

(Office Consolidation as of February 7, 2024)

Corporation of the Town of Greater Napanee

By-law No. 2006-0014

**A By-law to Regulate the Use of the Waste Management System for the Town of
Greater Napanee**

Originally Passed: March 27, 2006

As Amended By:

By-law Number:	Date Passed:
2015-0033	May 26, 2015
2020-0003	January 14, 2020
2020-0036	June 23, 2020
2023-0033	April 25, 2023

Note: This consolidation is provided for convenience purposes only. Every effort is made to ensure the accuracy of this information, however it is not to be used in place of actual by-laws. Users should consult the original by-laws for purposes of interpretation and application.

THE CORPORATION OF THE TOWN OF GREATER

NAPANEE BY-LAW NO. 06 -14

A By-law to Regulate the Use of the Waste Management System for the Town of Greater Napanee

WHEREAS Section 11(2) 3 of the *Municipal Act, 2001*, S.O. 2001, c.25 provides that a municipality may pass by-laws respecting matters within the sphere of jurisdiction of waste management;

AND WHEREAS Section 391 of the *Municipal Act, 2001* provides that a municipality may pass by-laws imposing fees or charges on any class of persons, for services or activities provided or done by or on behalf of it and for the use of its property including property under its control;

AND WHEREAS Section 12(6) of O.Reg. 244/02, passed pursuant to Section 400 of the *Municipal Act, 2001*, provides that before passing a by-law imposing a fee or charge for the use of a waste management system, the municipality must give 21 days notice of a public meeting at which any person who attends has an opportunity to make representation with respect to the matter;

AND WHEREAS notice of a public meeting on March 27, 2006 to consider this by-law was provided in the Regional Beaver for three weeks in accordance with the regulations;

AND WHEREAS Section 12(3) of O.Reg. 244/02, passed pursuant to Section 400 of the *Municipal Act, 2001*, provides that such a by-law expires on December 31 of the year following the year in which the by-law was passed;

AND WHEREAS Council of the Town of Greater Napanee wishes to regulate the use of the Town's waste management system;

NOW THEREFORE the Council of The Town of Greater Napanee enacts as follows:

PART 1 DEFINITIONS

"Collectible" means waste which may be collected pursuant to this by-law.

"Council" means the Council of the Town of Greater Napanee.

"Household Hazardous Waste" means any household product, material or item labeled as 'corrosive', 'reactive', 'explosive', 'toxic' or 'flammable' including, but not limited to, the following:

- (a) Chemicals: pool or photographic chemicals, laundry bleach, drain, oven, toilet and carpet cleaning solutions, ammonia, medicines and prescription drugs, paint thinner and paint remover;
- (b) Pesticides & Herbicides: weed killers, fungicides, rat poison, Malathion, parathion, moth balls, flea killers;
- (c) Paints: wood preservatives, acrylic and latex paints, turpentines, varsol and other solvents, nail polish;
- (d) Oils & Grease: engine oil, brake and transmission fluid, anti-freeze, gasoline or kerosene;
- (e) Batteries: automotive batteries, nickel-cadmium rechargeable batteries;
- (f) Ammunition: fireworks; and
- (g) Compressed gas cylinders: propane tanks.

"Residential Dwelling Unit" means one or more habitable rooms designed for use by and occupied by not more than one family and in which separate kitchen and sanitary facilities are provided for the exclusive use of such a family, with a private entrance from outside the building or from a common hallway or stairway inside the building.

"Scavenge" means search for useable objects or material.

"Town" means the Town of Greater Napanee or an authorized representative of the Town of Greater Napanee.

"Waste" is defined in Schedule "A" to this by-law.

"Waste Container" is defined in Schedule "B" to this by-law.

"Waste Disposal Site" means (pursuant to the *Environmental Protection Act*, R.S.O. 1990, c.E.19 as amended)

- (a) any land owned by the Town upon, into, in or through which, or building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed, and

- (b) any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause (a).

