

**THE CORPORATION OF THE UNITED TOWNSHIPS
OF DYSART, DUDLEY, HARCOURT, GUILFORD,
HARBURN, BRUTON, HAVELOCK, EYRE AND CLYDE**

**BY-LAW NO. 2006-65,
AMENDED BY BY-LAW NO. 2008-44 AND BY-LAW NO. 2009-03**

**BEING A BY-LAW TO PROHIBIT THE UNAUTHORIZED
DISPOSAL OF WASTE AND REGULATE WASTE DISPOSITION
AT AUTHORIZED SITES WITHIN THE MUNICIPALITY**

WHEREAS it is in the interest of society as a whole and of the Municipality, and its ratepayers in particular that the amount of waste material generated by private citizens and businesses be reduced; that wherever possible such materials be re-used or recycled; that the environment be protected from contamination by hazardous substances; and that the lifetime of existing and future Sanitary Landfill Sites be extended;

AND WHEREAS Sections 11(1)3) and 127 of the Municipal Act, 2001, as amended, provides authority to Councils of all Municipalities to pass by-laws for the establishment of a waste disposal system and to regulate or prohibit the disposal of waste material in any defined area or throughout the municipality;

NOW THEREFORE the Council of the Corporation of the Municipality of Dysart et al enacts as follows:

1. **TITLE**

That this By-Law may be cited as the “Municipality of Dysart et al Waste Management By-Law”.

2. **APPLICATION**

That unless otherwise expressly stated in specific sections hereof, this by-law shall apply to the whole area of the geographic Municipality of Dysart et al in the County of Haliburton.

3. **DEFINITIONS**

- (a) That “BAGS OF HOUSEHOLD GARBAGE” means a standard garbage bag no greater than 36 inches by 24 inches.
- (b) That “COUNCIL” means the elected Council of the Corporation of the Municipality of Dysart et al.
- (c) That “MUNICIPALITY” means the Corporation of the Municipality of Dysart et al.

- (d) That “MUNICIPAL LANDFILL AND RECYCLING CENTRE” (ML & RC) means the real property owned by the Municipality at:

Landfill	Location	Township
Haliburton	Part Lot 12, Concession 9	Dysart Township
West Guilford	Part Lot 7, Concession 3	Guilford Township
Kennisis Lake	Lots 17 and 18, Concession 2	Havelock Township
West Bay (Haliburton Lake)	Lots 11 and 12, Concession 8	Harburn Township
South Bay (Haliburton Lake)	Part Lots 11 and 12, Concession 5 Part 3, 19R-2397	Harburn Township
Harcourt	Part Lot 19, Concession 2	Harcourt Township

- (e) That “OWNER” means any of the following:

- a person who is shown as the assessed owner of real property on a current assessment roll for the Municipality; or
- a person who, for the time being, is managing or receiving the rent of the land or premises, whether on his own account or as an agent or trustee for any other person.

- (f) That “PERSON” means a natural person or Corporation and includes:

- every general partner in a firm, partnership or joint venture;
- the employer of any person who does something at the direction of this employer;
- the parent or guardian of any person under the age of eighteen (18) years who resides in the parent’s or guardian’s household and does something at the direction of the parent or guardian.

- (g) That “PROHIBITED SUBSTANCES AND MATERIALS” means anything, which is not permitted to be disposed of at the ML & RC and includes each and every of the substances and materials listed in Schedule “C” attached hereto and forming part of this by-law, and in addition thereto, any substance or material which the Municipality or its employees have refused to accept for disposal or recycling when it has been inspected by them at the ML & RC.

- (h) That “RECYCLABLE MATERIALS” means any substance or material listed in Schedule “B” attached hereto and forming part of this by-law and which is, in the opinion of the Municipality or its employees upon inspecting of such substance or material, capable of being sorted or bundled in the manner prescribed in the Rules and Regulations for Recyclable Materials.

- (i) That “REFUSE” means but is not limited to:

- any liquid, substance or material which was purchased, otherwise acquired, made, constructed or combined for use on any land or in any residence or business enterprise;
- any by-product or excess liquid, substance or material produced as a result of the creation of anything mentioned in this subsection 3.(i);
- any natural plant materials or substance, whether cultivated or not, which has been removed from the place where it originally grew;
- new brick or used building or construction materials except brick, stone or concrete when used as fill material with the permission of the owner of land where they are deposited;
- the carcass of any dead animal or any part thereof;

- animal or vegetable or other waste resulting from the handling, preparation, cooking and consumption of food or drink;
 - human urine or fecal material or the former contents of any septic tank or holding tank;
 - animal fecal material except when used as manure;
 - paper, glass, plastic;
 - prohibited substances or materials;
 - recyclable materials;
 - anything used or once used to package any item or thing mentioned above which the owner of such liquid, substance or material or the owner or occupant of the land on which such liquid, substance or material was previously located no longer wants.
- (j) That “RULES AND REGULATIONS” means the rules and regulations for the use and operation of the ML & RC as set out in Schedule “A”, attached hereto and forming part of this by-law.

