

**THE CORPORATION OF THE TOWNSHIP OF COLEMAN**

**BY-LAW NO. 13-43**

**Being a By-Law to establish a system for the  
COLLECTION AND DISPOSAL OF GARBAGE AND OTHER REFUSE  
AND TO DESIGNATE CERTAIN LANDS FOR GARBAGE DISPOSAL**

**WHEREAS** Section 8 of the Municipal Act 2001 states a municipality has the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

**AND WHEREAS** Section 11 (1) (3) of the Municipal Act 2001 states a single-tier municipality may pass by-laws respecting matters within the following spheres of jurisdiction: 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 garbage, ashes and other refuse.

**AND WHEREAS** the Council deems it desirable to regulate the disposal of garbage by way of landfill bans and recycling

**AND WHEREAS** a public meeting under the Municipal Act in the matter of implementing a recycling program, including collection of curb side recycled material, disposing of the collected recyclable material on a by-weekly basis was approved by Council on November 12, 2013;

**NOW THEREFORE** the Municipal Council of the Corporation of the Township of Coleman hereby enacts as follows:

1. ***DEFINITIONS:***

In this By-Law:

- a) “*Ashes*” shall mean the solid residue of any fuel for heating or cooking purposes, and cleanings from chimneys;
- b) “*Corporation*” shall mean the Corporation of the Township of Coleman
- c) “*Disposal Site*” shall mean those lands owned and operated by the Corporation and designated as lands for garbage disposal as more particularly described in Section 14 of this by-law;
- d) “*Dwelling*” shall mean any building or place of abode other than a hotel, motel, restaurant, apartment house, tenement or building which accommodates more than two separate dwelling units;
- e) “*Engineer*” shall mean the engineer appointed by the Corporation of the Township of Coleman, or his properly appointed representatives;
- f) “*Garbage*” shall mean all rejected, abandoned or discarded household waste excluding recyclable materials, either animal or vegetable, wearing apparel, grass cuttings, garden refuse and other refuse matter, but shall not include weighty or bulky articles such as stoves, furnaces, bed springs, furniture boxes, and barrels, or anything of a similar nature;
- g) “*Garbage Collector*” shall mean that person or persons appointed from time to time by the Corporation to carry out the duties of the collection and disposal of garbage, recyclables ashes and other refuse and shall include, without limiting the generality of the foregoing, the Engineer or his properly appointed representatives;
- h) “*Householder*” shall mean any owner, occupant, leasee, tenant, or any person in charge of

any dwelling, hotel, motel, restaurant, apartment house, office building, public institution, shop, store or other building, or portion thereof respectively;

i) “*Non-Collective Waste*” shall mean any waste or material other than garbage or ashes and shall include, without limiting the generality of the foregoing:

- i) Manufacture waste, including wire;
- ii) Oil soaked or gasoline soaked absorbent material and any explosive or highly combustible material of any nature whatsoever;
- iii) Broken plaster, lumber or other waste or residue resulting from the construction, alteration, repair, demolition or removal of any building or structure;
- iv) Sawdust and/or shavings;
- v) Organic matter not properly drained or wrapped;
- vi) Liquid waste;
- vii) Bandages, poultices, dressings and other such waste;
- viii) Hay, straw and manure;
- ix) Night soil;
- x) Carcass of any animal
- xi) Live animals or birds;
- xii) Furniture;
- xiii) Stock of any wholesaler which shall be regarded as manufacture waste;
- xiv) any material which has become frozen to the receptacles and cannot be removed by shaking;
- xv) discarded truck and automobile tires;
- xvi) Brush
- xvii) Tree branches or roots exceeding 3 inches in diameter;
- xviii) Such other material as may, from time to time, be designated by the Corporation as non-collectible waste;

j) “*Street*” shall mean any travelled road, street, lane, alley, square, place, thoroughfare or way.

k)

a) Mixed Paper	Includes newspaper, inserts, junk mail, magazines, catalogues, phone books, writing and computer paper, glossy flyers, egg cartons, coloured paper, clean packaging paper and paperback books
b) Boxboard	Cereal boxes, cardboard tubes and similar material flattened
c) Corrugated Cardboard	Has a wavy corrugation in middle. Must be flattened before collection by the recycling collection vehicle. It includes brown paper and clean pizza boxes.
d) Aluminum Cans	Includes beverage and food cans
e) Glass, Clear & coloured	All food and beverages bottles and jars only
f) Plastics	Containers designated with recycling symbol and # 1 or # 2
g) Electronics	Assorted electronics, including, TV’s computers, printers etc.

