THE CORPORATION OF THE TOWN OF BANCROFT
BY-LAW NO. 29-2025

Being a By-Law to Adopt a Garbage Bag Tag Policy
for the Corporation of the Town of Bancroft.

WHEREAS Section 11(3) of the Municipal Act, 2001, as amended, gives municipalities the authority to pass by-laws respecting matters within the spheres of jurisdiction described as waste management;

AND WHEREAS Section 8(3) of the Municipal Act, 2001, as amended, gives the municipality the authority to regulate a matter, require persons to do things regarding a matter, and provide for a system of licenses respecting a matter;

AND WHEREAS Section 391 of the Municipal Act, S.O. 2001, c.25, authorizes Council to pass bylaws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it, and for costs payable by it for services or activities provided or done by or on behalf of any other municipality, or local board;

AND WHEREAS Section 429, subject to subsection (4) of the Municipal Act, 2001, S.O. 2001, c.25 provides that a municipality may establish a system of fines for offences under a bylaw of the municipality passed under this Act;

AND WHEREAS the Council of the Corporation of the Town of Bancroft deems it necessary to set parameters around waste management for all users as means to increase recycling and other methods of sustainable waste management to avoid additional costs to the Town of Bancroft, ensuring that waste is managed appropriately and that users are mindful of their waste creation;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Bancroft enacts as follows:

1. DEFINITIONS

1.1. "IC&I" means industrial, commercial and institutional sector services, who are defined as schools, churches, county buildings, service clubs, as well as entities operating out of community or "non-taxed" locations.

1.2. "Tag" means a Bancroft Garbage Tag issued by the Town of Bancroft or designated outlets as determined by the Town.

1.3. "Town" means the Corporation of the Town of Bancroft

1.4. "Residential User" means all users aside from IC&I users.

2. REQUIREMENT FOR BANCROFT GARBAGE TAG

2.1. Every item, bag or container of waste, including residential, industrial, institutional, and commercial waste that is set out for collection, or brought to the waste site shall have a complete and valid bag tag affixed to the exterior of the bag in a clearly visible location.

2.2. Every item, bag or container of waste, including residential, industrial, institutional and commercial waste shall be sorted to ensure that the item, bag or container does not contain recyclable materials.

2.3. The tag should be affixed in a fashion that is clearly visible upon pick-up and positioned so that the collector may easily see the entire bag tag. No person shall use partial bag tags.

2.4. The Town accepts no responsibility for bag tags lost or removed from waste bags or containers.

2.5. The tag shall be purchased from the Town of Bancroft or from designated outlets as determined by the Town at a cost established by the Town, as revised from time to time, and such price constitutes a user fee for the collection of waste.

2.6. Waste without the appropriate "Bancroft Garbage Tag" may be collected by the Town – however, the Town is under no obligation to collect untagged waste and may elect to not collect it at the collector's discretion. The person who directly or by means of an agent discarded the waste shall be liable for the total expense incurred for the removal of the waste at a rate set by the Town as revised from time to time plus any applicable interest or penalties. Payment shall be made within 30 days after receipt of an invoice indicating the total expenses incurred.

2.7. Any invoices that remain unpaid for the removal of non-recyclable waste shall be added to the tax roll of the person responsible to pay and collected in like manner as municipal taxes.

2.8. In the case of multi-residential, institutional or commercial properties the owner of such property shall remain liable to the Town for any costs incurred by the Town at a rate set by the Town as revised from time to time in collecting waste without the appropriate "Bancroft Garbage Tag" from or adjoining the premises of such property regardless of whether such untagged garbage can be attributed to such multi-residential, institutional, or commercial property, an owner, tenant of such property or any other person. All invoices shall be payable within 30 days after receipt. Invoices that remain unpaid for such waste shall be added to the tax roll of such property and collected in like manner as municipal taxes.

2.9. No person shall use counterfeit bag tags. Persons found to be using counterfeit bag tags will be subject to a fine. Upon a repeat offence, curbside collection services may be suspended or terminated, and an administrative monetary penalty may be issued.

2.10. No person shall deposit waste generated on private property into a public space litter bin. Such action will be considered to be "dumping" and shall be subject to the appropriate Administrative Monetary Penalty.

3. FEE STRUCTURE

3.1. RESIDENTIAL USER FEE

The residential user fee will begin at $1.00 upon implementation of this policy and increase by fifty cents ($0.50) annually, until capping out in 2028 at $2.50.

Year 2025	Year 2026	Year 2027	Year 2028	Subsequent Years
$1.00	$1.50	$2.00	$2.50	$2.50

3.2. IC&I USER FEE

The IC&I user fee will begin at $2.00 upon implementation of this policy and increase by fifty cents ($0.50) annually, until capping out in 2028 at $3.50.

Year 2025	Year 2026	Year 2027	Year 2028	Subsequent Years
$2.00	$2.50	$3.00	$3.50	$3.50

3.3. The fee structure is subject to change from time to time.

4. OTHER COLLECTION PROVISIONS

4.1. Collectible waste shall be set out no later than 7:00am on the designated collection day and no earlier than 7:00pm on the day prior.

