



CORPORATION OF THE TOWNSHIP OF ST. CLAIR

BY-LAW NO. 46 OF 2023

A By-law to Govern the Collection and Storage of Waste in the Township of St. Clair

WHEREAS the Township of St. Clair is authorized by Section 11(3) of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, to pass by-laws regulating, prohibiting and requiring persons to do things respecting waste management;

NOW THEREFORE Council for the Township of St. Clair enacts as follows:

Part 1 – Definitions

1. The following terms are defined for the purposes of this By-law:

- (a) “Blue Box” means a blue, durable, reusable, rigid plastic container designed for Ontario’s recycling program;
- (b) “Blue Box Material” includes the materials listed in Schedule ‘A’ to this Bylaw;
- (c) “Bulk Item” means an item suitable for waste collection that is too large are awkward to fit in a waste bag or receptacle;
- (d) “Christmas tree” means a naturally grown evergreen tree used for the purpose of celebrating Christmas;
- (e) “Collectible Material” means Blue Box Material, Christmas Trees, Yard Waste Material, Bulk items, and Garbage;
- (f) “Council” means the Council for the Corporation of the Township of St. Clair
- (g) “Curbside” means the municipal road allowance area directly in front of a private Premises between it and the traveled portion of the road (boulevard);
- (h) “Garbage” means solid, residual waste which does not fall within any other class of Collectible Material, but does not include Non-Collectable Material as listed in Schedule ‘A’; to this By-law;
- (i) “Garbage Container” means:
 - (A) A reusable, rigid container that has:
 - handles or a lip attached or molded to the exterior of the container which accommodate lifting, carrying, and emptying;
 - a top diameter that is not smaller the bottom diameter
 - an unattached or removable lid; or

(B) A plastic, disposable, water-proof bag:

- not less than 1.5 millimetres in thickness;
- having the capability to be securely closed or tied when filled;
- of sufficient durability to support the weight of its contents when lifted without tearing.

- (j) "Household Hazardous Waste" means the Household Hazardous Waste as listed in Schedule "A" to this By-law;
- (k) "Municipal By-law Enforcement Officer" means any Officer appointed by the Township including contracted officers and agents.
- (l) "Municipal Premises" means any premises that are owned by the Township of St. Clair;
- (m) "Non-Collectible Material" means the Non-Collectible Material as listed in Schedule 'A' to this Bylaw;
- (n) "Owner" means a person who owns, rents, leases or occupies a Premises or any other person in charge, management or control of a Premises;
- (o) "Premises" means a buildings or any part of it, together with its lands and outbuildings, located in the Township of St. Clair;
- (p) "Registered Owner" means the person or persons registered on title as the owner of the Premises, and in the case of a condominium development, includes the condominium corporation;
- (q) "Waste" means any material, substance, or by-product eliminated or discarded and includes Collectable Material, Non-Collectable Material, Waste Facility Material and Non-Waste Facility Material;
- (r) "Yard Waste Container" means a paper yard-waste bag or tree and shrub clippings tied by twine material;
- (s) "Yard Waste Material" means the Yard Waste Material as listed in Schedule 'A' of this Bylaw.

Part 2 – Curbside Collection

General Collection Provision

2. The Township of St. Clair shall provide for the collection of Collectable Material from curbsides of all premises in accordance with the terms and conditions of this Bylaw.
3. No Owner shall use a 45 gallon drum as a Curbside Collection receptacle.

Classes for Curbside Collection

4. The Classes for Curbside Collection for the purposes of this Bylaw are as follows and do not include multi unit and multi level apartment structures or condominium developments:

- (1) Single detached residential premises;
 - (2) Multi-Residential residential premises when fronting on a roadway.
5. The classes of Curbside Material for the purposes of this Bylaw are as follows:
- (1) Recyclable Materials:
 - (a) Blue Box Material
 - (b) Christmas Trees
 - (2) Non-Recyclable Materials:
 - (a) Bulk Items
 - (b) Garbage

Duty to Separate According to Class and Class Provisions

6. Every Owner of a Curbside Premises shall separate Collectable Material according to its class as set out in Section 4 of this Bylaw when placing Collectable Material Curbside.

