

THE CORPORATION OF THE MUNICIPALITY OF GREENSTONE

BY-LAW 09-48

Being a By-Law to provide for the collection and disposal of waste in the Municipality of Greenstone and to repeal By-Law 04-41 (*as amended by By-Law 10-55, 25-42 and 26-17*)

WHEREAS the *Municipal Act*, 2001, S.O. c. 25 as amended, Section 8, confers broad authority on a municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 10 of the Act, authorizes municipalities to pass by-laws respecting any service or thing that the Municipality considers necessary or desirable for the public;

AND WHEREAS the Corporation of the Municipality of Greenstone deems it necessary to establish and maintain a system for the collection, removal and disposal of waste;

NOW THEREFORE THE CORPORATION OF THE MUNICIPALITY OF GREENSTONE ENACTS AS FOLLOWS:

PART I – SHORT TITLE

1. This By-Law may be cited as “The Garbage By-Law.”

PART II – PURPOSE

2. To establish and maintain a system for the collection, removal and disposal of collectible waste within the Municipality of Greenstone.

PART III - APPLICATION

3. This By-Law applies to collectible waste only. Non-collectible waste will not be collected

PART IV – DEFINITIONS

4. In this By-Law,
 - a. “**collectible waste**” means and includes solid waste as distinguished from liquid waste, sewage and gas waste, smoke and industrial fumes and shall include animal and vegetable waste resulting from the handling, preparation, cooking and serving of food; market refuse and waste from the handling, storage and sale of produce; both combustible and non-combustible waste consisting of tin cans, metal, mineral matter, glass, crockery, dust, paper, rags, cartons, boxes, leather, tree branches, grass cuttings and yard trimmings.
 - b. “**acceptable garbage box**” means a container constructed of metal or pressure treated lumber and/or plywood meeting the design criteria approved by the Director; having hinged, tight fitting doors, which

shall be kept closed at all times in order to keep flies and animals out and odors from escaping; be of acceptable appearance and painted to the satisfaction of the Director; kept in a clean and sanitary condition, and used for the storage of garbage and refuse until it is collected (Schedule 'A' attached.)

- c. **“acceptable garbage can”** means a metal or plastic container made of durable rust-proof material capable of withstanding freezing temperatures; having a tight fitting, easily removable lid which shall be in position at all times; having a tapered larger top than at the bottom; equipped with suitable handles for lifting, carrying and dumping; having a maximum capacity of not more than 40 gallons (175 liters) and a minimum capacity of not less than 10 gallons; with a filled weight not to exceed 50 pounds/23 kg, and used for the storage of garbage and refuse until it is collected.
- d. **“disabled citizen”** means a householder whose physical disability, as defined in the Municipality Accessibility Policy (Resolution 10-16), inhibits their ability to move their garbage to the roadside.
- e. **“Director”** means the Director of Public Services of the Municipality of Greenstone or designate.
- f. **“householder”** means occupant, lessee, tenant, owner or any person in charge of or occupying any dwelling, or other residential premises with 5 dwelling units or less or any portion thereof.
- g. **“multiple dwellings”** means apartment buildings with 5 dwellings units or less.
- h. **“Municipality”** means The Municipality of Greenstone.
- i. **“non-collectible waste”** means and includes solid waste resulting from industrial processes, manufacturing operations, commercial food processing plants, liquid waste, materials from building construction or demolition, boulders, earth fill, explosive or combustible material, toxic and pathological waste, hay, straw, manure or night soil and automobiles.
- j. **“proper container”** means an acceptable container used for the collection, removal and disposal of collectible waste that meets the requirements contained herein.
- k. **“Senior citizen”** means a householder 65 years of age or older.
- l. **“street”** means any public highway, road, street, lane, alley, mall, square, place, thoroughfare or way within the limits of the Municipality of Greenstone.

PART V – PROPER CONTAINERS

- 5. Only containers meeting the requirements contained herein shall be considered proper containers for the purpose of this By-Law.

