



By-Law No. 2024 - 08

Being this by-law to regulate landfill site within the Township of Dubreuilville.

WHEREAS Section 10 subsection (1), of the Municipal Act, 2001, S.O. 2001, c.25 provides that a single-tier municipality may provide any service or thing the municipality considers necessary or desirable for the public;

AND WHEREAS Section 11 subsections (3) (3) of the Municipal Act, 2001, S.O. 2001, c.25 provides for the establishment of a waste management system within the Township of Dubreuilville;

AND WHEREAS Section 127 subsections (a) and (b) of the Municipal Act, 2001, S.O. 2001, c.25 provides for the regulation of clearing and cleaning land including refuse and debris by the owner or occupier of said land;

AND WHEREAS it is in the interest of society as a whole and the citizens of the Town of Dubreuilville in particular that the amount of waste material generated by the community be reduced and whenever possible such materials be re-used or recycled, and that the environment be protected from contamination from hazardous substances;

WHEREAS the Municipal Act provides authority for by-laws to be passed for establishing and maintaining a system for the collection, removal and disposal of garbage, recycling and other refuse.

SCOPE

1. The provisions of this by-law shall apply to all persons, lands, structures, and uses within the boundaries of The Corporation of the Township of Dubreuilville.
2. No person shall dispose of, or cause to be disposed, any waste, debris or refuse except in conformity with the provisions of the by-law and schedules annexed thereto.
3. This by-law shall not be effective to relieve, reduce or mitigate any person from compliance with any provision of the Public Protection and Promotion Act, R.S.O. 1990, c.H.7 or the Environmental Protection Act, R.S.O. 1990, c.E.19 as amended, or any regulation or order prescribed by the Medical Officer of Health or the Minister of Environment and Climate Change.

INTERPRETATION

In this by-law:

1. Words importing the singular number only, include more persons, parties or things of the same kind than one and the converse; and
2. A word interpreted in the singular number has a corresponding meaning when used in the plural;
3. "May" shall be constructed as permissive;
4. "Shall" shall be constructed as imperative;

5. "Includes": the words - "include – includes – including and included" are not to be interpreted as restricting or modifying the words or phrases which precede them;
6. It is declared that if any section, sub section or part or parts thereof be declared by any Court of Law to be bad, illegal, or ultra vires, such section or part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such;
7. The schedules referred to in this by-law form an integral part of it. Each entry in a column of a schedule is to be read in conjunction with the entry or entries across from it;
8. Where the expression of time occurs, the time referred to is intended to be the system of time keeping in force in the municipality at the time of the by-law;
9. All words and personal pronouns relating to words contained in this by-law include the male and female;
10. Article, section and paragraph headings are inserted solely for ease of reference;
11. References within this by-law to the titles of the Corporation's employees are references to the positions that held those titles at the time this by-law was enacted. Where a corporate restructuring has occurred such that there is no longer a person within the organization who holds a referenced title, the reference is to the person who undertakes the duties of the title holder at the time this by-law was enacted. In any case of doubt, the Chief Administrative Officer for the Corporation shall delegate the authority to the appropriate person and direct this by-law be amended to reflect the new title.

DEFINITIONS

"Commercial Enterprise" means any establishment set up for the purposes of providing goods and/or services for profit but does not include manufacturing or industrial enterprises.

"Commercial Premises" means a specific property under registered ownership, including all buildings and accessory structures thereon, at which a commercial enterprise is conducted.

"Commercial Waste" means waste incidental to a commercial enterprise, including waste produced directly from a retail activity.

"Construction Materials" means pieces of plaster, lumber, broken concrete, excavated material, wall board, siding or any other waste material resulting from the construction, alteration, repair, demolition or removal of/from any building or structure, including a fence.

"Contaminate Soil" means soil which has been exposed to, contains, is saturated with or is in any way polluted with a foreign element which the Ministry of the Environment and Climate Change had directed may be disposed of in a municipal waste disposal.

