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THE CORPORATION OF THE CITY OF NORTH BAY

SOLID WASTE COLLECTION AND DISPOSAL BY-LAW NO. 135-92

BEING A BY-LAW FOR ESTABLISHING AND MAINTAINING A SYSTEM FOR THE COLLECTION, REMOVAL AND APPROPRIATE DISPOSAL OF SOLID WASTES AND RECYCLABLE MATERIALS WITHIN THE CITY OF NORTH BAY.

WHEREAS The Corporation of the City of North Bay (the "City") is the owner and operator of the Marsh Drive Sanitary Landfill Site (the "Landfill Site");

AND WHEREAS the City is authorized to enact by-laws for establishing and maintaining a system for the collection, removal and disposal of garbage and other refuse pursuant to section of the Municipal Act, R.S.O. 1990, Chapter M-45;

AND WHEREAS the City is authorized to regulate and inspect the use of any land or structures within the municipality or any defined area or areas thereof for dumping or disposing of garbage, refuse, or domestic or industrial waste of any kind.

AND WHEREAS the Council deems it desirable to regulate the disposal of garbage by way of recycling and home composting systems;

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

1. Definitions

In this By-law,

- (a) "Garbage Area" means that area described on Schedule "D" as approved by the Ontario Municipal Board for a special charge for garbage collection.
- (b) "Landfill Site" means the Marsh Drive Landfill Site located at Parcel 282 and 2123 W & F in Lot 18, Concessions 1 and 2 in the City of North Bay.
- (c) "Multi-Residential building" means a building with a single municipal address having more than two (2) residential dwelling units which is principally used or held out to be used for apartment or townhouse accommodation and excluding any building used or held out to be used for hotel or motel accommodation but shall include a mobile home park where each mobile home is served by an individual hydro service, the units are permanently occupied and are in excess of 30 feet in length.
- (d) "Solid Waste" means discarded materials which:
  - (i) Are in a solid physical state, as determined by the "slump test" prescribed by the regulations passed under the provisions of the Environmental Protection Act; and
  - (ii) Do not contain any of the unacceptable substances or materials set forth in Schedule "C" to this By-law.
- (e) "Recyclable Materials" means newsprint, plastic pop bottles and metal cans, clear glass, coloured glass and such other materials as may be designated by the Director of Engineering and Environmental Services from time to time.

2. Collection Times

- (1) No person shall leave solid waste at curbside for collection sooner than 6:00 p.m. on the day preceding the day of collection or later than 7:00 a.m. on the day of collection.
- (2) The Director of Engineering and Environmental Services is authorized to fix dates for the collection of solid waste from time to time and to publish notice thereof at least once in a newspaper having general circulation in the City.
- (3) In the event that solid waste has been left at curbside for collection and all or any portion of the solid wastes have not been collected prior to 8:00 p.m. on that date, the solid waste shall be immediately removed from the curbside by the owner or occupant of the self-contained residential unit from which the waste originated.
- (4) Garbage and ashes will be collected within the garbage area of the City of North Bay,
  - (a) once weekly from all residential properties; and
  - (b) twice weekly from all commercial and institutional properties;
- (5) No person shall leave solid waste at curbside for collection except on such dates as are approved pursuant to this section.
- (6) "Curbside Collection" means single family dwellings, semi-detached units and up to 3 dwelling units per building.

3. Curbside Collection of Recyclable Materials

- (1) The occupants of each self-contained dwelling unit within the Garbage Area which receive curbside collection in the City of North Bay shall be permitted, in accordance with this section, to leave recyclable materials at the nearest adjoining curbside for collection.
- (2) Notwithstanding subsection (1), the occupants of buildings in which there are 3 or more self-contained dwelling units shall only leave solid waste at curbside for collection if the solid waste is left at a common point on the curbside.
- (3) Recyclable Materials left at curbside for collection shall have been placed within the container commonly known as a "Blue Box" or within such other container as may be approved by the Director of Engineering and Environmental Services from time to time.
- (4) Recyclable Materials shall be separated from any Solid Wastes left at curbside for collection.

4. Curbside Collection of Solid Waste

- (1) Solid wastes left at curbside for collection shall be within one or more of the following containers:
- (a) An opaque bag constructed of plastic or other flexible material, having the following dimensions:  

Minimum thickness:	1.5 millimetres
Maximum Volume:	0.15 cubic metres
Maximum Mass when full:	75 lbs/34 kilograms
Minimum Volume:	0.08 cubic metres

or,
  - (b) Any other opaque receptacle or container, other than a bag, having sufficient structural integrity to hold the solid waste, and having the following dimensions:  

