

**THE CORPORATION OF THE CITY OF PEMBROKE
BY-LAW NUMBER 2005 - 09**

A BY-LAW OF THE CORPORATION OF THE CITY OF PEMBROKE,
REQUIRING WASTE MANAGEMENT DIVERSION PROGRAMS AND
ESTABLISHING AND MAINTAINING A SYSTEM OF COLLECTION,
TRANSPORTATION AND DISPOSAL OF MUNICIPAL SOURCE-
SEPARATED SOLID WASTE WITHIN THE CITY OF PEMBROKE.

Whereas Section 11 of the Municipal Act, S.O. 2001, c. 25, as amended, provides that a lower tier municipality and an upper tier municipality may pass by-laws respecting matters within the spheres of jurisdiction including waste management matters;

Whereas the Municipal Council of the Corporation of the City of Pembroke is a partner in the Ottawa Valley Waste Recovery Centre (OVWRC) and is committed to the Environmental Mandate "To Walk Lightly on the Environment".

Therefore, the Municipal Council of the Corporation of the City of Pembroke hereby enacts to require Residential and ICI to establish and maintain a system of collection, transportation and disposal of municipal source-separated solid waste.

1. TECHNICAL DEFINITIONS

- a) "Ashes" means the solid residue of any household fuel after such fuel has been consumed by fire and includes soot, but shall not include ashes which accumulate as a result of building construction or demolition.
- b) "Bi-Weekly" shall mean once every two (2) weeks.
- c) "Board" or "Waste Management Board" shall mean the Ottawa Valley Waste Management Board, the unincorporated association of the member municipalities of the Inter-Municipal Agreement, dated October 15, 1998, as amended.
- d) "Building Owner" shall mean the registered owner of a Multi-Unit Residential Building or ICI sector building or the Building Owner's designate (i.e. property manager) in charge of a Multi-Unit Residential Building or ICI sector building.
- e) "By-law Officer" means a person appointed by by-law as a Municipal Law Enforcement Officer.
- f) "Central Commercial Zone" is generally the downtown area and shall be comprised of the area approximately bounded by Renfrew and Isabella Streets on the south, the Canadian Pacific Railway line on the north, Peter Street on the east and Munro Street on the west. The Open Space lands along the Ottawa River north of the lands designated Central Commercial are also considered to be part of the downtown area.

- g) “Chief Administrative Officer or CAO” means the CAO of the Corporation of the City of Pembroke.
- h) “Collection and Transportation” generally means the act of picking up municipal source-separated solid waste from Dwellings or Industrial, Commercial and Industrial (ICI) Sector facilities, loading it into collection vehicles, hauling it to the OVWRC, weighing and unloading each stream as directed.
- i) “Collection Containers” generally means either:
 - i) “Refuse Collection Container” generally means a household container manufactured for use for the collection of refuse and includes a reusable container and a non-returnable plastic bag;
 - ii) “Green Cart Collection Container” generally means a rigid plastic container the colour of green of an approximate volume of either 120L (26 gals.) or 240L (53 gals.) and is equipped with wheels in order to assist with placement for automated collection of organic waste;
 - iii) “Blue Box Collection Container” generally means a blue rigid plastic container for fibre recyclables of an approximate volume of 82L (18 gals.) and weighs no more than 22.7 kg (50 lbs.) when full.
 - iv) “Triple R Collection Container” generally means a yellow rigid plastic container for container recyclables of an approximate volume of 114L (25 gals.) and weighs no more than 22.7 kg (50 lbs.) when full.
 - v) “Reusable Collection Container” generally means a rigid plastic container or cardboard box of an approximate volume of 114L (25 gals.) and weighs no more than 22.7 kg (50 lbs.) when full.
 - vi) “Compostable Paper Bag” generally means a paper bag that is manufactured for the collection of Leaf and Yard Waste and weighs no more than 22.7 kg (50lbs.) when full.
 - vii) “Rigid Reusable Container”:
 - 1) Has a watertight lid which is separate from the container.
 - 2) Has two (2) handles and the bottom must be smaller in diameter than the top.
 - 3) Does not weigh more than 22.7 kg (50lbs.) when full.

