

THE CORPORATION OF THE TOWN OF GODERICH
BY-LAW NO. 83 OF 2002

A by-law to amend By-law 83 of 1993 as amended, Solid Waste Management By-law for the Town of Goderich.

Whereas the Town of Goderich has authority pursuant to the Municipal Act RSO 1990 to pass by-laws to establish a system for collecting, removing and disposing solid waste, and to prohibit the placing or deposit of refuse on any highway or public place in the municipality;

And whereas the Council of the Town of Goderich passed by-law 83 of 1993 on the 18th of October 1993 and deems it desirable to amend said by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF GODERICH ENACTS AS FOLLOWS:

1. Article "F", ENFORCEMENT - PENALTY - BY-LAWS HEREBY REPEALED is hereby amended as follows:

Section 1. ENFORCEMENT is deleted and replaced with the following:

"1. ENFORCEMENT

(a) The provisions of this by-law shall be enforced by the By-law enforcement Officer, Special Constable or Police Officer of the Town of Goderich.

(b) In addition to any penalty imposed under Article F2, where ashes and/or garbage and/or residential household rubbish is not collected by reason of the householder having failed to comply with the provisions of this by-law or in the event that any waste is not disposed of as required by this by-law and is left by the householder or occupant to cause an untidy or unsanitary condition, and if after a demand in writing by the Committee, it is not removed, the work necessary to remove it may be performed by the Corporation, and failing payment therefor by the householder within ten (10) days after notice in writing of the cost of such work, the cost may be recovered in a like manner as municipal taxes as provided for in Section 326 of the Municipal Act R.S.O. 1990."

Section 2 PENALTY is deleted and replaced with the following:


"PENALTY

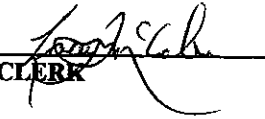
Every person who breaches a section of this by-law is guilty of an offence and subject to a penalty as provided under the "Provincial Offences Act."

