

THE CORPORATION OF THE TOWN OF PARRY SOUND

BY-LAW NO: 2008 - 5284

- 1 -

Being a By-law to amend By-Law 2007-5084, a by-law to establish and maintain a system for the collection and disposal of garbage and other refuse.

WHEREAS pursuant to Section 11 (3) of the Municipal Act, S.O. 2001, c.25 as amended, provides that a by-law may be passed by Council respecting matters within the Waste Management sphere of jurisdiction;

AND WHEREAS The Council of the Corporation of the Town of Parry Sound wished to amend By-Law 2007-5084;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PARRY SOUND ENACTS AS FOLLOWS:

1. Section 4 - Responsibilities of the Contractor
Add:
 - 3) Collection services shall not commence prior to 8:30 a.m. on Saturday, Sunday and Statutory Holidays.
 - 4) Collection services in the Downtown Business District shall commence at 8:30 a.m. on all days.

This By-law shall come into force and take effect upon the final passing thereof.

READ a **FIRST** time this 16th day of December, 2008



MAYOR



CLERK

READ a **SECOND** and **THIRD** time, **PASSED**, **SIGNED** and **SEALED**

this ____ day of _____, 2008.



MAYOR



CLERK

THE CORPORATION OF THE TOWN OF PARRY SOUND

BY-LAW NO: 2008-5193

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**Being a By-law to amend the Waste Management By-law 2007-5084,
being a By-law to establish and maintain a system for the collection
and disposal of garbage and other refuse**

WHEREAS pursuant to section 10(2)(6) of the Municipal Act, S.O. 2001, c. 25, as amended, a single-tier municipality may pass by-laws respecting the health, safety and well-being of persons.

WHEREAS pursuant to section 10(2)(8) of the Municipal Act, S.O. 2001, c. 25, as amended, a single-tier municipality may pass by-laws respecting the protection of persons and property.

WHEREAS pursuant to section 10(2)(9) of the Municipal Act, S.O. 2001, c. 25, as amended, a single-tier municipality may pass by-laws respecting Animals.

WHEREAS pursuant to section 444(1) of the Municipal Act, S.O. 2001, c. 25, as amended, provides that if a municipality is satisfied that a contravention of a by-law has occurred, the municipality may make an ORDER requiring the person who contravene the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity.

WHEREAS the Corporation of the Town of Parry Sound deems it necessary to regulate the storage of garbage to prevent potential conflict between wildlife and humans and for health reasons.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF
THE TOWN OF PARRY SOUND ENACTS AS FOLLOWS:**

1. **That** the "Definitions section E - Miscellaneous" be amended by adding the following definitions:
 - vi) **Bear:** means a black bear (*Ursus americanus*)
 - vii) **Bear resistant container:** fully enclosed container with a metal lid which can be completely closed with a latching mechanism that prevents access by bears and wildlife.
 - vii) **Bear resistant enclosure:** a structure with four enclosed sides, roof, doors and a latching device, of sufficient design and strength to prevent access by bears or wildlife.
 - viii) **Garbage collection days:** the regular scheduled garbage pick up day established for each location in the Town of Parry Sound and shall include the adjusted date where public holidays occur.
 - ix) **Grease Barrel:** any container used to store discarded cooking oil and/or grease
 - xi) **Wildlife:** include any animal which is wild by nature and not normally domesticated in Ontario including bears.

