

**TOWN OF FORT FRANCES
BY-LAW NO. 10/04**

(Being a by-law to provide for the establishment and maintenance of a waste management system.)

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, Section 11 (1) provides that a single tier municipality may pass by-laws respecting matters within spheres of jurisdiction with regard to waste management;

AND WHEREAS The Corporation of the Town of Fort Frances deems it necessary and expedient that regulations be made for establishing and maintaining a system for collection, removal and disposal of garbage.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF FORT FRANCES ENACTS AS FOLLOWS:

1.0 TITLE, SCOPE AND DEFINITIONS:

1.1 Short Title:

This by-law may be cited as the "Waste Management By-Law"

1.2 Scope:

1.2.1 The provisions of this by-law shall apply to all persons, lands, structures and uses within the boundaries of The Corporation of the Town of Fort Frances.

1.2.2 No person shall dispose of, or cause to be disposed of, any waste, refuse or garbage except in conformity with the provisions of this by-law and schedules annexed thereto.

1.2.3 This by-law shall not be effective to relieve, reduce or otherwise exempt any person from compliance with any provision of the *Health Protection and Promotion Act* or the *Environmental Protection Act* or any regulation or order prescribed by the Medical Officer of Health or the Minister of Environment.

1.3 Definitions:

1.3.1 "apartment building" shall mean a building which consists of two or more dwelling units.

1.3.2 "ashes" shall mean the solid residue of any household fuel remaining after burning, including but not limited to ashes, soot, and other chimney deposits.

1.3.3 "attendant" shall mean the person employed by the landfill site contractor to carry out the duties associated with operating and maintaining the Municipal Waste Disposal Site and is hereby authorized to deny access to the municipal waste disposal site to any person who is in contravention of any provision of this by-law as may be reasonably determined by the attendant.

1.3.4 "bag tag" shall mean an adhesive fluorescent orange coloured tag bearing The Corporation of the Town of Fort Frances logo, recycling logo and the words "Fort Frances Garbage Bag Tag", and as authorized and issued by the Corporation.

1.3.5 "commercial" shall mean buildings or structures located in the commercial zones as outlined in the Comprehensive Zoning By-Law and amendments thereto excepting dwelling units in the same building above or behind a permitted commercial use.

- 1.3.6 "construction/demolition material" shall mean discarded building material, concrete, stones, earth from excavations or grading and all other waste matter resulting from the erection, repair, demolition of buildings, structures or other improvements of property and shall be the responsibility of the property owner and or contractor for the disposal/transportation of said wastes.
- 1.3.7 "contaminated soil" shall mean soil that has been exposed to, contains, is saturated with or is in any other way polluted with a foreign element which the Ministry of the Environment has directed be disposed of in a municipal waste disposal site.
- 1.3.8 "Corporation" shall mean The Corporation of the Town of Fort Frances.
- 1.3.9 "Council" shall mean the Council of The Corporation of the Town of Fort Frances.
- 1.3.10 "Landfill Site Contractor" shall mean the person who, under contract authorized by by-law passed by the Council of The Corporation of the Town of Fort Frances, from time to time operates and maintains the municipal waste disposal site.
- 1.3.11 "dwelling" shall mean a building occupied or used as a place of abode, other than a hotel, restaurant, apartment house, tenement or building in which more than two families dwellings or which contains more than two separate places of dwelling.
- 1.3.12 "garbage" shall mean all animal, mineral and vegetable matter in any form or state abandoned, discarded or thrown out by any household or generated from a residential property or dwelling.
- 1.3.13 "garbage collector" means a person who, under contract authorized by by-law passed by Council of The Corporation of the Town of Fort Frances is engaged in the collection, transportation and disposal of municipal waste within the Town of Fort Frances for the Corporation.
- 1.3.14 "garbage shed" shall be:
- 1.3.14.1 Any existing garbage storage shed located on any industrial, commercial or institutional properties or multi residential.
 - 1.3.14.2 If using a commercial waste hauler, any size of steel bin capable of being picked up and tipped to a commercial waste collection vehicle, can be utilized.
 - 1.3.14.3 If utilizing the Town's garbage contractor to collect multi residential, commercial or institutional waste and where no garbage shed exists, the new constructed garbage shed shall conform to the following guidelines:
 - 1) constructed of wood or steel and the minimum size shall be 8' long x 4' wide x 4' high (2.438 m x 1.219 m x 1.219 m) and the floor where the garbage, rubbish or any other waste is placed shall be 3' (0.914 m) above the ground level.
 - 2) The roof of the shed will slope away from the front doors towards the back of the unit with an approximate slope of 8H:1V or 6" (150 mm) drop in a 4 foot (1.219 m) span.