PART 2 SETTING OUT WASTE FOR COLLECTION

A. General provisions

- 2.A.1. No person shall set out or permit to be set out waste for collection as part of the Town's Waste Management System except as provided for in this by-law.
- 2.A.2. The owner or occupant of a premise shall set out for collection only the classes of waste, only at the locations, only in the manner, and only in accordance with the schedules of collection days and times, all as established by the Town from time to time.
- 2.A.3. (1) The owner or occupant of a premise shall set out for collection only such waste as is collectible, as designated by the Town from time to time.
 - (2) The classes of collectible waste are:
 - (a) Brush;
 - (b) Christmas trees;
 - (c) Leaf/yard waste;
 - (d) Collectible recyclables, as set out in Schedule "C" to this by-law; and
 - (e) Collectible refuse, as set out in Schedule "D" to this by-law.
- 2.A.4. The Town may, from time to time, designate which classes of waste are collectible from which types of premises, located in which areas of the Town.
- 2.A.5. The owner or occupant of a premise shall set out waste for collection by placing it in front of the premise of that owner or occupant, and as close as possible to the travelled portion of the road without obstructing the travelled portion of the road or any sidewalk.
- 2.A.6. The owner or occupant of a premise shall set out for collection only waste containers which are:
 - (a) maintained in a condition which is safe and efficient for collection;
 - (b) bound, if necessary, to prevent spillage or breakage during collection; and
 - (c) sealed, if necessary, to prevent the attraction of animals (including insects) and the release of odours.

- 2.A.7. (1) The owner or occupant of a premise shall not permit waste set out for collection from that premise to become unsecured for any reason, including weather or animals.
- (2) If such waste becomes unsecured, such owner or occupant shall immediately clean it up and re-secure it.
- 2.A.8. (1) Waste shall be set out not earlier than 6:00 p.m. on the day before the designated collection day and not later than 7:00 a.m. on the designated collection day.
- (2) The owner or occupant shall remove waste containers set out by such owner or occupant in respect of such premise, together with any waste that was not collected for any reason, from the road allowance as soon as possible after collection, but not later than 7:00 p.m. on the designated collection day.
- 2.A.9. If the owner or occupant of a premise fails to keep the premise clean and free of waste to the satisfaction of the Town, the Town may refuse to continue waste collection from the premise until such time as the premise is cleaned to the satisfaction of the Town.
- 2.A.10. No person shall, without the written approval of the Town, scavenge, interfere with, disturb, remove or scatter any waste set out for collection, provided that the Town may sort or collect waste set out for collection.
- 2.A.11. If collection service is available to a premise for any one or more of brush, Christmas trees, leaf/yard waste, recyclables or refuse, then the following provisions relevant to that class of waste shall also apply.

B. Setting out brush

- 2.B.1. Brush shall be set out for collection:
- (a) packaged in bundles (each individual piece of material not to exceed 7 cm. (2.8 in.) in diameter) with each bundle not exceeding:
 - (i) a size of 1.5 m. (5.0 ft.) long by 0.5 m. (1.6 ft.) wide; and
 - (ii) a weight of 18 kg. (40 lb.);
 - (b) separated by at least 1.2 m. (4 ft.) from any other class of waste set out for collection;
 - (c) only on the collection days and times as established by the Town from time to time; and
 - (d) in the rural areas, only after notifying the Town's Public Works Department.

C. Setting out Christmas trees

- 2.C.1. Christmas trees shall be set out for collection:
- (a) without wrapping, bagging, decorations or lights;
 - (b) separated by at least 1.2 m. (4 ft.) from any other class of waste set out for collection;
 - (c) only on the collection days and times as established by the Town from time to time; and
 - (d) in the rural areas, only after notifying the Town's Public Works Department.

D. Setting out leaf/yard waste

- 2.D.1. Leaf/yard waste shall be set out for collection:
- (a) packaged in a leaf/yard waste container not exceeding:
 - (i) a size of 90 cm. (36 in.) in height by 60 cm. (24 in.) in diameter; and
 - (ii) a weight (of container and leaf/yard waste) of 18 kg. (40 lb.);
 - (b) separated by at least 1.2 m. (4 ft.) from any other class of waste set out for collection;
 - (c) only on the collection days and times as established by the Town from time to time; and
 - (d) in the rural areas, only after notifying the Town's Public Works Department.

E. Setting out recyclables

- 2.E.1. Recyclables shall be set out for collection:
- (a) packaged either:
 - (i) in bundles; or
 - (ii) in recyclables containers; and
 - (b) separated by at least 1.2 m. (4 ft.) from any other class of waste set out for collection.