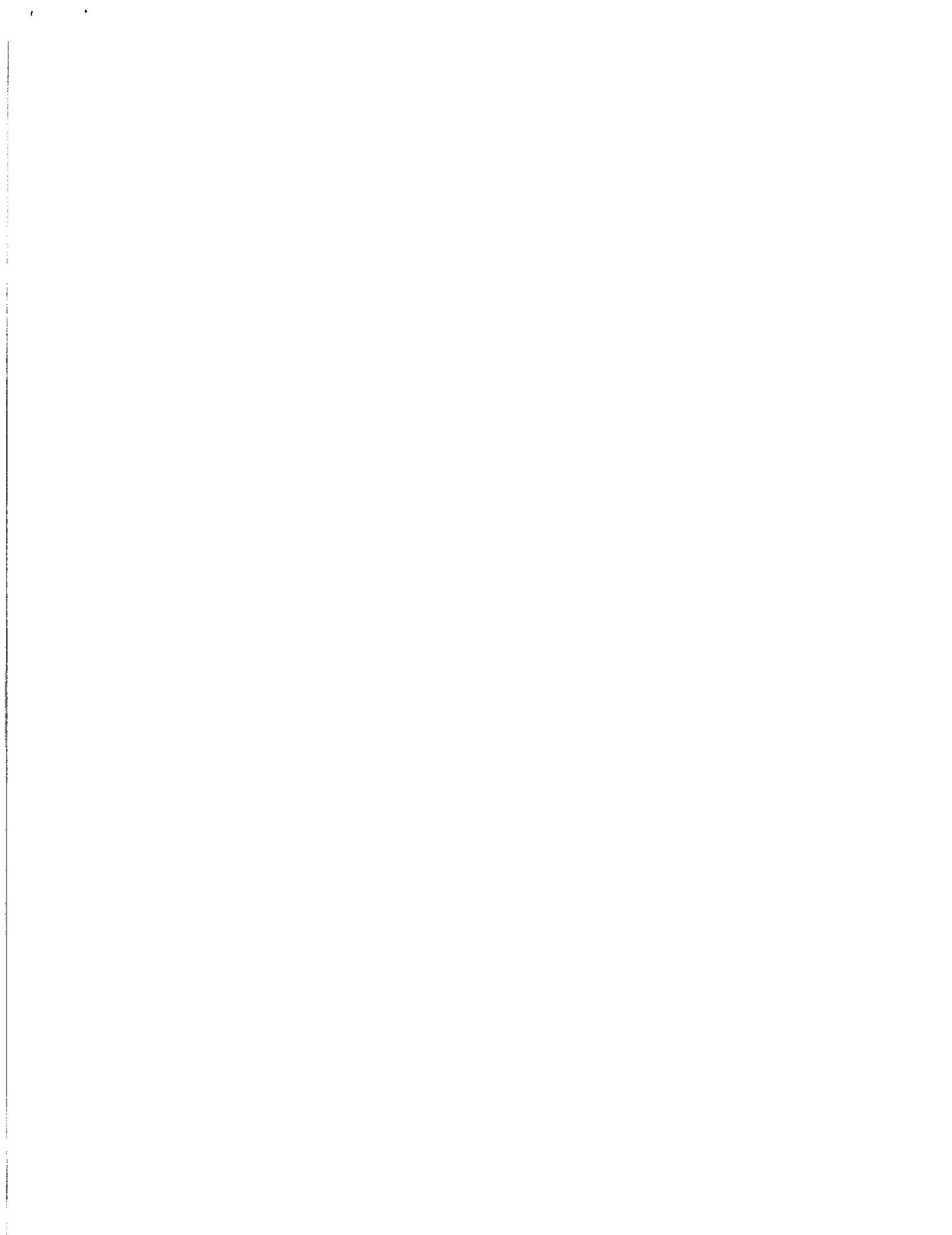
2. Effective Date

This by-law shall come into full force and effect on the date of its passage.

**READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED THIS 23rd
DAY OF SEPTEMBER, 2002**


MAYOR


CLERK



THE CORPORATION OF THE TOWN OF GODERICH

BY-LAW NO. 1 OF 1996

Being a By-Law to amend By-Law #83 of 1993, to implement and regulate a solid waste management system and to provide for the collection of household and/or commercial garbage and other waste material; as allowed to provide uniform standards as to containers and quantities of garbage and other waste materials to be collected; and to provide a fee for collection of garbage and other waste materials in lieu of imposing a tax therefore and to repeal By-Law 35 of 1985.

WHEREAS the Municipal Act R.S.O. 1990 Chapter M.45, Section 210, Subsections 82, 89 and 92 as well as Section 326 and amendments thereto authorize the Council of a local municipality to pass by-laws for establishing and maintaining a system for collection, removal and disposal of garbage and sets out provisions for charging rates for the aforementioned service;

AND WHEREAS Section 314 (1), Subsection 5 of the above mentioned Act authorized by Council of the local municipality to pass by-laws prohibiting the placing or depositing of rubbish or refuse on any highway within the municipality;

AND WHEREAS the Town of Goderich passed By-Law #83 of 1993, on the 18th day of October 1993;

AND WHEREAS the Council of the Town of Goderich wishes to amend, from time to time, the fee for the disposal of solid waste;

AND WHEREAS Council deems it desirable to amend By-Law #83 of 1993, to allow Council to amend, from time to time, the fee for the disposal of solid waste.

NOW, THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF GODERICH ENACTS AS FOLLOWS:

1. By-Law No. 83 of 1993 be amended as follows:

SECTION C #3 - FEES AND SPECIAL COLLECTIONS:

- b) REMOVE:

The words "of \$1.25" after the word "fee".

ADD:

The words "in an amount to be set from time to time, by motion of the Council of the Town of Goderich" after the word "fee".

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS EIGHTH DAY OF JANUARY 1996



MAYOR



CLERK

THE CORPORATION OF THE TOWN OF GODERICH

BY-LAW NO. 83 OF 1993

Being a By-Law to implement and regulate a solid waste management system and to provide for the collection of household and/or commercial garbage and other waste material; as allowed to provide uniform standards as to containers and quantities of garbage and other waste materials to be collected; and to provide a fee for collection of garbage and other waste materials in lieu of imposing a tax therefore and to repeal By-Law 35 of 1985.

