

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2005-29

Being a By-law for establishing and maintaining a system for the collection, removal, and disposal of waste and recyclable material in the Town of Amherstburg

WHEREAS the *Municipal Act*, 2001, S.O. 2001, c. 25, sections 8-11, authorizes the councils of municipalities to pass by-laws enabling them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues, including such matters as waste collection;

AND WHEREAS section 11(1) paragraph 3 of the *Municipal Act*, 2001, S.O. 2001, c. 25, authorizes municipalities to pass by-laws respecting waste management;

AND WHEREAS it is deemed expedient that rules and regulations be made for establishing and maintaining a system for the collection, removal and disposal of waste, recyclables and other refuse within the Town of Amherstburg;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF
THE TOWN OF AMHERSTBURG HEREBY ENACTS AS FOLLOWS:**

1. DEFINITIONS:

In this By-law:

- a) "Apartment Building/Condominium" means a residential detached building that consists of three or more dwelling units arranged so that there is a common hallway to the dwelling units;
- b) "Ashes" means the solid residue of any fuel used for heating, cooking purposes and cleanings from chimneys;
- c) "Contractor" means a person or company with whom the town has entered into a contract for the collection of refuse, and the employees of such person, or company;
- d) "Corporation" means the Corporation of the Town of Amherstburg;
- e) "Council" means the Council of the Corporation of the Town of Amherstburg;
- f) "Director" means the Public Works Manager or designate;
- g) "Dwelling" means a building or place of abode including a street townhouse but not including a hotel, motel, restaurant or apartment building/condominium;
- h) "Garbage" means all rejected, abandoned or discarded household waste, either animal or vegetable, not including non-collectable waste or trade waste, but including without limiting the generality thereof, waste paper, organic yard waste, ashes and other refuse matter and also includes weighty or bulky articles such as Christmas trees, furniture, mattresses, or anything of a similar nature that is placed for collection in accordance with paragraphs 5 and 6 of this by-law;
- i) "Household Waste" means all waste materials and refuse, including organic yard waste, abandoned, rejected or discarded from any dwelling, apartment building or residential condominium;

- j) "Householder" means any owner, occupant, lessee or any person in charge of any dwelling, apartment building or residential condominium;
- k) "Industrial waste" means waste produced or arising from manufacturing or industrial activities or processes;
- l) "Landfill site" means the location designated in the Town for the disposal of waste;
- m) "Non-Collectible Waste" means:
 - i. any garbage or material in receptacles or containers which do not conform to paragraphs 4 and 6 of this by-law;
 - ii. discarded vehicle parts, tires, automotive wastes and other accessories;
 - iii. concrete products, bricks, dirt, stones or tree stumps;
 - iv. Trade Waste;
 - v. any explosive or highly combustible material of any nature whatsoever;
 - vi. Medical or Pathological waste, including syringes, medicines, drugs and similar refuse;
 - vii. liquid wastes, including liquid in sealed containers;
 - viii. hay, straw, manure;
 - ix. roofing shingles;
 - x. carcasses of any animal or bird;
 - xi. live animals or birds;
 - xii. any material which has become frozen to the receptacle and cannot be removed by shaking;
- n) "Organic Yard Waste" means garden refuse, grass, shrubbery and tree clippings, plant material and leaves;
- o) "Person" includes any individual, corporation, partnership, company, association or party and the heirs, executors, administrators, or other legal representative of such person, to whom the context can apply according to law; shall include any group of persons comprising a society or other organization and shall include the plural wherein the context requires.
- p) "Recyclable Materials" means materials deemed to be recyclable by the Essex-Windsor Waste Management Committee;
- q) "Refuse" means garbage, wastepaper, ashes and rubbish;
- r) "Rubbish" means brush, crates, cans, bottles, and other ordinary household waste of a wooden, metal or plastic nature;
- s) "Town" means the geographic entity of the Corporation of the Town of Amherstburg;
- t) "Trade Waste" means any industrial, commercial, or manufacturer's waste;
- u) "Waste" shall include refuse, and rubbish, but shall not include Non-collectable waste as defined herein;
- v) "Waste Management Committee" means the Essex-Windsor Waste Management Committee;
- w) "Wastepaper" includes excelsior and other packing materials, wrappings, and paper, cardboard or plastic containers or scraps.