Maximum Volume	0.15 cubic metres
Maximum Mass when full	34 kilograms
Minimum Volume	0.08 cubic metres
- (2) (a) The total number of containers placed at curbside for the collection of solid waste shall not exceed six (6) per week from each self-contained dwelling unit.
- (b) The total number of containers placed at curbside for the collection of solid waste from non-residential premises shall not exceed 8 containers twice per week.
- (c) Collection from any multi-residential building having more than 2 dwelling units but fewer than 10 dwelling units shall consist of not more than 20 receptacles or bundles which comply with section 4 of this by-law.
- (d) Collection from any multi-residential building having 10 to 20 dwelling units shall consist of one lift per week of one 4 cubic yard container placed and maintained on the site in a location and a manner and on terms satisfactory to the Director of Engineering and Environmental Services.
- (e) Collection from any multi-residential building having 21 to 50 dwelling units shall consist of one lift per week of one 6 cubic yard container placed and maintained on the site in a location and a manner and on terms satisfactory to the Director of Engineering and Environmental Services.
- (f) Collection from a multi-residential building having more than 50 dwelling units shall consist of two lifts per week of one 6 cubic yard container placed and maintained on the site in a location and a manner and on terms satisfactory to the Director of Engineering and Environmental Services.
- (g) Any owner entitled to the minimum level of container collection service as set out in subsection (e) (f) and (g) who desires a higher level of service may release the City from providing the minimum level of service by so advising the Director of Engineering and Environmental Services in the prescribed form.

- (h) Notwithstanding that the City is released from providing the minimum level of service pursuant to subsection (g), the City shall
  - (i) maintain payment to the prime City Contractor of the amount otherwise payable for the minimum level of service;
  - (ii) monitor the service being provided to any owners from time to time to determine whether the service provided otherwise conforms to this By-law; and
  - (iii) provide the minimum level of service upon request of the owner in prescribed form on 15 days notice.
- (i) The Collector shall follow such routes as approved by the Director of Engineering and Environmental Services and conform to all instructions from him.
- (3) Where solid waste cannot be fit into the containers described in subsection (2) because of the size and shape of the solid waste, it may be left at curbside for collection if it is securely bound into one or more bundles and if the bundles have the following dimensions:

Maximum Volume	0.15 cubic metres
Maximum Mass	25 kilograms
Maximum Length	1 metre
Maximum Width	1 metre
Maximum Height	1 metre

Each such bundle shall be deemed to be a container for the purpose of subsection (3), and bundles shall not be stacked to a height exceeding 1 metre.

- (4) No person shall leave ashes for collection unless the ashes are cold and placed in metal containers having a capacity of not greater than one (1) bushel or 1.5 cubic feet which container shall have a watertight cover.

#### 5. Home Composting

- (1) In this section,
  - (a) "Compost" means the discarded organic material commonly referred to as compost, and includes leaves, grass clippings and kitchen waste.
- (2) The occupants of each self-contained dwelling unit in the City of North Bay shall be entitled, in accordance with this section, to keep and maintain containers and piles of compost.
- (3) No container or pile of compost shall have a volume greater than 2 cubic metres.
- (4) Compost shall consist of plant material only, and shall contain no animal matter.

- (5) Notwithstanding subsection (2), no person shall keep or maintain any container or pile of compost unless:
  - (a) There is individual rear yard space appurtenant to the self-contained dwelling unit, and the container or pile of compost is situated on such individual rear yard space; or,
  - (b) There is sideyard space of at least 8 feet in perpendicular width appurtenant to the self-contained dwelling unit on which sideyard does not abut the living accommodation of the dwelling unit and the container or pile of compost is situated in such sideyard common area.
  - (c) The self-contained dwelling unit is situated within a building containing three or more self-contained dwelling units, there is a rear yard common area appurtenant to the building, and the container or pile of compost is situated in such rear yard common area.

6. General Provisions

- (1) No person shall deposit any material in the Marsh Drive Sanitary Landfill Site except as may be expressly permitted in this By-law.
- (2) No person shall place any material out for curbside collection within the City of North Bay except as may be expressly permitted in this By-law.
- (3) No person shall keep or maintain any container or pile of compost or any other decaying organic material on any property within the City of North Bay except as may be expressly permitted in this By-law.
- (4) Subsections (1) and (3) shall not apply to The Corporation of the City of North Bay or any of its employees or agents while in the course of their duties as such.
- (5) No person shall leave or deposit any solid waste on any land in the City of North Bay except as expressly permitted by this By-law.

7. General Nuisance

- (1) No person shall permit any solid waste to be blown or dropped from their premises or from their vehicle onto a public lane, highway or public highway in the City of North Bay.
- (2) No person shall pick over, disturb or scavenge any bundle, paper or articles placed at curbside for removal except the collector appointed by the City Council.
- (3) No person employing or using trucks, graders or loaders for excavations for public purposes or for conveying earth, solid waste, rubbish or other material from such excavations or from any other place on a public highway shall permit earth, solid waste, rubbish or other material to remain on a public highway.
- (4) Any person employing or using trucks as set out in paragraph (c) shall employ such sweepers, workers or other means as may be necessary to keep all pavement and sidewalks in a clean condition and free from earth or other material.