"Hazardous Waste" means waste and materials defined within the Environmental Protection Act, R.S.O. 1990, c.E. 19 and specifically R.R.O. 1990, Reg. 347: General – Waste Management as hazardous waste and shall include:

1. Hazardous industrial waste;
2. Acute hazardous waste chemical;
3. Hazardous waste chemical;
4. Severely toxic waste;
5. Ignitable waste;

6. Corrosive waste;
7. Reactive waste;
8. Radioactive waste, except radioisotope wastes disposed in a landfill site in accordance with the written instructions of the Canadian Nuclear Safety Commission;
9. Pathological waste;
10. Leachate toxic waste;
11. PCB waste;
12. Hauled sewage;
13. Waste from the operation of a sewage works subject to the Ontario Water Resources Act where the works;
 - a) Is owned by a municipality;
 - b) Is owned by the Crown or the Ontario Clean Water Agency, subject to an agreement with a municipality under the Ontario Water Resources Act, or
 - c) Receives only waste similar in character to the domestic sewage from a household.
14. Domestic waste;
15. Incinerator ash resulting from the incineration of waste that is neither hazardous waste nor liquid industrial waste;
16. Waste that is a hazardous industrial waste, hazardous waste chemical, ignitable waste, corrosive waste, leachate toxic waste or reactive waste and that is produced in any month in an amount less than five kilograms or otherwise accumulated in an amount less than five kilograms;
17. Waste that is an acute hazardous waste chemical and that is produced in any month in an amount less than one kilogram or otherwise accumulated in an amount less than one kilogram;
18. An empty container or the liner from an empty container that contained hazardous industrial waste;
19. An empty container of less than twenty litres capacity or one or more liners weighing, in total, less than ten kilograms from empty containers that contained acute hazardous waste chemical;
20. The residues or contaminate materials for the clean-up of a spill of less than five kilograms of waste that is a hazardous industrial waste, hazardous waste chemical, ignitable waste, corrosive waste, leachate toxic waste or reactive waste, or
21. the residues or contaminated materials from the clean-up of a spill of less than one kilogram of waste that is an acute hazardous waste chemical.

“Household Hazardous” Waste means and includes aerosol cans containing product, leach, cleansers, drain cleaners, flashlight batteries, flea powder, medicine, nail polish and remover, oven cleaners, photographic chemicals, thermometers/thermostats, antifreeze, car batteries, brake fluid, gasoline, glues, motor oil, oil filters, paint, paint thinners, solvents, turpentine, fertilizers, herbicides, insecticides, pesticides, pool chemicals, propane tanks, propane cylinders, fluorescent light bulbs and driveway sealers.

“Manufacturer Waste” means any waste produced directly from a manufacturing or industrial activity including any abandoned, condemned or rejected product or byproduct used by a manufacturer, builder, or contractor in the operation of his/her business or trade and scrap metal and motor vehicle parts from garages and service stations.

“Municipal Waste” means garbage collected from residential curbside premises, from multi-residential premises and commercial waste collected from commercial premises.

“Municipal Waste Disposal Site” means a solid waste management facility owned by the Township of Dubreuilville.

“Non-Collectable Waste” means, but is not limited to grass clippings, washers, dryers, refrigerators, stoves, dehumidifiers, freezers, air conditioners, televisions, monitors, computers, computer peripherals, printers, copying and multi-function copying devices, telephones, answering machines, cellular devices, pagers, image devices, audio and video devices, explosives, flammable or volatile substances, liquid or gaseous waste, caustic substances and acids, poisons, pesticides, herbicides, radioactive materials, septic tank pumping’s, industrial process sludge, biohazardous waste, infected material including dressings and bandages not placed inside a sealed and leak-free bag, live animals or birds, carcasses or parts thereof of any animal or bird saved for food preparation and consumption wastes, tree trunks and stumps, vehicles or vehicle parts, tires, construction materials, scrap metals, propane tanks, sharps not packaged and labelled in rigid containers, organic material which has not been drained of all liquid and other materials as designated by the Works and Operations Manager from time to time.