- 4) Height shall not be more than 90 cm (35.4 in.).
 - 5) Diameter shall not be more than 60 cm (23.6 in.).
 - 6) Shall be constructed of material which has an equivalent durability to number 28 gauge metal.
- j) “Collection Location” means the location, as designated by the CAO or designate, where refuse, organics, fibre recyclables, container recyclables, leaf and yard waste and large items are placed out for collection.
 - k) “Commercial” generally means the predominant use of the land in the areas so designated shall be for the buying and selling of goods and services. The uses permitted are those commercial uses which serve the City’s market area and may include those establishments engaged in the buying and selling of goods and retail services, automobile services stations and sales garages, hotels, places of entertainment, offices, service shops, stand alone retail establishments, lodging facilities, restaurants, building and gardening supply outlets, etc. as outlined in the City of Pembroke’s Comprehensive Zoning By-law 97-38 and within the Municipality.
 - l) “Container Recyclables” generally means commingled whole items of glass, plastic, and metal. Recyclables are limited to:
 - i) Clear and coloured glass bottles and jars;
 - ii) Steel and aluminum cans, clean aluminum foil and aluminum and steel bottle and jar caps and lids;
 - iii) PET 1, HDPE 2, PVC 3, LDPE 4 plastic bottles, tubs and lids, plastic bags and packaging, identified with the following symbols:



- iv) PP 5, OTHER 7 bottles, tubs, and lids, identified with the following symbols:



- v) Clean polystyrene, including expanded polystyrene foam egg cartons and Polystyrene 6, usually identified with the following symbol:



- vi) Other items that may from time to time be designated as Recyclables by the Board as markets evolve.

- m) “Contractor” generally means a person or firm undertaking to do work or to supply goods, especially on a large scale, by signing a contract.
- n) “Corporation” means the City of Pembroke.
- o) “Dwelling” means one (1) or more rooms connected together as a self contained, separate unit in the same structure and constituting an independent housekeeping unit for residential occupancy by persons with facilities for persons to sleep, cook and eat and including its own sanitary facilities, and can include up to six (6) dwellings units but does not include a Multi-Unit Residential Building.
- p) “Electronics” generally means items including but not limited to computers, console games, videocassette recorders, radios, cameras, projectors, telephones, televisions, and stereos.
- q) “Fibre Recyclables” generally means items such as:
 - i) Newspapers and insert flyers;
 - ii) Mixed paper which includes magazines, catalogues, phone books, paperback books, paper including writing, computer and coloured, file folders, yellow and brown envelopes, molded pulp egg cartons;
 - iii) Corrugated cardboard;
 - iv) Boxboard which includes cereal, shoe, tissue, detergent, cracker, baking products, paper rolls such as for toilet paper, paper towel, greeting cards and wrapping paper; and
 - v) Other items that may from time to time be designated as Fibre by the Board as markets evolve but does not include frozen food packaging or wrapping paper of any kind (i.e. Christmas paper or gift wrap paper).
- r) “Free Standing Building” generally refers to a building that is detached from other structures.
- s) “Grocery Outlet” generally refers to a business that provides grocery products and is within the Municipality.
- t) “Household Hazardous Waste” generally refers to items that may normally accumulate in a dwelling, but are not suitable for collection. These items fall into the categories of wastes: waste class numbers 114, 121, 122, 145, 147, 148, 211-213, 221, 232, 241, 242, 252, 261, 263, 264, 267, 269, and 331, as defined in the Ministry of the Environment “New Ontario Waste Classes” dated January 1986, as amended.