F. Setting out refuse

- 2.F.1. Refuse shall be set out for collection:
- (a) packaged in a refuse container not exceeding:
 - (i) a size of 90 cm. (36 in.) in height by 60 cm (24 in.) in diameter or a capacity of 125 litres; and
 - (ii) a weight (of container and waste) of 18 kg. (40 lb.);
 - (b) with the relevant sticker or tag affixed; and
 - (c) separated by at least 1.2 m. (4 ft.) from any other class of waste set out for collection;

2.F.2. The maximum number of refuse containers which may be set out for collection shall not exceed three (3) per collection for each residential dwelling unit or five (5) per collection for each building used for one or more institutional, commercial or industrial purposes.

2.F.3. (1) An owner or occupant may set out for collection the maximum number of refuse containers specified above, provided that each such refuse container has the appropriate sticker or tag affixed.

(2) The fee for each sticker or tag is shown in Schedule "I", which shall be paid in advance to the Town. The payment of such fee shall be made by the purchase from the Town or its authorized agents of stickers or tags in multiples of 5.

Schedule "I" – Fees for the Town's Sticker's/ Bag Tags is attached hereto.

(3) Such stickers or tags shall be affixed as follows:

- (a) for a disposable refuse container, in a clearly visible location; and
- (b) for a non-disposable refuse container, on the refuse inside the container in a clearly visible location readily seen upon removal of the container's lid or top.

PART 3 DEPOSIT OF WASTE

A. General

3.A.1. (1) No person shall sweep, throw, cast or otherwise deposit or permit any contractor, agent or employee to sweep, throw, cast or otherwise deposit any waste whatsoever on or in any road or public property, except in accordance with this by-law.

(2) No person shall permit waste to be blown, dropped or dumped from a premise or vehicle owned or operated by that person on or in any road or public property, except in accordance with this by-law.

(3) No person shall deposit, or permit any contractor, agent or employee of that person to deposit, any waste generated on a premise owned or occupied by that person, into litter bins on any road or public property.

3.A.2. Tipping fees for the deposit of waste at a Waste Disposal Site of the Town are shown in Schedule "E" as set by the Town from time to time.

3.A.3. No person shall scavenge or remove any waste from a Waste Disposal Site of the Town unless it has been designated for removal by the public or the written permission of the Town has been given.

B. Access to the Town's Waste Disposal Sites

- 3.8.1. (1) Access to a Waste Disposal Site of the Town shall be limited to the days and times determined by the Town from time to time and as show in Schedule "F".
- (2) Access to a Waste Disposal Site of the Town when it is closed is only possible with special permission of the Town.
- 3.8.2. (1) Access to a Waste Disposal Site of the Town shall be limited to persons who are not commercial waste haulers, who have provided proof of residency satisfactory to the Town to deposit waste generated and collected from within the Town.
- (2) The Town may specify time schedules and pre-deposit conditions for persons seeking access to a Waste Disposal Site of the Town.
- (3) The Town may refuse access to a person if in the Town's opinion:
- (a) the person has violated this by-law;
 - (b) the person is likely to violate this by-law;
 - (c) the person owes money to the Town pursuant to this by-law;
 - (d) the person is transporting material which is unacceptable for deposit at a Waste Disposal Site of the Town;
 - (e) the person's vehicle's load is not fully covered and/or secured; or
 - (f) the person's vehicle appears to be unsafe.
- 3.8.3. No person shall enter unlawfully a Waste Disposal Site of the Town at any time.

C. Depositing Material at the Town's Waste Deposal Sites

- 3.C.1. Every person depositing material at a Waste Disposal Site of the Town shall deposit only such types of materials as are acceptable for deposit at that Site, as designated by the Town from time to time. None of the materials as set out in Schedule "G" shall be accepted at the Town's Waste Disposal Sites.
- 3.C.2. Every person depositing material at a Waste Disposal Site of the Town shall:
- (a) comply with all orders or directions given by the Site attendant, for example regarding vehicle routes and designated unloading areas;
 - (b) bring waste-hauling vehicles to a complete stop and await the direction of the Site attendant before entering or leaving the Site;
 - (c) obey all speed limits and other signs posted at the Site;
 - (d) ensure that all waste brought onto the Site is in properly-covered leak-proof containers and totally enclosed or covered in canvas,

