

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 06-188

BEING A BYLAW FOR THE PURPOSE OF REGULATING THE DISPOSAL OF WASTE, INCLUDING ESTABLISHING OF TIPPING FEES FOR THE PETERBOROUGH COUNTY-CITY WASTE MANAGEMENT FACILITY

WHEREAS Council of the City of Peterborough wishes to enact a By-law for the purposes of regulating the disposal of waste;

AND WHEREAS Section 391 of the *Municipal Act, 2001* provides that a municipality may pass by-laws imposing fees or charges;

AND WHEREAS solid waste tipping fees will be included in the By-law;

AND WHEREAS the City of Peterborough held a public meeting on December 11, 2006 at City Hall, 500 George Street North, Peterborough, in accordance with Regulation 244/02 under the *Municipal Act, 2001*;

NOW THEREFORE the Council of the City of Peterborough enacts as follows:

1. INTERPRETATION

In this By-law:

“City” means the City of Peterborough;

“Director” means the Director of Utility Services for the City of Peterborough and where applicable includes a person designated by the Director to perform a task or exercise a power in his or her place and stead;

“garbage” means dry waste other than recyclable materials, organic materials and hazardous waste;

“green waste” has the meaning set out in Schedule “A”;

“hazardous waste” means hazardous waste as defined in R.R.O. 1990, Regulation 347, as amended from time to time, pursuant to the Environmental Protection Act, R.S.O 1990, cE19, which includes:

- a) hazardous industrial waste;
- b) acute hazardous waste chemical;
- c) hazardous waste chemical;
- d) severely toxic waste;
- e) ignitable waste;
- f) corrosive waste;
- g) reactive waste;
- h) radioactive waste, except radioisotope wastes disposed of in a landfilling site in accordance with the written instructions of the Atomic Energy Control Board or the Canadian Nuclear Safety Commission;
- i) pathological waste;
- j) leachate toxic waste;
- k) PCB waste as defined in Regulation of 362 of Revised Regulations of Ontario, 1990;

“recyclable materials” means those materials set out in Schedule “A”;

“waste” means anything for which the holder has no further use and which the holder has discarded and includes, but is not limited to garbage and recyclable material;

“waste management facility” means the Peterborough County/City Waste Management Facility, formerly known as Bensfort Landfill Site, located at 1260 Bensfort Road, Township of Otonabee, South Monaghan, County of Peterborough. For the purpose of this by-law, the waste management facility includes the landfill site and the Public Drop-off Depot.

2. GENERAL PROVISIONS AND PROHIBITIONS

2.1 No person shall, at the waste management facility:

- (a) deposit waste outside the posted hours of operation;
- (b) deposit waste or recyclable materials at any place other than the place respectively designated for the receipt of such waste;
- (c) deposit hazardous waste;
- (d) deposit any waste which originated from outside the County or City of Peterborough. If requested, the person shall provide proof of the origin of the waste prior to depositing the waste;
- (e) refuse to remove, at the person’s expense, any waste which has been deposited by the person which is not in compliance with this by-law;
- (f) remove or scavenge any deposited waste without the prior written approval of the Director;
- (g) deposit waste which has been transported to the facility except when such waste has been properly secured or covered in canvas, tarpaulins or nets, so fastened down around the edges as to prevent any of the contents from leaving the vehicle during transport.

2.2 Notwithstanding Section 2.1 (b), any load which contains less than 10% by volume of recyclable materials may be deposited at the place designated for the receipt of garbage.

3. FEES

3.1 No person shall deposit waste at the waste management facility without paying the appropriate fee for that type of waste, as set out in Schedule “B”.

3.2 If any cheque provided in payment of a fee payable under Subsection 3.1 is returned marked “Not Sufficient Funds”, the amount of the fee shall remain unpaid, and together with the administrative charge for NSF cheques, determined in accordance with the City’s Financial Policies shall be a debt to the City owing by that person recoverable by action or other means open to the City.

4. ENFORCEMENT PROCEDURES

4.1 In the event that a person deposits, or attempts to deposit waste, not in compliance with this by-law:

- (a) The person may be refused access to the waste management facility;
- (b) The person shall receive a written warning on the first such occasion;

- (c) The person shall pay surcharges in the following amounts on any subsequent occasions:
 - (i) \$100 on the first subsequent occasion;
 - (ii) \$200 on the second subsequent occasion;
 - (iii) \$300 on the third and any other subsequent occasions.

