

Date: MONDAY JULY 26TH, 2004

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THE CORPORATION TOWN OF MATTAWA

COMMITTEE: ENVIRONMENTAL SERVICES

CHAIRPERSON: COUNCILLOR P. DUPRAS

DEPT. HEAD: MARC MATHON, P. ENG

TITLE: RECYCLING BY-LAW

Draft By-Law Item Policy Recommendation

Mayor D. Backer and Members of Council:

With the development of a new recycling program involving curbside collection in the Town of Mattawa, there needs to be a set of rules for people to follow in order to take part in the program. As the Landfill Site Use By-law identifies recyclable materials as not permitted for disposal in the landfill site, the Recycling Collection By-law provides for the disposal of the recyclable materials.

The attached By-law outlines the rules to be followed for people to have their recyclable materials collected at curb by the municipal contractor. Further, it also sets the rules for the collection contractor in carrying out his duties. Similar By-laws are being presented for adoption in Mattawan Township and Papineau-Cameron Township.

Recommendation:

That By-law 04-15 be approved by Council which provides for the disposal of recyclable materials.

Respectfully submitted

Councillor P. Dupras

THE CORPORATION OF THE TOWN OF MATTAWA

BY-LAW NUMBER 04-15

RECYCLING AND RECYCLING COLLECTION BY-LAW

BEING a by-law for establishing and maintaining a system for the collection, removal and disposal of recyclable material and for contracting with any person for the collection, removal and disposal by him of recyclable materials upon such terms and conditions as may be considered expedient.

WHEREAS the Municipal Act, S. O. 2001, c. 25 as amended provides municipalities to establish and maintain a system for the collection, removal and disposal of recyclable, and for contracting with any person for the collection, removal and disposal by him of recyclable material upon such terms and conditions as may be considered expedient, and;

WHEREAS the Council of the Corporation of the Town of Mattawa deems it desirable to establish and maintain a system for the collection, removal and disposal of recyclable materials, and for contracting with any person for the collection, removal and disposal by him of recyclable materials upon such terms and conditions as may be considered expedient within the Town.

NOW THEREFORE, the Council of the Corporation of the Town of Mattawa enacts as follows:

1. Definitions:

For the purpose of this By-law, the following words shall have the meaning given herein:

- a) "Ashes" shall mean the incombustible residue of any fuel that has been burned and shall include soot or other cleaning of chimneys.
- b) "Dwelling" shall mean any building or other place occupied or used as a place of abode, other than a hotel, restaurant, apartment house, tenement, motel or building which accommodates more than two separate dwelling units.
- c) "Garbage" shall mean waste food or any putrescible organic matter resulting from the preparation, consumption of edible food excluding night soil.
- d) "Householder" shall mean any owner, occupant, lessee, tenant or other person in charge of any dwelling, hotel, restaurant, apartment house, office building, public institution or other premises.
- e) "Domestic" shall be defined as the disposing of domestic refuse originating from residences containing two or less dwelling units.

- f) "Commercial" shall be defined as the disposing of refuse originating from properties containing more than two dwelling units.
 - i) All refuse originating from industries, businesses and institutions will be considered as commercial.

- g) "Commercial Swill" shall mean the undrained refuse resulting from the operation of any commercial establishment and without restricting the generality of the foregoing shall include any non-solid refuse from restaurants and hotels.

- h) **“Public” Works Superintendent”** shall mean the authorized agent of the Town of Mattawa.
- i) **“Uncollectible Waste”** shall mean any waster or matter other than specified recyclable materials, and notwithstanding and without restricting the generality of the foregoing shall include:
- (i) **Weighty or bulky articles such as stoves, furnaces, bed springs, furniture, etc.**
 - (ii) **Celluloid cutting, moving picture films, oil soaked rags and any explosive or highly combustible material of any nature whatsoever.**
 - (iii) **Tires, batteries, used oil or gasoline containers or any waste material resulting form the sale of gasoline or oil or the waste material resulting from the repair of any automobile truck or vehicle.**
 - (iv) **Construction debris from the construction, demolition or alteration of any structure.**
 - (v) **Natural soil, earth, sand, clay, gravel loam stones or any similar excavated material.**
 - (vi) **Swill or any other organic matter not properly drained or wrapped.**
 - (vii) **Sawdust and/or shavings.**
 - (viii) **Used oil or any liquid waster.**
 - (ix) **Bandages, poultices, dressings, and other such waste resulting from treatment in hospitals, clinics.**
 - (x) **Hay, straw and manure.**
 - (xi) **Night soil.**
 - (xii) **Carcass of any animal.**
 - (xiii) **Ashes.**
 - (xiv) **Rubbish**
 - (xv) **Garbage**
 - (xvi) **Any materials which has become frozen to the receptacle and cannot be removed by shaking.**

And, for the purpose of the By-law uncollectible waste will not be collected on regularly scheduled recycling collection days.

- j) **“Rubbish”** shall include the sweepings and cleanings from yards, basements, sheds or other places, and branches cut trees or shrubs, boxes, barrels, or other containers, excelsior and other packing materials.
- k) **“Street”** shall mean any public highway, road, street lane, alley, square, place, thoroughfare, footpath or way within the Town.
- l) **“Town”** shall mean the Corporation of the Town of Mattawa.
- m) **“Contractor”** shall be the person or firm approved and authorized by Council to collect garbage within the Town.

