to be included inside the container used, or tied neatly in a bundle not exceeding 30" (76 cm) in height, width or length
- glass, metal and plastic packaging must be emptied of all contents, cleaned, rinsed and with caps or lids removed
- paper, flyers and newspapers must be removed from their delivery bags

4.2 CONTAINERS

4.2.1. For collection purposes, recyclable materials must be placed exclusively in the following containers:

- a blue box designated for recyclables (available for purchase at Town hall)
- a blue bin designated for recyclables and compatible with the collection vehicle
- a cardboard box, not exceeding 30" (76 cm) in height, width or length
- a clear bag, tied to secure its contents

4.2.2. No container shall weigh in excess of 50lbs (22.6 kg) when set out for collection.

4.2.3. Each commercial establishment is limited to three (3) blue bins of 360 liters, or 1080 liters. Any commercial or industrial establishment that generates recyclable

materials in excess of the amount provided under this section is not entitled to municipal collection services and must be served by a private collection.

4.2.4. Any recyclable materials, whether compliant or non-compliant, which are placed elsewhere than in a container described in paragraph 4.2.1. will not be collected.

4.2.5. The Town does not offer a collection for recyclable materials for institutional and industrial and commercial buildings that are not served by a designated blue bin.

5 ORGANIC MATERIALS

TYPES OF ORGANIC WASTE MATERIALS

The following categories represent organic waste materials:

- Green residue
- Branches, trees, trunks, stumps, shrubs and roots
- Christmas trees
- Organic material for household composter
- Food residue for industrial composting

5.1 GREEN RESIDUE - OBLIGATIONS FOR COLLECTION

Green residue will only be collected if it is stored and placed in accordance with the present by-law. During green residue collection, the following requirements apply:

- 5.1.1. Whole trees, pieces of wood, lumber, shrubs, roots, stumps, trunks, food residue for industrial composting and organic material for household composter are NOT accepted in the green residue collection.
- 5.1.2. Branches of a diameter not exceeding 6 inches (15 centimetres) diameter and 39.3 inches (1 meter) in length may be collected separately when prepared as provided in paragraph 5.1.3.
- 5.1.3. Branches must be tied together neatly in bundles not exceeding 39.3 inches (1 meter) in length and 12 inches (30 centimeters) in diameter each. The cord shall be of sufficient strength to permit the lifting and loading of the bundle into the collection vehicle. Branch bundles should be placed next to the green residue for collection, perpendicular to the land, with the largest end at the curb of the street.
- 5.1.4. Tree residues, including branches, from tree felling are not accepted during branch collection. The owner or occupant of any building is responsible for removing or arranging for the removal and transport of all residues from tree felling to an appropriate treatment center.

5.2 GREEN RESIDUE - CONTAINERS

- 5.2.1. For collection purposes, green residue materials must be placed exclusively in a compostable paper bag or a bin as provided in paragraph 5.2.2. The only exception made is for bundles of branches prepared in accordance with Section 5.1.
- 5.2.2. If green residue is placed in a bin for collection, the bin must have a capacity of 40 L or more and have a fully closed lid. Use of any other container, including a blue bin, a blue box, a grey bin or a plastic bag, is prohibited.
- 5.2.3. The recipient (bag or bin) should not contain more than 150 liters or weigh more than 25 kg and must not be filled higher than its sides.
- 5.2.4. No plastic bag (whether biodegradable or not) will be collected.

5.3 CHRISTMAS TREES - OBLIGATIONS FOR COLLECTION

During the month of January, Christmas trees can be placed at curbside during the Christmas tree collection period pre-determined and published by the Town. All lights and decorations, including garlands, must be removed. The Christmas tree cannot be placed in a plastic bag. Christmas trees will not be collected during garbage collection.

5.4 ORGANIC MATERIAL FOR HOUSEHOLD COMPOSTER

5.4.1. Compostable materials should be disposed of in a composter available for this purpose. Only organic materials for household composter (of plant origin and excluding oils) can be placed in a household composter. Once compost is ready, it should be used on the private property.

