

# The Corporation of The Township of Limerick

## By-Law No: 2023-15

### Being a By-Law to Establish the Location of and Maintenance Policies for the Township of Limerick Waste Disposal Site, within the boundaries of the Municipality of the Township of Limerick.

**WHEREAS** Section 10(1), paragraph, 7 of subsection 10(2) of the *Municipal Act 2001, S.O.2001,c.25* authorizes a Municipality to pass By-Laws dealing with Waste Management.

**AND WHEREAS** Section 391 of the *Municipal Act, 2001*, authorizes a Municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of it; for costs payable by it for services or activities provided or done by or on behalf of any other Municipality or any local board; and for the use of its property including property under its control;

**AND WHEREAS** the Municipal Council of the Municipality deems it expedient to enact such a By-law as part of its continuing effort to reduce waste in the Municipality and to achieve a cost-effective and equitable system of waste management;

**NOW THEREFORE** The Corporation of the Township of Limerick Enacts As Follows:

#### 1. Title

This By-Law shall be known and may be cited as the "Township of Limerick Waste Management By-Law".

#### 2. Application

The provisions of this By-Law apply to the owners and occupants of all residential and commercial and/or industrial establishments in the Municipality (as defined in section 5 of this By-Law within the Municipality).

#### 3. Scope

- a) Where the provisions of this By-Law conflict with the provisions of any other By-Law in force in the Municipality, the provisions of this By-Law shall prevail.
- b) The provisions of this By-Law shall not relieve any person from compliance with any provisions of the Public Health Act or regulations by the Medical Officer of Health.
- c) The provisions of this By-Law shall not relieve any person from compliance with any provisions of the Environmental Protection Act or regulations made by a Ministry of Environment.

#### 4. Effective Date

This By-Law will come into force and effect on May 15, 2023, and rescinds By-Law 2021-12.

#### 5. Definitions in this By-Law

- a) "Waste Disposal Site" shall mean that area within the Township of Limerick known as Part Lot 16, Concession 2, as designated under Plan, including the

Landfill and Recycling Depot, which is used solely for the purpose of receiving garbage, refuse and waste for disposal and/or recycling, and for the purposes of the By-Law shall be referred to hereinafter as "Waste Disposal Site".

b) "Recycling Depot" shall mean the area of the Waste Disposal Site where recyclable materials are deposited in appropriate containers.

c) "Recyclable Materials" shall mean such items as the Municipality identifies from time to time as being suitable for recycling purposes and accepted by the recycling facility as contracted, and as described in Schedule "B"

d) "Contributor" shall mean the owner and/or occupant, or user of any dwelling, apartment house, or commercial/industrial building, or portion thereof, and shall include individuals, corporations and partnerships, location being in the Township of Limerick.

e) "Person" means a natural person and/or corporation and includes: i) every general partner in a firm, partnership or joint venture; ii) the employer of any person who is acting under the direction of the said employer; and iii) the parent or guardian of any person under the age of eighteen (18) years who resides in the parents or guardians household acting under the direction of the said parent or guardian.

f) "Municipality" shall mean the Corporation of the Township of Limerick.

g) "Council" shall mean the elected Council of the Municipality.

h) "Clear Bag" shall mean a Clear polyethylene plastic bag measuring not more than 66 cm x 83 cm (or equivalent i.e. 66L or smaller) closed at the top and securely fastened.

i) "Bag Tag" shall mean an appropriate tag, sticker or certificate issued by the Municipality upon payment of the applicable fee outlined in Schedule "C" (attached) to be affixed to, or presented to, Waste Disposal Site Custodian for all Bagged Garbage.

j) "Bagged Garbage" shall mean a bag of solid non-hazardous waste not accepted on behalf of the Municipality by the Municipal Recycling Contractor and excluding all prohibited waste.

k) "Solid Non-Hazardous Waste" includes any material discarded that is not recyclable materials, leaf and yard materials, scrap metal, waste electrical and electronic equipment, household hazardous waste, any prohibited waste or other designated recyclable.

l) "Prohibited Waste" means anything which is not permitted to be disposed of at the Waste Disposal Site, and includes anything outlined in the Environmental Protection Act: as described in Part II, General Provisions; Part V, Waste Management; Part VII, Abandoned Motor Vehicles; Part X, Spills; and without limiting the generality of the foregoing,