- 3) A water proof roofing material shall be installed on the roof to protect the garbage, rubbish and other waste.
- 4) Two door system - where each front door will be 4' x 4' (1.219 m x 1.219 m) in size and will swing outwards from the centre of the unit to the outside edge where 3 heavy duty hinges will support each door. Each door will have a handle to accommodate easy entry.
- 1.3.15 "hazardous waste" means waste and materials as may be defined from time to time by the Ministry of Environment and Energy as hazardous and shall include but not be limited to the following:
- flammable or incendiary materials and liquids; incinerator ash; explosives; offal; sewage; drugs and medicine; chemical wastes; dry cell and wet cell batteries; pathological waste including syringes, needles, dressings, body parts and fluids, tissues, medical instruments and other such items as may or could reasonably contain pathogenic bacteria or micro-organisms; dead animals; motor oil, propane tanks; radioactive materials; and other similar materials that may be hazardous or dangerous to the public health, safety or environment.
- 1.3.16 "Health Officer" shall mean the District Medical Officer of Health or any public health inspector authorized to act in that behalf.
- 1.3.17 "householder" shall mean the owner, occupant, lessee, tenant or other person in charge of a dwelling.
- 1.3.18 "industrial" shall mean buildings or structures located in the industrial zones as outlined in the Zoning By-Law and amendments thereto.
- 1.3.19 "industrial waste" means waste materials from any one or more industrial or manufacturing process, or waste from any property assessed for industrial or manufacturing uses.
- 1.3.20 "home based business" is a single self contained unit where a portion of the residential unit is used to operate a home based business. For the purpose of this by-law is considered to be a commercial establishment.
- 1.3.21 "unsanitary conditions" shall mean any nuisance or any condition, matter, accumulation or thing which, in the opinion of the Official, may be injurious to health or which, in his opinion, may result in the creation of a nuisance.
- 1.3.22 "institutional" shall mean buildings or structures located in the institutional zones as outlined in the Zoning By-Law and amendments thereto.
- 1.3.23 "manufacturers" and "trade waste" shall mean any abandoned, condemned or rejected product or by-product or the waste from any produce or by-product used by manufacturer, builder or contractor in the operation of his business or trade, and scrap metal and motor vehicle parts from garages and service stations.
- 1.3.24 "the condominium building" is considered a residential property for the purpose of this by-law.
- 1.3.25 "multi-residential property" is defined for the purpose of this by-law as seven (7) or more self contained units or dwelling or property.
- 1.3.26 "Official" means the Municipal Law Enforcement Officer or his/her designates.

