

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2005-56

BEING A BY-LAW TO REGULATE RECYCLING OF WASTE AT THE BIN SITES AND LANDFILL SITES IN THE MUNICIPALITY OF FRENCH RIVER

WHEREAS Section 11(1).3 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that the Council of a local municipality may pass by-laws respecting matters within the spheres of jurisdiction which includes waste management;

AND WHEREAS the Municipality of French River wishes to pass a By-law to establish a collection policy for certain recyclable materials within the Municipality,

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:

Section 1 Definition: In this by-law recyclable materials includes:

- a) Recyclable Containers which includes the following forms of containers:
 - 1. Metal food cans;
 - 2. Aluminum and metal beverage cans such as pop cans, beer cans, juice cans;
 - 3. Clean aluminum foil plates and trays;
 - 4. #1 (PET) plastics, #2 (HDPE) plastics, #5 (polypropylene) plastics other than #2 plastic motor oil containers;
 - 5. Any other container designated by the waste management committee to be a recyclable container.
- b) Recyclable papers and cardboard:
 - 1. Household paper, including junk mail, writing paper, computer paper, non-foil gift wrap, non-foil greeting cards and envelopes;
 - 2. Paper rolls;
 - 3. Newspapers and inserts;
 - 4. Magazines, catalogues, and glossies;
 - 5. Telephone directories;
 - 6. Soft and hard covered books;
 - 7. Clean unwaxed corrugated cardboard and box board;
 - 8. Any other paper or paper product designated by the waste management committee as recyclable material.

Section 2 Restrictions:

- a) No person shall deposit any recyclable materials in any location within the Municipality except at the landfill sites and the waste bin sites established in accordance with this By-law.

- b) No person shall dispose or deposit non recyclable waste of any kind in containers or specific areas marked for recyclable materials at any location within the Municipality of French River.
- c) No person shall deposit or otherwise dispose of any recyclable materials brought in from outside the Municipality of French River, upon any lands, whether publicly or privately owned, including Noëlville and Delamere landfill sites and/or waste bin sites by the Municipality of French River. The only recyclable materials permitted in the municipality's facilities are waste items that are produced from residences or commercial/industrial establishments within the municipal boundaries.
- d) No person shall deposit or otherwise dispose of recyclable materials, as herein defined, at the landfill sites except during the hours of operation.
- e) No person shall scavenge, interfere with, remove, exchange or scatter any recyclable materials found at waste bin sites or municipal landfill sites unless authorized by the landfill attendant.
- f) No person shall deposit any recyclable materials near or around the waste bin sites or at the gates of the landfill sites except in the appropriate waste bins designated for recyclable materials provided at the sites. (See the attached map for locations of sites).
- g) All cardboard boxes must be opened and flattened to save space.

Section 3 Penalty and Liability for Expenses:

- a) Any person who contravenes any of the provisions of this by-law, and the procedures with respect thereto is guilty of an offence and upon conviction shall pay a fine or penalty not exceeding \$5,000.00, and shall be recoverable under the Provincial Offences Act, R.S.O. 1990, Chapter P33 and amendments thereto.
- b) Any costs and expenses for services provided by or on behalf of the municipality, or for which the Municipality is liable in endeavoring to remove waste, garbage or other refuse caused by or resulting from a person contravening or failing to comply with any provision of this By-law shall be charged pursuant to Section 425 (1) of the Municipal Act 2001 and shall constitute a debt of such person to the municipality. Service charges pursuant to this By-law shall be as follows:

\$100.00 minimum charge, \$75.00/hour or whichever is the greater amount, for work involved in cleaning the sites.

- c) Any service charge imposed pursuant to this By-law shall be payable within fifteen (15) days after the Municipality has delivered or sent by prepaid registered post an invoice to the person responsible, and interest shall accrue and be added to the amount at the rate interest of 1.25% per month shall be used to calculate interest on unpaid service charges.
- d) Fines imposed pursuant to this by-law shall be a set out in Schedule “B”.

Section 6 Any and all By-laws inconsistent with this By-law are hereby repealed.

Section 7 This By-law shall come into force and take effect upon third and final reading.

READ A FIRST AND SECOND TIME THIS 21th DAY OF DECEMBER 2005

READ A THIRD TIME AND FINALLY PASSED THIS 21th DAY OF DECEMBER 2005

**SCHEDULE “A”
TO BY-LAW 2005-56**

1. Household Waste Disposal Locations:

The following Waste Bin Sites accept recycled materials and household waste only and are accessible 24 hours a day, 7 days a week:

see attached map of the Waste Bin Sites

SCHEDULE “B”

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

TO BY-LAW 2005-56

**BEING A BY-LAW TO PROHIBIT AND/OR REGULATE
THE DISPOSAL OF RECYCLABLE MATERIALS AT THE BIN SITES AND
LANDFILL SITES IN
THE MUNICIPALITY OF FRENCH RIVER**

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provision creating or Defining Offence	COLUMN 3 Set fines (including costs)
1.	Deposit any recyclable materials in any location within the Municipality except landfill sites or waste bin sites.	Section 2 (a)	305.00
2.	Deposit any non-recyclable materials in waste bins identified for recyclable materials	Section 2 (b)	305.00
3.	Deposit or dispose of any recyclable materials brought in from outside the Municipality of French River whether into publicly or privately owned waste bin and landfill sites	Section 2 (c)	305.00
4.	Deposit or dispose of recyclable materials at the Noelville and Delamere landfill sites after regular hours of operation	Section 2 (d)	305.00
5.	Scavenge, interfere with, remove, exchange or scatter any recyclable materials found at any waste bin sites or Noelville and Delamere landfill sites	Section 2 (e)	305.00
6.	Deposit or dispose household hazardous waste in bins identified for recyclable materials	Section 2 (a)	305.00
7.	Deposit any recyclable materials near or around the waste bin sites or at the gates of the landfill sites	Section 2 (f)	305.00

**“NOTE: the general penalty provision for the offences listed above is section 4 of
by-law 2005-56, a certified copy of which has been filed.”**