2. RESPONSIBILITIES OF THE TOWN OF AMHERSTBURG:

- a) The Corporation shall provide for the collection of waste within the Town in accordance with the provisions of this by-law.
- b) The Corporation may contract with any person for the collection of waste within the Town.
- c) The Director shall, from time to time, fix the areas of collection and the day of collection for each area, and the same shall be advertised by the Town of Amherstburg.
- d) Nothing in this by-law shall be deemed to require the collection by the Corporation of:
 - i. any industrial waste;
 - ii. any refuse from a supermarket having a floor area greater than 464 square metres (5,000 square feet);
 - iii. any materials being waste or residue resulting from the erection, alteration, or removal of any building or part thereof;
 - iv. straw, hay, manure;
 - v. any refuse not prepared and placed for collection in the manner prescribed by the terms of this by-law;
 - vi. any automotive parts and accessories including all types of tires;
 - vii. any articles included herein that are unacceptable at the Landfill Site;
 - viii. Recyclable items as defined from time to time by the Waste Management Committee.

3. RESPONSIBILITIES OF THE CONTRACTOR:

- a) The Contractor shall collect all waste and recyclable materials in accordance with the provisions of this by-law and any contract entered into with the Town of Amherstburg.
- b) Waste and recyclable material shall be collected from areas approved by the Director.
- c) The service of collection and other related duties from each area shall be completed on the approved collection day and the Contractor shall be courteous and render every reasonable effort for the proper execution of this service.
- d) The Contractor shall be responsible for the collection, removal, transportation and unloading of garbage at a waste disposal site approved by the Ministry of Environment and Energy.
- e) The Contractor shall provide all necessary equipment and labour for the collection, removal, transportation and unloading of waste materials from all dwellings buildings and areas to which this by-law applies.
- f) The Contractor shall not be required to enter any dwelling or other building; ascend or descend any stairway; or enter any elevator, hoist or unloading platform for the purpose of collecting or removing garbage.
- g) The Contractor shall not be required to remove any garbage from a chute.
- h) The Contractor shall not be required to enter a privately owned driveway, roadway, or lane for the purpose of collecting ashes, garbage or rubbish

from privately owned property, except where special arrangements have been made.

- i) The Contractor shall handle all receptacles with due care and after thoroughly removing their contents, shall replace the receptacles with covers secured at the location from which they were collected.
- j) No person, agent or employee of the Contractor shall sweep, throw, cast, lay or deposit any garbage, non-collectible waste or trade waste on any land, creek, street or public property or place in the Town or on any site other than one approved pursuant to the *Environmental Protection Act*.
- k) The Contractor shall enforce the provisions of this by-law which affect the collection of waste and recyclable material by its employees.

4. RESPONSIBILITIES OF THE HOUSEHOLDERS:

- a) The householder shall place waste and recyclable material out for collection in accordance with the provisions of this by-law.
- b) The householder shall not deposit or permit the deposit upon any lands belonging to the householder, in the householder's occupation or under the householder's control of any garbage, or any material or any thing which may endanger public health.
- c) The householder shall not keep a receptacle or repository for garbage on the householder's premises in such condition or in such a location that the same is a nuisance or emits foul or offensive odours or harbours or attracts rats or other vermin or insects.
- d) No person shall pick over, interfere with, disturb, remove or scatter any refuse placed for collection.
- e) No person shall convey through the streets any garbage or any non-collectible waste or trade waste unless in approved containers, or in vehicles totally enclosed or covered and fastened down around the edges so as to prevent any of the contents from falling upon the streets.
- f) No person shall place any trade waste, or other non-collectible waste, out for collection at any residential dwelling, or apartment building/condominium.
- g) Every householder shall keep and maintain that portion of the property utilized for the purpose of the placement of trash for pick up, free and clear of weeds, dirt, filth, ashes, paper, building material, rubbish and other refuse, at all times.

5. PROCEDURES FOR COLLECTION:

All refuse to be collected by the Corporation shall be placed in the following manner:

- a) At the curb line in front of the property in the evening before the day(s) designated by the Director for the collection thereof as outlined in Schedule "A" to this by-law. No person shall place garbage or recyclable materials out for collection other than at the designated times.
- b) Waste and recyclable material set out at the curbside or in the designated collection area for curbside collection shall be aligned along the street and as close as possible to the curb and gutter or edge of the pavement of the

street but not so as to impede or interfere with the flow of traffic or maintenance of such street. In the event of a dispute, the Public Works Manager shall have the power to designate the precise point at which refuse for collection shall be placed for the collectors.

- c) Empty receptacles and all waste and recyclable material not collected as a result of non-compliance with this By-law, shall be removed by the householder forthwith.
- d) The householder shall only place garbage, household waste and recyclable materials in approved receptacles out for collection.
- e) Thoroughly drained garbage and wastepaper shall be securely wrapped in a paper wrapper or bag before being deposited in a water-tight iron, non-ferrous metal or plastic container with a securely fitting lid and suitable handles; or, in the alternative, a sturdy commercial type disposable plastic garbage bag securely tied may be used.
- f) Rubbish and ashes shall be placed in a wooden, galvanized iron, non-ferrous metal or plastic container, provided that no such container when filled weighs over 22 kilograms (50 pounds). All ashes shall be cold.
- g) Newspapers may be placed in or alongside the Red Boxes provided they are compactly and securely tied in neat bundles.
- h) In the event of a traffic conflict on the private access route to the garbage storage facility, which cannot be resolved immediately at the time of collection, the collection vehicle will leave the site and no collections will be made until the following collection date.