“Recyclable Material” means material designated from time to time by the Infrastructure Superintendent as recyclable and for which alternative collection regulations apply.

“Recyclable Material Depot” means a location designated by the Infrastructure Superintendent at which residents or their agents may drop off identified recyclable material in accordance with the posted regulations.

“Residential Waste” means garbage and rubbish collected from residential curbside premises.

“Rubbish” means household litter, trash and any other materials and articles which would normally accumulate at a household excluding garbage, non-collectable waste, and recyclable materials.

“Trash” means something worth little or nothing; something in a crumbled or broken condition or mass.

“Waste” means garbage, trash, and rubbish, but shall not include non-collectable waste or recyclable material as defined herein.

“Yard Material” means material designated from time to time by the Infrastructure Superintendent for which alternative collection regulations apply. Yard material shall include hedge trimmings, leaves, brush, grass clippings, branches no bigger than 100 mm (3”) in diameter, tree bark and plant matter, excluding garden waste produce (i.e. pumpkins, tomatoes, etc.)

“Yard Material Waste Depot” means a location designated from time to time by the Infrastructure Superintendent at which residents or their agents may drop off identified yard material in accordance with the posted regulations.

MUNICIPAL WASTE DISPOSAL SITES AND DROP OFF DEPOTS

1. Municipal waste disposal sites shall be located in accordance with this by-law;
2. The Infrastructure Superintendent may designate a location or locations within the Township of Dubreuilville which occupants of town properties or their agents may drop

off yard waste, recyclable material, metal, household hazardous waste or any other waste material designated by the Infrastructure Superintendent;

3. The municipal landfill site and depots shall be open for the disposal of waste and other designated materials in accordance with the times set out in schedule B;
4. No person shall use any lands within the Township of Dubreuilville for that of a waste disposal site except lands designated for such use by a by-law of the Corporation of the Township of Dubreuilville;
5. Notwithstanding the provisions of schedule B, public access to the municipal landfill site shall be restricted to those times when an attendant is on duty and present at the site;
6. Persons using the municipal landfill site shall do so in adherence to the instructions of the waste disposal attendant on duty and in accordance with the provisions of this by-law;
7. Persons depositing waste or recyclable material at the municipal landfill site shall place the said waste or recyclable material in approved section of the landfill;
8. Waste carried in a vehicle or trailer and conveyed to the municipal landfill site shall be so contained as not to be blown or dropped from the transport vehicle or trailer;
9. Any waste carried in a vehicle or trailer and conveyed to the municipal landfill site shall be so contained as not to leak any type of fluid or liquefied matter on or along roadways or abutting lands;
10. No person shall pick over, remove, or scatter any waste material within the municipal landfill site without the express permission of the Infrastructure Superintendent or his/her designate;
11. No person shall dispose of waste at the municipal landfill site without paying the required tipping fees unless exempted by the Infrastructure Superintendent or his/her designate;
12. The municipal landfill site attendant shall have the sole right to determine the proper classification of waste being disposed at the said site including the fees for the disposal of the waste.

DROP-OFF RESTRICTIONS

The following restrictions apply at the Municipal drop off locations:

1. All drivers shall ensure the vehicle load is fully covered and/or secured and the vehicle is not over loaded;
2. All drivers shall bring vehicles to a complete stop and await the direction of the site attendant before entering or leaving the landfill;
3. All drivers shall identify the material type and source to the site attendant;
4. All material deposited shall become the property of the Township of Dubreuilville landfill site and may be salvaged, recycled, reclaimed, disposed of and otherwise dealt with as the landfill site may deem fit;
5. No person, while at the landfill site location, shall operate a vehicle or do any other thing without exercising due care and attention or in a manner that causes or is likely to cause injury or harm to any person or damage to any property;
6. No Person, while at the landfill site location, shall:
 - a) Indulge in any riotous, violent, threatening, or illegal conduct, or use profane or abusive language as determined by the attendant;

- b) Create a nuisance or in any way interfere with the use of the landfill site location by any other person;
- c) No person uses abusive or offensive language or behaviour toward workers or others at the landfill;
- d) Any person deemed by staff to be engaging in these behaviours may be refused service and/or requested to leave the premises;
- e) No person shall deposit or allow or cause to be deposited materials, except disposal areas or such purposes;
- f) All persons shall at all times obey all signs and directions of the landfill site and / or landfill attendant;
- g) All persons shall enter or exit the landfill site location by the designated access and exit routes. No trespassing will be permitted.

