

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 127-71

A BY-LAW TO ESTABLISH, REGULATE AND PROVIDE A SYSTEM FOR THE HANDLING, COLLECTION REMOVAL AND DISPOSAL OF GARBAGE, RUBBISH, ASHES AND OTHER WASTE MATERIAL IN THE CITY OF NORTH BAY.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. Definitions

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

(a) "Garbage" shall mean all rejected, abandoned or discarded household waste, either animal or vegetable, wearing apparel, waste paper, broken crockery and glassware, bottles, cans, grass cuttings, garden refuse and other such refuse material, but shall not include weighty or bulky articles, such as stoves, furnaces, bed springs, furniture, manufacturer's waste, gasoline or oil-soaked rags or highly combustible material of any nature whatever, broken plaster, lumber or other waste or residue resulting from the construction, alteration, repair of any buildings or structure, sawdust and/or shavings, swill or other organic material not properly drained or wrapped, liquid waste, night soil, carcass of any animal, wholesale or retail trade waste, any material which has become frozen to the receptacle and cannot be removed by shaking, discarded truck and automobile tires.

(b) "Ashes" shall mean the solid residue of any fuel for heating or cooking purposes and soot or other cleanings from chimneys.

(c) "Householder" shall mean any owner, occupant, lesee, tenant or other person in charge of any dwelling, hotel, restaurant, apartment house, office building, public institution or other premises.

(d) "Dwelling" shall mean any building or place of abode, other than a hotel, restaurant, apartment house, tenement or building which accommodates more than two separate dwelling units.

(e) "Street" shall mean any public road, street, lane, alley, square, place, thoroughfare or way within the limits of the City of North Bay.

(f) "City Engineer" shall mean the person or persons for the time being filling the office of City Engineer of the Corporation or his properly appointed representative.

2. Administration

(a) The Corporation shall establish and provide a system for the collection, removal and disposal of garbage, ashes and other refuse in accordance with the terms of this by-law within the garbage area as defined from time to time by by-law of the Council of the City of North Bay.

(b) It shall be the duty of the City Engineer to administer and to enforce the provisions of this by-law

3. Collection Procedure

- (a) Except as herein otherwise provided, garbage and ashes will be removed from all premises in the garbage area of the City of North Bay once each week.
- (b) Collection from any dwelling shall consist of a total of not more than six (6) receptacles or bundles per collection, which meet the requirements of Section 5 and/or 6 of this by-law.
- (c) Collection from any premises other than dwellings shall consist of not more than eight (8) receptacles or bundles per collection, which meet the requirements of Section 5 and/or 6 of this by-law.
- (d) The collector shall follow such routes as laid out by the City Engineer and to conform to all instructions from him.

4. Receptacles

Proper receptacles shall be provided by the householder -

(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 containers or polyethylene plastic bags or containers of design approved by the City Engineer.

Every such metal container shall be provided with proper handles and a water-tight cover, which cover shall at all times remain in position. No container shall be greater than thirty (30) inches in height or have a diameter larger than eighteen (18) inches or weight more than seventy-five (75) pounds, including contents.

(b) For Ashes:

Every householder shall provide and constantly maintain in proper order and repair for the purpose of putting out for collection of ashes, a sufficient number of metal containers having a capacity of not greater than one bushel or 1 1/2 cubic feet.

5. Preparation of Garbage, Ashes, etc. for collection

- (a) Garbage shall be drained of all liquids and be securely wrapped and then placed in a receptacle conforming with the requirements of this by-law.
- (b) Ashes shall be cold and placed in proper receptacles.
- (c) Such refuse as crates, newspapers, packing materials brush, bedding and material of like nature may be collected in like manner as garbage or ashes if securely tied in compact bundles or parcels not exceeding three (3) feet in length or two (2) feet in any other dimension or weighing over sixty (60) pounds or placed in sufficient receptacles as specified herein so that they will not be scattered.
- (d) Materials classified as "non-collectable" under Section 1(a) of this by-law or placed for collection in such manner or in such containers as to be in variance with the terms and conditions set forth in this by-law shall be refused by the collector and must be removed from the roadside and disposed of by the owner at his own expense on the same day that the garbage is collected or the material refused.

6. Placing Receptacles for Collection

(a) Receptacle set out for collection shall be placed as close as possible to the edge of the roadway without obstructing the roadway, sidewalk or footpath and shall be placed in a position easily accessible to the collector and, in any case, the City Engineer shall have the power to designate the precise point at which the receptacles or bundles of refuse shall be placed for collection.

(b) Material for collection shall not be placed on a highway or public property before six (6) p.m. on the day preceding collection and shall be placed at the prescribed location for collection not later than seven (7) a.m. on the collection day.

(c) Empty receptacles as well as all material which the collector refuses must be removed from the highway or from public property by the householder of the premises from which they came before eight (8) p.m. on the same day that the garbage is collected or the material refused.

7. General Nuisance

(a) No person shall permit garbage, 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 a lane, street, creek, roadway or other public property in the City of North Bay.

(b) No person shall convey through the streets within the City limits any garbage, ashes or other refuse or any non-collectable wastes except in properly covered containers or otherwise in carts, wagons or vehicles totally enclosed or covered with canvas or tarpaulins so fastened down around the edges as to prevent any of the contents falling upon the streets and to protect the same from flies and to control, as far as possible, the escape of any offensive odours therefrom.

(c) No person shall pick over, interfere with, disturb, remove or scatter any bundle or paper or any articles so placed for removal whether contained in receptacles or otherwise, except and until the same is removed by the collector.

(d) All persons employing or using trucks, graders or loaders in making excavations for building purposes and in conveying earth, rubbish or other material from such excavations or from any other place along the public highways of the City, shall at once, remove from the pavements and sidewalks adjacent to such excavations or from any public place where the same may be deposited, all earth, rubbish or other material that may fall from the wheels of or from such trucks, graders or loaders and shall employ and keep employed a sufficient number of sweepers or workmen or use such means as may be necessary to keep all such pavements and sidewalks in a clean condition and free from earth or other material.

(e) No person shall allow garbage, ashes or other refuse to accumulate upon any premises nor keep a garbage dump or receptacle for waste material on his premises in such condition or in such location that the same is a nuisance or emits foul or offensive odours or harbours or attracts rats or other vermin or insects and the body of a dead animal must be properly disposed of by the owner thereof, so that the same shall not become a nuisance.

8. Disposal of Non-Collectable Waste

Non-collectable waste may be delivered at the disposal site operated by the City. Any person wishing to dispose of non-collectable waste shall haul such waste to the disposal site at his own expense and shall deposit the same in accordance with the directions of the Engineer or of the employee in charge of the disposal site acting under his direction.

9. Penalty

Every person who contravenes any provision of this by-law shall upon conviction be liable to a penalty of not more than three hundred (\$300.00) dollars, exclusive of costs, and such fine shall be recoverable under the provisions of the Summary Convictions Act.

10. General

(a) The provisions of this by-law shall not relieve any person from compliance with any provision of the Public Health Act for regulations prescribed by the Medical Officer of Health.

(b) By-laws Nos. 754 and 801 of the former Township of West Ferris, By-law No. 1274 of the former Township of Widdifield and By-law No. 1438 of the City of North Bay are hereby repealed effective on the effective date of this by-law.

(c) This by-law shall come into force and be effective the 31st day of December, 1971.

READ A FIRST TIME IN OPEN COUNCIL THIS 29TH DAY OF NOVEMBER, 1971
READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF NOVEMBER, 1971
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS
29TH DAY OF NOVEMBER, 1971.

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MAYOR

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CITY CLERK