6. APPROVED RECEPTACLES:

- a) All refuse to be collected shall be placed in proper refuse containers and shall not be filled to a greater height than 50 mm (2 inches) from the top thereof.
- b) Returnable Receptacles: shall be durable, rust resistant, non-absorbent containers having a close fitting cover and two suitable handles. The container's diameter shall not exceed 0.5 m (2 feet) and its height shall not exceed 0.9 m (3 feet). The diameter at the top of the container shall be larger than the bottom.
- c) Non-Returnable Plastic Bags: must be plastic bags designed and sold for the purpose of containing garbage and secured so as to prevent any spillage. Minimum bag material thickness shall be 1.5 mil. Bags that break when lifted are not acceptable.
- d) The Blue Box and Red Box: must be used for disposal of recyclable materials, but not organic yard waste.
- e) Other receptacles which are irregular in shape such as paint cans, pails, oil drums and other smaller receptacles shall not be used unless the receptacle is intended for disposal with the contents. Such containers shall be securely covered to prevent the contents from being scattered.
- f) Garbage, other than bundles, shall be in securely covered receptacles unmixed with any liquid and all meats, fish, fruit, vegetables and other waste likely to attract animals, vermin and flies shall be drained of liquids and securely wrapped and tied.

- g) The total weight of any full container shall not exceed 22.0 kilograms (50 pounds).
- h) The amount of waste and recyclable material placed at the curb shall not be of an excessive amount. What is determined to be excessive will be decided by the Public Works Manager.

7. SCHEDULE:

Schedule "A" attached hereto forms part of this by-law.

8. PENALTIES:

Every person who contravenes any provisions of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Municipal Act, 2001*.

9. REPEAL:

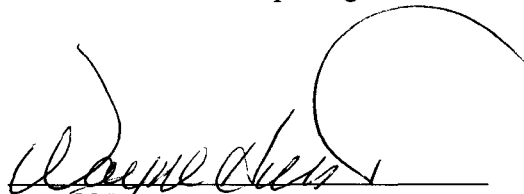
That the Town of Amherstburg By-law 2121, being a by-law to establish and maintain a system for the collection of refuse in the Town of Amherstburg, be and the same is hereby repealed.

10. SHORT TITLE:


This by-law may be referred to as the Waste Management By-law.

This By-law shall come into force and take effect on the date of the final passage thereof.

Passed this 18th day of July, 2005.



MAYOR



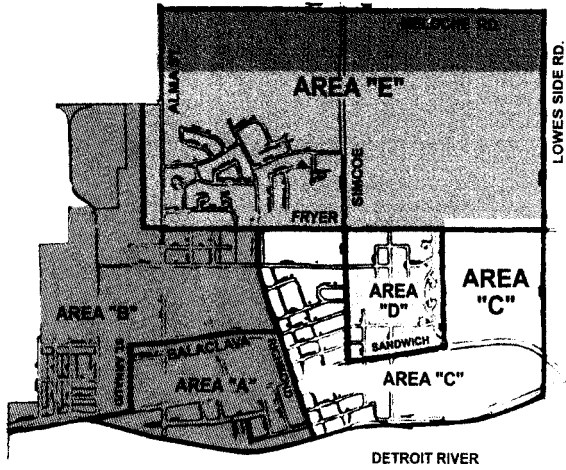
CLERK

1st Reading: July 18, 2005
2nd Reading: July 18, 2005
3rd Reading: July 18, 2005

Certified to be a true copy of By-law
No. 2005-29 passed by Council of the
Town of Amherstburg on the 18th
day of July, 2005.

Clerk

Garbage Collection Map (Old Town of Amherstburg)



TUESDAY Garbage Collection

Area A:
All dwellings bounded by the North side of Richmond from the river to Balaclava then along the West side of Balaclava to St. Arnaud.

TUESDAY Garbage Collection

Area B:
All dwellings bounded by the north side of Richmond from the east side of Balaclava to St. Arnaud then to the west side of Fryer and the residential area between William St. and Brunner Ave.

WEDNESDAY GARBAGE

WEDNESDAY Garbage Collection

Area C:
All dwellings bounded by the south side of Richmond from the river to the west side of Fryer then along the north side of Simcoe to the west side of Sandwich and south on Sandwich, just south of McCurdy Dr. Then all dwellings bounded by the west of Fryer St. and the north side of Lowes Sideroad to the river, the Mobile homes included.