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2. **That** "Section 3 - Responsibilities of Residents, Industrial, Commercial and Institutional Establishments" be amended by adding the following:
19. **Storage of garbage:**
- a) Garbage bags containing Household, Industrial, Commercial Institutional or Special Event garbage shall not be placed or stored outside the enclosing walls of a building between garbage collection days unless the **storage place** is one of the following:
 - i) a bear resistant exterior bulk or roll off container
 - ii) a bear resistant garbage enclosure
 - iii) a returnable receptacle which has a secure lid
 - iv) a garbage enclosure either manufactured or man-made
 - v) an exterior bulk or roll off container
 - b) The **storage place** shall be maintained at all times in a litter free condition and in a manner that will not attract pests and wildlife or create a health or safety hazard due to the nature of the storage or through deterioration, wind or misuse of the **storage place**.
 - i) If a **storage place** attracts pest or wildlife, the owner of said storage, may be ORDERED by a By-law Enforcement Officer, in writing by way of a Notice of Violation, to take remedial action.
 - ii) Remedial action includes but not limited to the removal of the attractant or the procurement of a bear resistant container or bear resistant enclosure.
 - iii) No person shall fail to take remedial action ORDERED by a By-law Enforcement Officer.
 - c) Where an exterior bulk or roll-off container or garbage enclosure are used as a **storage place** it shall:
 - i) be equipped with a secure covers or similar devices which shall be readily openable but not left open except when actively being loaded
 - ii) be large enough to contain all the garbage generated between collections by the occupant served.
 - iii) not be loaded beyond the top of the container.
 - d) Notwithstanding the requirements of this section, a temporary **storage place** resulting solely from the construction, demolition or alteration of a building or part thereto may be placed or stored on the property provided:
 - i) it is removed frequently and in its entirety from the property and
 - ii) it will not cause risk to the health or safety or any persons
 - e) Grease barrel shall be regularly empty, clean and not allowed to overflow, as not to attract pests or wildlife or create a health or safety hazard.


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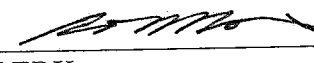
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- i) If a **grease barrel** attracts pest or wildlife, the owner of said barrel, may be ORDERED by a By-law Enforcement Officer, in writing by way of a Notice of Violation, to take remedial action.
 - ii) Remedial action includes but not limited to the removal of the attractant or the procurement of a bear resistant container or bear resistant enclosure.
 - iii) No person shall fail to take remedial action ORDERED by a By-law Enforcement Officer.
4. **That** section 5(1) be revoked and replaced with the following wording
- 5(1) In addition to any other remedy, every person who contravenes any of the provisions of this By-law is guilty of an offence and on conviction is liable to a fine of not more than \$5,000.00 as provided for in the Provincial Offences Act.
5. That section 4.14 of the Property Standards By-law be revoked.
6. This By-law shall come into force and take effect upon the final passing thereof.

READ a **FIRST** time this 15th day of April, 2008



MAYOR



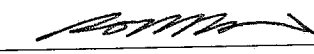
CLERK

READ a **SECOND** and **THIRD** time, **PASSED, SIGNED** and **SEALED**

this 15th day of April, 2008.



MAYOR



CLERK

THE CORPORATION OF THE TOWN OF PARRY SOUND

BY-LAW NO: 2007-5084

- 1 -

**Being a By-law to establish and maintain a system for the collection
and disposal of garbage and other refuse**

WHEREAS pursuant to Section 11(3) of the Municipal Act, S.O. 2001, c.25, as amended, provides that a by-law may be passed by Council respecting matters within the Waste Management sphere of jurisdiction;

AND WHEREAS the Corporation of the Town of Parry Sound deems it necessary to establish regulations for the collection and disposal of garbage within the Town of Parry Sound;

AND WHEREAS, Section 77 of the Municipal Act, S.O. 2001, c.25, as amended, provides that any person who contravenes the by-law prohibiting and regulating any matter passed under the waste management sphere of jurisdiction, upon conviction shall be liable for a fine;

**NOW THEREFORE THE COUNCIL OF THE
CORPORATION OF THE TOWN OF PARRY SOUND ENACTS AS
FOLLOWS:**

1. **DEFINITIONS**

(A) **Waste Types**

- I) **Blue Box Items and Green Box Items**
shall include items listed on attached Product List Schedule "A".
- II) **Bulky Waste**
shall include mattresses, crates, packing material, household furnishings (chairs, sofas, tables, beds, carpets, etc.) and any material used in the construction/renovation of residential buildings, excluding shingles, asphalt and/or concrete containing metal.
- III) **Corrugated Cardboard**
shall mean cardboard with corrugated insert.
- IV) **Household Hazardous Waste**
Shall include items listed and shall exclude items listed on the attached Product List Schedule "B".
- V) **Household Garbage**
shall mean all other waste generated by a household resident and not included in Produce List Schedule A or Schedule B.
- VI) **Industrial, Commercial and Institutional Garbage**
shall mean other waste not included in Section 1 and generated by a shop, factory, store, restaurant, hotel, office building, public building, hospital, institution and any other place of business.