ILLEGAL DUMPING

1. General Prohibition: no person shall dump, drop, sweep, throw, cast or otherwise deposit any material whatsoever on or in any road or public property, or at the entrance to or around the perimeter of landfill location.

SCAVENGING

1. No Person shall scavenge, interfere with, pick over, disturb, remove, or scatter any material at the landfill site location unless the material has been designated for re-use by the landfill and the person has received permission from the Township of Dubreuilville.

NO TRESPASSING

1. No Person shall enter the landfill site location at any time during closed hours.

UNACCEPTABLE MATERIALS

1. No person shall drop off, or permit to be dropped off, unacceptable material at the landfill site location:
 - a) Any dangerous and hazardous material such as poisons, hot live ashes, caustics, acids, pesticides, herbicides, radioactive material, industrial process sludge, biomedical waste, or substances which may cause personal or environmental problems with the exception of the Household Hazardous Waste;
 - b) Reactive chemical waste;
 - c) Pathological waste;
 - d) Highly flammable, volatile, explosive, reactive or radioactive Materials with the exception of certain Household Hazardous Waste categories;
 - e) Leachate toxic waste;
 - f) PCB waste;
 - g) Human excrement;

MATERIALS

Acceptable material for drop-off includes the following:

1. Automobile tires separated from the rims and free of foreign material and excessive moisture;
2. Asphalt and concrete;
3. Batteries, either single use alkaline or rechargeable (excludes electric-vehicle batteries or traction batteries);
4. Bulky Goods;
5. Clothing;
6. Construction, renovation and demolition material, including drywall, wood, metal, PVC pipe no longer than 4 feet and other building materials;
7. Electrical and electronic equipment;
8. Garbage;
9. Household items for re-use including small appliances and toys and other such goods;
10. Mattresses;
11. Shingles.

ACCEPTABLE HOUSEHOLD HAZARDOUS WASTE MATERIALS

1. Aerosol cans with contents remaining;
2. Antifreeze;
3. Batteries (all types);
4. Barbeque propane tanks;
5. Corrosive cleaners including inorganic acids, bases and oxidizers;
6. Fertilizers and other inorganic oxidizers;
7. Fire extinguishers;
8. Flammable liquids such as solvents and thinners;
9. Fluorescent light tubes;
10. Gasoline and fuels;
11. Medications;
12. Mercury switches and thermometers;
13. Motor oil;
14. Oil filters;
15. Pesticides and herbicides;
16. Paint;
17. Paint sludge;
18. Pharmaceuticals.

ACCEPTABLE LANDFILLING MATERIALS

1. Bulky goods, with the exception of those items which can be re-used or recycled;
2. Construction, renovation and demolition material with wood, drywall, metal and other recyclable material separated;
2. Garbage;
3. Soil or dirt in acceptable quality and quantity, as determined by the infrastructure superintendent;
4. Hoses and pipes if they are cut into 4 feet or less.

LANDFILL FEES

SCHEDULE "A"

Tipping fees	Resident	Non-Resident
<i>Regular pick up – Half load</i>	\$5.00	\$15.00
<i>Regular pick up – Full load</i>	\$10.00	\$22.50
<i>Small utility trailer – Half load</i>	\$5.00	\$15.00
<i>Small utility trailer – Full load</i>	\$10.00	\$22.50
<i>Large utility trailer – Half load</i>	\$10.00	\$30.00
<i>Large utility trailer – Full load</i>	\$20.00	\$45.00
<i>Dump truck/Gravel Truck – Per load</i>	\$300.00	\$500.00
<i>Contractor Bin – 20 yards – Per load</i>	\$500.00	\$750.00
<i>Contractor Bin – 30 yards – Per load</i>	\$750.00	\$1125.00
<i>Contractor Bin – 40 yards – Per load</i>	\$1000.00	\$1500.00
<i>Dump truck of commercial waste – Per load (PW prior approval required)</i>	\$750.00	\$1125.00