- 1) Small business shall mean a business characterized by the following eligibility criteria and fewer than 5 employees
  - \* A for-profit business or social enterprise
  - \* Based within the Township of Coleman limits
  - \* Actively pursuing green business practices

2. ***COLLECTIONS:***

Householders will have a weekly pick-up. In addition, once a year at times posted and advertised by the Municipality, furniture and larger tree branches or roots not exceeding 18 inches in length may be placed out for collection as well as stoves, fencing, furnaces, bed springs, mattresses, boxes, barrels and general household items of a similar nature, but not including items listed under 1(i) except furniture, tree branches, waste or residue from alterations or repairs to buildings as described herein.

Householders will also receive one curbside pickup for recyclable material every second week in conjunction with the present garbage pick-up according to a schedule fixed by the Engineer;

Small Businesses will have a by weekly pick-up for recyclable material every second week according to a schedule fixed by the Engineer;

Recyclable materials left at the curb side shall be separated from Solid Waste and placed in an approved 18 gallon recycling bin provided to the householder; and will be provided an additional recycling bin if required at no cost to the householder

3. ***RECEPTACLES:***

a) *For Garbage*

Every householder shall provide and constantly maintain in proper order and repair for the purpose of putting out for collection of garbage a sufficient number of covered metal or plastic containers. Every such container shall be provided with proper handles and a water tight cover, which cover shall at all times remain in position so as to preclude the ingress and egress of flies, or the escape of odors there from. No container shall be greater than 36 inches in height or have a diameter larger than 18 inches, or weigh more than 50 lbs. including contents. Approved plastic bags not larger than 36 inches X 26 inches and properly tied at the top may be used.

For Recyclables

Every householder and small business shall use the approved recycling bin provided to them by the Municipality for recyclable materials

b) *For Ashes*

Every household shall provide and constantly maintain in proper order and repair for the purpose of putting out for the collection of ashes a sufficient number of cardboard containers having a capacity of not greater than one bushel or 1 1/4 cu. Ft.

- c) All other receptacles which do not conform to Section 3(a) and 3(b) shall be considered waste material and shall be collected and disposed of by the Township.

4. ***PREPARATION OF GARBAGE, ASHES AND OTHER MATERIAL FOR COLLECTION:***

- a) Householders shall deposit in one receptacle or set of receptacles all material defined as “ashes” and in another receptacle or a set or receptacles all material defined as “garbage” as indicated in Section 1 (a) and 1 (f) above, and in the municipal approved receptacle or a set of receptacles all material defined as “recyclable materials” as indicated in Section 1 (k) and the contents of any

garbage receptacle or recycled receptacles, shall not be deposited or mixed with the contents of any ash or recycled material receptacles, or vice versa, but each class of material as specified shall be kept separately. Small business shall deposit in the municipal approved receptacle or set of receptacles all material defined as “recyclable materials” as indicated in Section 1 (k) and the contents of any garbage receptacle or recycled receptacles, shall not be deposited or mixed with the contents of any ash or recycled material receptacles, or vice versa, but each class of material as specified shall be kept separately.

- b) Garbage shall be drained of all liquids and be securely wrapped and then placed in a receptacle conforming with Section 3(a) herein.
- c) Ashes shall be cold and placed in property receptacles, conforming with Section 3(b) herein.
- d) Such refuse as outlined in garbage in Section 1 Item (f) and material of like nature will be collected as garbage if securely tied in compact bundles or parcels not exceeding three feet in length or two feet in any other dimension or weighing over fifty lbs. or placed in sufficient receptacles as specified herein so that they will not be scattered.
- e) All Cardboard cartons, crates, barrels and similar containers shall be knocked down flat and placed in the recyclable receptacle. No such bundle shall weigh more than fifty pounds or have a dimension greater than three feet.
- f) Materials classified as “non-collectible” under Section 1(i) of this by-law, or materials placed for collection in such manner or in such containers as to be at variance with the terms and conditions set forth in this by-law shall be refused by the collector, and must be removed and disposed of by the owner at his own expense.
- g) Grass clippings and other garden debris must be placed in proper receptacles as set out in Section 3(a) herein.

5. ***PLACING RECEPTACLES FOR COLLECTION***

- a) Garbage, recyclables and ashes in proper receptacles as in Section 3(a) and 3(b) above will be picked up by the garbage collectors from the usual location for such receptacles, i.e. near the street line at the driveway side of the premises, and not more than 20 feet from the edge of the road.

6. ***AMOUNT OF COLLECTIBLE WASTE***

The number of receptacles including plastic bags and tied bundles, put out from any house or multiple dwelling shall not exceed two for each family. Units requiring more than this amount of collection shall make private arrangements for removal.