- u) “Hazardous Waste” or “Liquid Industrial Waste” refers to hazardous or liquid industrial waste pursuant to Regulation 347 under the *Environmental Protection Act*, not including Household Hazardous waste as defined in subsection s) above. Hazardous or liquid Industrial Waste is not to be collected, as the OVWRC is not licensed to accept such waste.
- v) “Householder” means any registered owner, occupant, resident, lessee, tenant or any person in charge of any dwelling or apartment house or any person managing any hotel, restaurant, industrial or commercial building, office building, Institutional Establishment, Small Commercial Establishment or other premises, but does not include the Building Owner of a Multi-Unit Residential Building.
- w) “ICI Sector” is to mean all Industrial, Commercial and Institutional waste generators including: Mercantile Outlets, Grocery Outlets, Restaurants, Seasonal Campground – Cottage Rentals, Municipal and County Facilities, offices, and Schools, and are within the Municipality.
- x) “Industrial or Industrial Operations” generally refers to the predominant use of land in the areas so designated shall be for industrial uses, including warehousing, processing, manufacturing, assembling, fabricating, railway uses, transportation terminals and associated storage and handling facilities, and storage and is registered within the Municipality. Certain other compatible uses as found in modern business parks are also permitted, including commercial uses accessory to the permitted industrial uses, commercial uses primarily serving the industrial area, wholesale dealers, office uses and other quasi-industrial or service industrial uses and is within the Municipality.
- y) “Institutional” generally means both private and public institutions as well as major civic uses such as public, separate or private schools, colleges, service clubs, nursing homes, hospitals, government offices, community centres, churches, etc. as outlined in the City of Pembroke’s Comprehensive Zoning By-law 98-37 and is within the Municipality.
- z) “Litter” includes, but is not limited to residential or commercial waste and non-collectible waste that has been deposited in a place that is objectionable to the owner of the land.
- aa) “Mercantile Outlet” generally means a business that provides non-food, non-dining related goods or services and is within the Municipality.
- ab) “Multi-Unit Residential Building” means an apartment building, condominium complex, townhouse complex, co-operative housing complex,

or other similar residential complex containing seven (7) dwelling units or more with self contained living, kitchen and sanitary facilities and which is rented on a not less than monthly basis.

- ac) “Municipal Facility” generally means buildings owned by the Municipality, within the Municipality and includes:
 - i) Fire Halls and Police Stations;
 - ii) Municipal Office Buildings;
 - iii) Municipal Garages;
 - iv) Water Purification Plant and Pollution Control Plant;
 - v) Community Complexes; and
 - vi) Arenas and Recreational Complexes.

- ad) “Municipality” generally means a town, city or district having powers of local self-government.

- ae) “Non-Collectable Waste” generally means items that are not suitable for collection as waste. Items may include:
 - i) Bulky items such as barrels, crates, pieces of fencing, oil tanks, properly cleaned and cut in half, to a maximum of 1,000L (220 gals.) or any pressurized tank of any kind;
 - ii) White Goods and appliances including blenders, mixers, microwave ovens;
 - iii) Artificial Christmas Trees;
 - iv) Electronics;
 - v) Animal carcasses;
 - vi) Furniture;
 - vii) Construction or home renovation debris, such as fibreglass insulation, pieces of gyprock, drywall, lath and plaster, chemically treated or painted lumber, untreated lumber and branches or logs greater than 50 mm (2 in.) in diameter, carpet;
 - viii) Tires of any kind;

- xi) Liquid waste, night soil and manure;
 - x) Household Hazardous Waste;
 - xi) Explosives, highly combustible materials, hot ashes, or any material capable of starting a fire or any material that is capable of exploding or causing an explosion;
 - xii) Swill or other organic matter that has not been drained and wrapped;
 - xiii) Hay or straw;
 - xiv) Biomedical wastes including hypodermic needles/syringes, lancets and insulin pen tips;
 - xv) Vehicle parts and automotive waste except where a collection is provided in the special collection program; and
 - xvi) Industrial or trade waste including abandoned, condemned or rejected product and the stock of any wholesale or retail merchant.
- af) “Office” generally refers to a business within the Municipality that provides services and is within the Municipality.
- ag) “Organics” or “Organic Material” generally means the material of plant or animal origin placed for collection in the designated Organic Carts limited to:
- i) Food waste including fruit and vegetable peelings, table scraps, meat, poultry, fish, shell fish, dairy products, solidified cooking oil, grease and fat, bread, grain, rice and pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags, floor sweepings, pet and human hair;
 - ii) Leaf and yard waste including grass clippings, leaves, brush, twigs, house and garden plants, sawdust and wood shavings;
 - iii) Soiled and non-recyclable paper products including napkins, paper towels, fast food wrappers, wax paper, soiled pizza boxes, paper plates and cups, damp and soiled newspapers and flyers, sugar, flower and potato paper bags; and
 - vi) Other plant or animal origin that may from time to time be designated as organics by the Board.
- ah) “Puncture Proof Container” means a container either especially designed for the disposal of hypodermic needles or a plastic container suitable for this purpose, or for plate glass may be a rigid reusable container or cardboard box.