Blue Box Material

7. Every Owner of a Curbside Premises shall prepare Blue Box Material as follows when placing the Blue Box Material for Curbside Collection:
- (1) All Blue Box Material shall be placed in a Blue Box Container;
 - (2) If cardboard cannot fit in a Blue Box Container, it shall be bound by tape or twine and collapsed to a flat condition;
 - (3) No Blue Box Container shall contain broken glass or other sharp objects;
 - (4) No Blue Box Container shall include material that is not Blue Box Material.

Christmas Trees

8. No Owner of a Curbside Premises shall place a Christmas Tree for Curbside Collection unless it is without tinsel, decorations, ornaments, lights, wrapping, wire or bagging.

Yard Waste Material

9. No Owner of a Curbside Premises shall prepare Yard Waste Material when placing Yard Waste Material for Curbside Collection other than as follows:
- (1) All Yard Waste shall be placed in a paper bag or packaged in bundles, free of plastic bags;
 - (2) No Yard Waste bag or bundle shall contain non Yard Waste Material.

Curbside Collection Limits

10. No Owner of a Curbside Premises shall place in excess of six bags or items out for collection in any week.

Each bag or item shall not exceed 50 pounds. A maximum of two of the permitted six items may be bulk items. Bulk items will be picked up separately, but on the same day.

Refrigerators, freezers and appliances containing freon must have freon removed and the unit must be tagged by a licensed refrigerator mechanic.

Curbside Collection Location

11. The Owner of a Curbside Premises shall set out Collectable Material for Curbside Collection by placing it Curbside within the extension of the property lines of the Curbside Premises as close as possible to the travelled portion of the road without obstructing or interfering with the travelled portion of the road.
12. No Owner of a Curbside Premises shall set out Collectable Material for Curbside Collection:
 - (a) At a Curbside except at their own Premises;
 - (b) That is not clearly visible or directly accessible;
 - (c) On top of a snow drift or other pile of snow;
 - (d) That cannot be freely discharged from its Container when tipped because it is stuck or frozen to the container.
13. Notwithstanding subsections 11 and 12 above, the Township may prescribe an alternative location for Curbside Collection during construction, road closures, or other temporary reasons.

Curbside Collection Time

14. No Owner of a Curbside Premises shall set out Collectable Material for Curbside Collection earlier than 5 p.m. on the day before the designated collection day and not later than 7 a.m. on the designated collection day.
15. No Owner of a Curbside Premises shall fail to remove all containers and any material that was not collected for any reason, from the Curbside as soon as possible after collection, but not later than 9 a.m. on the day following the designated collection day.

Curbside Collection Restrictions and Responsibilities

16. No Owner of a parcel of property shall set out or permit to be set out Non-Collectable Material at any Curbside.
17. No Owner of a Premises shall set out or permit to be set out for Curbside collection any container which is not:
 - (a) Of sufficient quality to withstand normal collection activities and use;
 - (b) Maintained in a safe and efficient condition for collection;
 - (c) Intact, as required, to prevent leaking, spillage, or breakage during collection;
 - (d) Sealed, as required, to prevent the attraction of animals and the release of odours.
18. No Owner of any property shall permit Collectable Material set out for Curbside Collection to become uncontained for any reason, including weather and animals.
19. No Owner of any property shall store Collectable Material outside between scheduled collection days unless it is stored in a rear or side yard, and is enclosed in a container or enclosure with a closed lid or door.

Suspension

20. If the Owner of any property subject to this Bylaw fails to comply with the requirements as prescribed by this Bylaw, the Township, at the Discretion of the Director of Public Works and upon written notice to the Owner, may suspend Curbside Collection until such time that the Owner is in compliance with the Bylaw.

Any notice to an Owner for the purposes of this subsection shall be provided by regular mail and by posting the notice on the Premises in a conspicuous location.

Part 3 – Further Restrictions

Illegal Dumping

21. No person shall deposit any Waste on any private or public property within the Township without authority from the Owner.

Scavenging

22. No person, except a Municipal Law Enforcement Officer or a Police Officer shall disturb or scatter any Collectible Material after it has been placed for Curbside Collection other than on their own Premises.

Part 4 – Dumpsters

23. Owners of multi-unit residential properties are responsible for the timely removal of their own waste.

This can be done using the Township waste container program or by using a private company through the supply, maintenance, and routine emptying of dumpsters.