- 1.3.27 "other approved material" shall mean all other material not within the definition of "garbage" which has been approved of by the Attendant as being material which does not form a health hazard or have a deleterious effect on the operation of the Domestic Landfill.
- 1.3.28 "pick-up point" shall mean that place, area or point from which garbage will be collected by the garbage collector.
- 1.3.29 "person" means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee and any heirs, executors, successors, assigns or other legal representative of a person to whom a contract can apply according to law.
- 1.3.30 "proper type "A" containers" shall mean containers constructed of metal or plastic having volume of not less than 2.73 cu. ft. or 17 Imperial gallons or 77.28 litres and not more than 5.77 cu. ft. or 35.94 Imperial gallons, or 163.39 litres. Such containers will be capable of being readily sanitized. Each container and contents, i.e. the garbage, rubbish and other waste will not weigh more than 40 lbs (18.14 kilograms). They are commonly known as store purchased garbage cans or recycled 30 gallon steel drums.
- 1.3.31 "proper type "B" containers" shall mean any home-made mobile or stationary bin-type container constructed of metal, plastic and/or wood where the volume is larger than any proper type "A" container. Such containers shall be equipped with a tight fitting lid and capable of being readily sanitized. Such containers have been designed to contain receptacles and are not intended to be lifted by the garbage collection crew. Therefore, no volume or weight restrictions have been placed on these units, commonly known as bin containers.
- 1.3.32 "receptacle" shall mean a 1-1/2 mil or greater, plastic garbage bag of not less than 1.77 cu. ft. (50 litres), no more than 4.25 cu. ft. (120 litres) capacity, filled to a gross weight of not more than 40 lbs. (18.14 kilograms) and securely tied in such a way as to allow a garbage collector to carry it in one hand.
- 1.3.33 "recyclable waste" means those materials and items which are accepted by the Town of Fort Frances for collection, transfer and processing at a recycling centre or third party re-user and as may be further defined in the schedule(s) annexed to this by-law.
- 1.3.34 "rubbish" shall mean household litter and trash including ashes, but not including trimmings from hedges, trees, discarded small furniture, household items , appliances and manure.
- 1.3.35 "street" shall mean a public highway, road, street, lane, alley, square, place or thoroughfare within the Town of Fort Frances.
- 1.3.36 "waste" shall include ashes, garbage, refuse, rubbish, domestic waste, industrial solid waste, municipal waste and such other material as may be designated by by-law.
- 1.3.37 "Waste Disposal Site" means any land or land covered by water upon, into in or through which, waste is deposited or processed and any machinery or equipment or operation required for the treatment or disposal of waste;
- 1.3.38 "Municipal Waste Disposal Site" shall mean a waste disposal site designated and operated by The Corporation of the Town of Fort Frances.

1.3.39 "white metal" means refrigerators, freezers, stoves, ovens, hot water heaters, water tanks, washing machines, clothes dryers and similar such items, goods and materials.

2.0 **GENERAL PROHIBITIONS:**

- 2.1 No person shall sweep, throw, cast, lay or deposit, or direct, suffer or permit any servant, agent or employee to sweep, throw, cast, lay or deposit any ashes, garbage, dirt, stones, rubbish or waste of any kind whatsoever in or upon any street within the Town of Fort Frances.
- 2.2 No person shall obstruct any highway, street, lane, alley or public place by placing or leaving thereon any garbage container, garbage or non-collectible waste.
- 2.3 No person shall pick over, disturb, remove or scatter any ashes, garbage, rubbish or other waste placed for collection or disposal by a household in accordance with the provisions of this by-law whether the same is contained in a receptacle or not.
- 2.4 No person shall deposit or cause to be deposited any garbage, rubbish, debris, waste or like material on the property of another person without express permission of the person in control of that property.

3.0 **ABATEMENT OF UNSANITARY CONDITIONS:**

- 3.1 The owner or occupier of any grounds, yards, vacant lots or real estate shall cause the same to be drained and kept free of garbage and other waste.
- 3.2 No person, firm or corporation shall create or maintain an unsanitary condition or permit the existence of an unsanitary condition upon a premises, or upon the streets, lanes, and private lands in the rear of or adjoining a premises, or in any place or in any manner within his control or management.
- 3.3 Where the Official becomes aware of the existence of any unsanitary condition, he/she shall serve written notice to abate the unsanitary condition on the person(s) responsible. Failing such abatement within the time stipulated in the notice, the Official may cause the abatement or removal of same at the expense of the person at fault.
- 3.4 The failure of the person(s) responsible to comply with a notice shall be considered a breach of this by-law and subject to the penalties provided herein.
- 3.5 Notwithstanding anything herein contained, no person shall place for collection any material, substance or object which may or is likely to be injurious to the health or safety of any person.

4.0 **RESIDENTIAL COLLECTION:**

- 4.1 Any number of proper type "A" containers containing garbage, rubbish and other waste placed at a pick-up point at the designated time will be collected by the garbage collector.
- 4.2 Any number of **RECEPTACLES** placed at a pick-up point at the designated time will be collected by the garbage collector.
- 4.3 Garbage, rubbish and other waste placed for collection shall be drained of all liquid matter before being placed in the receptacles and/or proper containers. All table and compostable kitchen waste, not suitable for composting, shall be well wrapped in paper.
- 4.4 The Council shall name one or more days in each week for the collection of garbage, rubbish and other waste from premises with the Town or in any defined area or areas thereof, as outlined in the attached Schedule D.