- tarpaulins or nets so fastened down around the edges as to prevent any of the contents from falling to the ground, attracting flies or vermin, or releasing excessive offensive odours;
- (e) remove or release tarpaulins and turnbuckles on waste-hauling vehicles only in the designated unloading area;
 - (e.1) deposit waste only within the area of the Waste Disposal Site designated for such waste;
 - (f) remove any remaining loose material from truck boxes before leaving the designated unloading areas;
 - (g) close and secure (with chains or alternative measures acceptable to the Town) all unloading doors on waste-hauling vehicles before leaving the designated unloading areas;
 - (h) ensure that no person or animal (other than any person twelve years of age or older required to unload a waste-hauling vehicle) exits from the vehicle in the designated unloading area;
 - (i) enter the Site at the person's own risk;
 - U) together with the owner of any waste-hauling vehicle brought upon the Site by the person, save the Town, its contractors, agents and employees harmless from any damage or claims whatsoever to themselves or their property or to any other person or property whatsoever arising from such person's negligence or otherwise;
 - (k) not depart the Site until the relevant tipping fee as set by the Town from time to time is paid in full by cash;
 - (l) conform strictly to all requirements of the *Environmental Protection Act*, the *Occupational Health and Safety Act* and any other relevant legislation, any relevant regulations thereunder, any relevant Certificates of Approval and any relevant Town Policies and Procedures;
 - (m) immediately remove such material at the person's own expense if it is unacceptable for deposit pursuant to this by-law; and
 - (n) not deposit or cause or permit to be deposited any material at the entrance to or around the perimeter of a Waste Disposal Site of the Town.

D. Household Hazardous Waste Drop Off

- 3.D.1. No person shall deposit or permit to be deposited any Household Hazardous Waste on or in any road or public property, except on the specific collection days and times and at the specific locations designated by the Town from time to time.
- 3.D.2. Access to the drop off location for Household Hazardous Waste shall be limited to persons who have provided proof of residency satisfactory to the Town and only for Household Hazardous Waste generated and collected from within the Town.

PART 4 ENFORCEMENT

- 4.A.1. Every person who contravenes any provision of this by-law and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence.
- 4.A.2. An offence shall be deemed to occur on each day for which a contravention of this by-law occurs or continues.
- 4.A.3. When an individual or corporation has been convicted of an offence under this by-law, any court of competent jurisdiction may, in addition to any penalty imposed on the individual or corporation convicted, issue an Order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the individual or corporation convicted, directed toward the continuation or repetition of the offence.
- 4.A.4. Where any person fails to comply with the requirements or provisions of this by-law, the Town may do so for such person and may recover the expense in doing so from such person by action or in like manner as municipal taxes.
- 4.A.5. An offence and subsequent conviction under this by-law shall not be deemed in any way to preclude the Town from commencing a separate legal proceeding to recover charges, costs and expenses incurred by the Town.
- 4.A.6. Set fines for contraventions of this by-law shall be in accordance with Schedule "H" to this by-law.

PART 5 GENERAL

- 5.A.1. Where a provision of this by-law conflicts with a provision of another by-law in force in the Town, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.
- 5.A.2. The schedules to this by-law form an integral part of this by-law.
- 5.A.3. When any provision of this by-law is declared invalid for any reason by a court of competent jurisdiction the remainder of the by-law shall still continue in force.
- 5.A.4. All terms used in this by-law which have not been defined in this by-law shall be given the meanings provided for such terms in the *Environmental Protection Act* and the regulations thereunder.

5.A.5. The provisions of this by-law shall be subject to the terms of the Certificates of Approval for any Waste Disposal Site of the Town or any other waste management facilities or systems operated by or on behalf of the Town, and any relevant statutes and regulations.

5.A.6. This by-law shall come into force and take effect on the date it is passed.

Read a first and second time and finally passed this 27th day of March, 2006.

Gordon Schermerhorn, Mayor

Rebecca Murphy, Clerk

Schedule "A" Waste

In this by-law, waste means the following classes of materials defined as follows:

- "Brush" means woody materials (twigs, branches, etc.).
- "Christmas trees" means natural Christmas trees (as opposed to artificial trees) and other material as designated by the Town from time to time.
- "Large Items" means any oversized normal household waste which is not classified as domestic waste and includes items such as furniture, appliances, mattresses, bicycle frames, electronic equipment, fencing (posts removed), as well as white goods including washers, dryers, stoves, refrigerators and freezers. "Large Items" does not include construction or demolition waste, boats, snowmobiles, machine parts, auto parts, tree stumps, hazardous waste, propane tanks or the like.
- "Leaf/yard waste" means leaves, grass, weeds, trimmings, and other material as designated by the Town from time to time, but does not include brush.
- "Recyclables" is defined in Schedule "C" to this by-law.
- "Refuse" means waste other than brush, Christmas trees, large items, leaf/yard waste or recyclables.