5.4.2. If an occupant elects not to use a household composter, organic materials for household composter must be disposed of with garbage in the grey bin in accordance with the requirements of Section 8.

5.5 FOOD RESIDUE FOR INDUSTRIAL COMPOSTING

Food residue for industrial composting must be disposed of with garbage in the grey bin in accordance with the requirements of Section 8.

5.6 GRASSCYCLING AND LEAF MULCHING

5.6.1. Placing grass clippings or leaf debris in a container destined for a recyclable material or garbage collection is prohibited.

5.6.2. In order to reduce the amount of green residue which must be collected and transported to a composting site, the Town strongly recommends that residents adopt grasscycling and leaf mulching practices while conducting lawn maintenance work.

6 ELECTRONIC MATERIALS

6.1 OBLIGATIONS FOR COLLECTION

6.1.1. Electronic materials must only be disposed of according to the provisions of the present by-law.

6.1.2. Electronic materials cannot be stored and will not be collected at the curbside waste material collection.

6.2 COLLECTION POINTS

Recycling and disposal of electronic material is available at the following collection points:

- at most retail stores where an equivalent new product is purchased
- at the recycling drop off site
- at a reuse or resale location if it is in good condition

7 HAZARDOUS WASTE

7.1 OBLIGATIONS FOR COLLECTION

Household hazardous waste must only be disposed of according to the provisions of the present by-law. Household hazardous waste cannot be stored and will not be collected at the curbside waste material collections.

7.2 COLLECTION POINTS

7.2.1. Household hazardous waste is accepted at various designated drop-off points according to the nature of the hazardous waste. Consult the table in Schedule A for the preferred drop-off and collection options.

- 7.2.2. Household hazardous waste is also accepted on one predetermined day per year, during the household hazardous waste collection event. The following materials are not accepted during this collection event: tires, biomedical materials, products containing asbestos, compressed air containers, and contaminated soil.

8 GARBAGE

8.1 OBLIGATIONS FOR COLLECTION

Garbage will only be collected if it is stored and placed in accordance with this by-law. Garbage will not be collected if the container contains recyclable materials, green residue, tree residue, bulky materials and CRD, electronic materials, household hazardous waste, tires and Christmas trees. Garbage can be placed in plastic bags within the designated grey bin or back-load container.

8.2 CONTAINERS

- 8.2.1. For purposes of collection, garbage must be placed exclusively in the following containers:

- a grey bin designated for properties which are served by Town collection
- a back-load container for the buildings which are served by private collection

- 8.2.2. The Town does not provide, maintain, repair or sell back-load containers. The provision of such containers must be arranged privately.

- 8.2.3. The Town provides all eligible properties with their initial grey bin(s) at half cost, in accordance with the quantity limitations set in Section 8.3. Any additional or subsequent grey bins required can be purchased from the Town at cost.

- 8.2.4. The grey bin is and remains the property of the Town. It must not, under any circumstances, be removed from the property to which it is assigned. The occupant or property owner is responsible for the grey bin. Should damage occur to a grey bin which is not attributable to collectors, loss, fire or vandalism, the owner or occupant must pay the replacement costs.

- 8.2.5. A designated grey bin must not be filled higher than its sides and must not contain more than:

- 50 kg of garbage in a 240-liter bin
- 60 kg of garbage in a 360-liter bin

- 8.2.6. Any garbage, whether compliant or non-compliant, which is placed elsewhere than in the designated grey bin will not be collected.

8.3 DISTRIBUTION OF GREY BINS

- 8.3.1. Only one 240 L grey bin will be distributed per unit of occupancy for all residential properties other than multi-dwelling properties.

- 8.3.2. For eligible multi-dwelling, commercial and institutional buildings, only 360 L grey bins will be distributed. The quantity of grey bins distributed will be a function of the units of occupancy, the typology of the property and the respective waste disposal requirements, and will be subject to the grey bin quantity limits set out in paragraphs 8.3.5., 8.3.6, 8.3.7. and 8.3.8.

