

THE CORPORATION OF THE MUNICIPALITY OF WHITESTONE

BY-LAW NO. 19-2010

**Being a by-law for establishing and maintaining a system
for the collection, removal and appropriate disposal of
solid wastes and recyclable materials within the Municipality of Whitestone**

WHEREAS the Municipal Act, 2001 Revised allows a Municipal Council to pass by-laws respecting to matters within the spheres of jurisdiction of sec. 11 (1) Subsection 3 Waste Management which prohibits or regulates the use of any part of waste management in the Municipality of Whitestone;

AND WHEREAS the Municipality of Whitestone wishes to pass a by-law to establish a disposal policy and user fees for all household and non-household waste at all landfill site within the municipality;

AND WHEREAS Section 475 (3)(a) regulating fire prevention, including the prevention of the spreading of fires;

AND WHEREAS Section 475 (3)(b) regulating the setting of open air fires, including establishing the times during which open air fires may be set;

AND WHEREAS Section 119 prohibits or regulates the discharge of guns or other firearms, air-guns, spring-guns, cross-bows or any other weapon;

AND WHEREAS the Council of the Corporation of the Municipality of Whitestone deems it expedient to regulate the operation of the municipal garbage disposal site;

NOW THEREFORE the Council of the Municipality enacts as follows:

1. Definitions:

- 1.1 “Household waste” means all waste generated within the household and does not include bulky items such as furnishings, carpets, mattresses, stoves, and washers. Household waste does not include any materials used in the construction, demolition and/or renovation of buildings and does not include recyclable material and non-collectable wastes.
- 1.2 “Bulky Items” means items such as furnishings, carpets, mattresses, refrigeration units, stoves, washers, etc.
- 1.3 “Untreated wood,” means wood that is not painted, pressure-treated, soaked with creosote or any other toxic substance.
- 1.4 “Clean construction, demolition and renovation materials” means, but is not necessarily limited to the following:
 - 1.4.1 manufactured waste;
 - 1.4.2 broken plaster, lumber, rubble, shingles or other waste or residue resulting from the construction, alternation, repair, demolition or removal of any building or structure;
 - 1.4.3 stock of any wholesaler which shall be regarded as manufactured waste;

- 1.4.4 wire, wire mesh and fencing;
- 1.4.5 discarded plumbing sinks, toilet bowls and seals, pipe fittings and hot water tanks; and
- 1.4.6 loose minor rubble.
- 1.5 “Brush” means trees, branches, stumps and roots.
- 1.6 “Household Hazardous Waste” means waste generated from a dwelling and designated by the Municipality of Whitestone as acceptable at a household hazardous waste depot as per Schedule “A” and includes:
 - 1.6.1 corrosive wastes such as car batteries, drain cleaners and oven cleaners that wear away many materials and can cause burns to your eyes and skin;
 - 1.6.2 flammable wastes such as paints, solvents, oils, varnishes, stains, gasoline, kerosene and B.B.Q. starters and lighter fluid that may ignite if exposed to a spark or flame;
 - 1.6.3 explosive wastes such as pressurized aerosol cans that can explode if exposed to heat, pressure of puncture;
 - 1.6.4 poisonous or toxic wastes such as pesticides, rat poison, pharmaceuticals, medicine, pool chemicals, ammonia, bleach and cleaning fluids that may be poisonous or lethal to humans or pets if swallowed or inhaled.
- 1.7 “Compostable material” means any compostable material and includes grass cuttings, garden refuse, leaves and organic kitchen waste.
- 1.8 “Recyclable” material means all material designated by the Municipality of Whitestone as per Schedule “B”.
- 1.9 “Tires” mean tires under 20” unless approved by Council.
- 1.10 “Scrap metal” means material with metal content including appliances, aluminum siding, bedsprings and metal beds and/or articles acceptable to the scrap metal program.
- 1.11 “Boats” means wooden, fibreglass, form of plastic less than 20 feet in length with all engines, components, oil reserves and fuel tank removed.