WHEREAS the Municipal Act R.S.O. 1990 Chapter M.45, Section 210, Subsections 82, 89 and 92 as well as Section 326 and amendments thereto authorize the Council of a local municipality to pass by-laws for establishing and maintaining a system for collection, removal and disposal of garbage and sets out provisions for charging rates for the aforementioned service;

AND WHEREAS Section 314 (1), Subsection 5 of the above mentioned Act authorized by Council of the local municipality to pass by-laws prohibiting the placing or depositing of rubbish or refuse on any highway within the municipality;

NOW, THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF GODERICH ENACTS AS FOLLOWS:

SECTION "A"

Definitions

1. ASHES

Means the residue of any household fuel after such fuel has been consumed by fire.

2. CORPORATION

Means the Corporation of the Town of Goderich.

3. GARBAGE

Means all rejected, abandoned or discarded waste.

4. HOUSEHOLDER

Means any owner, occupant, lessee, tenant, or any person having use, occupation and/or charge of any dwelling, hotel, restaurant, apartment house, office building, public institution, service station, industrial building, commercial building, store, shopping centre or plaza or any portion thereof respectively in the Corporation of the Town of Goderich.

5. NON-COLLECTABLE WASTE

Shall include the following:

- (a) Manufacturer's waste.
- (b) Any explosive or highly combustible material of any nature whatsoever.
- (c) Broken plaster, lumber or other waste or residue resulting from construction alterations, repairs demolition or removal of any building or structure.

- (d) Sawdust and/or shavings from a commercial and/or industrial establishment.
- (e) Organic matter not properly drained or wrapped.
- (f) Liquid wastes.
- (g) Hay, straw and manure.
- (h) Carcass of any animal.
- (i) Live animals or birds.
- (j) The stock of any wholesaler.
- (k) Any material which has become frozen to the container and cannot be removed by shaking.
- (l) Discarded truck and automobile parts and accessories from automotive service stations or similar automotive establishments.
- (m) Yard Waste - any organic or other like material that is capable of being composted that is from yards or gardens such as plants, leaves, small bushes etc.
- (n) Recyclable Material - any material which a system has been setup within the Town of Goderich, to collect and recycle the material such as steel cans, newspaper, clean cardboard etc.
- (o) Any material that has been banned from Landfilling by the Mid-Huron Landfill Site Board.

6. PERSON

Means any individual human being, any partnership, any body corporate or politic, any agent or trustee and their heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to the law.

7. DISPOSABLE SOLID WASTE

Shall mean and include garbage, refuse and litter but shall not include any non-collectable waste

8. COMMITTEE

Means the Environmental & Works Committee for the Corporation of the Town of Goderich or other such committee as may be appointed from time to time by the Town of Goderich to act as the Environmental & Works Committee or a person designated by the Committee to act on its behalf.

SECTION "B"

CORPORATION RIGHTS AND RESPONSIBILITIES

1. CONTROL, COLLECTION AND DISPOSAL OF WASTE

The corporation will be responsible for the control, collection and disposal of disposable solid waste and non-collectable waste subject to the provisions of this by-law.

- 2. Any waste placed on the boulevard or other designated area for special collection pursuant to the provisions of this by-law, shall be deemed to be under the control and in the possession of the Corporation of the Municipality of the Town of Goderich

as of the time the same is placed on the boulevard or other designated area for collection.

SECTION "C"

PREPARATION OF ASHES

GARBAGE AND OTHER WASTE FOR COLLECTION

1. PREPARATION - GENERAL

- (a) Householders shall deposit in one or more containers, all material defined as "Disposable Solid Waste".
- (b) Garbage shall be drained of all liquids and be securely wrapped and then placed in the prescribed containers.
- (c) Ashes shall be cold when placed in the prescribed containers.

2. HOUSEHOLDER TO PROVIDE PROPER CONTAINERS

Proper containers shall be provided by the householder, as follows:

- (a) All disposable solid waste shall be placed in enclosed waste containers of maximum size of 18 imperial gallons; in plastic disposable waste bags the size of which shall not be greater than 26 inches by 36 inches or in boxes of maximum size of 1 cubic yard and no bag or container shall exceed 20 Kg or approximately 45 pounds in weight.
- (b) All unserviceable and other containers shall be considered waste material and may be collected and disposed of by the Corporation or by any contractor employed by the Corporation to perform the collection of ashes, garbage or other refuse.

