

THE CORPORATION OF THE TOWNSHIP OF CHISHOLM
BY-LAW NO. 2008-21

Being a By-law for establishing and maintaining a system for the disposal of solid waste in the defined areas of the Township of Chisholm.

WHEREAS the Corporation of the Township of Chisholm (The “Township”) is the owner and operator of the Waste Disposal 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 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 for Waste Disposal Site No. 0452-7CGJNE.

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

1. **DEFINITIONS**

- (a) **“Waste Disposal Site”** means the Municipal Waste Disposal Site located at 201 Fossmill Rd. on Lot 23, Concession 6, being Parcel 13159 Nip. in the Township of Chisholm.
- (b) **“Solid Waste”** means discarded materials which;
 - (i) Includes, garbage, refuse, domestic waste, or municipal refuse and such other materials 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. **WASTE DISPOSAL SITE - Access and Use**

- (1) Only solid waste originating from within the Township of Chisholm may be deposited at the Waste Disposal Site.
- (2) No person shall deposit or cause to be deposited waste originating from any place other than the Township of Chisholm at the Waste Disposal Site.
- (3) Dumping or disposing of garbage, refuse or waste shall take place only between the times and days as posted at the respective Waste Disposal Site.
- (4) No person other than a resident, property owner or agent of same with proper landfill access card may deposit waste at the Chisholm Waste Disposal Site.
- (5) Household garbage will only be accepted when bagged or in a suitable container adequately fastened so as to prevent spillage.
- (6) No dead animals including fowl, or parts thereof, shall be dumped or disposed of at the Waste Disposal Site.
- (7) No noxious weed seeds shall be dumped or disposed of at the Waste Disposal 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 Waste Disposal Site unless it is covered or otherwise securely bound.
- (10) Any person depositing solid waste at the Waste Disposal 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.
- (11) No person shall use the Waste Disposal Site except in compliance with the rules set forth in Schedules "B" & "C" attached to and forming part of this by-law.
- (12) 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)
- (13) Waste Disposal Site is under the jurisdiction of the Public Works Supervisor.

3. **GENERAL PROVISIONS**

- (1) No person shall deposit any materials in the Waste Disposal Site 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) The Waste Disposal Attendant shall be permitted to inspect and approve or refuse any load prior to entering the Waste Disposal Site.
- (4) All waste deposited at the Chisholm Waste Disposal 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.

4. **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 Staff or 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 provision of this by-law is guilty of an offence; is liable to a fine not exceeding \$5,000 (exclusive of costs) which shall be recoverable under the provisions of the Provincial Offences Act, R.S.O. 1990, c.P. 33, Section 61.
- (2) When a person has been convicted of an offense under this by-law, the Divisional Court or competent jurisdiction thereafter may, in addition to any other penalty imposed on the person convicted, issue an order prohibiting

the continuation or repetition of the offense of the doing of any act or acts by the person convicted directed toward the continuation or repetition of the offense.

- (3) (a) Any person who deposits any waste at the Waste Disposal Site contrary to this by-law may, in addition to any other penalties which may apply, be suspended from further access to the Waste Disposal 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 to maintain or revoke the suspension subject to such conditions as it may determine.
- (c) The provisions of this By-law shall be enforced by the Corporation, its Provincial Offences or By-law Enforcement Officers.

5. REPEALS

- (a) By-law numbers 2000-03 and 2002-29 are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 8th DAY OF JULY, 2008.

Mayor, Barbara J. Groves

Clerk-Treasurer, Linda M. Ringler

THE CORPORATION OF THE TOWNSHIP OF CHISHOLM

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SCHEDULE "A"

The following tipping fees will apply at the Waste Disposal Site located on Lot 23, Concession 6, 201 Fossmill Rd., being Parcel 13159 Nip. in the Township of Chisholm.

TIPPING FEES

Half-ton truck or trailer <i>(Unbagged or unboxed materials and shingles)</i>	\$20.00 per load
Single Axle Dump Truck	\$100.00 per load
Tandem	\$125.00 per load
Triaxle Truck	\$150.00 per load
Semi Dump Truck	\$150.00 per load
Slide-off Container – 20 cubic metre	\$160.00
- 30 cubic metre	\$240.00
- 40 cubic metre	\$320.00
- over 40 cubic metres	\$320.00, plus \$8.00 per cubic metre for Every cubic metre or part thereof over 40 cubic metres.
Large appliances - <i>including air conditioners, dehumidifier & refrigerator, freezers-</i> Tagged free of CFC's (Doors must be removed from refrigerators and Freezers).	No Charge
Tires – Car/light truck (off rim) (up to 16")	\$5.00 each
- Car/light truck (on rim)	\$10.00 each
- Tires over 16" (off rim)	\$10.00 each
- Tires over 16" (on rim)	\$20.00 each
DO NOT ACCEPT TIRES OVER 24"	
Furniture – Per unit	\$5.00 each
Furniture – 100% wood	No Charge
Fee for opening Waste Disposal Site outside regular hours	\$35.00 (at Township's convenience)
Fee for replacement pass card	\$2.00

BAGGED OR BOXED HOUSEHOLD WASTE IS EXEMPT FROM FEES.

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SCHEDULE "B"

WASTE DISPOSAL SITE RULES

The following are the rules and regulations which govern the conduct of all those who enter the limits of the Waste Disposal 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. Scrap metal shall be thoroughly drained and flushed before they will be accepted for disposal.
5.
 - (a) All traffic control directions given by the Waste Disposal Attendant or other site personnel shall be strictly observed.
 - (b) Drivers shall stay with vehicles.
6.
 - (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 Waste Disposal Site.
7. All vehicles (unless otherwise directed) shall come to a full stop at the Waste Disposal Site Attendant's Building.
8. No person shall scavenge or pick through waste.
9. No person shall, with the exception of staff, deposit any burning material or set any fire at the Waste Disposal Site.
10.
 - (a) No person shall discharge a firearm within the Waste Disposal 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 Waste Disposal Site property in order to deal with nuisance animals.
11.
 - (a) No person shall place solid waste except in accordance with directions of the Waste Disposal Site Attendant.
 - (b) All solid waste, metals, tires, inert fill and all domestic, commercial and wood wastes delivered to the Waste Disposal Site shall be deposited by the driver at the Waste Disposal Site area only.
12. Unless otherwise authorized in writing, no person shall enter the Waste Disposal Site except during dates and times as posted at the entrance to the Waste Disposal Site.

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SCHEDULE "C"

CHISHOLM WASTE DISPOSAL SITE

The following materials are unacceptable for disposal without the prior written consent of the Operator 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. 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.
5. All vehicular bodies and/or large parts thereof.
6. All household recyclable material.
7. Computers, batteries, microwaves and fluorescent tubes.

Mayor, Barbara J. Groves

Linda M. Ringler