4. **MUNICIPAL LANDFILL AND RECYCLING CENTRE**

- (a) That the Municipality shall operate Municipal Landfill and Recycling Centres (ML & RC) on designated properties owned by the Municipality. The use of the ML & RC for the disposal of refuse is a privilege and not a right which will normally be extended to all residents and ratepayers in the Municipality and such persons from whom the Council may by contract agree to accept refuse.
- (b) That the Municipality shall set the hours of operation of the Municipal Landfill and Recycling Centres as established in Schedule “D” attached hereto and forming part of this by-law.
- (c) That the Municipality shall propose amendments to the Rules and Regulations for the operation of the ML & RC initially adopted as Schedule “A” to this by-law from time to time, and upon their adoption by by-law as amendments to Schedule “A” of this by-law shall thereafter be binding upon all users of the ML & RC. The aim of such rules and regulations shall be consistent with the broad purposes expressed in this by-law. Public discussions and comment on changes to the Rules and Regulations shall be encouraged with the aim of improving their practical effectiveness; encouraging voluntary compliance; and avoiding unnecessary hardship to individual users.

Copies of the Current Rules and Regulations as well as copies of Schedule “B” and “C” to this by-law defining Prohibited Substances and Materials and Recyclable Materials shall always be available for distribution at the Municipal Office.

- (d) That the fees for waste disposal at the Municipal Landfill & Recycling Centres in the Municipality of Dysart et al shall be set out in a separate by-law.
- (e) That the Municipality may appoint such employees, contractors or designated volunteers to enforce the Rules and Regulations at the ML & RC as it deems necessary.
- (f) That the Municipality shall issue landfill site cards for access to ML & RC. Two (2) such cards shall be issued to every assessed owner of land within the Municipality at intervals to be established by policy of Council. The landfill site cards may only be used by the person to whom it was issued or an employee, spouse or member of the household of such person acting with the knowledge or consent of such person. The person to whom the card was issued may be held responsible for misuse of the card, if used by an unauthorized person or any violation of the Rules and Regulations by any person using his/her card.

(g) That the Council may suspend, terminate or restrict the privilege of using the ML & RC and cancel the landfill site card of any person who misuses or allows the misuse of a landfill site card or violates any of the Rules and Regulations, PROVIDED THAT such suspension, restriction or termination is in accordance with the procedure set out below:

(i) The Council may temporarily suspend the privileges of a landfill site card holder if, upon investigation of a person tendering refuse for disposal at the ML & RC or inspection of the said refuse, it is reasonably believed that a card is being used by an unauthorized person or the Rules and Regulations are being violated and the person refuses to correct the violation when requested to do so.

(ii) If the Council forms the opinion that the holder of a landfill site card has:

- allowed unauthorized persons to use his/her landfill site card;
- seriously and deliberately violated the Rules and Regulations;
- established a pattern of violating the Rules and Regulations;
- permitted someone using his/her landfill site card to do any of the above;

then the Council may restrict or terminate the privilege of such person to use the ML & RC and revoke his/her landfill site card.

(iii) Every decision of the Council to terminate or restrict the right of someone to whom a landfill site card which was previously issued shall be set down in writing and delivered or mailed to the person at the address shown on the Assessment Roll for the Municipality or his/her last known address. Such written notice shall contain the following:

- a brief description of the alleged violation including the approximate date thereof;
- the date on which the termination or the restrictions come into effect;
- where applicable, the details of the restrictions imposed.

(iv) If the Council forms the opinion mentioned in (ii) above and elects to restrict rather than terminate the privileges of a landfill site card holder, or on appeal of a termination the Council so decides, any or all of the following conditions or restrictions may be imposed:

- a requirement that refuse be brought to the ML & RC at specified times on specified days;
- a requirement that the person submit to a detailed inspection of refuse tendered;
- a requirement that the person pay a special fee, in addition to any other fee normally imposed, equal to a genuine pre-estimate of the actual cost of any detailed inspections or sorting by employees of the refuse.