3. FEES AND SPECIAL COLLECTIONS

- (a) The waste that shall be collected by the Corporation of the Town of Goderich, its agent or independent contractor shall be only that disposable solid waste as set out in this by-law in an approved container as set out in this by-law and in the quantities as set out in this by-law.
- (b) For each individual container or bag of disposable solid waste there shall be a fee of \$1.25 per container or bag, including all provincial and federal taxes to be paid in advance to the Corporation of the Town of Goderich.
- (c) The payment of such fee shall be made to the Corporation of the Town of Goderich through the purchase of stickers from the Corporation of the Town of Goderich or its authorized agents.
- (d) Each sticker shall be attached to the plastic bag or box. To enhance visibility, the sticker should be positioned so that they may be easily seen by the collectors. When garbage cans are used, the stickers should be attached to a large article positioned at the top of the can so it is easily seen by the collectors. The Town accepts no responsibility for stickers lost or removed from waste bags or containers.

- (e) The monies so collected shall be used by the Municipality to assist in maintaining a system for the collection, removal and disposal of waste and to assist the Municipality in its initiatives to reduce, reuse and recycle all waste products.
- (f) A single piece item of disposable waste will be accepted provided it is capable of being loaded into the collection vehicle and does not weigh more than twice the allowed weight in Section 2 (a) above, provided that the article has two stickers attached.
- (g) Appliances and similar articles will be accepted provided that the article has two stickers attached.

4. PLACEMENT OF CONTAINERS AND BUNDLES FOR COLLECTION

- (a) Containers and bundles set out for collection shall be placed as close to the street curb as possible without obstructing the roadway or sidewalk and in any case, the Committee shall have the power to designate the precise point at which containers and/or bundles shall be placed for collection.
- (b) Containers and bundles shall not be placed on sidewalks without permission of the Committee.
- (c) Containers and bundles shall only be set out for collection on such days and during such hours as are prescribed by the Committee.
- (d) No containers or bundles shall be placed out for collection before seven o'clock in the afternoon (7:00 p.m.) local time, on the day prior to such collection and all containers shall be removed from the street by seven o'clock in the afternoon (7:00 p.m.) local time, of the day established for collection.

Residential collection may commence any time after seven o'clock in the morning (7:00 a.m.) local time. This shall not limit the collector from earlier collections in commercial and industrial areas to avoid traffic and parked vehicles.

- e) No garbage will be put out for collection by a householder other than that generated from his premises and may only be placed on the public property directly fronting the householders property.
- (f) No garbage will be placed out for collection by other than a householder.
- (g) No garbage, ashes, rubbish, etc., are to be placed on the road allowance on the Square and West Street from Waterloo Street to the Square. The Town shall make collection from the alleyway system set up on these two streets.
- (h) No householder shall place in excess of a total of 12 containers and/or bundles for any collection.

The Town of Goderich, from time to time, shall set up systems to handle some of the non-collectable waste for reuse or recycling purposes. All other non-collectible waste shall be the responsibility of the householder to dispose of at the cost of the householder.

SECTION "D"

COLLECTION, TRANSPORTATION AND DISPOSAL OF ASHES, GARBAGE AND OTHER REFUSE

1. COLLECTORS NOT TO ENTER PRIVATE PROPERTY OR PREMISES
 - (a) No collection vehicle shall be required to enter a privately-owned driveway, roadway or lane for the purpose of collecting disposable solid waste from privately-owned property.
 - (b) No collector shall be required to enter any house, apartment house or other building, or ascend or descend any stairway or enter any elevator or hoist or loading platform for the purpose of collecting or removing any disposable solid waste.
2. WASTE NOT COLLECTED BY THE CORPORATION

All waste not collected by the Town shall be prepared for collection and shall be disposed of by and at the expense of the householder by causing the same to be delivered to the Municipal Sanitary Landfill Site.
3. COLLECTION TIMES AND ROUTES