- 8.3.3. The designated number of grey bins will be assigned to each property address with the help of a transponder.

- 8.3.4. Any additional grey bins required will incur additional collection and disposal fees as regulated in the respective by-laws defined in Section 3.1.2.

- 8.3.5. Each commercial or industrial establishment is limited to three (3) grey bins of 360 liters, or 1080 liters. Any commercial or industrial establishment that generates garbage in excess of the amount provided under this section is not entitled to municipal collection services and must be served by a private collection.
- 8.3.6. Each institutional establishment is limited to eight (8) grey bins of 360 liters, or 2880 liters. Any establishment that generates garbage in excess of the amount provided under this section is not entitled to municipal collection services and must be served by a private collection.
- 8.3.7. Each multi-dwelling residential property is limited to eight (8) grey bins of 360 liters, or 2880 liters. Any multi-dwelling residential property that generates garbage in excess of the amount provided under this section is not entitled to municipal collection services and must be served by a private collection, unless they have previously entered into an agreement with the Town. A table for the recommended number of bins per total units of occupancy has been provided as a guide in Schedule B.
- 8.3.8. Each condominium can elect the number of 360L grey bins required to service their collective property only if the respective condo management association provides adequate management of these shared grey bins as per the provisions of this by-law. Each condominium is limited to eight (8) grey bins of 360 liters, or 2880 liters. Any condominium property that generates garbage in excess of the amount provided under this section is not entitled to municipal collection services and must be served by a private collection. A table for the recommended number of bins per total units of occupancy has been provided as a guide in Schedule B.

9 BULKY MATERIALS AND CRD

9.1 OBLIGATIONS FOR COLLECTION

- 9.1.1. Bulky materials and CRD will only be collected during the special collection as defined in Section 13 if they are stored and placed in accordance with the present by-law.
- 9.1.2. If a container is used, it should not contain more than 150 liters or weigh more than 25 kg and must not be filled higher than its sides. The usage of a blue bin is prohibited. No plastic bag will be collected.
- 9.1.3. Bulky materials and CRD must be placed away from garbage and recycling, and stacked in an orderly and safe manner. Bulky materials and CRD must be placed in containers, with the exception of large pieces which may be collected manually. Pool, spa and other filters must be emptied of their sand content.
- 9.1.4. For curbside collection, the amount of bulky materials and CRD is limited to what can be loaded manually by two (2) collectors in less than five (5) minutes.
- 9.1.5. No person shall deposit for collection a crate, box or other container with a door or lid, unless the door or lid has been removed beforehand.
- 9.1.6. Debris from demolition and from work carried out by contractors, sharp or dangerous objects for collectors, tires, stone, sand, soil, asphalt, slab and concrete residues and all materials stacked in bulk will not be collected.
- 9.1.7. Nails must be removed or folded so as to present no risk for collectors.

10 STORAGE OF WASTE MATERIALS

10.1 MULTI-DWELLING BUILDING, CONDOMINIUM & COMMERCIAL ESTABLISHMENT

Waste materials shall be kept inside or outside the building in an appropriate container stored in an area reserved for this purpose or in a room dedicated for waste materials which complies with the following conditions:

10.1.1. It is built of non-combustible materials with a fire resistance of at least two (2) hours, including the doors which themselves are in accordance with the requirements of the Canadian National Building Code;

10.1.2. It is used exclusively for the storage of waste materials between two collections;

10.1.3. The surface of the floor, walls and ceiling is non-porous and washable;

10.1.4. It is connected to a water retention reservoir which complies with the provincial plumbing code;

10.1.5. It is ventilated to eliminate odours, except if it is refrigerated

10.1.6. Its area is sufficient to store waste materials between two collections

10.1.7. It is equipped with an automatic fire extinguishing system which complies with the requirements of the Town's fire prevention by-laws and the Canadian National Building Code

This area or, as the case may be, this room, shall be cleaned regularly, particularly to prevent the accumulation of waste material, or the presence of insects, rodents, vermin or noxious odour.