- ai) “Refuse” generally means items to be collected as refuse and is limited to:
 - i) Broken bottles, crockery and glassware, discarded clothing and furnishings, non-recyclable plastic and metal, non-recyclable packaging, non-repairable household goods and other household waste placed properly in collection containers;
 - ii) Glass tightly wrapped in cardboard or rigid reusable container and clearly marked to prevent injury to collection and disposal personnel;
 - iii) Disposable diapers, incontinents, wrapping paper and freezer food packaging; and
 - iv) Any material not defined as non-collectable refuse, organics, fibre recyclables or container recyclables or household hazardous waste.
- aj) “Residential” generally means the predominant use of the land in the areas so designated shall be for all types of residential dwellings, including single-detached dwelling houses, semi detached dwellings, duplex dwellings, triplex, medium and high density residential uses as well as group homes and a day care centre accessory to a residential use as outlined in the City of Pembroke’s Comprehensive Zoning By-law 97-38 and is within the Municipality.
- ak) “Restaurants” generally refers to a business that provides goods and services in the dining service industry and is within the Municipality.
- al) “Scavenge” means to sort through and collect materials from recyclable materials or any waste that has been placed out for collection.
- am) “Scrap Metal” generally means discarded metal pieces.
- an) “Seasonal Campground – Cottage Rentals” generally refers to a business that provides either space for camping vehicles or tents and/or individual buildings for rental within the campground, where waste is brought to a central location for pickup and is within the Municipality.
- ao) “Sharps” includes used and unused hypodermic needles, insulin pen tips, lancets, plate glass, sheet metal and other objects capable of cutting or puncturing.
- ap) “Shopping Centre” generally means a group of commercial and service establishments or uses, related in size and type, designed, developed and managed as a unit by a single owner, a group of owners or tenants acting in collaboration and is within the Municipality. The Shopping Centre generally includes as the primary establishment a major food chain store and/or a department store. Although not a prerequisite, the public access to individual

functions within a shopping centre will be from an enclosed common mall area.

- aq) “Shopping Plaza” generally means a group of commercial and service establishments or uses related in size and type designed, developed and managed as a unit whether by a single owner, a group of owners or tenants acting in collaboration and is within the Municipality.
- ar) “Source-Separated Solid Waste” generally means discarded refuse, organics, fibre recyclables and container recyclables separated into the appropriate streams by the generators of the material.
- as) “Swill” generally means liquid refuse.
- at) “Waste” means anything discarded for collection from any source and includes recyclable material, organics, leaf and yard waste, large items, scrap metal, refuse or litter.
- au) “Waste Generator” generally means a Householder, Building Owner, or Tenant of a residential or ICI sector that produces waste.
- av) “Waste Recovery Centre” means the Ottawa Valley Waste Recovery Centre (OVWRC), formerly known as the Alice & Fraser Landfill.
- aw) “Waste Stream” is to mean one of the divisions of the municipal source-separated solid waste including refuse, organics, fibre recyclables or container recyclables.
- ax) “White Goods” generally means whole household items including:
 - i) Stoves, dishwashers, clothes washers, clothes dryers;
 - ii) Non-CFC Refrigerant using refrigerators, freezers, dehumidifiers, and air conditioners; and
 - iii) Water heaters, water conditioners and humidifiers.

2. ADMINISTRATION

- a) Administration of the collection is hereby vested in the CAO or designate, with the CAO or designate to have full authority; to enforce the observance of the By-law; to prosecute every person who violates the provisions, thereof and, to enforce the terms of the collection agreement between the Municipality and the Municipal Collection Contractor.

- b) The CAO or designate shall be responsible for providing regular solid waste, recyclables and organics collection services as set out in this by-law, it being understood that the frequency of collection as specified may be changed, temporarily suspended or interrupted at the discretions of the CAO or designate.
- c) The decision of the CAO or designate shall be final as to the:
 - i) Locations receiving collection services;
 - ii) Locations not receiving collection services as per Schedule A;
 - iii) Quantities and types of waste streams to be collected;
 - iv) Procedures employed for collection;
 - v) Collection containers to be used for collection;
 - vi) Provision of notice for the scheduling of collection services or the changes to the collection schedules or services; and
 - vii) Any other matter necessary for the administration of this by-law.

