

**.THE CORPORATION OF THE TOWNSHIP OF CHISHOLM  
BY-LAW NO. 2016-15**

*Being a By-law for establishing and maintaining a system for the disposal of solid waste at the  
Landfill Site of the Township of Chisholm.*

**WHEREAS** the Corporation of the Township of Chisholm (The “Township”) is the owner and operator of the Landfill Site located at Lot 23, Concession 6, Parcel 13159, in the Township of Chisholm.

**AND WHEREAS** a single tier municipality may pass by-laws respecting various matters outlined in Section 10(2) of the Municipal Act, S.O. 2001, c.25.

**AND WHEREAS** the Municipality is authorized to regulate and inspect the use of any land or structures within the municipality of any defined area or areas thereof for dumping or disposing of garbage, refuse, or domestic or industrial waste of any kind;

**AND WHEREAS** the Council deems it desirable to regulate the disposal of garbage by way of recycling, home composting systems and in accordance with the Provisional Certificate of Approval, as amended, for the Landfill Site.

**NOW THEREFORE** the Municipal Council of the Corporation of the Township of Chisholm hereby enacts as follows:

1. **DEFINITIONS**

In this By-law,

- (a) **“Landfill Pass Card”** means a card provided to each resident or property owner to entitle same to deposit household garbage at Landfill Site.
- (b) **“Landfill Site”** means the Municipal Landfill Site located at 201 Fossmill Road on Lot 23, Concession 6, Parcel 13159 in the Township of Chisholm.
- (c) **“Recycling Area”** means all lands within the boundaries of the Township of Chisholm.
- (d) **“Recyclable Materials”** means newspaper and mixed paper, boxboard and corrugated cardboard, aluminum and steel cans, plastic and plastic containers meeting the specifications, glass bottles and jars, and Styrofoam and such other materials as may be designated from time to time.
- (e) **“Solid Waste”** means discarded materials which;
  - (i) Includes but not limited to garbage, refuse, domestic waste (food and kitchen waste, soiled paper/diapers, used containers), or municipal refuse as are designated in the regulations;
  - (ii) Do not contain any of the unacceptable substances or materials set forth in Schedule “C” to this By-law.

2. **LANDFILL SITE - ACCESS AND USE**

- (1) No person shall deposit or cause to be deposited waste originating from any place other than the Township of Chisholm at the Landfill Site.
- (2) Dumping or disposing of garbage, refuse or waste shall take place only between the times and days as posted at the respective Landfill Site.
- (3) No person other than a resident, property owner or agent of same with proper landfill pass card may deposit waste at the Chisholm Landfill Site.

- (4) Household garbage will only be accepted when placed in clear or tinted bags, with the exception of one privacy bag, not larger than 20" x 22" in size, allowed in each large garbage bag. Bags must be adequately fastened so as to prevent spillage.
- (5) No person shall dispose of shingles at the Landfill Site without providing a copy of a Building Permit issued to the resident depositing shingles, unless permit was not required due to the nature of the work (i.e. – dismantling building less than 106 square feet or a small repair to an existing building) in which case the resident shall obtain a letter from the Building Official indicating that a building permit was not required. In addition to obtaining a building permit, a tipping fee will be charged for disposing of the shingles at the Landfill Site.
- (6) No dead animals including fowl, or parts thereof, shall be dumped or disposed of at the Landfill Site.
- (7) No noxious weed seeds shall be dumped or disposed of at the Landfill Site at any time.
- (8) All metals, wood, construction and other acceptable materials are to be dumped only in areas provided for these purposes.
- (9) No incoming loads containing solid waste shall be admitted to the Landfill Site unless they are covered or otherwise securely bound.
- (10) (a) Effective December 1, 2009, the Township enforced a bag limit system, modified in November, 2015, limiting the number of bags of garbage to be deposited at the Landfill Site per year to the following:
  - 1) Household resident or owner – 78 bags per year;
  - 2) Commercial or industrial property owner, described as persons that pay commercial or industrial taxes or deemed to be a business by the Township – 975 bags per year for Booth Landing and Wasi Lodge; 390 bags per year for Clear Springs Golf Course; and 195 bags per year for all other commercial properties;
  - 3) Vacant land owners – 16 bags per year
- (b) New landfill pass cards will be issued annually to township residents.
- (c) Private garbage contractors are responsible for looking after their customers' landfill pass cards.
- (d) The Township shall allow residents to deposit one half-ton truck load or trailer load of waste, free of charge once a year at the Landfill Site. This free load of waste does not include bagged household garbage above the bag limit.
- (e) Notwithstanding Section 10(a) residents, commercial and industrial property owners, and vacant land owners may deposit more bags of garbage than the maximum limit per year. However, these additional bags would be subject to tipping fees outlined in Schedule "A" attached to and forming part of this by-law.
- (f) Material brought to the Landfill Site in half-ton trucks, trailers, and trucks and containers will not be accepted unless it is sorted and can be dumped in respective areas.
- (g) Companies delivering material to the Landfill Site in containers must provide the name and address of property owner from where waste material originated.
- (11) Any person depositing solid waste at the Landfill Site, other than household waste, bagged or in a suitable container, except the Chisholm Township's employees or agents while in the course of their duties as such, and private waste collectors