10.2 STORAGE IN A RESIDENTIAL BUILDING

For a residential building, any waste material must be kept indoors, or outdoors provided that it is kept at all times in a tightly covered container.

10.3 PESTS AND VERMIN

Any owner or occupant must ensure that waste material is stored on their premises and contained in a manner that protects it from any rodent, vermin, pest and any other disturbance.

10.4 DISPERSAL OF WASTE MATERIALS IN THE ENVIRONMENT

The owner or occupant of any unit of occupancy is responsible for keeping waste materials in their respective container so as to prevent their dispersal into the environment. The owner or occupant is responsible for collecting any waste material that has fallen out of the containers on public or private property.

10.5 PRIVATE COLLECTION

A commercial, institutional, or industrial establishment or a multi-dwelling residential property or condominium may elect to enter into a separate agreement with a service provider for the removal of recyclable materials and garbage. Such an agreement must state that the service provider must execute its collection on designated days during specified collection hours and that any waste material will be transported to an appropriate treatment center located outside of the Town.

11 WASTE MATERIAL COLLECTION

11.1 COLLECTION HOURS

Collections will normally be carried out starting not earlier than 6:00 a.m. daily.

11.2 COLLECTION DAYS

The frequency and days of the collection of waste materials shall be determined by Council.

11.3 COLLECTION ON STATUTORY HOLIDAYS

No collection shall be made on the following holidays which fall on a normal collection day:

- New Year's Day · Good Friday · Easter Monday
- Victoria Day · Dominion (Canada) Day · Civic Holiday
- Labour Day · Thanksgiving Day · Christmas Day

When a normal collection day falls on a holiday referred to above, the collection for that day shall be made one (1) day late, but in no case shall the change in schedule result in a collection not being made for a period greater than eight (8) days;

11.4 DISPOSAL OF WASTE MATERIALS

11.4.1. Every owner or occupant of a unit of occupancy is responsible for placing any container or bulky material destined for collection outside, in front of the unit of occupancy, as close as possible to the edge of the sidewalk or roadway, so as to make it accessible to the collectors. The container shall not be placed on the sidewalk, in the street or any other public space. The container must be accessible to the collectors at all times during collection periods and during all seasons.

11.4.2. Any container placed for collection must be placed in an upright position with the lid closed, the front of the container facing the street, with the wheels facing the unit of occupancy.

11.4.3. It is forbidden to place any container destined for collection curbside before 5:00 p.m. on the day preceding the next scheduled collection. All containers shall be removed by the owner or occupant of the property in front of which they are placed no later than 11:00 p.m. on the collection day.

11.4.4. The services authorized by this by-law shall not be made available, except by agreement, to any land or building owned or leased by the Government of Canada, to educational establishments, industrial or institutional buildings. Any such properties currently receiving services authorized by this by-law will be provided with an opportunity to enter into an agreement with the Town in order to continue such services in accordance with the provisions of this by-law;

11.4.5. The services authorized by this by-law shall not include the collection of back-load containers, except by agreement and at the full discretion of the Director.

12 SPECIAL COLLECTION

12.1. The special collection is a limited collection service for certain approved materials which are not normally collected by ordinary collections. See Schedule B for the list of accepted items with respective restrictions and the list of not permitted. Where provided, drop-off location is the preferred method of disposal for any given item.

12.2. Each household is permitted to place 2 large items as per the provisions of Section 9 on each designated special collection day pre-determined and published by the Town. Pick up will be done within the week following that day. There will be one special collection day per month for a total of 12 special collections in the year.

12.3. The materials in question must be placed at curbside as per the provisions of this by-law. The weight of each item must not exceed 90 kg (200lbs) and the dimensions must not exceed 2 meters (80 inches) in length, height, or width. The Town reserves the right to refuse to collect such material if it is mixed with materials not authorized for collection.