3. PREPARATION OF WASTE FOR COLLECTION

- a) Every waste generator requiring and making use of municipal source-separated solid waste collection services shall provide and ensure all waste streams are placed in collection containers as specified by this by-law for refuse, organics, fibre recyclables and container recyclables or special collection programs and that such collection containers or bundles conform with the following standards and specifications:

The maximum size and weight of any bag, bundle, or collection container, excluding Organic Carts and ICI Sector Bins shall not exceed:

- i) 22.7 kg (50 lbs.) in weight of collection containers and contents together;
- ii) 90 cm (36 in.) in height;
- iii) 60 cm (24 in.) in diameter or width;
- iv) 0.1 m³ (3ft.³) in volume;
- v) plastic non-returnable bags shall not be less than 0.08 m³ (2.82 ft.³); and
- vi) plastic non-returnable bags do not include plastic shopping bags.

- b) Every waste generator that is eligible to receive municipal source-separated solid waste collection services shall separate waste into one of four (4) waste streams: refuse, organics, fibre recyclables and container recyclables and set these waste streams out for bi-weekly collection on such days and times as fixed by the CAO or designate.
- c) Residential Municipal Source-Separated Solid Waste Collection:
- i) Every Householder and/or Building Owner shall divide solid waste generated into the four component waste streams: refuse, organics, fibre recyclables and container recyclables, and maintain the separation between the waste streams for collection;
 - ii) Every Householder and/or Building Owner shall provide for the purpose of putting out for collection of refuse, a maximum of four (4) collection containers or unbroken plastic garbage bags, properly sealed and tied. Each collection container or bag shall not exceed specifications as outlined in 3 a) above;
 - iii) Every Householder and/or Building Owner shall ensure that refuse set out for collection shall not contain organics, fibre recyclables, container recyclables, or non-collectible refuse;
 - iv) Every Householder and/or Building Owner shall ensure that organics set out for collection shall not contain refuse, fibre recyclables, container recyclables or non-collectible refuse;
 - v) Every Householder and/or Building Owner shall ensure that fibre recyclables set out for collection shall not contain refuse, organics, container recyclables, or non-collectible refuse;
 - vii) Every Householder and/or Building Owner shall ensure that container recyclables set out for collection shall not contain refuse, organics, fibre recyclables or non-collectible refuse;
 - viii) Every Householder and/or Building Owner shall constantly maintain in proper order and repair for the purpose of putting out for collection of organics, the organic cart supplied by the Municipality. The Householder and/or Building Owner is responsible for maintaining the organic cart in a clean and sanitary condition;
 - ix) Additional yard waste will be collected as directed by the CAO or designate. This waste stream is placed apart from but along side an organic cart if that yard waste is contained in either a reusable collection container or compostable paper leaf and yard waste bag and may be

collected during a scheduled leaf and yard waste collection period. Every Householder and/or Building Owner shall ensure that all cuttings from trees and shrubs do not exceed 1.2 m (4 ft.) in length, 5 cm (2 in.) in diameter and shall be tied securely with string or twine in bundles not exceeding 22.7 kg (50 lbs.) in weight or 60 cm (24 in.) in diameter. The CAO or designate shall notify the Contractor and residents of the manner in which additional leaf and yard waste shall be collected. The use of plastic bags for leaf and yard waste is strictly prohibited;

- x) Every Householder and/or Building Owner shall provide for the purpose of putting out for collection of recyclables, the “Blue Box” for fibre recyclables and the yellow “Triple R Can” for container recyclables. These collection containers or other reusable collection containers can be supplied either by the Municipality, the OVWRC or the householder. The suitability of the collection container is to be determined by the CAO or designate;
- xi) Every Householder and/or Building Owner shall ensure all organic wet waste shall be drained, wrapped in absorbent material such as dry paper prior to placement in the Green Cart for collection.
- xii) Every Householder and/or Building Owner shall ensure that ashes when put out for collection are:
 - 1) Cold.
 - 2) Placed in a sealed combustible container such as a non-returnable plastic bag.
 - 3) Separated from flammable waste
- xiii) Every Householder and/or Building Owner shall ensure large sharps such as glass is tightly wrapped and placed in a rigid reusable container or cardboard box and clearly marked to prevent injury to collection and disposal personnel; and
- xiv) Every Householder and/or Building Owner shall ensure that faeces of dogs or cats shall be flushed in a sanitary manner when possible or otherwise be wrapped in absorbent paper and placed in a leak proof bag, mixed in with residential refuse and put out in small quantities of not more than 10% by volume of a Refuse Collection Container or a Reusable Collection Container.