hauling household waste, bagged or in a suitable container, shall pay the tipping fees set forth in Schedule "A" attached to and forming part of this by-law.

- (12) No person shall use the Landfill Site except in compliance with the rules set forth in Schedules "B" & "C" attached to and forming part of this by-law.
- (13) Waste Disposal & Recycling Site hours of operation shall be:
  - (a) Summer Hours - Wednesday - 1:00 pm - 6:00 pm  
Saturday - 8:00 am - 6:00 pm  
(commencing with daylight savings time)
  - (b) Winter Hours - Wednesday - 1:00 pm - 5:00 pm  
Saturday - 9:00 am - 5:00 pm  
(commencing when daylight savings times ends)
- (14) Landfill Site is under the jurisdiction of the Public Works Supervisor.

3. **CURBSIDE COLLECTION OF RECYCLABLE MATERIALS**

- (1) The occupants of each self-contained dwelling unit within the Recycling Area which receive curbside collection in the Township of Chisholm shall be permitted, in accordance with this section, to leave recyclable materials at the end of their driveways for collection once every second week according to a fixed schedule.
- (2) Recyclable materials left at curbside for collection shall have been placed within the container commonly known as a "Blue Box" or within such other appropriate container for recycling.
- (3) No person shall pick over, interfere with, disturb, remove or scatter any recyclable materials set out for collection. This clause shall not prevent, at any time, the collection of recyclable materials by persons authorized to do so by the Corporation of the Township of Chisholm.

4. **HOME COMPOSTING**

- (1) In this section, "Compost" means discarded organic material commonly referred to as compost, and includes leaves, grass clippings and kitchen waste.
- (2) The occupants of each self-contained dwelling unit in the Township of Chisholm shall be entitled, in accordance with this section, to keep and maintain containers and piles of non-putrid compost.
- (3) No container or pile of compost shall have a volume greater than two (2) cubic metres.
- (4) Compost shall consist of plant material only, and shall contain no animal matter.
- (5) Notwithstanding subsection (2), no person shall keep or maintain any container or pile of compost unless:
  - a. There is individual rear yard space, appurtenant to the self-contained dwelling unit, and the container or pile of compost is situated on such individual rear yard space; or
  - b. There is side yard space of at least eight (8) feet in perpendicular width appurtenant to the self-contained dwelling unit on which side yard does not abut the living accommodation of the dwelling unit and the container or pile of compost is situated in such side yard common area.

**5. GENERAL PROVISIONS**

- (1) No person shall deposit any materials in the Landfill Site owned by the Township of Chisholm except as may be expressly permitted in this by-law.
- (2) No person shall leave or deposit any solid waste on any land in the Township of Chisholm except as expressly permitted by this by-law.
- (3) No person shall place any recyclable material out for curbside collection within the Township of Chisholm except as may be expressly permitted in this by-law.
- (4) No person shall keep or maintain any container or pile of compost or any other decaying organic material on any property within the Township of Chisholm except as may be expressly permitted in this by-law.
- (5) The Landfill Site Attendant shall be permitted to inspect and approve or refuse any load prior to entering the Landfill Site.
- (6) All waste deposited at the Chisholm Landfill Site shall become the property of the Township of Chisholm and may be salvaged, retained, recycled, disposed of or otherwise dealt with by the Township of Chisholm as the Township of Chisholm may deem fit subject to the provisions of the Environmental Protection Act.