- a. **Residential** (other than Seniors or Disabled)

Only acceptable garbage cans shall be considered proper containers.

Residential garbage boxes concealing garbage are permitted on private property; however, residents are to place their garbage in acceptable garbage cans on the day of regular collection, and place their garbage for collection in accordance with the provisions set out in this By-Law.

With the exception of sections 5.b. and 5.c., garbage will not be collected from residential garbage boxes.

b. **Residential** (Seniors)

Garbage will be collected from acceptable garbage boxes owned by Senior citizens who are registered as such with the Municipality, when the boxes are located at roadside.

Only acceptable garbage cans and acceptable garbage boxes shall be considered proper containers.

c. **Residential** (Disabled)

Garbage will be collected from proper containers on private property for disabled citizens who are registered as such with the Municipality, and who are unable to bring their garbage to roadside.

Only acceptable garbage cans and acceptable garbage boxes shall be considered proper containers.

Such containers shall be placed in a location satisfactory to the Director, be accessible at all times, and kept free and clear of ice and snow.

d. **Multiple Dwellings**

Only acceptable garbage cans shall be considered proper containers.

6. Fridges and freezers are not considered proper containers.

PART VI – GENERAL

7. All vegetable or animal waste resulting from the handling, preparation, cooking and serving of foods and all other offensive materials shall be strained, securely wrapped and placed in proper containers.
8. Wooden boxes, crates, branches and yard trimmings shall be securely tied in bundles not exceeding 3 feet, 6 inches or 24 inches in diameter and not weighing more than 50 pounds.
9. Newspapers, magazines and cardboard cartons shall be securely tied in compact bundles weighing not more than 50 pounds.
10. Householders shall keep their containers clean and shall regularly disinfect them.
11. Every householder shall provide and maintain in good condition a sufficient number of proper containers for collectible waste.
12. No person shall pick over, disturb, remove or scatter materials placed out for collection or obstruct collection employees in the lawful execution of their duties.

13. No employee shall be required to enter into any private property or enter any building except to gain access to approved containers for the purpose of removing collectible waste.
14. Every householder shall place their contained garbage at roadside by 7:00 a.m. on the day of regular collection.
15. The Municipality of Greenstone garbage collection system is a “roadside collection service” for collection at ground level and garbage shall be placed for collection in accordance with the following:
 - a) **roads with concrete curbs:** garbage to be placed directly behind the curb,
 - b) **roads with concrete sidewalks tightly abutting the curb:** garbage to be placed directly behind the sidewalk on property owner’s side,
 - c) **roads with boulevards between sidewalks and curbs:** garbage to be placed directly on the boulevard behind the curb,
 - d) **roads with asphalt gutter and asphalt shoulder:** garbage to be placed on edge of asphalt shoulder,
 - e) **roads with gravel road shoulder:** garbage to be placed directly on road shoulder.
 - f) **roads owned by the Crown and maintained by the Ministry of Transportation (MTO)** garbage to be placed no closer to the paved surface than the outside edge of the shoulder, on the MTO right-of-way. Acceptable garbage cans must be secured such that the containers are prevented from being blown onto the highway. No permanent structures are permitted within the MTO right-of-way. Acceptable garbage cans must be removed from the MTO right-of-way in a timely fashion, garbage cans are not permitted on the MTO right-of-way overnight.
16. Cleanup of all litter resulting from the methods of setting out the collectible waste by the householder shall be the responsibility of the householder.
17. All garbage must be bagged and placed in proper containers (i.e. no cardboard boxes).
18. Sawdust must be bagged in garbage bags and placed in proper containers.