- d) ICI Sector Municipal Source-Separated Solid Waste Collection:
 - i) Every ICI Sector waste generator receiving Municipal source-separated solid waste collection services shall follow the guidelines specified in section 3 a), b) and c) for all waste streams; and
 - ii) Waste generators receiving Municipal source-separated solid waste collection services shall supply their own specialized large metal bins, or green carts, blue boxes, yellow Triple R containers. The CAO or designate may at their discretion also provide any or all collection containers required as well as specify the maximum number of collection containers allowed to be collected.
- e) ICI Sector Municipal Source-Separated Solid Waste Diversion:

Every ICI Sector waste generator receiving municipal source-separated solid waste collection services must establish and maintain a waste diversion program to effectively manage the four waste streams: refuse, organics, fibre recyclables and container recyclables. The Central Commercial Zone, for the most part, does not participate in organics collection.
- f) All Building Owners who are owners of Multi-Unit Residential Building(s) and are receiving municipal source-separated solid waste collection services shall separate waste into one of four waste streams; refuse, organics, fibre recyclables and container recyclables and set these waste streams out for collection on such days and times as fixed by the CAO or designate.

4. PLACEMENT OF COLLECTION CONTAINERS FOR COLLECTION

- a) Every waste generator that is required to use or making use of municipal source-separated solid waste collection services shall comply with the following prescribed procedures for collection:
 - i) Municipal source-separated solid waste shall be set out in the prescribed collection containers for refuse, organics, fibre recyclables and container recyclables collections and shall be aligned along the street or boulevard and as close as possible to the curb and gutter or the pavement edge of the street without obstructing any roadway, sidewalk or footpath and the CAO or designate may further specify the exact location where collection containers shall be placed to facilitate collection;
 - ii) Refuse, organics, fibre recyclables and container recyclables shall be distinctly separated from each other at the curb to facilitate collection; and
 - iii) During winter control operations, collection containers are to be placed in the driveway, 1.5 m (5 ft.) back from the curb or pavement edge.

- b) In the Central Commercial zone, as defined in Section 1 above, collection containers are to be placed out for collection in a manner satisfactory to the CAO or designate in order that road allowances are maintained as clean and neat as possible on the public sidewalk providing such collection containers are placed out in a manner to maintain usage of the public sidewalk.
- c) Every Householder and/or Building Owner of an ICI Sector facility, apartment building or group housing project outside the Central Commercial zone which is eligible for municipal source-separated solid waste collection shall provide a properly designed, constructed and maintained road system whereby the Contractor can safely drive on to the property to an exterior ground level refuse, organics, fibre recyclables and container recyclables storage area located on the property, or at the edge of the road system, turn around and return to the public highway. The Contractor can provide this service if so requested by the property owner and approved by the Contractor and CAO or designate.
- d) All waste generators must have waste streams out for collection prior to 5:00 a.m. on the day of collection. No waste generator outside the Central Commercial zone shall place any of the four (4) municipal source-separated solid waste streams out for collection prior to 7:00 pm on the day preceding the designated collection. Waste generators in the Central Commercial zone shall be permitted to place any of the four (4) municipal source-separated solid waste streams out for collection prior to 7:00 p.m. on the day preceding the designated collection.
- e) Every waste generator shall remove collection containers from the collection location, street or roadway on the day of collection.
- f) In any case, where it is impossible to comply with the foregoing requirements as to the placing out of collection containers, or in the event of any dispute arising between any occupant and the Contractor as to where such collection containers are to be placed by an occupant, the CAO or designate shall designate where such collection containers are to be placed and both the occupant and the Contractor are to comply with the Municipal direction. However, the Contractor is not required to operate collection vehicles in such a manner as to endanger either his/her vehicle, his/her employees, or the public.
- g) Every Householder and/or Building Owner shall ensure that all structures or buildings provided for the storage of containers shall at all times be maintained in a clean and sanitary condition and constructed so as to prevent entry of rodents or insects and meets all by-laws and regulations of, but not limited to, Comprehensive Zoning By-law 97-38, Ontario Building Code,