- 4.5 Every householder shall place all garbage, rubbish and other waste at the pick-up point not later than 8:00 a.m. on the day of pick-up in the Town of Fort Frances.
- 4.6 Every person shall remove emptied proper containers from their pick-up point no later than 7:00 p.m. on the day of their scheduled pick-up.
- 4.7 One type "A" Container or receptacle will be collected free of charge weekly without the requirement to have a bag tag attached to either unit.
- 4.7.1 Every additional type "A" container placed at the pick-up point shall have a bag tag attached to the contents in such a manner as to be clearly visible to the garbage collector. No garbage, rubbish, or other waste will be allowed to overflow the top of the container or in other words the waste will be level with the top edge of the container.
- 4.7.2 Every additional receptacle shall have a bag tag affixed around the neck of the bag.
- 4.8 The Town accepts no responsibility for tags lost or removed from all receptacles or contents within proper type "A" containers.
- 4.9 All garbage, rubbish and other waste placed for collection shall be placed in proper type "A" containers or in receptacles. Every person has the option to place receptacles in a Type "B" container.
- 4.10 For clarification to residents of Fort Frances, non-collectible garbage, rubbish and other waste shall include, but not be limited to the following:
- i) any explosive or highly combustible materials of any nature whatsoever;
 - ii) liquid or semi-liquid waste;
 - iii) animal fecal matter or manure which is not placed in a tightly sealed plastic bag or container;
 - iv) carcass of any animal;
 - v) major appliances and/or large household furnishings;
 - vi) tires;
 - vii) bio-medical waste;
 - viii) automobiles and vehicles or any parts thereof;
 - ix) hazardous waste;
 - x) propane tanks;
 - xi) any product or contents which cannot readily be placed in a proper type "A" container or receptacle.
- 4.11 Council will designate pick-up points for all dwellings, near the street line or back lane as may best facilitate collection. The street line will be defined as the gravel shoulder of the street as close to the asphalt surface as possible but not on the asphalt surface. During the winter months, the pick-up point shall be inside the plowed portion of the roadway, on the driveway side of the property, no more than the depth of one proper container inside the mouth of the driveway where the pick-up is scheduled or as designated by the Operations and Facilities Division Manager.
- 4.12 No employee or contractor of the Corporation shall, in order to collect and dispose of garbage, rubbish and any other waste, enter any dwelling, hotel, apartment house, tenement or building or ascend any stairway or enter an elevator, hoist or lift for the purpose of carrying out or returning thereto any receptacle, except into a shed or room specifically designated for storage of garbage at a business or apartment dwelling and located at ground level. Failure by a Town employee or contractor to observe the provisions of this section shall not be construed to be an offence.

- 4.13 Proper type "A" containers or receptacles of garbage, rubbish or other waste exceeding 40 lbs. (18.14 kilograms) shall become the responsibility of the property owner or agent to properly transport and dispose of it at the Municipal Waste Disposal Site.
- 4.14 The determination of compliance with the provisions of Subsection 4.13 shall be at the sole unfettered discretion of the Town's Garbage Collection Contractor of Fort Frances engaged in the collection, transportation and disposal of municipal waste and such determination shall be final.
- 4.15 The householder shall be responsible to remove and dispose of, in an approved manner, any accumulation of scattered garbage, waste or rubbish, that may result from tipped-over proper type "A" container or damaged receptacles.

5.0 MANUFACTURERS COLLECTION:

- 5.1 Manufacturers' trade waste shall not be collected by the Corporation but shall be removed and disposed of by the owner or person responsible therefore in such manner as approved by the Operations & Facilities Division Manager and all costs, charges and expenses incurred or necessitated in disposing of the same in accordance with such agreement be borne by the owner or person responsible.
- 5.2 Where any expense is incurred by the Corporation in arranging for the disposal of any manufacturers' trade waste for which a manufacturer, builder, contractor, or other person is responsible, such person shall forthwith pay to the Corporation the amount of the expense so incurred.
- 5.3 No person shall convey through the street any garbage, ashes, rubbish, or other waste or any swill, liquid waste or offensive matter, except in properly constructed and covered containers or in vehicles equipped with canvas covers or a tarpaulin shall be placed and fastened in such manner as shall prevent such matter from falling onto the streets.

