

**MUNICIPALITY OF THE TOWNSHIP OF GILLIES
BY-LAW NO. 563**

**BEING A BY-LAW TO GOVERN THE DISPOSAL OF WASTE MATERIAL WITHIN
THE TOWNSHIP OF GILLIES.**

WHEREAS Section 8 (1) of the *Municipal Act, 2001, c. 25* provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 8 (3) provides that a matter may be regulated or prohibited;

AND WHEREAS the Council for the Corporation the Township of Gillies deems it expedient to set forth regulations governing the Township of Gillies Waste Disposal Site;

AND WHEREAS the Council for the Corporation of the Township of Gillies has found it necessary to encourage recycling in order to extend the lifespan of the landfill site;

NOW THEREFORE the Council for the Corporation of the Township of Gillies enacts as follows:

1. DEFINITIONS

In this by-law:

“Automotive batteries” shall mean any battery from an automobile, or motorized equipment

“Agricultural waste” shall mean waste, other than sewage, resulting from farm operations, including animal husbandry, excluding any dead animal or part thereof

“Burnable material” shall mean any type of wood, including brush, logs, boards, trees or part thereof

“Council” shall mean the Council of the Municipality of the Township of Gillies

“Demolition waste” shall mean rubble from the full or partial destruction of a building structure either as a result of fire, pulling or tearing down

“Dispose” shall mean dumping, depositing and including storage, either temporarily or permanently

“Domestic waste” includes sewage, hauled sewage and processed organic waste as defined in the Environmental Protection Act, 1990, c. E.19

“Electrical appliances” shall mean appliances deemed to be scrap metal including but not limited to toasters, blenders, drills, stoves, washers and dryers, but not including fridges, freezers and air conditioners, and that such items are deemed to be scrap metal

“Electronic” shall mean any equipment including but not limited to computers, televisions, VCRs and radios that contains electronic parts, but shall not include smoke detectors

“Furniture” shall mean items from a room that equip it for living and may be composed of wood, metal and/or fabric. Mattress and vehicle seats shall be

included in this definition.

“Garbage” shall mean all organic or non-recyclable waste obtained from household use

“Household batteries” shall mean to include any AAA, AA, C, D, 6 and 9 volt battery used in electronic equipment, and any smoke detector, but shall not include rechargeable batteries

“Hauled sewage” shall mean all waste and sewage removed from a cesspool, a septic tank, a privy vault or privy pit, a chemical toilet, a portable toilet or a sewage holding tank

“Hazardous waste” shall mean waste that requires special precautions in its storage, collection, transportation, treatment or disposal, to prevent damage to persons or property and includes explosive, flammable, volatile, radioactive, toxic, leachate toxic waste and pathological waste as defined in the Environmental Protection Act, R.R.O. 1990, Reg. 347. Propane cylinders and are included in this definition.

“Incinerator waste” shall mean the residue from incineration

“Industrial waste” includes hazardous waste, any petroleum product or by-product, or any solid or liquid that is a product of:

an enterprise or activity involving industrial, manufacturing, or commercial process or operations

research or an experimental enterprise or activity, or

an enterprise or activity to which an enterprise or activity involving industrial, manufacturing, or commercial process or operations would apply if the enterprise or activity were carried on for profit

“Medical waste” shall mean to include any needles or sharps used for the injection of any type of drugs

“Mercury containing items” shall mean to include any apparatus that contains mercury, including but not limited to thermostats and thermometers

“Person” shall mean an individual or individuals, a partnership, a corporation, or other body or group and shall include any agent, representative or employee of any of these

“Permissible waste” shall include garbage, refuse, rubbish, incinerator waste, renovation waste and processed organic waste

“Processed organic waste” shall mean waste that is predominantly organic in composition and has been treated by aerobic or anaerobic digestion, or other means of stabilization, and includes sewage residue from sewage works that are subject to provisions of the Ontario Water Resources Act

“Recyclable materials” shall mean newspaper, paper, cardboard and fibre board, glass, #1 and #2 plastics, tin food cans, aluminum and pop cans

“Refuse” shall mean any waste or rubbish but shall exclude agricultural waste

“Renovation waste” shall mean any non-recyclable material from a building renovation, including, but not limited to asphalt shingles, windows, flooring, carpeting, drywall and insulation

“Resident” shall mean an individual residing within the boundaries of the

Township of Gillies, or an individual who is in possession of a valid Class 1 Building Permit within the Township of Gillies

“Rubbish” shall mean all inorganic solid waste

“Scrap metal” shall mean all items primarily composed of metal, but not including automobiles

“Sewage” shall mean all human excrement

“Tires” shall mean any iron or rubber around the wheel of any vehicle or equipment, which forms the tread

“Truckload” shall mean a load that does not exceed the carrying capacity of an unmodified box of a ½ to ¾ tonne truck

“Trailer load” shall mean a load that does not exceed the carrying capacity of a standard size, uncovered trailer that is towable behind a passenger vehicle

“Validation tag” shall mean the tag issued by the Township of Gillies authorizing access to the Gillies Township Waste Disposal Site