- (5) No person shall:
- (i) allow garbage, solid waste or other refuse to accumulate upon any premises;
  - (ii) keep a garbage dump or receptacle for solid waste on their 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;
  - (iii) keep a garbage dump;
  - (iv) keep a receptacle for solid waste except in conformance with this by-law;
  - (iv) dispose of the body of a dead animal in such a way as for it to become a nuisance.
- (6) The owner of any multi-residential building shall ensure that garbage is placed within the container prescribed by this by-law and that any garbage which cannot be disposed of within the terms of this by-law shall be disposed of by the owner at his expense.

8. Landfill Site - Access and Use/Tipping Fees

- (1) Only Solid Waste originating from the City of North Bay or the Township of North Himsforth may be deposited at the Landfill Site.
- (2) No person shall deposit or cause to be deposited waste originating from any place other than the City of North Bay or the Township of North Himsforth at the Landfill site.
- (3)
  - (a) Any person depositing Solid Waste at the Landfill Site, except the City, its employees or agents while in the course of their duties as such, shall pay the tipping fees set forth in Schedule "A" to this By-law.
  - (b) The Director of Financial Services shall establish an accounting system for the payment of tipping fees, either at the landfill site or by prior contract and either by prior deposit or invoice.
  - (c) In the event that scales are not in place or are out of service, then the tipping fee shall be based upon the weight estimate of the landfill site inspector appointed by the City, subject to an appeal, after payment in full, to the Director of Engineering and Environmental Services.
- (4) No person shall use the Landfill Site except in compliance with the rules set forth in Schedule "B" to this By-law.
- (5) No load containing solid waste shall be admitted to the Landfill Site unless it is covered or otherwise securely bound.

9. Administration

- (1) The Director of Engineering and Environmental Services shall establish and provide a system for the collection and removal of solid waste in accordance with the terms of this by-law within the "garbage area" of the City of North Bay.

- (2) The Director of Engineering and Environmental Services shall establish and provide a system for the disposal of solid waste in accordance with the terms of this by-law and the current Certificate of Approval issued under the Environmental Protection Act.
- (3) The Director of Engineering and Environmental Services and his authorized delegates shall administer and enforce the provisions of this by-law.

10. Penalties

- (1) Every person who:
  - (a) Does any thing which is prohibited by this By-law;
  - (b) Fails to comply with any order or direction given by a municipal official pursuant to this by-law.
  - (c) Omits to do any thing required to be done by him under this By-law; or,
  - (d) Otherwise contravenes any provision of this By-law,

is guilty of an offence and upon conviction is liable to pay a penalty recoverable under the provisions of the Provincial Offences Act.

- (2) (a) Any person who deposits any waste at the Landfill Site contrary to this by-law may, in addition to any other penalties which may apply, be suspended from further access to the Landfill Site for any purpose by the Director of Engineering and Environmental Services by written notice setting out the grounds for the suspension subject to a hearing before the council to be held pursuant to the Statutory Powers Procedure Act.
- (b) The council shall consider whether the suspended person will continue to contravene the by-law and may maintain or revoke the suspension subject to such conditions as it may determine.

11. (a) Subject to subsection (b) this by-law comes into force upon being passed.
- (b) Section 8 (3) shall come into effect as of July 1, 1992.

12. By-law No. 127-71, as amended by By-law 94-80 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THE 22ND DAY OF JUNE 1992.

READ A SECOND TIME IN OPEN COUNCIL THE 22ND DAY OF JUNE 1992.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 22ND DAY OF JUNE , 1992.

  
MAYOR

  
CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 135-92 OF THE CORPORATION  
OF THE CITY OF NORTH BAY

.....

TIPPING FEES

- (1) The City of North Bay shall charge on a per metric tonne basis, the following rates, for waste disposed at the Marsh Drive Sanitary Landfill. (M.T. - Metric Tonne)
- (2) Where wastes may be classified into more than one of the following categories, the wastes shall be deemed to fall within that category to which the higher tipping fee is applicable

July 1, 1992

- |  |                |
|--|----------------|
| (a) Solid Waste not otherwise referred to herein   | \$27.00/M.T.   |
| (b) Passenger Vehicle<br>Whole tires free of rim<br>(per tire price)   | \$2.00 each    |
| (c) Clean Fill, Clean Granular Material,<br>Suitable for immediate cover material use  | Free of charge |
| (d) Solid Waste loads, from Industrial/Commercial/<br>Institutional sources  | \$27.00/M.T.   |
| (e) Solid waste from municipal collection  | nil            |
| (f) Sludge from water pollution control plant  | nil            |
| (g) Solid waste from private vehicles of less than 1 ton and with the equivalent of 6 curbside receptacles                                       | nil            |
| (h) Commercial (2000 kilograms) vehicles of less than 1 ton capacity or private vehicles with more than the equivalent of 6 curbside receptacles | \$20.00/load   |

- 3) The above fees shall be payable prior to depositing any solid waste at the landfill site or in accordance with the accounting system established pursuant to section 8 (3) (b).