12.4. If refused, the material shall:

- i. be removed immediately by the person in charge or the contractor

- ii. be placed, as the work progresses, in an adequate container located on the site
- iii. not, in any case, be permitted to accumulate on a site

13 DISPOSAL OF VARIOUS OBJECTS

- 13.1. Anyone who wishes to dispose of explosives or explosive weapons such as dynamite, grey powder, rockets, firecrackers, ammunition, or grenades, should contact the Ontario Provincial Police (OPP).
- 13.2. Anyone who wishes to dispose of a dead animal should contact Public Works. Owners or occupants are responsible for the removal and disposal of dead animals on their property.
- 13.3. The owner or occupant of any building is responsible for removing or arranging for the removal and transport of waste materials that Town collectors are not obliged to collect, to an appropriate treatment facility, at their expense.

14 INFRINGEMENT

In addition to the prohibitions provided in the sections above, it is prohibited:

- i. to rummage through waste materials which have been placed for collection;
- ii. to dispose of waste materials on public property or a vacant lot;
- iii. to dispose of waste materials in a waste basket on the street, in a park or other public property, other than small refuse or recyclable materials of a passer-by;
- iv. to dispose of waste materials in a bin, a container or recipient belonging to another person without their approval;
- v. to dispose of household hazardous waste with curbside waste material collections;
- vi. to throw waste materials, including household hazardous waste in the sewers;
- vii. to place garbage, or allow garbage to be placed in bins designated for recyclable materials;
- viii. to place garbage or recyclable materials, or allow these to be placed in designated containers for green residue;
- ix. to place recyclable materials, or allow recyclable materials to be placed in bins designated for garbage;
- x. to place waste materials in corridors, staircases and non-designated areas by the owner;
- xi. to modify or alter a grey bin, a blue bin or the serial number or Town logo on a bin;
- xii. to dispose of, or allow the disposal of, items other than garbage for the garbage collection;
- xiii. to dispose of, or allow the disposal of, items other than recyclable materials for the recyclable materials collection;
- xiv. to dispose of, or allow the disposal of, items other than bulky materials and CRD for the special collections;
- xv. to pick over, interfere with, remove or scatter any waste material placed at the curb for removal except and until the same is removed as herein provided.

15 OFFENCES AND PENALTIES

- 15.1. Any person who commits an act prohibited under this by-law or contravenes any other provision of this by-law is guilty of an offence and upon conviction, is subject to the suspension of any or all collection services provided by the Town in this by-law until the person demonstrates to the Town that he or she is in compliance with this by-law. In the

event the Town suspends any or all collection service in accordance with this by-law, the affected owner shall obtain a private collection service during the period for which the Town collection service is suspended, at the same or greater frequency at which the service was provided prior to its suspension.

15.2. Any person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine of not more than Five Thousand (\$5,000.00) Dollars, exclusive of costs and upon conviction thereof, forfeit and pay a penalty as set out in the general penalty provision found under the Provincial Offences Act, R.S.O. 1990, c. P.33.

15.3. When a person has been convicted of an offence under this by-law in:

a) the Ontario Court (Provincial Division);

b) any court of competent jurisdiction thereafter,

may, in addition to any penalty impose on the person convicted, issue an Order prohibiting the continuation or repetition of the offence or doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence.

15.4. The receipt of payment, signed by the person to whom is assigned to the duty of receiving payments out of Court, shall be sufficient evidence of payment of the penalty for the violation.

15.5. Any person who commits an act prohibited under this by-law or contravenes any other provision of this by-law is guilty of an offence and may be subject to a fine as set in Schedule C .

16. SCOPE AND SEVERABILITY

In the event of a conflict between this by-law and amendments thereto and any other by-law, the most restrictive shall prevail.

16.1. The provisions of this by-law shall not relieve any person from compliance with any provisions of the Public Health Act or regulations prescribed by the Medical Officer of Health.

16.2. If a Court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.

17. REPEAL

That by-law #86-96, being a by-law to establish a system for the collection, removal and disposal of non-hazardous solid waste and recyclable material in the Town of Hawkesbury and its amending by-law #91-2009, are hereby repealed in their entirety.