**6. GENERAL NUISANCE**

- (1) No person shall permit any solid waste to be blown or dropped from their premises or from their vehicle onto a public lane, highway or public highway in the Township of Chisholm.
- (2) No person shall pick over, disturb or scavenge any bundle, paper or articles placed at the curbside for removal except the collector appointed by the Township of Chisholm.
- (3) No person shall:
  - (a) allow garbage, solid waste, or other refuse to accumulate upon any premises;
  - (b) keep a garbage dump or receptacle for solid waste on their premises in such condition or in such location that the same is a nuisance or emits foul or offensive odours or harbours or attracts rats or other vermin;
  - (c) keep a garbage dump;
  - (d) dispose of the body of a dead animal in such way as for it to become a nuisance.
- (4) No person shall deposit any materials in the Landfill Site except as may be permitted in this by-law.
- (5) No person shall leave or deposit at the Landfill Site any appliance which contains a refrigerant substance.

**7. PENALTIES**

- (1) Every person who;
  - (a) Does anything which is prohibited by this by-law;
  - (b) Fails to comply with any order or direction given by a Municipal Official pursuant to this by-law;
  - (c) Omits to do anything required to be done by him/her under this by-law; or,

- (d) Otherwise contravenes any of the provisions of this by-law is guilty of an offence and shall upon conviction is liable to pay a penalty recoverable under the provisions of the Provincial Offences Act.
- (2) (a) Any person who deposits any waste at the Landfill Site contrary to this by-law may, in addition to any other penalties which may apply, be suspended from further access to the Landfill Site for any purpose by the Public Works Supervisor or Alternate by written notice setting out the grounds for the suspension subject to a hearing before the Council to be held pursuant to the Statutory Powers Procedure Act.
- (b) The Council shall consider whether the suspended person will continue to contravene the by-law and may maintain or revoke the suspension subject to such conditions as it may determine.
- (3) Every person who contravenes any of the provisions of this by-law is guilty of an offence and shall, upon conviction thereof, pay a penalty of not more than Five Thousand (\$5,000.00) Dollars, exclusive of costs and such fine is recoverable under the Provincial Offences Act.
- (4) The tipping fees, as outlined in Schedule “A” to this By-law, will come into effect on September 1, 2016.

## **8. REPEALS**

By-laws number 2008-21, 2009-35, 2013-10, 2015-36, and 2015-37 are hereby repealed.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 14<sup>th</sup> DAY OF JUNE, 2016.**

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Mayor, Leo Jobin

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Clerk-Treasurer, Linda M. Ringler

**THE CORPORATION OF THE TOWNSHIP OF CHISHOLM**

**BY-LAW 2016-15**

**SCHEDULE "A"**

1. The user fees charges for tipping services shall be as follows:

Half-ton truck	\$20.00 per load
Partial loads	At the discretion of the attendant
Trailers – Up to 8’ in length	\$20.00
- Over 8’ in length	\$25.00
- Up to 8’ hydraulic dump trailer	\$25.00
- Over 8’ hydraulic dump trailer	\$50.00
Single Axle Dump Truck	\$100.00
Tandem Truck	\$150.00
Tri-Axle Truck	\$200.00
Semi Dump Truck	\$350.00
Slide-Off Container – 20 cu. Metre	\$160.00
30 cu. Metre	\$240.00
40 cu. Metre	\$320.00
Over 40 cu. Metre	add \$8 per cu. Metre
Tires	No charge as per Ontario Tire Stewardship Standards)
Appliances (Do not accept refrigerators or freezers not tagged.) (Doors must be removed from refrigerators and freezers.)	\$5.00 each
Furniture (per piece)	\$5.00 each
Single item building materials (such as window, door, drywall sheet, carpet roll)	\$5.00 each
Small Single Items	\$2 each
Mattress/ box spring (per piece)	\$5.00 each
Over limit garbage bags (Residential/farm property owners)	\$1.00 per bag
(Commercial/Industrial property owners)	\$3.00 per bag
Opening site outside regular hours	\$40 per hour over 3 hours – Minimum \$120
Landfill Pass Card Replacement	\$2.00
Clean Fill/Brush	Free
Electronic Waste	Free

The above-noted fees apply to all materials, other than bagged household waste, which is exempt from fees up to and including annual limit on pass card.