HOURS OF OPERATION

SCHEDULE "B"

Tuesdays →	1:00 p.m. – 2:30 p.m.
Thursdays →	1:00 p.m. – 2:30 p.m.
(May 1 st to Sept 30 th ONLY) →	7:00 p.m. – 9:00 p.m.
Saturdays →	1:00 p.m. – 4:00 p.m.

Schedule may change as needed

OWNERSHIP

1. All properly prepared and separated collectable material set out within the designated times becomes the property of the landfill upon pick-up or other receipt by authorized employees or contractors of the Township of Dubreuilville;

THE LANDFILL SITE ATTENDENT MAY REFUSE ACCESS TO A PERSON IF:

1. The person does not have the funds to pay the user fees;
2. The Person's vehicle appears to be unsafe.

REFUSAL

The Township of Dubreuilville landfill site reserves the right to refuse to accept for drop-off any material of a questionable nature or origin.

SAFE LOAD

Person entering the landfill site location shall ensure that all material transported is secure, covered, tied or enclosed to prevent any material from falling onto any roadway or public property.

OFFENCES AND PENALTIES

This By-law shall apply to all property within the limit of the Township of Dubreuilville.

Penalty Notice

1. If an administrative penalty imposed is not paid within fifteen (15) days after the day that it becomes due and payable, the Treasure/Tax Collector of the Township of Dubreuilville may add the administrative penalty to the tax roll for any property in the local municipality for which all of the owners are responsible for paying the administrative penalty and collect it in the same manner.
2. Anyone issued a Penalty Notice can dispute it by requesting a Screening Review which is an informal process for mediation with a Screening Officer. Most of all matters should be resolved at this stage. If the accused is not satisfied with the Screening Officer's determination, they may then request a review with a Hearing Officer. Once the decision is made by a Hearing Officer, the decision is considered final, with no appeal process to a higher Court.

Screening

When receiving a request for a Screening Review form on or before the due date shown on the Penalty, the Screening Officer shall:

1. No appointment is necessary for your Screening Review, and a decision will be email or sent by registered mail back to you within fifteen (15) business days;
2. If you want to request a time extension due to mitigating or extenuating circumstances, you must fill in an AMPS Time Extension Request for Screening Review. In Order to be considered for an Extension of Time to Request a Screening Review, this Request must be received by the Screening Officer within fifteen (15) days of the date the Penalty Notice was issued;
3. The Screening Officer may grant an Extension and set a date for a Screening Review only if the Applicant demonstrates, on a balance of probabilities, the existence of mitigating or extenuating circumstances that warrant an extension of time;
4. You will be notified of the decision of the Screening Officer. If the Screening Officer grants an extension, a staff member will contact you to book a Screening Review appointment;

5. If you do not attend the Screening Review at the scheduled time, an administrative fee of \$100 will be added to the amount of the Penalty Notice as per User Fee By-law.

Hearing

In order to be considered for a Hearing Review, the Request for Review by Hearing Officer form must be received on or before the due date shown on the Decision of the Screening Officer.

1. A Notice of Appointment for Hearing Review will be e-mailed or mailed to you, with the date, time, and location of the scheduled Hearing Review;
2. A final decision, will be email or sent by registered mail back to you within (15) business days;
3. If you do not attend the Decision of Appeal Hearing at the scheduled time an administrative fee of \$250 will be added to the amount of the Penalty Notice as per User Fee By-law.

Conflicts with Other By-laws

1. Wherever a standard established by this By-law is different from a standard in relation to the same matter established by any other By-law in force in the Township of Dubreuilville, the standard which provides the higher degree of protection for the health, safety, and welfare of the occupants and of the public shall prevail.
2. Every provision of this By-law is declared severable from the remainder and if any provision of this By-law shall be declared invalid by a court of competent authority, such declaration shall not affect the validity of the remainder of this By-law, and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.