“Waste” shall mean any type of material that is left over, superfluous, refuse, or no longer of use

“Waste Disposal Site” means the Township of Gillies Waste Disposal Site situated at the northeast corner of Lot 9 Concession 3

“Waste Site Attendant(s)” shall mean employees of the Township of Gillies working at the Gillies Township Waste Disposal Site

2. GENERAL PROVISIONS

- a) The Township of Gillies Waste Disposal Site situated at the northeast corner of Lot 9 Concession 3, the Provisional Certificate of Approval for a Waste Disposal Site Certificate approval #A590501, shall be the only location where refuse may be disposed of in the Township of Gillies.
- b) The Gillies Waste Disposal Site shall be operated in compliance with the Ministry of the Environment Provisional Certificate of Approval for a Waste Disposal Site Certificate of Approval No. A590501 attached to this by-law as Schedule A.
- c) The Gillies Waste Disposal Site shall be open to the residents of the Township of Gillies only during the hours of operation which shall be stated from time to time by resolution of Council.
- d) The use of Gillies Township Waste Disposal Site shall be monitored by Waste Site Attendants. Volumes of materials will be recorded and summarized for Municipal Performance Measures and other provincial programs.

3. VALIDATION TAGS

- a) All residents must have the mandatory numbered validation tag affixed to the driver’s side of the windshield of the vehicle used to transport the refuse into the Gillies Waste Disposal Site. One validation tag will be issued to each household free of charge. A fee as authorized in the fee schedule set out in the Municipality’s Miscellaneous Fees by-law shall apply for each subsequent and/or replacement validation tag.
- b) Residents of the Municipality of the Township of Gillies may obtain a temporary

validation tag for a fee as authorized in the fee schedule set out in the Municipality's Miscellaneous Fees By-law, which will allow a non-resident vehicle access to the Waste Disposal Site on a designated day provided the resident to whom the temporary permit is issued, is riding in that vehicle and the waste being transported belongs to that resident.

- c) Validation tags must be obtained at the Township of Gillies Municipal Office during regular business hours.
- e) That residents are permitted to remove materials or items from the scrap metal and "Good Neighbour" areas, if the items are to be used solely for personal use. Removal of a truck and/or trailer load of scrap metal or the removal of items from within the pit, are not permitted.
- f)
 - i) That any resident, employee of the Township, contractor or otherwise, who removes any material or item from the Waste Disposal Site, known or unbeknownst to the Township, shall be doing so at their own risk; and
 - ii) The Township of Gillies shall not be held liable for any injury to individuals or damage to property resulting from the removal of the material or item.

4. PERMISSIBLE WASTE

- a) Only waste originating from and/or created by residents of the Township of Gillies is permitted.
- b) Recycling of all recyclable materials is mandatory. All recyclable materials as defined above shall be placed in the designated areas, or as so directed by the Waste Site Attendant.
- c) All permissible waste as defined above shall be deposited in the open trench except for recyclable materials, burnable materials, household batteries, automotive batteries, mercury containing items, electronics, electrical appliances and scrap metal which shall be placed in designated areas.
- d) Furniture, including mattresses and vehicle seats shall be permitted, if broken up to the greatest extent possible of its component pieces and the resulting pieces placed in the designated areas according to each piece's composition.
- e) Any boulders, earth fill, etc., shall be deposited under the direction of the Waste Site Attendant.
- f) Residents are only allowed one truckload or one trailer load of waste per day, per validation tag.

5. NON-PERMISSIBLE WASTE

- a) No resident shall dispose of waste at the Waste Disposal Site on behalf of a person who is a non-resident, or dispose of waste that originated from and/or was created from the household or business of a non-resident.
- b) No person shall dispose of non-permissible waste at the Waste Disposal Site.
- c) Non-permissible waste includes hazardous waste, hauled sewage, sewage, animal or fowl carcasses, automobiles, industrial waste, agricultural waste, medical waste, demolition waste, electrical appliances, tires, used fuel tanks, used paint or paint cans and motor oil.
- d) Non-permissible waste includes refrigeration and freezer units unless the units

are tagged by a certified refrigeration specialist indicating that the Freon has been removed.

- e) A truckload of burnable material is not permitted.

6. ENFORCMENT

- a) All residents must obey the signage and the instructions of the Waste Disposal Site Attendant.
- b) Council of the Township of Gillies may from time to time employ Waste Site Attendant(s) who shall report to Council any contravention of this By-law.
- c) Every person who contravenes any provision of this by-law shall be guilty of an offence and upon conviction, is liable to the penalties provided for under the *Provincial Offences Act*, R.S.O.1990 c. P. 33.

- 7. By-law 536 is hereby repealed.

This by-law shall come into force and effect as the date of this date of its adoption.

READ A FIRST AND SECOND TIME ON THE 10TH DAY OF NOVEMBER 2005 AND A THIRD TIME AND FINALLY PASSED THIS 24TH DAY OF NOVEMBER 2005

THE MUNICIPALITY OF THE TOWNSHIP OF GILLIES

REEVE _____

CLERK _____