5. CHRISTMAS TREE COLLECTION

- a) At the discretion of the CAO or designate a special collection may take place to collect Christmas trees. An advertisement in the local newspaper will outline the schedule for collection.
- b) Trees placed out for collection at the date and time specified by the CAO or designate must be free of any plastic bags, ornaments and decorations.
- c) Artificial Christmas trees are not to be collected as part of this item.
- d) Any normally scheduled collection is to be unaffected by this additional collection.

6. LARGE ITEM SPECIAL COLLECTION

- a) At the discretion of the CAO or designate a special large item collection(s) may take place to collect non-collectable refuse. An advertisement in the local newspaper will outline the schedule for collection.
- b) Large item special collection service is for residential properties only. The ICI Sector and any works done under a contract involving a contractor or a builder will not be serviced under this item. No ICI sector, contractor or builder shall place items out for large item special collection.
- c) No person shall place out for collection refuse, organics, fibre recyclables, container recyclables and Household Hazardous Waste or other prohibited items for large item special collection.
- d) Additional items that will not be collected include but not limited to the following: tires, leaves, brush, plaster, lumber or other waste residue resulting from construction, alteration, repair, demolition or removal of any building or structure including doors, windows, sawdust, shavings and other building materials. The following hazardous waste will not be collected but not limited to: paints, oils, herbicides and pesticides, batteries and propane cylinders.
- e) No person shall place items for collection as part of the large item special collection that exceed 36.28 kg (80 lbs.) a volume of .76 m³ (27 ft.³), no dimension greater than 1.83 m (6 ft.) and be transportable by two (2) persons.
- f) All persons placing out items for large item special collection shall ensure that, loose items are placed out for collection either properly tied in bundles or in collection containers having sufficient strength for this purpose. All scrap

metal and white goods must be placed in a separate pile.

- g) Items which are placed out for collection and which do not conform to the above paragraphs will not be collected by the Municipality under this special collection service, and the party who placed out these non-conforming items will be responsible to remove same immediately.
- h) Any normally scheduled collection is to be unaffected by this collection.

7. ADDITIONAL ORGANIC COLLECTION

At the discretion of the CAO or designate a special collection(s) may take place to collect organic waste on weeks not normally serviced. An advertisement in the local newspaper will outline the schedule for collection.

8. FALL AND/OR SPRING LEAF AND YARD WASTE COLLECTION

- a) At the discretion of the CAO or designate a special collection(s) may take place to collect leaf and yard waste on weeks not normally serviced. An advertisement in the local newspaper will outline the schedule for pickup.
- b) Only leaf and yard waste is to be collected as part of this service.
- c) All persons placing leaf and yard waste for collection shall ensure that such waste is in paper leaf and yard waste bags or reusable collection containers with the lid off. The use of plastic bags for leaf and yard waste is strictly prohibited.

9. GENERAL NUISANCE

- a) No person is to sweep, throw, cast, lay or direct or suffer any agent or employee to sweep, throw, cast, lay or deposit waste of any kind whatsoever on any lane, street, creek, roadway, sidewalk, or public place in the Municipality, except as is permitted under this by-law.
- b) No person shall scavenge, pick over, interfere with, disturb, remove, or scatter any set out of refuse, organics, fibre recyclables or container recyclables whether in a collection container or reusable collection container.
- c) No person shall place waste on any property other than that upon which it is accumulated, unless permission has been obtained by the CAO or designate or Householder and/or Building Owner thus inconvenienced, or so located on the Householder and/or Building Owner's property as to cause a public nuisance or a nuisance to the adjoining Householder and/or Building Owner.
- d) No Householder and/or Building Owner shall permit any waste to be blown

on or from the premises on which waste is set out for collection.