PART VII – SPECIAL PROVISIONS

19. The following IC&I sector buildings will be eligible for municipal waste collection services, provided the premises is situated on an existing residential waste collection service route, fronting on a Municipal Road, and that these premises are subject to the following conditions:
 - a) Waste must be placed in an approved garbage receptacle; and
 - b) Service is subject to changes introduced via By-Law.
 - Nakina Sunrise Club
 - Beardmore Evergreens Active Living Centre

- Social or Community Housing that meet the eligibility requirements of the Affordable Rental Housing Subclass per the Province of Ontario or Municipal By-Law
- Places of Worship designated as a Place of Worship under the Assessment Act
- Royal Canadian Legion Branches that meet the eligibility as a Royal Canadian Legion under the Assessment Act.
- Kenogamisis Golf Club
- Centre culturel francophone de Geraldton

PART VIII – PENALTY

20. Any person convicted of a breach of any of the terms of this By-Law shall forfeit and pay at the discretion of the convicting Judge, a penalty not exceeding the sum of **ONE THOUSAND (\$1,000.00) DOLLARS**, exclusive of costs, for each offence, such penalty and costs to be recoverable under the provisions of The Provincial Offences Act, as provided by The Municipal Act.
21. By-law 04-41 is hereby repealed.
22. This By-Law shall come into force and take effect on January 1, 2010.

PASSED and **ENACTED** this 23rd day of November 2009.

Michael Power, Mayor

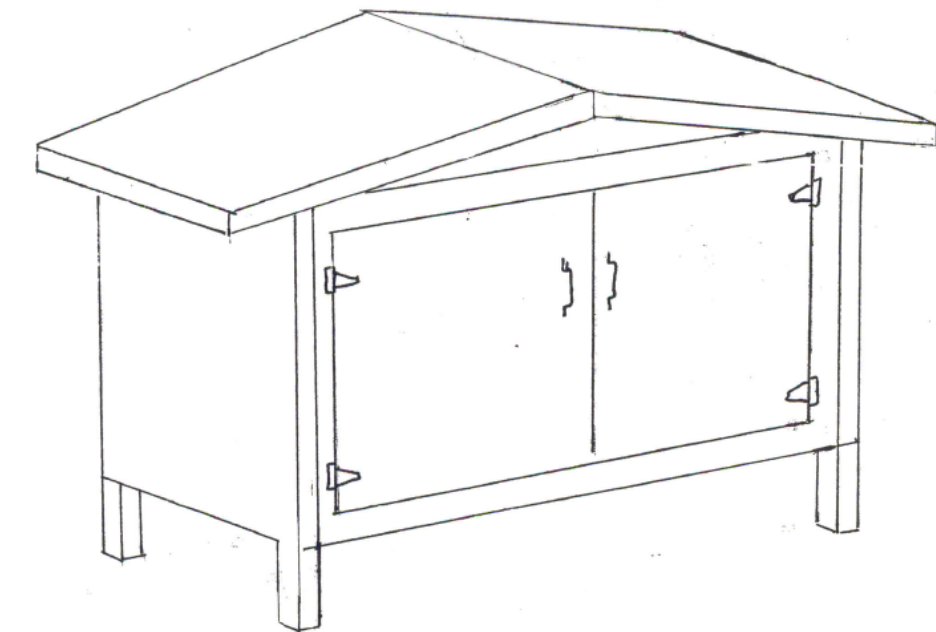
Deborah Stevens, Clerk

Schedule 'A'
to By-law 09-48

Specifications
for an
ACCEPTABLE GARBAGE BOX

- Unit to be a minimum of 2 ft. off the ground
- Unit to be of sufficient size to accommodate all waste generated
- Unit to be anchored to the ground so as not to be overturned by the wind
- Doors on unit to be hinged and tight fitting
- Doors on unit to be outswing and able to open 180 degrees
- Doors on unit to be kept closed at all times with appropriate hardware
- There are to be no nails, bolts or screws protruding so as to injure anyone
- Construction to be of metal or pressure treated lumber and/or plywood
- Wafer board is not acceptable
- Unit to be kept in a clean and sanitary condition at all times.

Design 1



Design 2