5. **SCHEDULES**

The following Schedules attached hereto form a part of this By-law:

Schedule "A" –Recyclable Materials; and
Schedule "B" – Waste Management Tipping Fees.

6. **PENALTY**

Any person who contravenes this by-law is guilty of an offence and, upon conviction, is liable to a fine or penalty provided for in the ***Provincial Offences Act***, as amended.

7. **EFFECTIVE DATE**

This By-law shall come into force and take effect on Monday, January 1, 2007.

By-law read a first, second and third time this 11th day of December, 2006.

(Sgd.) D. Paul Ayotte, Mayor

(Sgd.) Nancy Wright-Laking, City Clerk

SCHEDULE "A"

TO BY-LAW 2006 -** RECYCLABLE MATERIALS

The following materials are banned from disposal at the waste management facility but are accepted for recycling at the facility's Public Drop-off Depot:

"blue box materials" means recyclable materials as collected in the City of Peterborough Blue Box Collection program, as amended from time to time, namely:

- a) clear and coloured glass from food & beverage bottles and jars; aseptic containers;
- b) metal cans and foil; including food & beverage cans, aluminum foil & trays;
- c) empty metal paint and aerosol cans;
- d) gable top drink cartons and tetra paks including milk and juice cartons and tetra pack containers for juice, milk, soup;
- e) plastic soft drink and water containers made out of polyethylene terephthalate (PET or PETE #1);
- f) plastic bottles and jugs made out of high density polyethylene (HDPE #2);
- g) tubs and lids (#5);
- h) polystyrene and styrofoam containers (#6) including clear trays and clamshells marked with the #6 only; plant pots up to 12 inches in size, cell-paks, carrying flats; foam meat trays, plates, cups, take-out containers and egg cartons only;
- i) film plastic bags including bread, milk, fresh and frozen produce bags, bulk food, dry cleaning, toilet-tissue packaging, and cereal box liners;
- j) boxboard, including cereal, crackers, detergent, toothpaste, shoe boxes;
- k) corrugated cardboard consisting of triple-layer cardboard boxes. Waxed, stained, painted or contaminated cardboard must be discarded as garbage;
- l) paper including envelopes, direct mail advertising, paper egg cartons, greeting cards and all remaining paper and paper products generated by households
- m) newspapers & magazines, including inserts, catalogues, white envelopes, computer paper; writing papers, telephone directories, manuals & softcover books;

"clean wood waste" includes untreated lumber and wood products such as pallets and raw lumber, but does not include painted wood, paneling, pressboard or similar treated products;

"drywall" includes drywall scraps or drywall material, which may contain paint and screws, segregated from supporting building material;

"green waste" means leaves, grass clippings; trees, excluding stumps; garden roots and cuttings; hedge and shrub trimmings; brush cuttings; twigs and branches; natural Christmas trees; other plant material;

"scrap metal" includes metal auto parts, large appliances, bicycles, tools, etc; and

"tires" means tires without wheel rims.

SCHEDULE "B"

TO BY-LAW 2006 -
WASTE MANAGEMENT TIPPING FEES**

1. GARBAGE

	<u>Rate</u>
a) Load of 100 kg or less	\$5.00 flat rate
b) Load over 100 kg	\$85.00 per metric tonne

2. RECYCLABLE MATERIALS

All loads of recyclable materials must be segregated and cannot contain garbage.

	<u>Rate</u>
a) Load of 100 kg or less	FREE
b) Load over 100 kg	\$45.00 per metric tonne
c) On-road tires (tire diameter:124cm/49 inches or less) - up to 5 tires in a load - more than 5 tires in a load	\$3 surcharge per tire \$225 per metric tonne
d) Off-road tires (tire diameter:127 cm/ 50" or more) - up to 5 tires in a load - more than 5 tires in a load	\$40 surcharge per tire \$225 per metric tonne
e) Freon-containing appliances	\$15 surcharge per appliance

**3. UNCONTAMINATED GRANULAR MATERIAL AND NON-HAZARDOUS
CONTAMINATED SOIL TIPPING FEE**

	<u>Rate</u>
a) Granular materials determined by the Director to be suitable as cover material at the waste management facility, and deposited in the area specified by the Director, for such use;	FREE
b) Non-hazardous contaminated soil, tested for suitability by owner of the material and determined by the Director to be suitable as cover material at the waste management facility, and deposited in the area specified by the Director for such use.	\$20.00 per metric tonne