Schedule "B"
Waste Container

"Waste Container" means a waterproof bag, bundle, receptacle, can or such other container as may be approved from time to time by the Town for the storing and setting out of waste and includes the following:

"Leaf/Yard Waste Container" means a brown paper bag or such other container as may be approved from time to time by the Town for the storing and setting out of leaf/yard waste.

"Recyclables Container" means a container commonly known as a "Blue Box", "Recycling Cart", "Recycling Bag" or such other container as may be approved from time to time by the Town for the storing and setting out of recyclables.

"Refuse Container" means a container approved from time to time by the Town for the storing and setting out of refuse.

Schedule "C"
Recyclables

"Recyclables" means the following types of recyclables which are collectible:

1. Glass bottles and jars, including all glass containers which previously contained a food or beverage product.
2. Metal food and beverage cans, including all hard shell steel or aluminum containers which previously contained a food or beverage product.
3. Aluminum foil meaning food wrap, food packaging and kitchenware such as pie plates made from a thin sheet of aluminum.
4. Rigid shell plastic containers including Polyethylene Terephthalate (PETE#1), High Density Polyethylene (HOPE #2), Low Density Polyethylene (LOPE #4), Polypropylene (PP #5) and Polystyrene (PS #6), which previously contained a non-hazardous consumer product.
5. Rigid foam plastic containers.
6. Newspapers, magazines, flyers and household papers.
7. Old boxboard and old cardboard (non-waxed, flattened & bundled no larger than 30"x30"x8").
8. Bundled plastic bags (LOPE).
9. Other material as designated by the Town from time to time.

Schedule "D"
Collectible
Refuse

All refuse is collectible except the following:

1. Recyclables;
2. Large Items;
3. Household Hazardous Waste;
4. Construction and demolition materials, including bricks, blocks, stones, plaster and other building materials from renovation, construction or demolition activities;
5. Clearing and grubbing materials including dirt, tree stumps, trunks and large branches, rocks, etc;
6. Hazardous waste, as defined in *Ontario Regulation 347*, R.R.O. 1990, or any succeeding regulation, under the *Environmental Protection Act*;
7. Motor vehicles or automotive parts including truck and automobile tires;
8. Live animals or fowl and carcasses or parts thereof of any animal or other creature, save for normal and bona fide kitchen organic waste, which have been drained of all liquids;
9. Materials of any kind or nature that contain hot live coals or fire, including ashes and explosive or highly combustible materials such as oil-soaked or gasoline-soaked rags, ignited ashes, or other waste capable of starting fires;
10. Septic or holding tank pumpings or raw sewage;
11. Open, empty metal drums or barrels and sealed metal drums or barrels;
12. Any material which has become frozen to the container and cannot be removed by shaking;
13. Gaseous or semi-liquid or liquid waste including liquid industrial waste as defined in *Ontario Regulation 347*, R.R.O. 1990 or any succeeding regulation under the *Environmental Protection Act*;
14. Biosolids or industrial process sludge, industrial waste and any wholesaler/retailer stock;
15. Hay/straw, agricultural wastes;
16. Biomedical or pathological waste, as defined and regulated in *Ontario Regulation 347*, R.R.O. 1990, or any succeeding regulation, under the *Environmental Protection Act*, including solid and liquid waste materials or substances which contain or could contain pathogen bacteria or micro-organisms that may be hazardous or dangerous;
17. Other material as designated in the relevant Certificate of Approval;
18. Other material as designated by the Town from time to time.

**Schedule “E” to By-law No. 06-14
Tipping Fees for the Town’s Waste Disposal and Transfer Sites**

The below noted fees will apply to all non-commercial waste that is generated from a residence within The Town of Greater Napanee, to be disposed of at the South Fredericksburgh Waste Disposal Site and/or the Roblin Waste Transfer Station.

1. All residential household domestic waste packaged in a refuse bag/container not exceeding:
 - A size of 36 inch in height by 24 inch in diameter or a container with a capacity of 27.5 gallons (125 litres).
 - Oversized bags/containers of domestic waste will be charged at an additional bagged rate.