1. Liquid Waste
2. Automobile Batteries
3. Carcasses of any animal or animals
4. Hay, straw and manure
5. Sawdust and/or shavings
6. Derelict automobiles, or any vehicles
7. Hauled sewage
8. Hazardous wastes
9. Fences, stones and/or fence posts from fence rows and any page wire.
10. Asbestos Waste

m) "Waste Disposal Site Custodian" shall mean the person or persons employed by the Municipality, from time to time, who are responsible for the operation and maintenance of the Waste Disposal Site or their designate or assistant.

n) "Waste Disposal Card" shall mean the identification card as provided by the Municipality, to its residents (or as otherwise arranged) which is required to access the Waste Disposal Site and which must be shown to the Waste Disposal Site Custodian prior to being allowed to dump.

## **6. Preparation of Waste for Acceptance at Waste Management Site**

a) The Waste Disposal Site shall be accessible to the residents of the Municipality during hours as specified and as set out in Schedule "A" attached and considered part of this By-Law.

b) No waste will be accepted by the Waste Disposal Site Custodian other than from an owner or occupant of a residential, industrial and/or commercial establishment within the boundaries of the Municipality and/or a municipal employee, as required; and

c) No waste will be accepted by the Waste Disposal Site Custodian from a Commercial type Waste Collector unless said Collector is directly contracted by the Municipality.

d) All recyclable materials shall be separated from bagged garbage and solid non-hazardous waste and delivered to the Waste Disposal Site as set out in Schedule "B" attached and considered part of this By-Law.

e) Except as otherwise provided in this By-Law, neither the Municipality nor the Waste Disposal Site Custodian will accept prohibited waste from any residential or industrial or commercial establishments within the Municipality.

f) The Waste Disposal Site Custodian shall not accept any bagged garbage unless it is affixed with, or Waste Disposal Site Custodian is presented with, appropriate bag tag, or applicable fee in accordance with this By-Law.

## **7. Waste Disposal Site Procedures**

a) Waste will be accepted at the Waste Disposal Site on days or part thereof as determined by Council, as set out in Schedule "A" attached hereto and approved by the site Environmental Compliance Approval issued by the Ministry of Environment Conservation and Parks.

b) Any waste which is delivered to the Waste Disposal Site and which has not been prepared for disposal according to the provision of this By-Law will not be accepted.

c) No person shall pick over, interfere with, disturb, remove, or scatter any waste without permission from the Municipality.

d) No person shall dispose of waste at the Waste Disposal Site unless the waste was generated and collected from within the boundaries of the Municipality.

## **8. Responsibilities**

a) The Municipality shall be entitled to enter into contracts with any person or persons for the removal, transfer, processing, storage, reduction, reuse, recycling and/or disposal of waste.

b) The Waste Disposal Site Custodian will follow the provisions of the By-Law and all instructions given by the Municipality from time to time.

- c) The Waste Disposal Site Custodian shall have complete authorization for the enforcement of the provisions of this By-Law, and authority to refuse permission to accept waste not in accordance with By-Law regulations.
- d) All solid non-hazardous waste, recyclable materials and bagged garbage deposited at the site shall be done so only under the direction of the Waste Disposal Site Custodian.
- e) The Waste Disposal Site Custodian has the authority to ascertain the residential address of the contributor and must ask for Waste Disposal Card at the gate. All contributors must show appropriate waste disposal card on entry to the site.
- f) The Waste Disposal Site Custodian is responsible for ensuring that waste is sorted into categories of wood, scrap metal, electronics, tires, recyclable materials, and solid non-hazardous waste.
- g) It is the responsibility of The Waste Disposal Site Custodian to pick up litter and use dust control during the summer months.
- h) The Waste Disposal Site Custodian is responsible for ensuring that recyclables are sorted properly for the recycling program.
- i) The Waste Disposal Site Custodian is under the supervision and direction of the Public Works Supervisor.
- j) No person shall throw, place or deposit any type of waste over the fence into the Waste Disposal Site anywhere other than on the dumping grounds expressly provided for that purpose by the Municipality.
- k) No person shall throw, place or deposit any type of waste on any roadway, highway or bridge or any municipally owned property that is outside of the fence at the Waste Disposal Site, unless otherwise designated as a dumping area.
- l) No person shall create or cause to be created damage to or at the Waste Disposal Site.
- m) No person shall have in his or her possession any firearm within the boundaries of the Waste Disposal Site, unless legally stored or unless authorized by the Municipality.
- n) No person shall light or smoke or permit any other person to light or smoke a cigarette, cigar or pipe or hold lighted tobacco in any form at the Waste Disposal Site.
- o) The Municipality shall not be liable to any person for any damage howsoever caused to person or property or vehicle(s) while at the Waste Disposal Site.