Collection times and routes and alterations thereto may be proposed by the collector engaged by the Corporation, but shall be subject to the approval of the Committee.
4. LIQUID WASTE - DISPOSAL OF

Liquid wastes in general may not be disposed of at the Municipal Sanitary Landfill Site.
5. TRANSPORTING WASTE MATERIAL, ASHES, GARBAGE AND OTHER REFUSE

No person shall haul, convey or transport through or upon any street within the Corporation limits any ashes, garbage, rubbish or other refuse or any non-collectable waste except in properly covered containers or vehicles totally enclosed or covered with canvas or tarpaulins, so fastened down around the edges as to prevent any of the contents falling upon the streets and to protect the same from flies and to prevent the escape of any offensive odours therefrom.

SECTION "E"

MAINTENANCE OF SANITARY CONDITIONS

1. GENERAL PROVISIONS
 - (a) No person shall suffer or permit the accumulation upon his premises or upon lands occupied by him or under his control, or deposit or permit the deposit upon any lands belonging to him or in his occupation or under his control of any garbage, animal or vegetable matter, offal, household rubbish or any other matter or thing except as provided for in this By-Law.

Every householder of any premises within the Corporation shall, as often as necessary to prevent the accumulation of same, cause all garbage and household rubbish to be placed in receptacles and put out for collection as provided for in this By-Law.
 - (b) Garbage, animal or vegetable matter, offal, household

rubbish, or any other matter or thing, shall be stored in vermin-proof containers and the householder shall keep the storage area vermin-free and in a sanitary condition so as to prevent the emission therefrom of obnoxious odours.

- (c) No person shall sweep, throw, cast, lay or deposit or suffer any agent or employee to sweep, throw, cast, lay or deposit any ashes, offal, garbage, fruit skins, cinders, straw, excelsior, store sweepings, shavings, paper, dirt, lawn rakings, broken glassware, handbills, crockery, bottles, carcass of any animals, or rubbish of any kind whatsoever in any lane, street, road allowance, park or other municipally owned land, privately-owned land, creek or watercourse in the Corporation.

SECTION "F"

ENFORCEMENT - PENALTY - BY-LAWS HEREBY REPEALED

1. ENFORCEMENT

The provisions of this by-law shall be enforced by the By-Law Enforcement Officer, Special Constable or Police Officer of the Town of Goderich.

2. PENALTY

- (a) Every person who contravenes any provisions of this by-law is guilty of an offence and is subject to the penalties as prescribed in the Provincial Offences Act, R.S.O. 1990, Chapter P.33.
- (b) The court, wherein the information is first laid, and any court of competent jurisdiction thereafter, may issue an order prohibiting the continuance or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.
- (c) In addition to the penalty provided in Articles F2(a) and F2(b) hereof, where ashes and/or garbage and/or residential household rubbish is not collected by reason of the householder having failed to comply with the provisions of this by-law or in the event that any non-collectable waste is not disposed of as required by this by-law and is left by the occupant to cause an untidy or unsanitary condition, if after a demand in writing by the Committee, it is not removed, the work necessary to remove it may be performed by the Corporation, and failing payment therefor by the householder within ten (10) days after notice in writing of the cost of such work, the cost may be recovered in a like manner as municipal taxes as provided for in Section 326 of the Municipal Act, R.S.O. 1990.

3. BY-LAW HEREBY REPEALED

- (a) The following by-law is hereby repealed:

By-Law No. 35 of 1985.

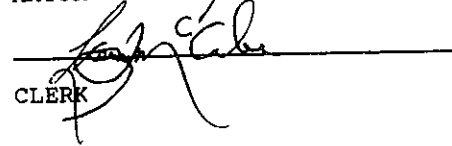
4. EFFECTIVE DATE

This by-law shall come into full force and effect on January 1, 1994.

READ A FIRST AND SECOND TIME ON THE FOURTH DAY OF OCTOBER 1993.
READ A THIRD TIME AND FINALLY PASSED THIS EIGHTEENTH DAY OF OCTOBER
1993

A handwritten signature in cursive script, appearing to read "E. J. ...", written over a horizontal line.

MAYOR

A handwritten signature in cursive script, appearing to read "L. ...", written over a horizontal line.

CLERK