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- VII) **Leaf and Yard Waste**
shall mean all leaves, grass clippings and branches smaller than 6cm in diameter.
- VIII) **Scrap Metal**
shall mean materials with metal content including appliances, aluminum siding, car parts, bed springs and other such materials.
- IX) **Fluorocarbons**
shall mean the chemical which aids in the operation of refrigeration and air conditioning units and is commonly referred to as "freon".

(B) **TYPES OF WASTE GENERATORS**

- I) **Commercial**
shall mean buildings or structures located in the commercial zones as outlined in the Zoning By-Law and used for commercial purposes.
- II) **Householder**
shall mean any owner, occupant, leasee, tenant or any person having use, occupation and/or charge of any dwelling, apartment house, townhouse or any portion thereof, for the sole purpose of a dwelling.
- III) **Industrial**
shall mean buildings or structures located in the industrial zones as outlined in the Zoning By-Law.
- IV) **Institutional**
shall mean any public building, hospital or nursing home as outlined in the Zoning By-Law.

(C) **TYPES OF WASTE GENERATOR LOCATIONS**

- I) **Dwelling**
shall mean each residential unit with its own sleeping, cooking, eating and sanitary facilities for person(s) residing therein.
- II) **Place of Business**
shall mean any place other than a dwelling and includes a shop, factory, store, restaurant, hotel, office building or other commercial, industrial or institutional establishments.
- III) **Premises**
shall include any property that generates waste.
- IV) **Rooming House**
shall mean a dwelling house in which rooms are used or maintained for the accommodation of the public, in which the owner supplies lodging with or without meals for the

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persons so accommodated.

D) **CONTAINER**

(I) **Returnable receptacle:**

- (a) constructed of metal or plastic;
- (b) having proper handles and a water tight cover in place to preclude the ingress & egress of flies or the escape of odours therefrom;
- (c) height not to exceed 91cm
- (d) diameter not to exceed 45cm
- (e) volume not to exceed 65 litres
- (f) weight not to exceed 22.5 kgs, including contents.

(II) **Non-returnable plastic bag:**

- (a) size not to exceed 76 cm x 94 cm
- (b) weight not to exceed 22.5 kgs, including contents
- (c) must be properly tied at the top.

(III) **Non-returnable carton**

- (a) not corrugated cardboard
- (b) size not to exceed 90 cm x 60 cm x 60 cm

E) **MISCELLANEOUS**

I) **Contractor**

shall mean the person, corporation or partnership performing garbage and recycling collection and haulage under contract with the municipality.

II) **Municipality**

shall mean the Corporation of the Town of Parry Sound.

III) **Street**

shall mean a public highway, a public road including a given road, which affords the principal means of access to abutting lots and does not include a lane or a private right of way, or unopened road allowance.

IV) **Town**

shall mean the Corporation of the Town of Parry Sound

V) **By-Law Enforcement Officer**

shall mean the By-Law Enforcement Officer for the Corporation of the Town of Parry Sound or any person with authority as authorized by the Corporation of the Town of Parry Sound.

2. **RESPONSIBILITIES OF THE TOWN OF PARRY SOUND**

- I) That, notwithstanding any other sections of this By-Law, a contract or contracts be made from time to time with some person or company for the collection and disposal of all household garbage and industrial, commercial and institutional garbage throughout the whole of the Town of

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Parry Sound, at such price r prices as may from time to time appear reasonable to the Council of the Corporation of the Town of Parry Sound.

- II) That the occupants of all premises shall be informed by a representative of the Town of the days or dates of collection, and the different routes shall be passed over with such regularity that all occupants may know when their respective premises will be serviced.
- III) That, notwithstanding any other sections of this By-Law, household garbage, industrial, commercial and institutional garbage shall be removed from premises once each week except on designated holidays and Blue and Green Box material removed from premises on alternating weeks.
- (IV) That, notwithstanding any other sections of this By-Law, the Chief Administrative Officer or his/her designate, in the event of holidays, inclement weather, equipment breakdown, and any other such reasons, thus disrupting garbage collection, can increase the permitted number of containers for pick up.
- (V) That upon request, the Town shall provide a Blue Box and a Green Box to each Town of Parry Sound household for residential use, free of charge.
- (VI) That the Town shall provide recycling containers to industrial, commercial and institutional establishments on a cost recovery basis.