2. Rules and Regulations Governing Disposal of Waste within the Municipality of Whitestone:

- 2.1 A person, or ratepayer of the Municipality shall deposit waste at the disposal site and is required to obtain a permit from the municipal office for use at the designated landfill site as per Schedule “C”.
- 2.2 No person shall deposit or otherwise dispose of any waste brought in from outside the Municipality of Whitestone, upon any lands, whether publicly or privately owned including any waste disposal site established by the Municipality of Whitestone.
- 2.3 All household waste, compostable material and recyclables must be deposited at the designated landfill sites within the Municipality of Whitestone.
- 2.4 Bulky items, clean construction material, brush, tires and scrap metal are subject to the applicable fees set out in Schedule “D”.

- 2.5 No person shall scavenge, interfere with, remove, exchange or scatter any waste found at the landfill site.
- 2.6 No person shall deposit or otherwise dispose of the following items anywhere within the Municipality of Whitestone and/or landfill site within the Municipality of Whitestone:
- 2.6.1 household hazardous waste listed in Section 1.6, unless otherwise authorized by the Municipality of Whitestone;
 - 2.6.2 used vehicles or automotive parts;
 - 2.6.3 pathological diseased materials including syringes, bandages, poultices, dressings and any other medical waste of refuse from any medical clinic, dental clinic, veterinarian clinic, hospital or mortuary;
 - 2.6.4 explosives or highly combustible materials;
 - 2.6.5 oil soaked or gasoline soaked materials such as oil filters;
 - 2.6.6 liquid waste of any kind;
 - 2.6.7 hay, straw and manure
 - 2.6.8 carcass of any animal
 - 2.6.9 live animals or birds;
 - 2.6.10 grease trap wastes; and
 - 2.6.11 ashes that are live or warm.
- 2.7 No person shall deposit any waste at or near, or outside or around at the landfill sites except in the appropriate areas for waste and/or recycling receptacles.
- 2.8 In any proceedings pursuant to this by-law, evidence of any personal markings, writings, or inscriptions found in any waste deposited in contravention of this by-law that identify the name and address of any person shall be prima facie evidence that the waste was deposited unlawfully by such person.
- 2.9 Subsection 2.8 does not apply to industrial or commercial markings.
- 2.10 No contractor shall deposit waste at the landfill site without the express authority of Council and without payment of fees as per Schedule “D” determined from time to time by resolution of Council.

3. Additional

- 3.1 Everyone using the landfill sites must first see the attendant when entering the site. The attendant has the right to inspect all material entering the landfill site and may not accept materials that are contaminated with items not accepted at the landfill sites. All materials being deposited at the landfill site must be disposed of at areas designated by the attendant.
- 3.2 The hours of operation of the landfill sites as per Schedule “E” will be established by resolution of Council from time to time.
- 3.3 Ratepayers will receive a non-transferable coupon each year which will entitle them to one (1) free load of brush and/or leaves

4. Discharge of Firearm

- 4.1 No person shall discharge a firearm within four hundred (400) metres of the landfill site.
- 4.2 Notwithstanding subsection 4.1, Council of the Corporation of the Municipality of Whitestone may authorize the discharge of a firearm within one thousand (1,000) metres of the landfill site in order to deal with nuisance animals.
- 4.3 This by-law shall be construed subject to the Environmental Protection Act, RSO 1990, Chap E19, as amended, and the Regulations promulgated thereunder.

5. Penalty and Liability for Expenses:

- 5.1 Every person who contravenes or fails to comply with any of the provisions of this By-Law is guilty of an offence and upon conviction is liable to a fine not exceeding the maximum provided under the Provincial Offences Act, exclusive of costs, and every such fine shall be recoverable under the Provincial Offences Act.
- 5.2 Any costs and expenses for services provided by or on behalf of the Municipality of Whitestone, or for which the Municipality of Whitestone is liable in endeavouring to remove waste, garbage or other refuse caused by or resulting from a person contravening or failing to comply with any provision of the By-Law shall be a fine pursuant to Section 390 of the Municipal Act, 2001 Revised and shall constitute a debt of such person to the Municipality of Whitestone. Services charges pursuant to this By-Law shall be as set out in Schedule "F" to this By-Law.
- 5.3 Any fine imposed pursuant to this By-Law as per Schedule "F" shall be payable within thirty (30) days after the Municipality of Whitestone has delivered or sent by prepaid registered post an invoice to the person in contravention of the by-law, commencing on the 31st day following the delivery or sending of the invoice.