24. The Director of Public Works may authorize the use of the curbside collection program at his/her discretion depending on amount of units and amount of accumulation. The Director of Public Works may, at any time, terminate the curbside collection and force the owners of any multi-residential properties to enter into the Township waste container program (where the municipality provides a dumpster) or retain the same services through a private contractor.

25. The Director of Public Works reserves the right to withhold collection service for dumpsters that are visible from the street. If there is no location which can be shielded from view on the public street the property fronts, the Director of Public Works reserves the right to require an enclosure be erected at the cost of the Owner.

26. Should any multi-unit residential property owner be enrolled in the Waste Container Program, the following rules apply:

- (a) Costs of the dumpsters are the responsibility of the property owners;
- (b) Failure to pay dumpster fees can result in the removal of the units and the transfer of the fees to the property taxes;
- (c) No Owner shall allow dumpsters to become too full that the lids cannot close; or that garbage is stored on the ground outside the dumpster. It is the

responsibility of the owner to coordinate suitable pickup frequencies and times.

- (d) No Owner shall allow the dumpster to be damaged or marred with graffiti. Any damage or graffiti shall be repaired, replaced, or removed at the cost of the Owner.
- (e) No Owner shall obstruct access to the dumpster by parked cars or locked gates.

Part 5 – Enforcement

Offenses and Penalties

27. Any person who contravenes any of the provisions of this Bylaw is guilty of an offence and upon conviction is liable to the set fine as prescribed by Schedule “B” attached hereto and forming part of this Bylaw, for offences prosecuted under Part 1 of the *Provincial Offences Act, R.S.O. 1990, c. P.33* as amended, or if otherwise prosecuted, such fine and other penalty as provided for in the *Provincial Offences Act, R.S.O. 1990, c. P.33*.

Enforcement

28. This Bylaw may be enforced by a Municipal Law Enforcement Officer, a Police Officer or the Director of Public Works or any other person as designated by the Director of Public Works from time to time.

Prohibition Order

29. If any section of this Bylaw is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the Bylaw, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

Remedial Action

30. Where any person contravenes this Bylaw the Township may take remedial actions at the sole cost of the person contravening this Bylaw to ensure that this Bylaw is complied with, and the Township may recover costs of such remedial work, by court action or in like manner as property taxes.

Part 6 – General

Schedules

31. The Schedules to this Bylaw form an integral part of this Bylaw.

Conflict of Laws

32. Where a provision of this Bylaw conflicts with a provision of another Bylaw in the Township, the provisions that establish the higher standards to protect health, safety, and welfare of the general public shall prevail.

Severability

33. If any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, only that invalid portion of the Bylaw shall be severed and the remainder of the Bylaw shall remain in force.

Cumulative

34. The provisions and remedies of this Bylaw are cumulative and not mutually self-exclusive.

Short Title of Bylaw

35. This Bylaw may be cited as the "Waste Bylaw".

Force and Effect

36. This Bylaw shall come into effect upon the final passing thereof.

Bylaw read a first, second and third time and finally passed this the 18 day of September, 2023.



Jeff Agar
Mayor



Jeff Baranek
Clerk





THE CORPORATION OF THE TOWNSHIP OF ST. CLAIR

**SCHEDULE 'A'
TO BYLAW 46 OF 2023**

Blue Box Material

The following material is the only material that will be accepted for Recyclable Collection:

Clear and Coloured Glass

food jars (rinsed), beverage containers, pop bottles

Metal and Aluminum

Food cans, pop, beer, juice and pet food cans. Metal paint cans if empty, dry and lids removed. Aluminum foil, aluminum plates and trays if cleaned of any food and food residue.

Plastics

All plastic containers coded with #1, #2, #4, #5, #6 & #7 symbols
Liquid pop and water bottles, k-cups (emptied and rinsed)
Dish soap, juice, vinegar bottles, bleach bottles
Mouthwash and cooking oil bottles
Yogurt, margarine, peanut butter containers
Clear trays and grocery clam shell containers (rinsed)
Prescription bottles (over 2 inch).