Charge: \$6.00; or
a Greater Napanee Bag Tag plus an additional \$2.00

2. All residential bulky waste shall be calculated at a rate of \$0.45 cents per cubic foot:
 - A minimum fee of \$15.00 will be applied to all loads under 32 cubic feet.
 - Measurements will be based upon the site attendant’s discretion and will be calculated based upon the greatest vertical and horizontal measurements.

Formula: (Length x Width x Height) will determine the quantity in cubic feet to be multiplied by \$0.45. All fees will be rounded to the nearest dollar.

3. Additional surcharges will be applied to all residential large items as per below:
 - \$10.00 each for item (i.e. box spring, mattress, sofas/chairs, cabinetry, dressers, and other accepted items that are not broken down.)
4. The following recyclable items are accepted at both South Fredericksburgh Waste Disposal Site and/or the Roblin Waste Transfer Station free of charge:
 - Electronic waste
 - Scrap metal
 - Biodegradable bagged leaves & yard compost
 - Brush less than 3 inch in diameter
5. The following recyclable items are accepted at both South Fredericksburgh Waste Disposal Site and/or Roblin Waste Transfer Station at a fee of \$5.00 per load:
 - Paper/Cardboard
 - Metals/Plastics/Glass

Schedule "F"
Hours of Operation for the Town's Waste Disposal Sites

Landfill Site	Winter Hours	Summer Hours (July 1st to Sept 1st)
Roblin Landfill Site	Saturday: 10:00am to 3:00pm	Saturday: 10:00am to 3:00pm
South Fredericksburgh Landfill Site	Saturday: 8:00am to 2:00pm	Wednesday: 4:00pm to 8:00pm Saturday: 8:00am to 2:00pm

Both of the Town's Waste Disposal Sites are closed all Holidays.

Schedule "G"
Waste Not Accepted at Town's Waste Disposal Sites

The following waste is not accepted at either of the Town's Waste Disposal Sites:

1. Household Hazardous Waste;
2. Roofing materials including shingles and tar paper;
3. Concrete;
4. Asphalt;
5. Hazardous waste, as defined in *Ontario Regulation 347*, R.R.O. 1990, or any succeeding regulation, under the *Environmental Protection Act*;
6. Motor vehicles or automotive parts including truck and automobile tires;
7. Live animals or fowl and carcasses or parts thereof of any animal or other creature, save for normal and bona fide kitchen organic waste, which have been drained of all liquids;
8. Materials of any kind or nature that contain hot live coals or fire, including ashes and explosive or highly combustible materials such as oil-soaked or gasoline-soaked rags, ignited ashes, or other waste capable of starting fires;
9. Septic or holding tank pumpings or raw sewage;
10. Sealed metal drums or barrels;
11. Any material which has become frozen to the container and cannot be removed by shaking;
12. Gaseous or semi-liquid or liquid waste including liquid industrial waste as defined in *Ontario Regulation 347*, R.R.O. 1990 or any succeeding regulation under the *Environmental Protection Act*;
13. Biosolids or industrial process sludge, industrial waste and any wholesaler/retailer stock;
14. Hay/straw, agricultural wastes;
15. Biomedical or pathological waste, as defined and regulated in *Ontario Regulation 347*, R.R.O. 1990, or any succeeding regulation, under the *Environmental Protection Act*, including solid and liquid waste materials or substances which contain or could contain pathogen bacteria or micro-organisms that may be hazardous or dangerous;
16. Other material as designated in the relevant Certificate of Approval;
17. Other material as designated by the Town from time to time.

Schedule "H"
The Town of Greater Napanee
Solid Waste By-Law No. 06 -
Proposed Short Form Wording for Set Fines