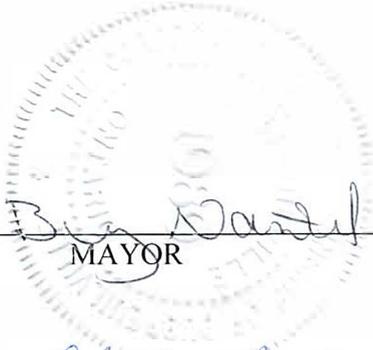
Penalties

1. Any person who contravenes a designated provision of this By-law is guilty of an offence, and, when given a Penalty Notice, in accordance with the Administrative Monetary Penalty System (herein after, "AMPS (ADMINISTRATIVE MONETARY PENALTY SYSTEM) BY-LAW", be liable to pay to the Township an administrative penalty as set out in the schedules attached to the AMPS By-law (as amended from time to time).
2. Where a person does not comply with a notice issued pursuant to Section 5.6, the Infrastructure Superintendent may perform or carry out that which is required to be done or cause it to be performed or carried out at that person's expense.
3. The Corporation of the Township of Dubreuilville may recover all costs associated with the actions taken to do that which is required to effect compliance with this bylaw plus interest from the day the Municipality incurs such costs and ending on the day the costs, including the interest is paid in full.
4. All costs referred to in Section C, including any interest on such costs, recoverable by the Municipality pursuant to this by-law or otherwise pursuant to the Municipal Act, 2001, S.O. 2001. c.25 or any successor legislation, may be recovered by any lawful means available to the Corporation, and such recovery methods may include adding such amounts to the tax roll and collecting such amounts in the same manner as taxes.

SCHEDULES

1. Provisions of this By-law that allow for financial penalties shall be updated and attached to the Schedules of the Administrative Penalties found in the AMPS By-law (as amended from time to time).
2. Schedule "C" is attached and forms part of this by-law.

READ a first, second and third time and be finally passed this 14th day of February 2024.



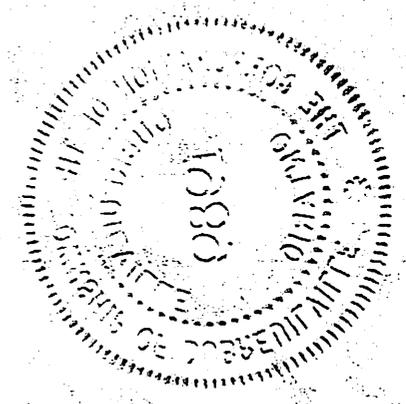
Ben Warden
MAYOR

Shelley B. Casy
CAO-CLERK

The following information is being furnished to you for your information only. It is not to be disseminated outside your organization.

This information is being furnished to you for your information only.

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SCHEDULE "C"

**LANDFILL SITE
ADMINISTRATIVE PENALTY AMOUNT**

Item	Column 1	Column 2	Column 3
	Short Form Wording	Provision creating or defining offence	Set fine
1	No trespassing on landfill site	8. (a)	\$100
2	No scavenging at any time	7. (a)	\$100
3	Illegal dumping at anytime at landfill and road leading to site	6. (a)	\$100
4	leave debris behind	18. (a)	\$100
5	Fail to stop when asked by a landfill site attendant	5. (b)	\$100
6	Fail to identify materials	5. (c)	\$100
7	Fail to be safe with any motorized vehicle	5. (e)	\$100
8	Fail to obey all landfill signs or landfill attendant	5. (h)	\$100
9	Dumping illegal materials on landfill site property	6. (a)	\$100
10	Fail to contain hazardous materials	4. (i)	\$100
11	Fail to obey landfill site hours of operation	4. (e)	\$100

Schedule "C", SET FINES, is considered part of this By-law. Set fines take effect on the date of ORDER attached to this By-law.