4.2. Where waste has been set out for municipal collection and has blown away or otherwise escaped from a container in any manner, it is the responsibility of the property owner to clean up the waste.

4.3. The Town reserves the right to refuse collection of any item, tagged or otherwise, based on size, weight, quantity or safety hazards that may be identified.

4.4. All waste brough to the waste site shall be brought in clear or transparent bags, such that the Waste Site Attendant can confirm the contents of the bag easily.

4.5. All persons disposing of waste at the waste disposal site shall not deposit waste of any description in front of, behind or near the gates leading to the waste site. This shall be determined to be “dumping” and shall be subject to the appropriate Administrative Monetary Penal

4.6. Waste shall be set out for collection in clear garbage bags, manufactured for the purpose of collecting waste provided that the bag does not exceed 18kg (40 pounds) in weight and has a maximum size of 79cm x 109cm (31”x43”).

5. ENFORCEMENT PROVISIONS AND ADMINISTRATIVE PENALTIES

5.1. This By-Law shall be enforced by the Municipal By-Law Enforcement Officer (hereinafter referred to as an “Officer”) or their designate.

5.2. An Officer who finds that a person has contravened any provision of this By-Law may issue a penalty notice addressed to that person.

5.3. Any person who contravenes any provision of this By-Law, upon issuance of a penalty notice pursuant to Section 5 of the Administrative Penalty System By-Law 93-2022, as it may be amended from time to time, shall be liable to pay to the Municipality an administrative penalty as set out in Schedule “C”.

5.4. The penalty notice shall be given to the person to whom or to which it is addressed as soon as reasonably practicable and shall include the following information:

5.4.1. Particulars of the contravention, including to which property it applies;

5.4.2. The amount of the administrative penalty; and

5.4.3. A statement advising that an administrative penalty will constitute a debt to the Municipality.

5.5. A person who has been issued a penalty notice shall pay the administrative penalty within fifteen (15) days from the date the notice was issued.

5.6. An administrative penalty that is deemed to be confirmed constitutes a debt to the Municipality and may be added to the tax roll of the owner’s property.

6. SERVICE OF DOCUMENTS

6.1. The Municipality may serve any document under this By-Law, including but not limited to a penalty notice, personally to the person named on the notice, by registered or regular mail addressed to the person to whom the document is to be given at the person’s last known address.

6.2. Service by registered or regular mail under subsection 5.2 shall be deemed to have been made on the fifth day after the day of mailing.

6.3. A person's last known address includes the address provided by the person to the Municipality as identified in the property tax file.

7. PENALTY PROVISIONS

7.1. Every person who contravenes any provision of this By-Law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended.

7.2. If this By-Law is contravened and a conviction entered, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.

8. SEVERABILITY

8.1. If a court of competent jurisdiction should declare any section or part of a section of this By-Law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-Law and it is hereby declared that the remainder of the By-Law shall be valid and shall remain in force.

9. SHORT TITLE

9.1. This By-Law shall be referred to as the "Garbage Bag Tag By-Law".

10. INTERPRETATION

10.1. Any reference in this By-Law to any statutes, regulations or By-Laws shall be deemed to be a reference to such statutes, regulations, or By-Laws, as amended, restated, or replaced from time to time.

11. GENDER

11.1. In this By-Law any words imparting the masculine gender shall include the feminine gender and neutral gender and vice versa and words imparting the singular shall include the plural where the context requires.

12. HEADINGS

12.1. The headings used in this By-Law are included solely for the convenience of reference and are not to be considered part of this By-Law and are not intended to be full or accurate descriptions of the contents of any section, clause, or provision of this By-Law.

13. SCHEDULES

13.1. Schedule "A" shall be attached to By-Law 29-2025, being a schedule describing the various AMPS Fines relating to this By-Law and shall be considered to form part of this By-Law.

14. EFFECTIVE DATE

THAT this By-Law is enacted upon the third and final reading hereof and that all former By-Laws or policies governing such allowances, exclusive of the Tipping Fee By-Law, are hereby repealed.

15. AUTHORIZATION

THAT the Mayor and Clerk be and are hereby authorized to sign this By-Law and affix the corporate seal thereto. Read a first, second and third time, and be finally passed, signed, sealed, and numbered By-Law 29-2025, on this 8th day of April, 2025.

Original Signed Copy on File
PAUL JENKINS, MAYOR

Original Signed Copy on File
AMBER WANNAMAKER, CLERK

Schedule “A” to By-Law 29-2025

AMPS Fines

Administrative Monetary Penalty System Penalties Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1.	Use of Incorrect Bags	Section 6.6	$25.00
2.	Dumping of Waste or Recycling	Section 4.8 and 6.5	$500.00
3.	Failure to Sort Waste and Recyclables	Section 4.2	$200.00
4.	Concealing Prohibited or Unsorted Materials	Section 6.4	$200.00
5.	Failure to Clean Up Scattered Waste or Recyclables	Section 6.2	$250.00
6.	Use of Counterfeit Bag Tags	Section 4.8	$250.00