6.0 MULTI-RESIDENTIAL, INDUSTRIAL, COMMERCIAL & INSTITUTIONAL COLLECTION:

- 6.1 Multi-residential, Commercial, Industrial and Institutional establishments shall keep their premises free of accumulated garbage, rubbish and other waste and shall adhere to the terms and conditions of the residential collection as outlined in Section 4.0 of this by-law with the exception of sub-sections 4.7, 4.7.1 and 4.7.2. All type "A" containers and receptacles shall require a bag tag.
- 6.2 All multi-residential, commercial or institutional establishments who have previously received weekly garbage collection services from the Town's Garbage Collection Contractor will continue to receive weekly service. The rules and regulations for collection will be the same as for residential collection, except that bag tags shall be required for all receptacles and Type "A" containers.
- 6.3 If multi-residential, industrial, commercial & institutional establishments choose to retain a commercial waste hauler, they shall make arrangements at their own expense for the collection and removal thereof. Under such arrangements the establishment is not required to adhere to the terms and conditions for residential collection as outlined in Section 4.0 of this By-Law. Thus no garbage bag tags are required for garbage, rubbish and other waste collected on multi-residential, institutional, commercial, and industrial establishments under such an arrangement.

7.0 **BAG TAG:**

- 7.1 Bag tags shall be sold at the Municipal Town Office during regular business hours and retail outlets as determined from time to time by Council
- 7.2 The cost for a Fort Frances Bag Tag will be determined from time to time by Council and listed in Schedule "E".
- 7.3 The monies collected from the sale of bag tags shall be used by the Municipality to assist in maintaining and operating the waste management system.

8.0 **MUNICIPAL WASTE DISPOSAL SITES:**

- 8.1 The following area(s) shall be designated as municipal waste disposal sites for The Corporation of the Town of Fort Frances.
- 8.1.1 Site No. 1 - Fort Frances Municipal Waste Disposal Site
 Located in the North-East quarter of section 25, Township of Alberton, District of Rainy River as more particularly described by the Ministry of Environment Certificate of Approval No. A 610301.
- 8.2 No person shall use any lands within the Town of Fort Frances for that of a waste disposal site except lands designated for such use by by-law by the Council of The Corporation of the Town of Fort Frances.
- 8.3 The Municipal Waste Disposal Site shall be operated and maintained by the Landfill Site Contractor in accordance with a by-law passed by Council, the terms and conditions of Certificate of Approval No. A610301, as amended from time to time and the provisions of this by-law.
- 8.4 Notwithstanding any other penalty or remedy of law available to the Town, the owner, occupant, lessee or person using any structure or lands within the boundaries of the Municipality for the dumping or disposing of garbage, waste, industrial waste, hazardous materials or waste of any kind where such lands or structures are not designated as a waste disposal site, shall upon written notice served by the Town cease using such lands or structures for such purposes and to remove or cover such garbage, waste, industrial waste, hazardous materials or other waste in the manner as may be prescribed by the Town.
- 8.5 Hours of Operation of Waste Disposal Site
- 8.5.1 The Municipal Waste Disposal Site shall be open for the disposal of waste and other permitted materials in accordance with the times set out in Schedule A to this by-law.
- 8.5.2 Notwithstanding the provisions of Section 8.5.1 above, public access to the Municipal Waste Disposal Site shall be restricted to those times when a waste disposal attendant is on duty and in attendance at the site.

9.0 **GENERAL RULES FOR UTILIZING THE MUNICIPAL WASTE DISPOSAL SITE:**

- 9.1 Tipping fees will be charged on a per tonne basis as per Schedule "F", Section A attached and forming part of this by-law.
- 9.2 If the scales are not in operation landfill site tipping fees will be charged on a flat rate basis as per Schedule "F", Section B attached and forming part of this by-law.
- 9.3 Landfill site tipping fees for contaminated soil will be charged as per Schedule "F", Section A attached and forming part of this by-law.