3. **RESPONSIBILITIES OF RESIDENTS, INDUSTRIAL, COMMERCIAL AND INSTITUTIONAL ESTABLISHMENTS**

- 1) (a) That the occupant of each dwelling shall provide a sufficient number of garbage containers, not to exceed two (2), for containing all garbage to be collected from such dwelling or other premises. Containers for pick up in excess of two (2), to a total maximum limit of six (6) per pick up must be tagged with prepaid tags purchased at the Town Office or alternate location as advertised.
 - (b) Household garbage may also be disposed of at the McFarlane Street Transfer Station. Bags must be tagged with prepaid tags purchased at the Town Office or alternate location as advertised.
 - (c) Residents planning to be out of town on their regular household garbage collection day shall be permitted to dispose of two (2) bags at the McFarlane Street Transfer Station, free of charge, provided that the bags are tagged with prepaid tags, that must be obtained from the Town Office only.
- 2) Rooming houses and multi-residential (apartments)

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buildings are limited to one (1) container per room and/or unit, with containers for pick up in excess of one (1) to a total maximum limit of two (2) containers, to be tagged with prepaid tags purchased at the Town Office or alternate location as advertised.

- 3) That the occupant of each place of business shall provide a sufficient number of garbage containers, not to exceed five (5), for containing all garbage to be collected from such place of business. Containers for pick up in excess of five (5) to a total maximum of eight (8), to be tagged with prepaid tags purchased at the Town Office or alternate location as advertised.
- 4) That no occupant shall cause or permit any accumulation of garbage upon any private or public property.
- 5) That all occupants shall be responsible for the clean-up of their broken garbage bags or upset containers either before or after collection.
- 6) That all occupants shall place all garbage containers ready for removal by the contractor at some convenient and readily accessible place on the ground level at the street line in front of their premises or such other place designated by the municipal representative, not prior to 6:00 a.m. on the day of collection unless said garbage is in a garbage bag, placed in a garbage can which has a secured lid, and its placement is not prior to 7:00 p.m. the night before said collection day.
- 7) That Blue Box items generated from a dwelling be placed in Blue Boxes and Blue Box items generated from a place of business, be placed in Blue Boxes or 90 gallon recycling carts for recycling on weeks designated for container pick up and that Green Box items generated from a dwelling be placed in Green Boxes and Green Box items generated from a place of business, with the exception of corrugated cardboard, be placed in Green Boxes or 90 gallon recycling carts for recycling on weeks designated for fibre pick up and placed at curbside for removal by the contractor at some convenient and readily accessible place on the ground level at the street line in front of their premises, or at such other place designated by the municipal representative, not prior to 6:00 a.m.
- 8) That corrugated cardboard generated from a place of business shall be taken to the MacFarlane Street Transfer Station and placed in the designated area for recycling. This is also available to commercial haulers on a user-pay basis.
- 9) That scrap metal shall be taken to the MacFarlane Street Transfer Station and placed in the designated recycling bin for recycling.

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- 10) That prior to disposal of refrigeration, freezers and air conditioning units at the MacFarlane Street Transfer Station, eight (8) prepaid tags to cover the cost of appropriate removal of fluorocarbon (freon), must be presented to the Transfer Station Attendant.
- 11) That leaves and brush from the premises shall be either composted by the occupant in a backyard composter or a pile with a base of no greater than 2 cubic metres and contained on own property or taken to the MacFarlane Street Transfer Station and deposited without containers in designated location to be composted.
- 12) That no household hazardous waste shall be placed in any garbage container for garbage disposal. Household Hazardous Waste shall be taken to the Household Hazardous Waste Depot located at the MacFarlane Street Transfer Station during designated times.
- 13) That bulky waste generated by a householder shall be taken to the MacFarlane Street Transfer Station. Pre-paid tags purchased at the Town Office or alternate location as advertised must be presented to the Transfer Station Attendant.
- 14) THAT
 - i) unless otherwise approved, only householders of the Town of Parry Sound may utilize the disposal facilities at the MacFarlane Street Transfer Station;
 - ii) all recycling and composting services at the MacFarlane Street Transfer Station may be utilized by households and industrial, commercial and institutional establishments of the Town of Parry Sound.
 - iii) municipalities may utilize the Household Hazardous Waste Depot upon entering into an agreement with the Town.
- 15) That prepaid tags be presented to the Transfer Station Attendant for the disposal of bulky waste as follows:
 - i) Trunk Load - three (3) tags required
 - ii) Truck Load - ten (10) tags required
 - iii) Utility trailer or equivalent - ten (10) tags required
- 16) That nothing herein contained shall be deemed to entitle schools, motor camps or parks (whether publicly or privately owned), to have their garbage collected under the provisions of the By-law, and the contractor for the collection of garbage shall not be deemed to be under obligation to collect from places excepted by this section. Household garbage or industrial, commercial and institutional garbage shall, however, be collected under this By-law, from summer cottages or other summer resorts within the Town limits.