- n) "Recyclable Materials" shall mean all waste and refuse that is known to be recyclable material and as listed in the Recycling Collection policy as amended from time to time.
2. For the purpose of this By-law, the Contractor will collect only recyclable material from residential and commercial properties within the Town of Mattawa that complies with this By-Law.
 3. No persons shall deposit or cause to be deposited any recyclable materials or uncollectible waste or rubbish within the Town limits. It shall be unlawful for any person to throw or deposit or cause to be thrown or deposited recyclable, uncollectible waste or rubbish in or upon any vacant lot or backyard or to store or keep the same otherwise than in cans or receptacles as required under this By-law. No person shall pick over, interfere with, disturb, remove or scatter any article or articles placed for removal whether such article or articles are contained in covered containers or otherwise, except and until the same is removed as herein provided.
 4.
 - a) Every occupier of a dwelling where recyclable material is created shall provide upon such premises, in a suitable place, sufficient recyclable containers composed of non-corrosive and non-biodegradable material and being no deeper than 24 inches and having a weight of no more than 50 lbs.
 - b) Every commercial client shall be subject to the same rules as in Article 4a).
 - c) Domestic clients shall be picked up once every two weeks (26 weeks per year).
 - d) Commercial clients shall be picked up once per week (52 weeks per year).
 5. It shall be the duty of the person receiving rent for a furnished or unfurnished apartment to provide a common place where the recyclable material receptacles as described in Section 4 shall be properly stored to facilitate collection by the appropriate agency as hereinafter provided.
 6. It shall be the responsibility, under the provisions of this By-law, for each and every person to properly place, for ultimate disposal, all recyclable material in the manner set forth in the following rules, namely:
 - a) Recyclable materials shall be drained of all liquids and be securely placed in a proper receptacle supplied by the person concerned. No ashes, uncollectible waste or rubbish may be placed therein.
 - b) All paper fibre materials shall be bound or kept together in such a manner that it can be removed from the container all together.
 - c) All cardboard or board fibre shall be broken down and bound or kept together in such a manner that it can be removed from the container all together.
 - d) Rubbish and uncollectible waste as defined in Section 1 of the By-law shall be removed by the person concerned at his own expense at least once per week. Pending such removal, the material referred to in this paragraph shall be stored by the said person in covered wooden boxes and/or covered containers to prevent such material from being spread.

- 7) **Placing Receptacles for Collection:**
- a) Receptacles set out for collection shall be placed as close as possible to the edge of the roadway without obstructing the roadway, sidewalk or footpath and shall be in a position easily accessible to the collector.
 - b) Material for collection shall not be placed on a highway or public property before six (6) p.m. on the day preceding collection and shall be placed at the prescribed location for collection not later than seven (7) a.m. on the collection day in the Town of Mattawa.
 - c) Empty receptacles as well as all material which the collector refuses must be removed from the highway or from public property by the householder of the premises from which they came before eight (8) p.m. on the same day that the recyclable material is collected or the material refused.
8. No person shall obstruct any street, as defined in this By-law or other public place by placing thereon any recyclable materials, recycling receptacles, refuse of any sort or other encumbrances. No containers shall be permitted to remain on the street or in front of the premises served for any unreasonable length of time after collection has been affected.
9. Any material or containers containing materials, not in conformance with this By-law or containing materials not in conformance with this By-law shall not be collected. Such uncollected materials shall be left for the owner to remove it from curbside to make good the non-conformance and resubmit for collection at the next scheduled collection day.
10. For the purpose of the said collection, the Contractor, with the approval of the municipality may direct that the Town be divided into as many collection zones or districts as may be deemed necessary for the convenient collection of recyclable material and may fix a day or days on which the same shall be collected in the said districts.
11. Under no circumstances shall an employee performing this normal duties as a garbage collector enter any building or ascend or descend any interior or exterior stairway, elevator or hoist for the purpose of removing from or returning thereto any recyclable material or receptacle for same. Nor shall he demand any gratuity gift for consideration for services rendered in addition to his regular compensation for performing such duties.
12. Where receptacles containing liquids of the consistency of swill, carcasses of dogs, cats or other animals are encountered, the collectors shall leave the same and report as soon as possible to the Medical Officer of Health or his representative who shall cause the same to be rectified or removed at the expense of the person concerned.
13. No person shall remove or convey or cause or permit to be removed or conveyed, any recyclable materials, upon or along any public street or any other public place within the Town except in vehicles properly covered, leakproof, metallic containers properly covered with tarpaulins or canvass, and fastened down around the edges so as to prevent any of the contents falling therefrom.
14. Collection may be refused to any person known to have a troublesome dog on the premises, unless such dog is safely secured at a reasonable distance away from the location of the garbage containers.

15. For the purpose of this By-law each apartment, or place of abode shall be considered as a separate dwelling and each dwelling unit shall have a separate recyclable material receptacle except under the following conditions: Owners of apartment buildings may be permitted to utilise a centralised pickup station if it is constructed and maintained to the satisfaction of the contractor.
16. It shall be the duty of occupiers of premises to maintain the recyclable material receptacle and the immediate vicinity of such receptacle in a clean and sanitary condition.
17. No person shall burn or cause to be burned any garbage, recyclable material refuse or waste material.
18. Penalty:
Every person who contravenes any of the provisions of this By-law is guilty of an offence and shall, upon the conviction thereof, be subject to a penalty not to exceed \$1,000.00, exclusive of costs, for each offence and said penalty shall be recoverable under the Provincial Offences Act, R.S.O., 1990.
19. All questions pertaining to the interpretation of this By-law shall be arbitrated by the Public Works Superintendent.
20. Force and Effect
That this By-law shall come into force and take effect on the 1st day of July 2004.

READ, PASSED and ADOPTED this 26th day of July 2004.



Mayor



Clerk

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