- 9.4 Landfill site tipping fees for Refrigeration Units (containing refrigerant or no notification sticker affixed) and tires will be charged an additional surcharge as outlined in Schedule "F", Section A, attached and forming part of this by-law.
- 9.5 Persons shall dispose of permitted waste at the Municipal Waste Disposal Site in accordance with the directions of the Attendant and in accordance with the provisions of this by-law.
- 9.6 Garbage, rubbish and other waste conveyed to the Municipal Waste Disposal Site shall be so contained and transported as not to be blown or scattered from the transport vehicle or to leave deposits along road allowances and abutting lands.
- 9.7 No person shall deposit or cause to be deposited waste of any kind on any lane, street, watercourse, private or public property.
- 9.8 No person shall offer to, or give to, any Attendant any fee or gratuity for services provided by the Landfill Site Contractor, nor shall any Attendant accept any fee or gratuity.
- 9.9 No person shall dispose of, or cause to be disposed of, in a Municipal Waste Disposal Site any prohibited waste materials as listed in Schedule B to this by-law.
- 9.10 No person shall dispose of garbage, rubbish or other waste that is not placed in a receptacle or bundle at the Municipal Waste Disposal Site except for large or bulky items and loose construction waste.
- 9.11 Persons who desire to access the Municipal Waste Disposal Site may be required to provide evidence or documentation upon demand acceptable to the Attendant or other Town Official so as to determine the residency of that person or the origination of the waste to be disposed and the conformity of such residency or origination of waste with the provisions of this by-law.
- 9.12 No person, shall pick over, interfere with, remove or scatter any materials placed within the domestic garbage area within the Municipal Waste Disposal Site.
- 9.13 The Town of Fort Frances or Landfill Site Contractor will ensure the following garbage, rubbish or other waste is sorted and deposited at the Municipal Waste Disposal Site:
- 1) hot ashes
 - 2) steel products
 - 3) wood products
 - 4) vehicle batteries
 - 5) propane cylinders
 - 6) Refrigeration without proper certification or still charged with refrigerant
- Person(s) shall be required to deposit or place the above-mentioned sorted materials in their properly designated location within the Municipal Waste Disposal Site.
- Failure by any person to sort or place materials in their designated locations, is an offence and is subject to the penalties provided in this by-law.
- 9.14 The Attendant shall have the sole right to determine whether material is approved or otherwise.
- 9.15 Only material which in the sole judgement of the Attendant is garbage or other approved material shall be off-loaded. Such materials shall be off loaded as indicated by the instructions on signs or by verbal instructions from the Attendant on duty.

- 9.16 Verbal instructions by the Attendant on duty shall have precedence over instructions on signs.
- 9.17 Material rejected by the Attendant shall be disposed of as he/she directs or removed from the site.
- 9.18 No person shall dispose of material at the Municipal Waste Disposal Site as outlined in Schedule "B" attached to this by-law and amended from time to time by Council.
- 9.19 Notwithstanding any provision of this by-law to the contrary, a decision made by the Attendant pursuant to this by-law may be appealed by any affected person in writing to the Chief Administrative Officer, or designate, of the Town of Fort Frances who shall have the authority to uphold, amend or rescind that decision.

10.0 **RECYCLING ACTIVITIES**

- 10.1 As outlined in Schedule "C", recycling products for the following items shall be accepted for recycling and collected at curbside.
- 10.2 No person shall deposit or cause to deposit any garbage, waste or rubbish into or about any recycling blue box, bin, depot, or depots.
- 10.3 Available at the Public Works Office (900 Wright Avenue) are Blue Recycling Boxes and Backyard Composters at a cost outlined in Schedule "G" attached and forming part of this by-law.

11.0 **PENALTIES AND ENFORCEMENT:**

- 11.1 Any person other than a corporation found guilty of an infraction of any provision of this by-law shall upon conviction pay a fine or penalty not exceeding \$10,000.00, for first conviction and not exceeding \$25,000.00 subsequent conviction exclusive of costs, for each and every offence and such penalty shall be recoverable under the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended. Upon conviction for a breach of the provisions of this by-law the court of jurisdiction may make an order prohibiting the continuation or repetition of the offence by the offender.
- 11.2 Any Corporations found guilty of an infraction of any provision of this by-law shall upon conviction pay a fine or penalty not exceeding \$50,000.00, for first conviction and not exceeding \$100,000.00 subsequent conviction exclusive of costs, for each and every offence and such penalty shall be recoverable under the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended. Upon conviction for a breach of the provisions of this by-law the court of jurisdiction may make an order prohibiting the continuation or repetition of the offence by the offender.
- 11.3 Where a person fails or defaults to carry out any direction or action required by the Corporation as authorized by this by-law, the municipality may recover the costs of doing a thing or matter from the person directed or required to do it and the municipality may recover the costs by action or by adding the costs to the tax roll and collecting them in the same manner as taxes, as provided in Section 427 (1) and 427 (3) of the *Municipal Act, 2001 S.O., 2001*.
- 11.4 Should any section, clause or provision in this by-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of this by-law shall not be affected.