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17) That all garbage which the contractor is required to remove, and all garbage required to be removed under the provisions of the Health Protection and Promotion Act shall, unless other proper disposal is made thereof by the occupants of premises, be placed with the said containers from day to day by the occupants of the premises visited by the contractor under the provisions of this By-law.

18) That scavenging of Blue Box or Green Box items, corrugated cardboard and scrap metal is prohibited.

4. **RESPONSIBILITIES OF THE CONTRACTOR**

1) THAT

i) the contractor shall handle all containers with due care and after removing the contents of garbage shall place them at the point from which they were taken; and

ii) the contractor shall carefully gather up any garbage that may have been spilled by him/her from containers and place the garbage in the garbage collection vehicle.

2) That household garbage shall be removed from the dwellings once each week and industrial, commercial and institutional garbage from the places of business once each week and shall be taken by the contractor to the designated landfill site and shall be dumped there as directed by the caretaker or person in charge of the said landfill site.

5. **ADMINISTRATION**

1) That any person who contravenes any conditions of this By-law is guilty of an offence and upon conviction is liable to a fine of not less than \$200.00 and not more than \$2,000.00 as prescribed under the provisions of the Provincial Offences Act.

2) The By-Law Enforcement Officer or any person with authority, as designated by the Corporation of the Town of Parry Sound shall enforce the provisions of this By-law.

3) That from time to time as required, the fee for tags be increased by passing of a resolution.

3) That By-laws No. 2002-4467, 2003-4562 and 2004-4757 are hereby revoked.


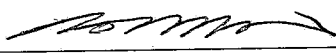
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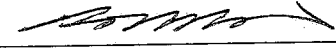
6. This By-law shall come into force and take effect upon the final passing thereof.

READ a **FIRST** time this 15th day of May, 2007

 
MAYOR CLERK

READ a **SECOND** and **THIRD** time, **PASSED, SIGNED** and **SEALED**

this 15th day of May, 2007

 
MAYOR CLERK

SCHEDULE "A" TO BY-LAW 2007 -5084

PRODUCT LIST

GREEN (FIBRE) BOX

- Envelopes, flyers, paper bags, greeting cards, gift wrapping;
- Catalogues, magazines, phone books, paperback books;
- Newspapers, office paper, computer paper;
- Kleenex and cereal boxes, egg cartons, cardboard tubes;
- Milk and juice cartons
- Cardboard/boxboard - flatten & bundle no larger than the size of a recycling box and tie with string

BLUE (CONTAINER) BOX

- Plastic bottles #1 and #2;
- Metal food & beverage cans;
- Glass bottles and jars

SCHEDULE "B" TO BY-LAW 2007 - 5084

PRODUCT LIST

HOUSEHOLD HAZARDOUS WASTE

All products must have legible labels

- Cleaning fluids
- paints (manufactured after 1978)
- detergents
- aerosols
- pharmaceuticals (expired/unused medications)
- anti-freeze
- ammonia
- bleach
- acids
- batteries
- motor oil
- pesticides
- car batteries propane tanks

NOT ACCEPTABLE

- Flares
- No PCB Wastes, products containing PCB's
- Explosives
- Gasoline/Diesel Fuel
- Syringes/Medical Wastes
- Asbestos
- Ammunition
- Tires
- Freon
- Pathological & Radioactive Wastes
- Industrial & Commercial Wastes
- Roof Shingles
- Unidentified Wastes
- Paints manufactures before 1978