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Offence Creating Provision	COLUMN 3 Set Fines
1	Permitting waste to be set out for collection not as provided for in the By-law	2.A.1	\$25.00
2	Setting out non-collectible refuse for collection	2.A.3 (1) and 2.A.3 (2) para.(e)	\$25.00
3	Setting out biomedical or pathological waste for collection	2.A.3 (1) and 2.A.3 (2) para.(e)	\$100.00
4	Setting out hazardous waste for collection	2.A.3.(1) and 2.A.3 (2) para.(e)	\$100.00
5	Setting out collectible waste that obstructs a road or sidewalk	2.A.5	\$25.00
6	Failure to maintain waste containers in a condition which is safe and efficient for collection	2.A.6.(a)	\$25.00
7	Setting out unsealed waste container	2.A.6.(c)	\$25.00
8	Failure to secure waste set out for collection	2.A.7.(1)	\$25.00
9	Failure to re-secure unsecured waste	2.A.7.(2)	\$50.00
10	Setting out waste contrary to specified times	2.A.8.(1)	\$25.00
11	Failure to remove waste containers	2.A.8.(2)	\$25.00
12	Scavenging or disturbing waste set out for collection	2.A.10	\$50.00
13	Permitting waste to be swept, thrown, cast or otherwise deposited onto public property	3.A.1.(1)	\$50.00
14	Permitting waste to be blown, dropped or dumped from a premise or vehicle owned or operated by him/her onto public property	3.A.1.(2)	\$50.00
15	Depositing waste generated from a private property in a public litter bin.	3.A.1 (3)	\$25.00
16	Scavenging at a Waste Disposal Site	3.A.3	\$50.00
17	Entering a Waste Disposal Site at a prohibited time	3.B.1(1)	\$50.00
18	Depositing waste at a Waste Disposal Site not acceptable for landfilling	3.C.1	\$75.00
19	Conveying waste not in a covered container	3.C.2 (d)	\$25.00

NOTE: The penalty provision for the offences indicated above is Section 61 of the *Provincial Offences Act*, R.S.O. 1990, c. P.22.

Schedule "I" to By-law No. 06-14
Fees for the Town's Stickers/Bag Tags

1. The fee for an individual bag tag is \$4.00, including all applicable provincial and federal taxes.
2. In addition to the sale of individual bag tags, the Town may, by by-law, establish an annual fee for residential garbage collection, to be levied on the municipal taxes. The Town may also mail out a set number of bag tags to reflect the residential garbage collection covered by such annual levy.

PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the schedules of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 06-14 of the **Town of Greater Napanee** attached hereto are the set fines, including costs, for those offences. This Order is to take effect April 20, 2006.

Dated at Ottawa this 20th day of April 2006.

Peter C. Griffiths, Regional Senior Justice
Ontario Court of Justice
East Region

Schedule "H"

Set Fines for Infractions under Part I of the *Provincial Offences Act* for the Town of Greater Napanee By-Law No. 06-14

A By-law to Regulate the Use of the Waste
Management System for the Town of Greater
Napanee

ITEM NO.	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
1	Permitting waste to be set out for collection not as provided for in the By-law	2.A.1	\$25.00
2	Setting out non-collectible refuse for collection	2.A.3 (1)	\$25.00
3	Setting out biomedical or pathological waste for collection	2.A.3 (1)	\$100.00
4	Setting out hazardous waste for collection	2.A.3.(1)	\$100.00
5	Setting out collectible waste that obstructs a road or sidewalk	2.A.5	\$25.00
6	Failure to maintain waste containers in a condition which is safe and efficient for collection	2.A.6.(a)	\$25.00
7	Setting out unsealed waste container	2.A.6.(c)	\$25.00
8	Failure to secure waste set out for collection	2.A.7.(1)	\$25.00
9	Failure to re-secure unsecured waste	2.A.7.(2)	\$50.00
10	Setting out waste contrary to specified times	2.A.8.(1)	\$25.00
11	Failure to remove waste containers	2.A.8.(2)	\$25.00
12	Scavenging or disturbing waste set out for collection	2.A.10	\$50.00
13	Permitting waste to be swept, thrown, cast or otherwise deposited onto public property	3.A.1.(1)	\$50.00
14	Permitting waste to be blown, dropped or dumped from a premise or vehicle owned or operated by him/her onto public property	3.A.1.(2)	\$50.00
15	Depositing waste generated from a private property in a public litter bin.	3.A.1 (3)	\$25.00
16	Scavenging at a Waste Disposal Site	3.A.3	\$50.00
17	Depositing waste at a Waste Disposal Site not acceptable for landfilling	3.C.1	\$75.00
18	Conveying waste not in a covered container	3.C.2 {d}	\$25.00

NOTE: The general offence and penalty provisions for the offences listed above are in Part 4 of By-law No. 06-14, a certified copy of which has been filed, and Section 61 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33.