12.0 ADMINISTRATION:

- 12.1 The Attendants, under the supervision of the Landfill Site Contractor, shall supervise all operations at the Municipal Waste Disposal Site under the direction of the Operations and Facilities Division Manager and both parties shall enforce compliance with the provisions of this by-law.
- 12.2 Council may, by resolution, authorize the waiving or reduction of garbage bag tag requirements, or fees for collection and disposal services provided to industrial, commercial, multi-residential and institutional properties or grant minor variances to provisions of this by-law for community groups, non-profit organizations, special activities and other circumstances where Council in its unfettered sole discretion deems that such actions are within the public interest and not contrary to the intent of the by-law.
- 12.3 Council may authorize studies and programs and prepare policies for the maximization of the life expectancy, efficiency and effectiveness of the collection process, the Municipal Waste Disposal Site, and the reduction, reuse and recycling of waste.

13.0 SCHEDULES:

- 13.1 The following schedules annexed and attached to this by-law shall form a part of this by-law:
- 13.1.1 Schedule "A" - Municipal Waste Disposal Site Hours of Operation
 - 13.1.2 Schedule "B" - Prohibited Waste Materials
 - 13.1.3 Schedule "C" - Recycling Products
 - 13.1.4 Schedule "D" - Garbage Collection Schedule
 - 13.1.6 Schedule "E" - Sale Price of Bag Tags
 - 13.1.7 Schedule "F" - Landfill Tipping Fees
 - 13.1.8 Schedule "G" - Sale Price for Recycling Blue Box and Backyard Composters

14.0 **REPEAL OF BY-LAWS:**


14.1 By-Law No. 21/76 as amended and any other by-law prior to this by-law enacted by Council providing for the establishment and maintenance of a waste management system for the Town be hereby repealed.

This by-law shall come into force and take effect on the final passing thereof.

READ A FIRST TIME ONLY in open Council this 25th day of May, 2004.



Mayor



Clerk

READ A SECOND AND THIRD TIME and finally passed as amended this 26th day of May, 2004



Mayor



Clerk

**TOWN OF FORT FRANCES
BY-LAW NO. 10/04
SCHEDULE "A"**

**MUNICIPAL WASTE DISPOSAL SITE
HOURS OF OPERATION**

This Municipal Waste Disposal Site will be in operation:

- (A) Monday, Tuesday, Wednesday, Thursday and Friday inclusive from 10:00 a.m. to 6:00 p.m.
- (B) Saturday from 10:00 a.m. to 5:00 p.m.

Notwithstanding the above Municipal Waste Disposal Site will be closed on all Sundays and Statutory Holidays.

**TOWN OF FORT FRANCES
BY-LAW NO. 10/04
SCHEDULE "B"**

PROHIBITED WASTE MATERIALS

The following items shall be prohibited for disposal within the landfill area of the Municipal Waste Disposal Sites.

- 1) Derelict vehicles
- 2) Loose asbestos fibres
- 3) Household Hazardous Waste
- 4) Liquid Industrial Waste
- 5) Gaseous Waste
- 6) Solid Fuel, whether or not it is waste, that is derived in whole or in part from the waste included in Items 1, 2, 3, 4, & 5.