7. ***GENERAL NUISANCE***

- a) No person shall suffer or commit within the township the accumulation upon his premises or upon land 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, recyclables, animal or vegetable matter, household waste or any other matter or thing which may endanger public health.
- b) No person shall sweep, throw, cast, lay or direct 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, hand bills, crockery, bottles, carcass of any animal, or rubbish of any

kind whatever, or any lane, street, roadway or public place in the township.

- c) No person shall keep a garbage dump or receptacle or repository for waste and recyclable material on his premises in such condition or in such a location that the same is a nuisance or emits foul or offensive odor or harbours or attracts rats or other vermin or insects. The body of a dead animal must be properly disposed of by the owner.
- d) No person shall permit garbage, recyclable material bottles, ashes or other refuse including paper of any description, to be blown or dropped from the premises occupied by him or from a vehicle owned or operated by him onto any lane, street, creek, roadway or other public property in the Township of Coleman.
- e) No person shall pick over interfere with, disturb, remove or scatter any article placed for removal, whether contained in a covered container or otherwise except and until the same is removed, as herein provided, that the householder shall be permitted access to any covered container placed by the said householder for garbage collection by the Township for the purpose of depositing therein additional garbage prior to the said containers' contents being collected or removed by the Township.
- f) No person shall be permitted to start a fire or fires within the disposal site. Scavenging shall not be permitted.

#### 8. ***DISPOSAL OF NON-COLLECTIBLE WASTE***

Some non-collectible waste may be delivered at the disposal sites with permission of the Township. Any person wishing to dispose of non-collectible waste shall apply to the Township for written permission, and on obtaining such permission shall haul such waste to the disposal site at his own expense, and shall deposit the same in accordance with the directions of the Township or the employee in charge of the disposal sites acting under his direction, and shall pay such fees as may be imposed by Council.

#### 9. ***DISPOSAL OF RECYCLABLE WASTE AT DISPOSAL SITE***

Any person wishing to dispose of recyclable waste at the disposal site shall haul such waste to the disposal site at his own expense, and shall prepare such recyclables in a clear plastic bag not larger than 36 inches X 26 inches and shall properly tie the top and shall deposit the recyclables in accordance with the directions of the Township or the employee in charge of the disposal site acting under his/her direction and no fees are imposed.

#### 10. ***WASTE NOT COLLECTED BY THE CORPORATION***

All garbage, recyclables, ashes and other refuse not required to be collected by the Township garbage collectors as hereinbefore provided, shall be prepared for collection as hereinbefore set out and shall be disposed of by and at the expense of the householder or other party responsible, by conveying the same respectively to the Township disposal site and he shall deposit the same in accordance with the directions of the township or of the employee in charge of the disposal site acting under its direction.

#### 11. ***TRANSPORTING GARBAGE, RECYCLABLES, ASHES AND OTHER REFUSE***

- a) No person shall convey through the streets within the Township limits any garbage, recyclables, ashes or other refuse or any non-collectible waste except in properly covered containers or in vehicles totally enclosed or covered with canvas or tarpaulin, so fastened down around the edges as to prevent any of the contents falling upon the streets and to protect the same from lies and to control, as far as possible, the escape of any offensive odors therefrom.

- b) Any person who contravenes Section 10(a) and consequently causes waste materials to fall upon any street, shall pick the same immediately; otherwise Township employees will pick up the material and the guilty party, in addition to other penalties imposed herein, shall be charged with the expense incurred in so doing.
- c) Any person conveying to the disposal site garbage, ashes, recyclables, other refuse or non-collectible waste pursuant to Section 8 herein, shall deposit same only in an area designated for private disposal by the Corporation.

**12. TIPPING FEES**

CFC's - CFC untagged	\$44.00 ea
CON - Construction/demolition	\$4.00/cu.yd
BULK - Bulky Furniture	\$4.00/cu.yd
DOM - Domestic Garbage	\$2.00/cu.yd
HAZ - Hazardous Material	\$25.00/cu.yd
Wood - Wood Products	\$4.00/cu.yd
Additional Garbage Bags	\$1.00/bag
Recyclable Materials (must be in tied clear plastic bag)	\$0.00/bag
<b><i>TIRES</i></b>	
less than 35"	\$5.00 ea
35" to 49"	\$10.00 ea
more than 49"	\$20.00 ea

An \$8.00 administration fee will be added to unpaid charges. No administration fee will be added if charges are paid at the Municipal Office before the end of the month indicated on the ticket.