THURSDAY GARBAGE

THURSDAY Garbage Collection

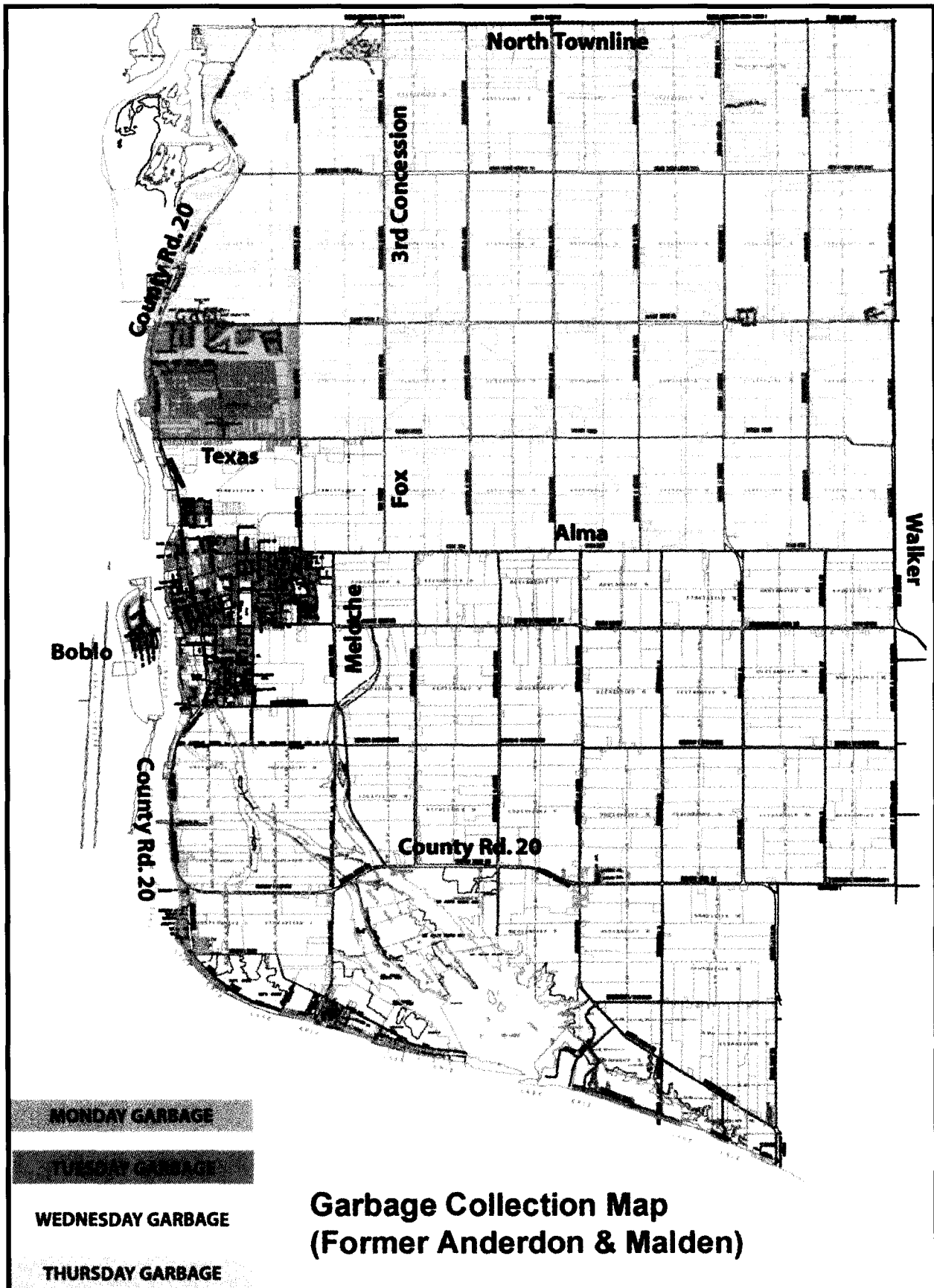
Area D:
All dwellings bounded by the south side of Simcoe from Fryer St. to Sandwich, then west on Sandwich To McCurdy then to Fryer.

FRIDAY GARBAGE

FRIDAY(Garbage Collection (Area E)

Area E:
All dwellings bounded by Simcoe (both sides) to Fryer St. (west side), to Alma to Meloche Rd. (east side) to Lowes and back to Simcoe.

If you have any questions regarding garbage collection. Please call the Town of Amherstburg 736-3664



MONDAY GARBAGE

TUESDAY GARBAGE

WEDNESDAY GARBAGE

THURSDAY GARBAGE

Garbage Collection Map (Former Anderdon & Malden)