**TOWN OF FORT FRANCES
BY-LAW NO. 10/04
SCHEDULE "C"**

RECYCLING PRODUCTS

The following items shall be accepted as recycling products:

Paper Products:

- a) Paper Bags
- b) Newsprint
- c) Office Paper
- d) Magazines (in small quantities)
- e) Corrugated Cardboard (cut to 16" x 20" max)

Metal Products:

- a) clean aluminium/steel beverage cans
- b) clean metal food cans

Plastic:

- a) #1 and #2 Plastic Only

**TOWN OF FORT FRANCES
TO BY-LAW NO. 10/04
SCHEDULE "D"**

**MUNICIPAL WASTE DISPOSAL SITE
GARBAGE COLLECTION SCHEDULE**

There are five (5) residential waste collection routes thus residential waste is collected five (5) days per week (Monday through Friday)

- AREA #1** That area of the Town of Fort Frances lying east of the line commencing: on the south side at the bank of Rainy River extending north along the west property line of the Boise Cascade pulpwood storage yard to Gillon Street; west to Frenette Avenue; north along Frenette Avenue to Fifth Street East; east along Fifth Street to Williams Avenue to the DWP Railway and all the area lying east of and bounded by Duluth, Winnipeg, and Pacific Railway, and the Canadian National Railway.
- AREA #2.** That area bounded on the south by Rainy River, on the north by Fifth Street East and Canadian National Railways; then south along Victoria Avenue to Rainy River, on the east, south from Fifth Street East along Frenette Avenue; east along Second Street to Reid Avenue, then south along Reid Avenue as extended to Rainy River.
- AREA #3.** That area bounded on the south by Rainy River; on the north by the Canadian National Railways and south on Victoria Avenue; on the west by Central Avenue from the CNR extended south to Rainy River; on east by Victoria Avenue from Third Street East south along Victoria Avenue to Rainy River. Along McIrvine Road to Frog Creek Road extending west to town limits: Walleve Trailer Park.
- AREA #4** That area bounded on the south by Rainy River; on the north by the Canadian National Railways; on the east by Central Avenue; and on the west by the Town Boundary.
- AREA #5** That area of the Town lying north of the Canadian National Railway to Eighth Street East including Cornwall Avenue north of Eighth Street and that area lying south and east of Canadian National Railways as bound on the south by Fifth Street East on the north and west by Canadian National Railways; and on the east of Williams Avenue.

Collection of residential waste commences at 8:00 a.m. on the day of pick-up.

However, please note that there is no pick-up on the following Statutory Holidays:

- ☉ Victoria Day ☉ Canada Day ☉ Civic Holiday ☉ Labour Day ☉ Thanksgiving Day
- ☉ New Years Day ☉ Good Friday ☉ Remembrance Day ☉ Christmas Day ☉ Boxing Day

- If the regular scheduled collection day falls on one of the above named statutory holidays you will not receive pick-up service that day and your new day will advance forward by one collection day.

- Annual Garbage and Recycling Schedules are delivered to each home in December. Additional schedules are available at the Public Works Office on Wright Avenue or the Fort Frances Civic Centre on Portage Avenue.

**TOWN OF FORT FRANCES
BY-LAW NO. 10/04
SCHEDULE "E"**

SALE PRICE OF BAG TAGS

The Bag Tag will be sold for a price of \$1.00 (includes G.S.T.)

**TOWN OF FORT FRANCES
BY-LAW NO. 10/04
SCHEDULE "F"**

LANDFILL SITE TIPPING FEES

Fees to be used when Scales are in Operation

Section A

A.1	Minimum Charge:	\$ 11.00
A.2	Rate Per Tonne	\$ 45.50
A.3	Weighting Vehicle Only	\$ 19.00
A.4	Contaminated Soil Suitable for Cover Material per Tonne	\$ 7.20
A.5	Car Tires (each)	\$ 5.00
A.6	Truck Tires up to & including 18 wheelers	\$ 12.00
A.7	Off Road Tires (anything over 18 wheelers)	\$ 60.00
A.8	Tires by the Tonne	\$300.00
A.9	Refrigerant Units containing Refrigerants and no notification sticker affixed to unit	\$ 25.00

Flat Rate when Scales are not in Operation

Section B

B.1	Passenger Vehicle	\$ 11.00
B.2	Single Axle Trailer	\$ 11.00
B.3	Half - Ton Truck	\$ 22.00
B.4	Single Axle Trucks	\$ 91.00
B.5	Tandem Trucks and Trailers	\$228.00
B.6	Garbage Trucks, Containerized Hauling Units and Tankers	\$273.00

**TOWN OF FORT FRANCES
BY-LAW NO. 10/04
SCHEDULE "G"**

SALE PRICE OF RECYCLING CONTAINERS &

BACKYARD COMPOSTERS

Blue Box Recycling	\$ 8.00
Back Yard Composters	\$ 40.00