**13. TOWNSHIP COLLECTORS NOT TO ENTER HOUSES, ETC.**

- a) No Township garbage collector shall be required to enter any house, apartment house, other buildings for the purpose of collecting or removing any ashes, garbage or other refuse, nor ask or receive any fee or gratuity in addition to his wages for services rendered.
- b) No Township garbage collector shall be required to remove any garbage, or other refuse from a chute.
- c) The contractor for recyclable material shall provide all necessary equipment and labour for collection, at his or her expense, and every kind of labour, machinery, plant, structures, ways, materials, appliances, articles and things necessary for the due execution of all the work set out in the agreement.

14. ***RESPONSIBILITY OF GARBAGE COLLECTOR***

- a) The collector shall provide all necessary equipment and labour for the collection, removal and transportation and unloading of garbage and waste materials from the premises and areas designated by Council.
- b) The collector shall be responsible for the collection, removal, transportation and unloading of garbage and waste materials at the waste disposal sites designated by Council from the areas and premises designated by Council from time to time. The collector shall collect the garbage in the barrels or other containers from all parks, parkettes, road ends under the control of the Township on standard pick-up days applicable to the area.
- c) The contractor for recyclable material shall provide all necessary equipment and labour for collection, at his or her expense, and every kind of labour, machinery, plant, structures, ways, materials, appliances, articles and things necessary for the due execution of all the work set out in the agreement.
- d) The said collector and/or contractor shall from time to time fix the routes of collection and the day and place of collection for each such route, subject to the approval of the Engineering Committee.

15. ***RESPONSIBILITIES OF CORPORATION AND GARBAGE COLLECTOR***

- a) It shall be the duty of the Township Clerk and of the Medical Officer of Health, and everyone acting under the direction of either of them, to enforce the observance of the provisions of this by-law and to prosecute every person who violates the Provisions thereof.
- b) It shall be the duty of the garbage collector and/or contractor to enforce the observance of those Sections of this by-law which affect the collection of garbage by the employees of the collector and/or contractor.

16. ***DISPOSAL SITE***

The following lands are hereby designated as the disposal site within the meaning of Section 1(e) herein, namely, those lands situate, lying and being in the Township of Coleman, in the District of Temiskaming, comprising the North Part Lot 14, Con. 4, Parcels 15585SST and 5628NND.

17. ***PENALTIES***

Any person who contravenes any of the provisions of this by-law is guilty of an offence and is liable to a fine not exceeding \$500.00 for each offence or in default to imprisonment for a period not exceeding sixty days pursuant to the provisions of the Summary Convictions Act. R.S.O. 1970. Chapter 450.

18. By-Law No. 04-30 is hereby rescinded.

**READ A FIRST AND SECOND TIME** this 18<sup>th</sup>, day of November, 2013.

**READ A THIRD TIME AND FINALLY PASSED** this 18<sup>th</sup>, day of November, 2013.

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MAYOR

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CLERK-TREASURER

**Township of Coleman  
Part 1 Provincial Offences Act  
Set Fines Waste By-Law 13-43**

**COLUMN 1**

**COLUMN 2    COLUMN 3**

<b>Item</b>	<b>Short Form Wording</b>	<b>Provision creating or defining offense</b>	<b>Fine</b>
<b>1.</b>	Failure to provide/maintain disposable container	s. 3(a)	\$150.00
<b>2.</b>	Placing inappropriate materials for garbage/recyclables roadside pick-up	s. 4(a)	\$150.00
<b>3.</b>	Permit accumulation of waste on property	<b>s. 7(a)</b>	\$150.00
<b>4.</b>	Leaving or allowing Disposal Waste Material to remain on roadside	s. 7(b)	\$150.00
<b>5.</b>	Keep garbage dump or receptacle in poor condition or location	s.7(c)	\$150.00
<b>6.</b>	Dumping Waste Material on Township Public property	s. 7(d)	\$150.00
<b>7.</b>	Scavenging material for roadside pickup	s. 7(e)	\$150.00
<b>8.</b>	Start fire within Disposal Site	s. 7(f)	\$150.00
<b>9.</b>	Use Landfill Site without authorization	s. 8	\$150.00
<b>10.</b>	Place waste at Landfill Site, fail to pay rates	s. 8	\$150.00
<b>11.</b>	Place waste at Landfill Site, not in designated areas	s. 9	\$150.00
<b>12.</b>	Failure to secure waste in a Transport Vehicle	s. 11(a)	\$150.00

NOTE: The general penalty provision for the offences listed above is section 17 of by-law 13-43, a certified copy of which has been filed and s. 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended.