



THE CORPORATION OF THE COUNTY OF WELLINGTON

BY-LAW NUMBER 5670-20

A by-law to repeal and replace by-law 5542-17 being a by-law to authorize the Corporation of the County of Wellington to establish, maintain and operate a system to provide for the curbside collection of household and commercial waste, organics and recyclable material.

WHEREAS Council deems it in the public interest to establish a system for the collection of waste and recyclable material;

AND WHEREAS the Council of the County has enacted By-law Number 5542-17 to assume the waste management powers of its member municipalities;

NOW THEREFORE The Council of the Corporation of the County of Wellington enacts as follows:

1.0 SHORT TITLE

- 1.1 This by-law may be cited as the "Curbside Collection of Waste, Organics and Recyclables By-law".

2.0 GENERAL PROVISIONS

- 2.1 The Chief Administrative Officer (CAO) or his designate is authorized to administer this by-law.
- 2.2 All terms used in this by-law which have not been defined in this By-law shall be given the meanings provided for such terms in the Ontario Environmental Protection Act and the regulations thereunder, as amended.
- 2.3 The necessary grammatical changes required to make the provisions in this By-law apply to corporations, partnerships, trusts, and individuals, male or female, and to include the singular or plural meaning where the context so requires, shall in all cases be assumed as though fully expressed.
- 2.4 The insertion of headings is for convenience of reference only and shall not affect the interpretation of the sections of this By-law to which they relate.
- 2.5 Where a provision of this by-law conflicts with a provision of another County of Wellington by-law, the provisions that establish the higher standards to protect the environment, and the health, safety and welfare of the general public shall prevail.

- 2.6 The schedules to this By-law form an integral part of this By-law.
- 2.7 If any provision of this By-law is declared invalid or inoperative in any respect by a Court of competent jurisdiction, it is intended that such provision shall be severed from the By-law and the remainder of the By-law continues in full force and effect.

3.0 ELIGIBILITY FOR SERVICES

- 3.1 All single unit dwellings, multi-unit dwellings, and industrial / commercial / institutional premises are eligible to receive curbside collection services and become a serviced unit.
- 3.2 The owner of any non-serviced unit shall provide a system for the collection, removal, and disposal of all waste and recyclables from such property at the owner's expense.
- 3.3 Every owner of a multi-unit dwelling or apartment building receiving collection by the County shall ensure that specific waste, organics disposal and recycling instructions are posted for residents in sufficient and suitable locations on the premises.
- 3.4 Failure by any serviced unit to comply with the requirements of this By-law may result in the refusal or suspension of collection services by the County.
- 3.5 An owner of an apartment building or an industrial/commercial/institutional property, who finds the collections established by the County pursuant to this By-law inadequate to keep such premises free of accumulated waste and other refuse, may make other arrangements, at their own expense, for the collection and removal thereof as may be required.
- 3.6 Owners of unserviced areas, including private areas and private roadways, may apply for collection services, and will be considered by the County for inclusion providing that such services can be safely and efficiently provided by the County.

4.0 FREQUENCY AND TIMES OF COLLECTION

- 4.1 Curbside organics and recyclable collection services shall be provided by the County once per week and waste collection shall be provided bi-weekly to all serviced units between the hours of 7:00 a.m. and 6:00 p.m., Tuesday to Friday.
- 4.2 Curbside waste, organics and recyclable collections shall be provided on the same day of the week.
- 4.3 For the purposes of carrying out waste, organics and recyclable collections in the County, the Chief Administrative Officer or his designate may divide the County into collection zones as may be deemed necessary and fix a day or days on which waste,

organics and/or recyclable materials shall be collected in the zones.

- 4.4 The County will designate the days of collection, which may be altered from time to time. Public notification of any change in the days of collection will be advertised by the County prior to the effective date of said change.
- 4.5 The County may make such temporary or permanent exceptions to collection hours, frequency rate, and schedules as deemed appropriate from time to time.
- 4.6 No curbside collection shall be made on the following statutory and County-recognized holidays, or any other holiday as recognized by the County in the future:
- | | |
|----------------|------------------|
| New Year's Day | Civic Holiday |
| Family Day | Labour Day |
| Good Friday | Thanksgiving Day |
| Easter Monday | Remembrance Day |
| Victoria Day | Christmas Day |
| Canada Day | Boxing Day |
- 4.7 In the event a County recognized or statutory holiday falls on a regularly scheduled collection day, collection will take place on the following Saturday, unless an alternate collection schedule is devised by the County to accommodate such changes.
- 4.8 The County may delay curbside collection services due to environmental conditions, construction projects, or other health and safety related issues, and will attempt to notify affected property owners of such changes.

5.0 COLLECTABLE AND NON-COLLECTABLE WASTES, ORGANICS AND RECYCLABLES

- 5.1 No person shall place waste, organics or recyclables for curbside collection by the County except in accordance with this By-law.
- 5.2 Any waste not placed in the required user-pay bag shall not be collected.
- 5.3 Any recyclables not placed in the required blue box, or according to County instructions, shall not be collected.
- 5.4 Any organics not placed in the required green bin, or according to County instructions, shall not be collected.
- 5.5 No person shall set out for collection by the County any wastes defined as non-collectable in Schedule "B" and Schedule "E".
- 5.6 No person shall set out for collection by the County any recyclable materials other

than those included in the County programme, as amended from time to time.

- 5.7 No person shall place ashes out for collection sooner than one (1) week after removal from fireplace.
- 5.8 No person shall place ignitable material in a container or bag for collection by the County.
- 5.9 All waste, organics or recyclable materials not collected by the County for any reason, including materials from non-serviced units, shall be the responsibility of the owner.

6.0 SPECIAL COLLECTION SERVICES

- 6.1 An annual Christmas tree collection service may be provided by the County during the month of January. Christmas trees shall be set out for collection without any material thereon which is not part of the natural tree, including wrapping, bags, decorations, lights, nails or stands, and in accordance with any other requirements advertised from time to time by the County in connection therewith.
- 6.2 The County may designate days and times for the regular or special collection of special wastes defined in Schedule "D" from time to time in serviced areas.
- 6.3 Special waste pick-ups will only be made when such waste meets all requirements concerning weight, size, and non-collectable restrictions established by the County from time to time.
- 6.4 Notwithstanding Sections 8.1 and 8.10 of this By-law, County Council may designate certain days or times as "Treasure Hunt" days whereby items placed at the curbside on the specified day or time may be removed by other residents of the County for the purpose of reuse.
- 6.5 Leaf & Yard Waste collection will occur in the urban areas seasonally, in the Spring and the Fall.

7.0 LOCATION OF WASTE, ORGANICS AND RECYCLABLES FOR CURBSIDE COLLECTION

- 7.1 Every person putting out waste, organics and recyclable materials for curbside collection by the County, shall comply with the following requirements as a condition of the provision of such collection service:
 - (1) all user-pay bags, recycling containers, organics containers, and waste containers, shall be placed in a fully visible location within one (1) metre from the edge of the street along which collection service is provided at the premise the material is generated;

- (2) bags and containers shall be placed either on the property from which they are to be collected, or on the road allowance nearest to the curb at the front of the property in the place of easiest access to the collector and at ground level;
- (3) where compliance with paragraphs (1) or (2) cannot reasonably be effected, the County may designate in writing the location at which bags and containers shall be placed for collection;
- (4) in all cases, every bag and container shall be placed so as not to obstruct the traveled portion of a street, public sidewalk, or any other public way;
- (5) in all cases, no bags or containers shall be placed in the gutter or ditches, or on the traveled portion of the roadway;
- (6) during times of snow accumulation, every bag and container shall be left for pick-up on the driveway of the property, adjacent to the ploughed portion of the roadway, in an area in the snow bank cleared to ground level at the curb, or at such other location as may be designated in writing or by public advertisement by the County;
- (7) no collector, in order to collect waste, organics or recyclables, is obliged to enter into any building, ascend any stairway, enter into any elevator, hoist or lift or access a privately owned driveway or other private property beyond the vicinity of the curb where bags and containers are to be placed unless specifically authorized in writing by the County;
- (8) the owner of any private property or roadway served by County collection shall ensure that the designated or authorized waste, organics and recyclable collection point is maintained and in good repair, and free from snow, ice, and any other obstructions which may impede access to the bags or containers by collectors and collection vehicles.

8.0 PREPARATION OF WASTE, ORGANICS AND RECYCLABLE MATERIALS

- 8.1 All waste set out for collection shall be placed in a specially stamped County user-pay bag and must be securely tied. User-pay bags may be placed within a rigid container in accordance with Section 9.2.
- 8.2 No person shall modify or attempt to copy any specially stamped County user-pay bags.
- 8.3 All recyclable materials set out for collection shall be placed in a blue box or other

container authorized by this By-law. Additional recyclable materials may be placed beside the blue box in a manner convenient to the collection Contractor and in accordance with any requirements established by the County from time to time. Recyclables must be clean and placed in the blue box in such a manner that the contents can be easily emptied.

- 8.4 Collectable waste and recyclable materials shall be placed at the curbside before 7:00 a.m. on the day of collection. Any waste, organics or recyclables set out after 7:00 a.m. are acknowledged as being "at risk" of not being collected due to changes to collection times and routes.
- 8.5 Waste ,organics, and recycling containers shall be removed from the street as soon as possible after collection.
- 8.6 No person shall set out waste, organics or recyclable materials for collection in excess of 18.2 kilograms (40 pounds) for each authorized bag or container.
- 8.7 Where waste containers and materials are set out at curbside, they shall not be piled on each other or on other materials.
- 8.8 No person shall place out more than six (6) blue boxes or green bins each collection day.
- 8.9 It shall be the responsibility of any person putting out waste for collection to ensure that no material is scattered by wind, animals, or other cause, or by improper preparation of waste material prior to collection. Waste shall be drained of all liquids and be securely wrapped and then placed in the specially stamped County user-pay bag.
- 8.10 No person shall pick over, interfere with, disturb, remove or scatter any waste, organics or recyclables placed out for collection by the County.
- 8.11 No person shall permit any animal owned by him or under his care or control to pick over, interfere with, disturb, remove or scatter any waste, organics or recyclables set out for collection by the County.

9.0 WASTE, ORGANICS, AND RECYCLING CONTAINERS

- 9.1 User-pay bags for collectable wastes shall be yellow plastic bags specially stamped by the County; large bags having approximate dimensions of 75 cm x 95 cm (30 inches x 38 inches), and small bags having approximate dimensions of 60 cm x 70 cm (24 inches x 28 inches).
- 9.2 Where user-pay bags are placed in a rigid container, each container shall of a typical standard size, and comply with the following requirements:

- a) a capacity no greater than 125 litres (33 gallons);
 - b) an external height no greater than 95 centimetres (38 inches);
 - c) an internal width or diameter no greater than 60 centimetres (24 inches);
 - d) a lid which may be easily and completely removed to facilitate collection; and
 - e) in good condition and good working order and safe for use.
- 9.3 Every person placing recyclables or organics for collection by the County shall ensure that containers used to hold recyclables or organics for collection comply with the following requirements:
- a) a plastic blue box or green bin which is supplied by the County; or
 - b) such other container provided by the County or designated in writing by the County as acceptable for setting out recyclable materials;
 - c) a blue box shall have a capacity no greater than 84 litres (22 gallons);
 - d) a recycling cart shall have a capacity no greater than 360 litres (95 gallons);
 - e) in good condition and good working order and safe for use.
 - f) a green bin shall have the capacity of no greater than 53 litres (14 gallons)
- 9.4 All County-approved containers for waste, organics or recyclables shall be maintained in a clean and safe condition.
- 9.5 The County may in writing authorize larger generators of recyclables to use 360 litre (95 gallon) plastic roll-out carts with wheels compatible with the mechanical assistance equipment used by the County or its Contractors.
- 9.6 The County is not responsible for the replacement of any lost, damaged, or stolen containers or user-pay bags.

10.0 USER-PAY PROGRAMME

- 10.1 User-pay bags will be made available for purchase at various County authorized retail, government, and solid waste service facilities throughout the County.
- 10.2 The price of the user-pay bags shall be set by the County and will be subject to change from time to time in accordance with Section 220 of the Municipal Act R.S.O. 1990, chapter M.45, as amended, and Part 12 of the Municipal Act 2001, S.O. 2001, c.25. The price constitutes a user fee for the collection of waste by the County pursuant to this By-law. The payment of such fees shall be made to the Corporation of the County of Wellington through the purchase of user-pay bags from the County or its authorized agents.

11.0 OFFENCES

11.1 Every person who:

- (1) contravenes any provision of this By-law;
- (2) maliciously, willfully or negligently tampers with any facility, structure, equipment used in the collection of waste, organics or recyclables pursuant to this By-law; or
- (3) obstructs, hinders, or causes to be obstructed any employee of the County or its Contractor(s) in the performance of any work duty or the exercise of any power in relation to this By-law is guilty of an offence; and upon summary conviction shall be liable to a fine of not more than \$5,000.00 for a first offence and not more than \$25,000.00 for any subsequent offence.

11.2 Each day on which an offence occurs or continues under this By-law shall constitute a separate offence.

11.3 Any person who contravenes any provision of this By-law may be temporarily refused collection services.

12.0 ENFORCEMENT

12.1 This By-law may be enforced by a County By-law Enforcement Officer or a Police Officer.

13.0 COMING INTO FORCE

13.1 That by-law 5542-17 is hereby repealed.

13.2 This by-law shall come into force and effect on the date it is passed.

READ A FIRST, SECOND AND THIRD TIME AND PASSED JUNE 25, 2020.



A handwritten signature in black ink, appearing to read "K. Linton", written over a horizontal line.

KELLY LINTON, WARDEN

A handwritten signature in black ink, appearing to read "Donna Bryce", written over a horizontal line.

DONNA BRYCE, COUNTY CLERK

SCHEDULE "A"

DEFINITIONS

For the purposes of this By-law, the following terms shall have the corresponding meanings:

- (i) **"apartment building"** means a detached building containing more than six (6) dwelling units;
- (ii) **"approved waste container"** means a waste container approved for use by the County as denoted by an "Approved Container" sticker applied to the side;
- (iii) **"ashes"** means the residue, including soot, of any fuel or waste after it has been consumed by fire;
- (iv) **"blue box"** means an open-topped plastic box supplied by the County of Wellington used for the collection of recyclable material;
- (v) **"bulky materials"** means any and all heavy or bulky household items such as furniture, appliances, televisions, bathtubs, water tanks, mattresses, carpet, and bicycles;
- (vi) **"By-law"** means this By-law and any amendments thereto including any Schedule forming part of this By-law and any amendments thereto, as enacted by County Council from time to time;
- (vii) **"By-law Enforcement Officer"** means a designated employee or officer for the County or any other person authorized by the County to enforce the By-laws of the County;
- (viii) **"Chief Administrative Officer"** means the Chief Administrative Officer of the County of Wellington;
- (ix) **"collector"** means any person designated or authorized by the County to collect waste or recyclables pursuant to this By-law, and includes a collection Contractor, and any person working for a collection Contractor;
- (x) **"collection Contractor"** means a company, person, corporation or partnership performing collection and haulage of waste or recyclables on behalf of the County of Wellington;

SCHEDULE "A" CONTINUED

DEFINITIONS

- (xi) **"collection services"** means the services provided by the County for the removal of bagged waste, recyclable materials, and County-designated special wastes from urban residential and industrial/commercial/institutional (IC&I) properties within the County;
- (xii) **"container"** means one unit of waste or recyclables conforming to requirements set out in Section 10.0 of this By-law;
- (xiii) **"Council"** means the Council of the County of Wellington;
- (xiv) **"County"** means the Corporation of the County of Wellington, or the geographical area comprising the County of Wellington, as the context requires;
- (xv) **"curbside"** means the edge of the travelled portion of the road (curb or shoulder);
- (xvi) **"dwelling unit"**, also referred to herein as a "household", means a unit consisting of one or more rooms designed for use as a single housekeeping establishment;
- (xvii) **"industrial/commercial/institutional (IC&I) premises"** means any building, structure or premises used for an industrial, manufacturing, or institutional purpose and premises occupied for the purpose of carrying on a profession, trade or business;
- (xviii) **"industrial/commercial/institutional (IC&I) waste"** means waste material from any one or more industrial or manufacturing processes, any waste produced by or at any commercial premises, or waste from any industrial or institutional premises;
- (xix) **"member municipality"** means a local municipality forming part of the County of Wellington for municipal purposes and includes the Corporations of the Town of Erin, the Town of Minto, the Township of Centre Wellington, the Township of Guelph-Eramosa, the Township of Mapleton, the Township of Puslinch, and the Township of Wellington North;
- (xx) **"multi-unit dwelling"** means a detached building containing more than one but less than seven (7) dwelling units, and includes a rooming house;
- (xxi) **"non-collectable waste"** means any gaseous, liquid or solid waste that, because of its inherent nature and quality, requires special disposal techniques to avoid creating health hazards, nuisances or environmental pollution including but not limited to items or materials listed in Schedule "B" to this By-law;

SCHEDULE "A" CONTINUED

DEFINITIONS

- (xxii) **"non-serviced unit"** means any dwelling unit or institutional/commercial/ institutional premises that do not receive curbside collection services, including but not limited to rural premises;
- (xxiii) **"organics"** means any compostable materials including food stuffs, plants, and non-recyclable paper products;
- (xxiv) **"owner"**, when used in relation to property or premises, includes the occupant of real property or premises;
- (xxv) **"private road"** means any road or laneway that has not been assumed by either the local municipality or the County of Wellington;
- (xxvi) **"recyclables"** means material of a kind which is included in the County's recycling program from time to time, including, but not limited to, items or material listed in Schedule "C" to this By-law;
- (xxvii) **"Regulation 347"** means Regulation 347, R.S.O. 1990, under the Environmental Protection Act, as same may be amended or replaced from time to time;
- (xxviii) **"rural"** refers to the country where County Council has determined there is an insufficient number of homes to be considered for curbside collection services;
- (xxix) **"Schedule"** means all regulations attached to and forming part of this By-law including any amendments thereto;
- (xxx) **"serviced unit"** means any dwelling unit or industrial/commercial/institutional premises that is located within an urban curbside collection area and receives collection services pursuant to this By-law;
- (xxxi) **"sharps"** means medical or veterinary equipment intended to be sharp for the purpose of cutting, piercing, or shaving, and includes medical needles, scalpels and knives;
- (xxxii) **"special wastes"** means material of a kind which may be included in services provided by the County for the collection of items referred to in Schedule "D" of this By-law;
- (xxxiii) **"street"** means any public highway, road, lane, alley, square, place, thoroughfare or way within the County of Wellington;

SCHEDULE "A" CONTINUED

DEFINITIONS

- (xxxiv) **“unserviced areas”** means any urban areas not receiving local municipal services, and where curbside collection services are not provided by the County, including private areas or private roadways;
- (xxxv) **“urban”** refers to residential areas including but not limited to the former towns and villages of the County of Wellington, and any other areas of sufficient number of homes to be considered eligible for curbside collection services;
- (xxxvi) **“user-pay”** refers to the County programme established for recovering costs of waste collection which requires owners of serviced units to purchase County issued yellow user-pay bags for curbside placement of waste;
- (xxxvii) **“waste”** means any residential, commercial or institutional waste, other than recyclables or non-collectable wastes, collected, accepted for collection, and accepted at solid waste service facilities, by the County;
- (xxxviii) **“solid waste service facilities”** means an active provincially approved sanitary landfill site or waste transfer facility;
- (xxxix) **“yard waste”** means any excess organic material generated on a property including, but not limited to, tree trimmings, hedge trimmings, plants, weeds, spring rakings, sod, cones, fruits and vegetables from yard trees and gardens.
- (xl) **“green bin”** means a closed top plastic box supplied by the County Of Wellington used for the collection of organic material.

SCHEDULE "B"

NON-COLLECTABLE WASTES

The following materials are not acceptable for collection through the curbside waste collection programme:

- i) Hazardous waste, as defined in Regulation 347, as amended from time to time;
- ii) Household hazardous waste materials which are corrosive, toxic, reactive, or flammable;
- iii) Biomedical or pathological waste, whether solid or liquid, as designated and regulated in Regulation 347, as amended from time to time;
- iv) Non-anatomical waste infected with a communicable disease;
- v) PCB waste;
- vi) Radioactive waste;
- vii) Motor vehicle bodies or parts thereof;
- viii) Live animals or birds, and carcasses or parts thereof of any animal or other creature, save for normal kitchen organic waste, which has been drained of all liquids;
- ix) Manure, septic or holding tank pumpings, or raw sewage;
- x) Materials of any kind or nature that contain hot live coals or fire;
- xi) Explosive, highly combustible, or ignitable waste;
- xii) Any gaseous, semi-liquid, or liquid waste;
- xiii) A designated substance as prescribed by the Occupational Health and Safety Act, R.S.O. 1990, c.O.1, as amended;
- xiv) Sealed metal drums or barrels;
- xv) Any material not placed in a specially-stamped user-pay garbage bag;
- xvi) Other material as designated by the County from time to time;
- xvii) Any waste material not generated within the corporate limits of the County of Wellington.

SCHEDULE "C"

RECYCLABLE MATERIALS

The following materials are accepted for the purposes of recycling through the County of Wellington's blue box programme. Paper products and containers shall be kept separate from each other within the blue box, and shall not be placed within plastic bags:

PAPER PRODUCTS

- i) Newspapers and inserts;
- ii) Magazines and glossy paper;
- iii) Catalogues, phone books and directories;
- iv) Boxboard (non-waxed);
- v) Clean paper egg cartons;
- vi) Hard covered books (covers removed);
- vii) Soft covered books;
- viii) Fine paper eg. Envelopes and computer paper;
- ix) Any other paper product as designated by the County from time to time.

CONTAINERS (EMPTIED AND RINSED)

- i) Glass bottles and jars which previously contained a food or beverage product;
- ii) Tin and aluminum cans which previously contained a food or beverage product;
- iii) Rigid shell #1 PETE (polyethylene terephthalate) plastic containers which previously contained a non-hazardous consumer product;
- iv) Rigid shell #2 HDPE (high-density polyethylene) narrow-necked plastic bottles and jugs which previously contained a non-hazardous consumer product, excluding empty motor oil containers;
- v) Aluminum foil and formed aluminum containers; and
- vi) Any other container material as designated by the County from time to time.

SCHEDULE "D"

SPECIAL WASTES

The following materials may be designated for special curbside collection services by the County from time to time:

- i) Natural Christmas trees, without any material thereon which is not part of the natural tree, including wrapping, bags, decorations, lights, nails or stands;
- ii) Major household appliances such as stoves, washers, dryers, dishwashers, refrigerators, and freezers;
- iii) Bulky materials, such as furniture, televisions, bathtubs, water tanks, mattresses, carpet, and bicycles;
- iv) Leaf and yard waste;
- v) Organics.

SCHEDULE "E"

HOUSEHOLD HAZARDOUS WASTES

The following materials are accepted for the purposes of recycling or reclamation at designated solid waste service facilities only:

- i) Used motor oil and filters;
- ii) Used glycol (antifreeze);
- iii) Propane cylinders;
- iv) Aerosol cans;
- v) Automotive batteries;
- vi) Household batteries; and
- vii) Any other material as designated by the County from time to time.

In addition to the above items, the following materials are accepted for the purposes of recycling, reclamation, or appropriate disposal at household hazardous waste event days:

- viii) Oil-based and latex paints;
- ix) Paint thinner and solvents;
- x) Wood preservatives and stains;
- xi) Brake and transmission fluid;
- xii) Household cleaners;
- xiii) Pool or photographic chemicals;
- xiv) Pesticides, herbicides, and fungicides;
- xv) Expired pharmaceuticals;
- xvi) Rat and mouse poison;
- xvii) Fire extinguishers; and
- xviii) Any other household product or item labelled as corrosive, toxic, reactive, explosive, oxidizing, poisonous, or flammable.