5. PROHIBITIONS

That no Person shall:

- (a) Dump or dispose of any refuse on a highway as defined in the Municipal Act and including both the traveled and untraveled portions thereof.
- (b) Dump or dispose of any refuse on any land owned by the Municipality or Her Majesty the Queen in right of either Canada or Ontario, except at the ML & RC.
- (c) Carry or transport refuse which originated outside the Municipality into the Municipality for dumping or disposal in the Municipality except under a contract approved by the Council.

- (d) Who is not either the holder of a landfill site card, or any employee, agent or member of the household of a person who holds a landfill site card and who is acting with the knowledge and consent of such landfill site card holder dispose of refuse at the ML & RC.
- (e) Deposit or dispose of refuse at or near the gates when the ML & RC is closed.
- (f) Dispose of Prohibited Substances or Materials at the ML & RC.
- (g) Dispose of Recyclable Materials except by tendering them at the ML & RC or designated site properly sorted and bundled as required by the Rules and Regulations.
- (h) Bring Recyclable Materials or Prohibited Substances or Materials to the ML & RC or other designated site concealed or packaged in such a way as to make them appear to be items, substances or materials which are not Recyclable Materials or Prohibited Substances and Materials.
- (i) Refuse to produce a valid landfill site card when requested by the ML & RC Attendant.

6. **OFFENSE AND PUNISHMENT**

Any person who contravenes the provisions of this By-law is guilty of an offence, and on conviction, is liable to a penalty, and the provisions of the Provincial Offences Act, R.S.O., 1990, shall apply.

7. **EXISTING BY-LAWS REPEALED**

That By-Law No. 1989-38 is hereby rescinded in its entirety.

8. **EFFECT**

That this By-Law shall come into force and effect on the 1st day of September, 2006.

READ a first, second and third time, signed and the Corporate Seal attached hereto this 12th day of June, 2006.

REEVE: Murray Fearrey

CAO/CLERK: Tammy McKelvey

Schedule "A" to BY-LAW 2006-65

RULES AND REGULATIONS

- (1) Users **shall** separate, sort and place each type of garbage or other refuse in particular areas as directed by ML & RC Attendants or signs. The categories are as follows:
 - recyclable materials - as listed on Schedule "B", each of which is a separate category;
 - non-chippable building debris;
 - household and commercial garbage and refuse;
- (2) No one shall be allowed to dispose of large quantities of building demolition material without a certificate from the Chief Building Official of the Municipality of Dysart et al.
- (3) No one shall remove material from the site except with the knowledge and consent of the ML & RC Attendant.
- (4) The payment of Tipping Fees should be done at the Municipal Office, during regular office hours, if prearranged, or paid to the ML & RC Attendant on site.
- (5) **Schedule "B" annexed hereto, which may be amended from time to time by resolution of Council without an amendment to this by-law, shall identify those items which shall be disposed of in appropriate designated Municipal Landfill and Recycling Centres as recyclable materials.**

Schedule "B" to BY-LAW 2006-65

RECYCLABLE MATERIALS

Category I

Newspapers & All Flyers
Magazines/Catalogues
Telephone Books
Fibre Egg Cartons
Brown Paper & Bags
Old Boxboard
Residential Household Paper
Polycoat Milk & Juice Cartons

Category II

Glass Bottles & Jars
Beverage & Food Cans
P.E.T. Bottles
Rigid Plastic
Mixed Plastic
Aluminum Trays & Foil
Polystyrene/Styrofoam.
Tetra Pak Drinking Boxes

Category III

Corrugated Cardboard

Category IV

Metal

Category V

Chippable Building Material

Category VI

Mattresses

Category VII

Yard Waste (Compost Material)

Category VIII

White Goods

Category IX

Tires

Category X

Propane Tanks

**Schedule “C” to By-Law 2006-65,
Amended by By-law 2009-03**

**PROHIBITED SUBSTANCES AND MATERIALS
AT ALL MUNICIPAL LANDFILL AND RECYCLING CENTRES**

- Condemned or dead animals or their carcasses
- Hazardous Waste
- Human Pathological waste
- Liquid Industrial Waste
- Animal or human excrement or urine
- Explosives or highly flammable materials, substances or chemicals
- Motor vehicles or parts of motor vehicles
- Waste oil or other petroleum products
- Tires on rims
- All Batteries (liquid and dry cell)
- Boat Shrink Wrap