Paper and fibre products

Newspapers, and all flyers (coloured or black & white)
Items that are 100% paper, such as computer paper, office paper, envelopes, ad mail, bills, statements, flyers.
Paper back books, catalogues, telephone books
Fast food take out trays
Milk and juice cartons (rinsed)

Cardboards and boxboard

Boxboard items such as tissue box, cereal boxes, shoe boxes, paper towel centre cores
Cardboard flattened, tied in bundles, no larger than 30" x 30" x "8
Paper egg cartons, milk cartons, juice boxes, tetra packs
Laundry detergent, packing boxes
Fast food drink container (without lid and straw)
Clean pizza boxes

Non-Collectable Material

The following material is not collectable either in Recyclable or Waste Collection:

Light bulbs (of any type)
Mirrors, windows or sheet glass
Drinking glasses (plates, mugs, Pyrex)
Broken glass
Metal pots, coat hangers, oil filters, cutlery, propane and helium containers
Plastic bags, toys, plastic containers without symbol on bottle, motor oil containers, planters, blister packaging, plastic wrap around water bottles and pop/beverage cases.
Carbon paper, hard covered books, blueprint paper, facial tissues, toilet paper, paper towels, laminated paper, artwork, paper with foreign material attached, cards with foil, plastic, ribbon or lamination.
Boxes containing any food or food residue and waxy cardboard
Styrofoam

Yard Waste Material

The following material will be collected as Yard Waste subject to the requirements of Section 9 of this Bylaw:

Grass
Leaves
Garden plants
Loose hay / straw (not baled)

The following materials will not be accepted with yard waste collection:

Brush, tree limbs, wood, logs, tee stumps,
Shrubs, and root balls
Woody stems from ornamental grasses, or plants
Kitchen waste
Earth, soil, dirt
Stones, rocks
Walnuts, pinecones, wood mulch
Any yard waste that is contaminated with non-compostable materials such as glass, plastic, metal, or other debris / garbage

Non-Acceptable Materials in Curbside Garbage Pickup

Hazardous materials
Combustible materials
Medical needles, syringes
Animal remains,
Vehicle parts, batteries, engines, drivetrain, body parts, scrap metal
Trees or tree stumps
Construction / renovation waste
Tires
Electronic waste
Concrete, asphalt, bricks, sod, earth
Appliances or air conditioners containing CFC's
Propane tanks or compressed gas cylinders

Hazardous Materials Include:

- Batteries
- Drain cleaner, oven cleaners
- Pesticides, poisons
- Cleaning fluids
- Pharmaceuticals
- pool chemicals
- Ammonia
- Bleach
- Aerosols
- Gasoline, oils, diesel
- Paints and solvents
- Propane Cylinders



THE CORPORATION OF THE TOWNSHIP OF ST. CLAIR

SCHEDULE 'B'
TO BYLAW 46 OF 2023

Part 1 Provincial Offences Act

| Item | Column 1 Short Form Wording | Column 2 Provision Creating or Defining Offence | Column 3 Set Fine |
|------|--|---|----------------------|
| 1 | Use a 45-gallon drum as waste receptacle | 3 | \$100 |
| 2 | Leave a Christmas tree for Curbside collection with decorations or items attached | 8 | \$50 |
| 3 | Leave Yard Waste Material not in paper bag or unbundled | 9 | \$100 |
| 4 | Leave more than 6 items for Curbside collection | 10 | \$100 |
| 5 | Improper location of waste left at Curbside | 12(a)(b)(c) | \$50 |
| 6 | Jammed of frozen waste stuck in receptacle | 12(d) | \$50 |
| 7 | Placing waste curbside outside of authorized timeframe | 14 | \$50 |
| 8 | Failure to collect receptacles from curbside within allowable timeframe | 15 | \$50 |
| 9 | Placing non-collectable material curbside | 16 | \$50 |
| 10 | Using inadequate Waste Container | 17(a)(b)(c)(d) | \$50 |
| 11 | Allowing curbside waste to become uncontained | 18 | \$50 |
| 12 | Storing Collectable Material outside between collection days outside of sealed container | 19 | \$50 |
| 13 | Illegal dumping on private or public property | 21 | \$1000 |
| 14 | Scavenging of curbside waste on property other than your own | 22 | \$100 |
| 15 | Allowing dumpsters to overflow | 26(c) | \$250 |
| 16 | Allowing storage of waste outside dumpsters | 26(c) | \$250 |
| 17 | Using a damaged dumpster | 26(d) | \$250 |
| 18 | Using a dumpster marred with graffiti | 26(d) | \$250 |
| 19 | Obstructing access to a dumpster | 26(e) | \$250 |

Note: The General Penalty Provision for the offences listed above is Section 28 of Bylaw 46 of 2023, a certified copy of which has been filed.