18. EFFECTIVE DATE

This by-law shall come into force and take effect on the date of its passing.

SCHEDULE “A” (TO BE CONFIRMED)
 (list of non-acceptable waste & disposal options)

NB: In all cases, if an item is reusable, the Town encourages that items be dropped off at an appropriate reuse center. Local options for given items are provided on the Town’s website.

Category	Example	Preferred drop-off location	Secondary disposal option
Hazardous Waste	Solvents, Wood preservatives, Paint	Returns available where replacement is purchased	Some items may be eligible for Town’s hazardous waste event
Light bulbs	Neon, fluorescent, incandescent, halogen, LED, metal halide	Returns available where replacement is purchased	Some items may be eligible for Town’s hazardous waste event
Styrofoam	White, clean packing Styrofoam, excluding flexible or small Styrofoam pieces (peanuts)	Contact Recycle Action for recycling	
Ashes	Extinct residue from the burning of coal and wood	Household composter or use as soil amendment	Contact your local waste disposal
Ignitable Waste	Propane, fuel or gas tanks, Used oil	Returns available where replacement is purchased	Some items may be eligible for Town’s hazardous waste event
Explosives	dynamite, grey powder, rockets, firecrackers, ammunition or grenades	contact the Ontario Provincial Police (OPP)	
Corrosive Waste	Acid, Car Batteries, household batteries	Returns available where replacement is purchased	Some items may be eligible for Town’s hazardous waste event
Carcass of any animal	Deceased pet	Contact public works	
P.C.B. Waste	Electrical transformers	Returns available where replacement is purchased	
Bio-medical Waste	Medical Waste, drugs	Contact your local pharmacist	
Any appliance containing Freon	Fridge, Freezer, Air Conditioner	Contact Recycle Action for recycling	If emptied of freon by certified technician, see “household appliances” in list below

CRD - Construction materials and demolition waste	Gypsum, Flooring, Wood, Stones, Window and Doors	Contact your local landfill	Some items may be eligible for special collection
Products containing asbestos			
Automobiles	Vehicles, or any part thereof	Contact your Local Scrap yard	
Tires		Returns available where replacement is purchased	Contact your local garage
Metal	Fences, fence posts, fence wire, bicycle, Tin	Contact your Local Scrap yard	
Electronic material	Televisions, computers, printers, cellphones, tablets, laptops, radios	Returns available where replacement is purchased	Contact Recycle Action for recycling
Liquid or semi-liquid waste		Dispose of according to the nature of the liquid. If hazardous or ignitable, refer to these categories	

(list of acceptable waste with restrictions)

Waste type	Collection specifications	Restrictions
Branches	Green Residue collection	Tied in bundles not exceeding 39.3 inches (1 meter) in length and 12 inches (30 centimeters) in diameter each. See par.5.1.3.
Pool filters and water softener tanks	Special collection	Water and Sand must be emptied
Household appliances (including refrigerator, dishwasher, microwave oven and more)	Drop off at recycling center year-round or Special Collection	Doors must be removed when set out curbside during Special Collection
Mattresses	Special Collection (if not reusable)	

SCHEDULE “B”

Guide to determine number of bins needed per total units of occupancy

Total # units of occupancy	# of 360L garbage bins
9 - 11	2
12 - 17	3
18 - 23	4
24 - 29	5
30 - 35	6
36 - 41	7
42 - 47	8

SCHEDULE “C” (TO BE CONFIRMED)

Fines applicable

Reference	Section	Part 1	Total to pay
Fail to remove or place for removal all waste material which must be removed from the said property	3.2.1	\$100.00	\$125.00
Leave upon any street or public place any container destined for collection earlier than 5:00 p.m. on the day preceding the next scheduled collection	11.4.3.	\$90.00	\$115.00
Fail to remove from the street or public place any container after the garbage or recyclable material have been collected	11.4.3.	\$90.00	\$115.00
Collect, interfere with, remove or scatter any waste material placed at the curb for removal	14	\$100.00	\$125.00