## **9. User Fees**

- a) All material delivered to the Waste Disposal Site shall comply with the Municipal "Clear Waste Bag Policy" or any schedule attached to this By-Law.
- b) Fees shall be in accordance with Schedule "C" Waste Disposal Site Tipping Fees attached to By-Law 2023-15

## **10. General**

- a) No person shall throw or deposit or allow to fall from any vehicle, any waste and/or non-acceptable waste onto any right-of-way, roads, lanes, watercourses and/or public lands within the Municipality.

b) The headings in this By-Law are solely for convenience of reference and are not intended to be full or accurate descriptions of the contents thereof and are not to be considered as part of the By-Law.

## **11. Enforcement and Penalty**

a) Every person who contravenes any provisions of this By-Law is guilty of an offence and is liable, upon conviction, to fine of not less than \$150.00 and not more than \$1,000.00 for every individual who is convicted of a first offence and not less than \$1,000.00 and not more than \$5,000.00 for any subsequent offence under this By-Law.

b) Where any person fails to comply with the requirements or provisions of this By-Law, such matter or thing may be done at such person's expense by the Municipality, and the Municipality may recover the expense incurred in doing it by action, or the same, with interest, may be recovered in like manner as municipal taxes.

c) The Municipality's By-Law enforcement officer is hereby authorized and empowered to enforce the provisions of this By-Law.

## **12. Repeal of By-Law**

The provisions of this By-Law commence immediately upon the passing thereof, all previous By-Laws and motions pertaining to such shall be repealed upon the effective date of this By-Law.

**READ A FIRST, SECOND, THIRD TIME AND FINALLY PASSED THIS 15<sup>th</sup> DAY OF MAY 2023.**

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Mayor: Kim Carson

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Clerk/Treasurer: Victoria Tisdale

**Schedule “A”**

**The Corporation of the Township of Limerick**

**To By-Law No: 2023-15**

**Specified Waste Disposal Hours**

The Waste Disposal Site shall be accessible to contributors or persons of the Municipality (or as otherwise authorized by Council) during hours as specified:

**Summer Months**

May – August

Wed, Sat, Sun, & Holiday Mon.

11:00 AM – 6:00 PM

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**Winter Months**

Sept – April

Wed, Sat, Sun, & Holiday Mon.

11:00 AM – 4:30 PM

## Schedule “B”

### The Corporation of the Township of Limerick

#### By-Law No : 2023-15

#### These Items are acceptable to bring to the Waste Disposal Site

#### Acceptable Recyclables

##### 1. Newspaper & Magazines

Place **Clean** newspapers, inserts, phone books, magazines and catalogues shall be contained in Clear Waste bags or tied in bundles. **No soiled newspaper.**

##### 2. Corrugated Cardboard

Shall be broken down, laid or folded flat and tied in bundles not to exceed 76 cm x 76 cm x 20 cm (30” x 30” x 8”). **No waxed or soiled boxes.**

##### 3. Boxboard and Mixed Household Paper or Junk Mail

Shall be cleaned of any food or liners and should be flattened and stuffed into a large box (to save space) for placing in appropriate container at recycling depot. Boxboard includes cereal, shoe and detergent boxes as well as rinsed milk and juice cartons, paper bags, sugar & flour bags, cardboard tubes, books (hardcover & paperback), egg cartons and other clean paper packaging. **No drink boxes, tissue paper, paper towels or laminated.**

##### 4. Clean Plastic Bags

Stuff clean, dry plastic bags into a plastic bag (other than green, orange or black garbage bags) tied shut for placing in the appropriate container at the recycling depot. Include rinsed milk pouches, grocery, bread, dry cleaning, frozen vegetable and blue newspaper bags as well as outer wrapper from toilet and hand tissues. Remove food residue, stickers and receipts. **No meat, cheese or stretch wrap, cereal box liners or chip bags.**