In addition to the aforementioned “Prohibited Substances and Materials”, the following substances are **PROHIBITED** at the following “ML & RC’s”:

Haliburton	West Guilford	Kennisis Lake	West Bay	South Bay	Harcourt
	Boats		Boats	Boats	
	Tires	Tires	Tires	Tires	
	Stumps		Stumps	Stumps	
	Shingles		Shingles	Shingles	
	Brush		Brush	Brush	
	Appliances with or without CFC’s	Appliances with or without CFC’s	Appliances with or without CFC’s	Appliances with or without CFC’s	
	Construction Material		Construction Material	Construction Material	
	Asbestos	Asbestos	Asbestos	Asbestos	
	Mattresses, Sofas or Stuffed Chair		Mattresses, Sofas or Stuffed Chair	Mattresses, Sofas or Stuffed Chair	
	Contaminated Soil	Contaminated Soil	Contaminated Soil	Contaminated Soil	

**Schedule “D” to By-Law 2006-65,
Amended by By-Law 2008-44**

**MUNICIPAL LANDFILL & RECYCLING CENTRE
HOURS OF OPERATION**

HALIBURTON

SUMMER (May 1st to September 30th)

Monday and Wednesday	Closed
Tuesday, Thursday, Friday and Saturday	8:00 a.m. to 5:00 p.m.
Sunday & Holiday Mondays p.m.	10:00 a.m. to 6:00

WINTER (October 1st to April 30th)

Monday and Wednesday	Closed
Tuesday, Thursday, Friday and Saturday	8:00 a.m. to 5:00 p.m.
Sunday & Holiday Mondays p.m.	10:00 a.m. to 5:00

WEST GUILFORD

SUMMER (May 1st to September 30th)

Tuesday and Thursday	Closed
Monday, Wednesday, Friday and Saturday p.m.	10:00 a.m. to 5:00
Sunday & Holiday Mondays p.m.	12:00 noon to 8:00

WINTER (October 1st to April 30th)

Tuesday and Thursday	Closed
Monday, Wednesday, Friday and Saturday	10:00 a.m. to 5:00 p.m.
Sunday and Holiday Mondays p.m.	10:00 a.m. to 5:00

KENNISIS LAKE

SUMMER (May 1st to September 30th)

Wednesday and Friday	Closed
Monday, Tuesday, Thursday, and Saturday, p.m.	10:00 a.m. to 5:00
Sunday and Holiday Mondays p.m.	10:00 a.m. to 6:00

WINTER (October 1st to April 30th)

Monday, Tuesday, Wednesday and Friday	Closed
Saturday and Thursday p.m.	10:00 a.m. to 5:00

WEST BAY (Haliburton Lake)

SUMMER (May 1st to September 30th)

Monday, Tuesday, Wednesday, Friday and Saturday
Thursday
Sunday and Holiday Mondays

Closed
10:00 a.m. to 5:00 p.m..
12:00 noon to 8:00 p.m.

WINTER (October 1st to April 30th)

Monday, Tuesday, Wednesday, Friday and Saturday
Thursday, Sunday & Holiday Mondays
p.m.

Closed
10:00 a.m. to 5:00

SOUTH BAY (Haliburton Lake)

SUMMER (May 1st to September 30th)

Monday, Wednesday, Thursday, Friday and Sunday
Tuesday and Saturday

Closed
10:00 a.m. to 5:00 p.m.

WINTER (October 1st to November 14th)

Monday, Wednesday, Thursday, Friday and Sunday
Tuesday and Saturday
Closed November 15th for remainder of the winter season

Closed
10:00 a.m. to 5:00 p.m.

HARCOURT

SUMMER (May 1st to September 30th)

Monday and Thursday
Tuesday and Friday
Wednesday
Saturday
Sunday and Holiday Monday

Closed
8:00 a.m. to 12:00 noon
8:00 a.m. to 5:00 p.m.
10:00 a.m. to 5:00 p.m.
10:00 a.m. to 8:00 p.m.

WINTER (October 1st to April 30th)

Monday, Wednesday, Friday and Saturday
Tuesday and Thursday
Sunday and Holiday Mondays

Closed
12:00 noon to 5:00 p.m.
12:00 noon to 5:00 p.m.

Landfill sites are open as posted and will include the following statutory holidays (Only if they fall on a Monday or a regularly scheduled day): Good Friday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Boxing Day. Landfill sites are closed Christmas Day, New Year's Day and Family Day.