- e) No person shall break, damage, or take away any container or cover thereof nor turn over or upset the contents thereof. No person shall deposit waste in a container not belonging to them.
- f) No Householder and/or Building Owner shall set out a container for collection in such a condition that:
 - (i) it is unsightly to the neighbouring environment;
 - (ii) it harbours or attracts rats, vermin or insects;
 - (iii) the Waste falls out or protrudes from it; and
 - (iv) it is unsafe.
- g) No person shall permit any animal owned by him/her or under his/her control to scavenge, pick over, interfere with, remove or scatter any waste after it has been put out for collection.
- h) No person shall place waste as to cause a public nuisance to adjoining Householder and/or Building Owner.
- i) No person shall deposit waste in a container not belonging to them.

10. DISPOSAL OF NON-COLLECTABLE WASTE

- a) Non-collectable waste may be disposed of at the OVWRC provided that such waste is prepared, and/or separated in accordance with the receiving policies of the OVWRC. Any person wishing to dispose of non-collectable waste is to haul such waste to the OVWRC at his/her own expense, including any tipping fees, and shall deposit the waste in accordance with the receiving policies of the OVWRC. Any incoming waste that is deemed unacceptable as per the receiving policies of the OVWRC is to be immediately removed from the site and disposed of at an approved waste disposal facility or returned to the waste generator by the person responsible or hauler. In the event that the person or hauler refuses to remove said waste immediately, the waste will be removed from the site by the OVWRC staff and the person or hauler will be charged with expenses incurred along with any other course of action available to the OVWRC.
- b) No person shall place out for collection any non-collectable waste as outlined in Section 1.

11. TRANSPORTING SOLID WASTE

- a) No person shall convey through the streets within the Municipal limits waste except in properly covered collection containers or otherwise in carts, wagons, on vehicles totally enclosed or covered with canvas or tarpaulins, so fastened down around the edges as to prevent any of the contents falling upon the streets and to protect the same from flies and control as far as possible, the escape of any offensive odours there from.
- b) Any person who fails to observe paragraph (a) above and consequently causes any waste to fall on any street, shall pick up the same immediately; otherwise the responsible party is to be charged with expenses incurred in removing said waste along with any other course of action which would be available to the Municipality.

12. RESPONSIBILITY OF THE MUNICIPALITY

The Municipality shall provide all necessary equipment and labour for the removal and disposal of municipal source-separated solid waste only as stated herein.

13. AFFECTED LANDS

No lands located within the Corporation of the Pembroke shall be exempt from this By-Law.

14. ENFORCEMENT

Every person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act*, R.S.O. 1990,c.P.33

15. SEVERABILITY

The provisions of this by-law are severable. If any provision, section or word is held to be invalid or illegal, such invalidity or illegality shall not affect or impair any of the remaining provisions, sections or words.

16. That By-Law 2004-41, the amendments thereto and any other By-laws or parts of By-laws at variance with this by-law shall be and they are, hereby repealed.

17. THAT Schedule “A” attached hereto form part of this By-Law.

18. This By-law shall come into force and take effect upon the final passing thereof.

READ A FIRST TIME AND SECOND TIME THIS 15th DAY OF FEBRUARY, 2005

Chief Administrative Officer

Mayor

READ A THIRD TIME AND PASSED THIS 15th DAY OF FEBRUARY, 2005

Chief Administrative Officer

Mayor

SCHEDULE "A" TO BY-LAW

The City of Pembroke shall not provide collection or removal services for any refuse, organics, fibre recyclables or container recyclables from the following establishments within the City:

1. Stores within Free Standing Buildings with more than 464.5 m² (5,000 ft.²)
2. Hotels
3. Motels
4. Institutions unless requested and approved
5. Industrial Buildings
6. Private Clubs
7. Restaurants
8. Take-Outs and Chip Trucks
9. Shopping Centres
10. Shopping Plazas containing six (6) or more units unless requested and approved.
11. Veterinary Hospitals unless requested and approved
12. Medical Laboratories
13. Grocery Stores with more than 46.5 m² (500 ft.²)
14. Buildings containing any of the above uses unless requested and approved.

The Building Owner determined by the City to be exempt may apply, on behalf of individual businesses within his/her building, for relief from the collection/removal exemption.

Exemption relief may be granted to those establishments that occupy part of the exempt building.

Final approval is granted or denied by the CAO or designate.