##### 5. Glass Bottles and Jars

Remove and rinse caps and lids. Metal lids can be recycled with cans. Do not bag. Leave loose in depot containers. **No other types of glass such as kitchenware, ceramics, dishes, drinking glasses, window glass, light bulbs or mirrors.**

##### 6. Metal Cans and Foil

Rinse cans. place lids in a can, pinch closed and put loose in container at Recycling Depot. **Do not put aluminum cans inside tin ones.** Include clean aluminum foil and pie plates (flattened can save space). **No pots, cigarette or butter wrappers or scrap metal.** Avoid putting pop cans inside other cans.

##### 7. Plastic Containers

Discard tops and rinse containers for soft drinks, detergents, juice, bleach, shampoo, dairy products as well as clear and foam plastic cups, trays and packaging. Flatten soft drink containers and replace lids. All plastics with numbers 1 to 6 on the bottom are ok. **No blister or bubble packs, prescription bottles or toys.**

##### 8. Empty Aerosol and Paint Cans

Make sure metal containers are empty. Take lids off of paint cans to let them dry, and place at designated area at Waste Disposal/Recycling Site. Don't bag them. **No containers with product, paint cans larger than 4 litres (1 gallon), plastic paint cans or other hazardous waste.**

**Note:** Or as may be defined from time to time by the Municipality.

## **Schedule “B”**

### **The Corporation of the Township of Limerick**

#### **By-Law No : 2023-15**

#### **Acceptable Materials Solid Non-Hazardous Waste To Be Placed In Appropriate Areas**

**1. Bagged Garbage**

A bag of solid Non-Hazardous waste.

**2. Mixed Garbage**

A truck or trailer load of mixed solid non-hazardous waste

**3. Electronic Waste**

**For Example:** Televisions, computers, computer monitors, laptops, printers, etc.

**4. Scrap Metal**

**For Example:** Metal household appliances (stoves, ranges, washers, dryers, water tanks, toasters, microwaves, fridges, freezers, ac units, etc.). Any other metal products that cannot be recycled through the Blue Box Program.

**5. Large “Bulky” Items**

**For Example:** Mattresses, box springs, furniture (sofa, large chairs etc.)

**6. Tires**

Tires and tires with rims

**Note: Prohibited Waste will not be accepted**



## Schedule "C"

By-Law No : 2023-15

The Corporation of the Township of Limerick

### Waste Disposal Site Tipping Fees

#### **Residential Rates- Bagged garbage in CLEAR BAGS ONLY**

Regular bags and containers as defined in By-law No : 2023-15

#### **Tires**

Tires with or without rims are accepted No Charge

#### **Electronics**

Televisions, computers, printers etc. No Charge

#### **Metal Household Appliances**

##### **Must be Placed in Scrap Metal Bin**

Stoves, washers, dryers, water tanks, toasters, microwaves etc. No Charge

##### **Items Requiring Freon Removal must be placed in appropriate area**

Fridges, freezers, AC units etc. \$45.00

#### **Large Items**

Sofas, Large Chairs, \$20.00

Mattresses, Box Springs \$30.00

#### **Mixed Garbage**

½ Ton truck (level with box) or Car and Trailer (no racks) \$60.00

½ up to ¾ Ton truck (level with box) and Trailer (no racks) \$100.00

Single Axle Dump Truck or Cube Van \$150.00

Tandem Axle Dump \$225.00

**Note:** Trucks or trailers with racks will be charged an additional \$10.00 fee if material is above box height of such truck or trailer.

Fiberglass Boat \$100.00

#### **Bag Tags**

Bag tags can be purchased at the Municipal office during regular hours or from the Waste Disposal Site Custodian during regular Waste Disposal Site hours.

Bag Tags \$1.00 per tag

#### **Cumulative Tipping Fees**

The tipping fees set out in this Schedule "C" are accumulative. A person bringing more than one chargeable item(s) shall pay the Waste Disposal Site Custodian a fee for each and every one of the chargeable items laid out in this Schedule "C", unless otherwise stated.