Material not sorted will not be accepted.

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**THE CORPORATION OF THE TOWNSHIP OF CHISHOLM**

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**SCHEDULE "B"**

**LANDFILL SITE RULES**

The following are the rules and regulations which govern the conduct of all those who enter the limits of the Landfill Site, and the specialized preparation, (acceptance criteria) and the disposal of permitted waste types.

1. Waste loads entering the site must be tarped or securely tied down. Tarps and ties shall be removed at the staging areas and prior to the working face.
2. Contaminated soil and other suspect wastes may be required to undergo an Ontario Regulation 347, Schedule 4, Leachate Toxicity Test and/or slump test to determine its acceptability as a solid non-hazardous waste at the expense of the disposer.
3. Asbestos waste will be accepted for disposal if it is packaged and transported in accordance with Ontario Regulation 347.
4. All drums shall be empty, the tops and bottoms cut off and the drum crushed or flattened, before it will be accepted for disposal.
5. Scrap metal/fuel tanks shall be thoroughly drained, flushed and cut into sections before they will be accepted for disposal.
6.
  - (a) All traffic control directions given by the Landfill Site Attendant or other site personnel shall be strictly observed.
  - (b) Drivers shall stay with vehicles.
7.
  - (a) All posted traffic signs shall be strictly observed.
  - (b) No person shall operate a vehicle at more than 10 kilometres per hour at the Landfill Site.
8. There shall be no smoking or lit smoking material within the site. For this purpose the site is defined as all lands beyond the entrance gate to the site.
9. All vehicles (unless otherwise directed) shall come to a full stop at the Landfill Site Attendant's building for processing which shall include confirmation of residency, numbering of bags on landfill pass card and payment in full of the tipping fees when applicable.
10. No person shall scavenge or pick through waste.
11. No person shall, with the exception of staff, deposit any burning material or set any fire at the Landfill Site.
12.
  - (a) No person shall discharge a firearm within the Landfill Site property.
  - (b) Notwithstanding subsection a), the By-law enforcement Officer for the Township of Chisholm may authorize the discharge of a firearm within the Chisholm Landfill Site property in order to deal with nuisance animals.
13.
  - (a) No person shall place solid waste except in accordance with directions of the Landfill Site Attendant.

- (b) All solid waste, metals, tires, electronic waste, inert fill and all domestic, commercial and wood wastes delivered to the Landfill Site shall be deposited by the driver at the designated areas only.
14. Unless otherwise authorized in writing by the Public Works Supervisor, no person shall enter the Landfill Site when the site is designated to be closed.
15. Unless otherwise authorized in writing by the Public Works Supervisor, no person shall enter the landfill site except during normal hours of operation which are:
- (1) Every Saturday from April to October (when daylight savings time is on) between the hours of 8:00 a.m. and 6:00 p.m.;
  - (2) Every Wednesday from April to October (when daylight savings time is on) between the hours of 1:00 p.m. and 6:00 p.m.;
  - (3) Every Saturday from November to March (when daylight savings time is not on) between the hours of 9:00 a.m. and 5:00 p.m.;
  - (4) Every Wednesday from November to March (when daylight savings time is not on) between the hours of 1:00 p.m. and 5:00 p.m.

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**THE CORPORATION OF THE TOWNSHIP OF CHISHOLM**

**BY-LAW 2016-15**

**SCHEDULE "C"**

**CHISHOLM LANDFILL SITE – UNACCEPTABLE MATERIAL**

The following materials are unacceptable for disposal without the prior written consent of the Township and M.O.E., when and if required.

1. Pathological Waste from the Industrial, Commercial or Institutional Sectors, as defined and regulated in Regulation 347, under the Environmental Protection Act.
2. Biomedical Waste.
3. Hazardous and Liquid Waste, as defined and regulated in Regulation 347, under the Environmental Protection Act.
4. Liquid waste, as defined and regulated in Regulation 309, under the Environmental Protection Act.
5. All refrigeration equipment must be drained of ozone-damaging fluorocarbons and properly marked/tagged as such by a certified holder of ozone depletion prevention card before consent is granted for disposal.
6. All vehicular bodies and/or large parts thereof.
7. All household recyclable material.

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