6. That By-Law No. 15-2005 be rescinded.

7. That this by-law shall come into effect on the day of passing.

Read a First and Second time this 1st day of March, 2010.

Mayor Chris Armstrong

CAO-Clerk Liliane Nolan

Read a Third time and Passed, Signed and Sealed this 1st day of March, 2010.

Mayor Chris Armstrong

CAO-Clerk Liliane Nolan

Schedule “A” of By-Law No. 19-2010

McFarlane Street Transfer Station

57 McFarlane Street
Parry Sound, Ontario

Summer Hours

Monday	7:30 am – 4:30 pm
Wednesday	7:30 am – 4:30 pm
Friday	7:30 am – 4: 30 pm
Saturday	8:00 am – 4: 00 pm
Sunday	12 noon – 6:00 pm

Winter Hours

Closed Thanksgiving weekend to Mid April

Schedule “B” of By-Law No. 19-2010

Recyclables shall be separated into two (2) streams.

Stream One: Recyclable Fibres

Newspapers
Magazines
Catalogues
Telephone books
Corrugated cardboard
Boxboard
Egg cartons
Mixed papers
Office papers
Brown paper bags

Stream Two: Recyclable Containers

Glass bottles & jars
Metal beverage cans
Metal food cans
Plastic soft drink bottles
Rigid plastic bottles
Aluminum trays
Aluminum foil
Styrofoam food trays

Schedule “C” of By-Law No. 19-2010

York Street Landfill Site 110 York Street, Dunchurch, Ontario

Auld’s Road Landfill Site 5 Auld’s Road, R.R. #2 Dunchurch , Ontario

Schedule “D” of By-Law No. 19-2010

York Street and Auld’s Road Landfill Fees

Landfill Fees	Specifics	Fees
Appliances & Furniture	Freon Units	\$50.00
	Certified Freon Units	\$12.50
	Bulky Items	\$12.50
Sorted Construction Waste	½ ton truck/trailer	\$31.25
	1 ton truck	\$62.50
	Single axle dump truck	\$375.00
	Tandem axle dump truck	\$750.00
Brush	½ ton truck/trailer	\$6.25
	1 ton truck	\$12.50
	Single axle dump truck	\$31.25
	Tandem axle dump truck	\$43.75
Shingles	½ ton truck/trailer	\$125.00
	1 ton truck	\$250.00
	Single axle dump truck	\$375.00
	Tandem axle dump truck	\$750.00
Tires	Car (under 16’’)	\$6.25
	Truck (under 20’’)	\$25.00
	Car (under 16’’) with rim	\$10.00
	Truck (under 20’’) with rim	\$31.25
Other	Boats (20’ max.)	\$1.25/ft
	Blue boxes (1 st box free)	\$6.25

Note: No Tires 20” or Larger will be accepted.

Schedule "E" of By-Law No. 19-2010

Summer Hours

(May long weekend to Thanksgiving weekend) inclusive

Holiday Mondays	11:00 am – 6:00 pm
Tuesday	11:00 am – 6:00 pm
Thursday	11:00 am – 6:00 pm
Saturday	11:00 am – 6:00 pm
Sunday	11:00 am – 6:00 pm

Winter Hours

(Thanksgiving weekend to May long weekend) inclusive

Tuesday	12 noon – 5:00 p.m.
Thursday	12 noon – 5:00 p.m.
Saturday	12 noon – 5:00 p.m.

Schedule "F" of By-Law No. 19-2010

1. Fine

Pursuant to Section 5 (5.2) of this By-Law, Fines shall be as follows:

minimum charge \$200.00 plus actual cost

2. Rate of Interest

Pursuant to Section 5. (5.3) of this By-Law, the rate of 1.25% per month shall be used to calculate interest on unpaid service charges.