



**BY-LAW & PLANNING COMMITTEE
AGENDA**

Tuesday, September 3, 2019, 4:30 pm
COUNCIL CHAMBERS

Pages

1.	ROLL CALL	
2.	DECLARATION OF CONFLICT OF INTEREST	
3.	MINUTES OF PREVIOUS MEETINGS	
3.1	August 13, 2019	2
4.	PUBLIC PRESENTATIONS	
5.	INTRODUCTION AND CONSIDERATION OF CORPORATE REPORTS	
5.1	August 8 2019. Report from the Director of Public Works	5
5.1.1	Proposed Garbage By-Law with ICI	14
6.	PRESENTATION OF COMMITTEE REPORTS	
7.	UNFINISHED BUSINESS	
8.	NEW BUSINESS	
8.1	Motion to Amend the Procedural By-Law	30
9.	PETITIONS	
10.	CORRESPONDENCE	
11.	PUBLIC QUESTION PERIOD	
12.	ADDENDUM	
13.	CLOSED SESSION (if applicable)	
14.	SCHEDULING OF NEXT MEETING	
	October 7, 2019 4:30 pm.	
15.	ADJOURNMENT	



**BY-LAW & PLANNING COMMITTEE
MEETING MINUTES**

Tuesday, August 13, 2019, 4:30 pm
COUNCIL CHAMBERS

Present: E. Pearce, Chair, S. Finamore, Member, N. Mann, Member,
D. Marchisella, Ex officio
Resources: L. Chaloux, CBO/Secretary, Natalie Bray, City Clerk
Others Present T. Turner, Councillor, C. Patrie, Councillor

1. ROLL CALL

The meeting was called to order by the Chair at the hour of 4:30 pm.

2. DECLARATION OF CONFLICT OF INTEREST

None

3. MINUTES OF PREVIOUS MEETINGS

3.1 May 9, 2019

Res#: 19-13

Moved By: C. Mann

Seconded By: S. Finamore

Carried

4. PUBLIC PRESENTATIONS

4.1 Application of Closure of Walkway

Re: Closure of Public Walkway between Dieppe Ave. and Blackwell Road.

Direction to staff to prepare and submit a report to Council re: closure of the walkway and sale of the walkway land to the co-applicants.

Carried

4.2 Ms. Lisa Bowes, Parking on Elizabeth Walk

Res#: 19- 14

Moved By: N. Mann

Seconded By: S. Finamore

THAT the By-Law & Planning Committee forward to Council for approve changing to current (2) two hours parking on Elizabeth Walk to (1) One hour parking period.

AND THAT the By-Law & Planning Committee forward to the Public Services Committee to review the proposal to add angle parking on both sides of Elizabeth Walk as requested and provide a report to the By-Law & Planning Committee on the feasibility with estimated cost of adding additional angle parking on Elizabeth Walk.

Carried

5. INTRODUCTION AND CONSIDERATION OF CORPORATE REPORTS

None

6. PRESENTATION OF COMMITTEE REPORTS

7. UNFINISHED BUSINESS

7.1 Enforcement of Smoking By-Law

For discussion as requested by the Chair Ed Pearce

Ed Pearce, wants to remind the public that no smoking will be allowed within 30 feet of entrance doors to public building, including the Centennial Arena. By-Law Officers will be enforcing the new smoking by-law and will be issuing fines.

8. PETITIONS

None

9. CORRESPONDENCE

None

10. PUBLIC QUESTION PERIOD

None

11. ADDENDUM

None

12. CLOSED SESSION (if applicable)

None

13. SCHEDULING OF NEXT MEETING

The next scheduled meeting of the By-Law and Planning Committee is Tuesday September 3, 2019 at 4:00 pm.

14. ADJOURNMENT

Res#: 19- 15

Moved By: C. Mann

Seconded By: S. Finamore

Carried



STAFF REPORT

REPORT OF THE DIRECTOR OF PUBLIC WORKS FOR THE CONSIDERATION OF THE BY-LAW AND PLANNING COMMITTEE

OBJECTIVE

To provide the By-Law and Planning Committee with information regarding proposed changes to the Garbage By-Law 05-74.

RECOMMENDATION

THAT the report of the Director of Public works dated Thursday, August 1, 2019 be received;

AND THAT the Garbage By-Law dated January 1, 2020 be approved.

AND THAT By-Law 05-74 be repealed.

Respectfully Submitted

Approved

Daryl Halloch
Director of Public Works

Daniel Gagnon
Chief Administrative Officer

August 1, 2019

BACKGROUND

Elliot Lake, Ontario was established in 1955 after the discovery of Uranium and was deemed the “Uranium Capital of Canada” after quickly becoming the leading producer of Canadian Uranium between 1950 and 1960. The town quickly expanded in size and population, bringing in more money, more people and an explosion of new infrastructure services. In just under 15 years, Elliot Lake went from a small remote Ojibwa village to a booming town of miners and their families, constituting a new population of over 26,000. With a big jump in population, waste management became a growing issue. In just over 60 years, the City of Elliot Lake has closed two landfills, and now with a population of only approximately 11,000 individuals the third landfill on Scott Road is expected to reach capacity in the year 2023.

In 2017, the Annual Landfill Report stated that the City of Elliot Lake is required to take action to extend the lifespan of the landfill. This report came completed with Action Items that the City of Elliot Lake and those involved with landfill operations was required to comply with, one of which included strenuous efforts in waste diversion, suggesting in the report to implement a Recycling By-Law. It should also be noted that, should the landfill reach capacity, the City would require a new landfill location, which would cause environmental and ecological harm, as well as and millions of dollars in closure costs, engineering design and quality control, environmental assessments and overall construction. Extending the lifespan of the landfill by land expansion alone will only go so far. As suggested in the Annual Landfill Report, changes to the Garbage by-law are required to reduce the quantity of waste entering the landfill and mandatory recycling should be considered to increase diversion rates and mitigate the landfill from reaching capacity in the near future.

The current bylaw, Garbage By-Law (05-74) was passed on August 8th, 2005. The following changes are recommended:

- An update to the language and definitions.
- Mandatory recycling for residents and businesses.
- The addition of set fines for improper disposal of waste as well as a fee for the pickup and disposal of garbage in excess of the limit.
- The inclusion of a comprehensive list of the types of materials approved for recycling and hazardous waste as well as the fee schedule for the landfill.

ANALYSIS

The proposed changes to the Garbage By-Law 05-74 will include the size and weight of garbage containers, the type of garbage permitted and penalties for improper disposal and will encompass disposal fees, as well as rates for excess curbside garbage and fines for illegal dumping.



Additionally, the By-Law will include changes to title positions and progressive improvement in terminology to provide inclusion of all persons regardless of gender identity and expression.

The language in the current By-Law (05-74) requires several updates due to the following factors:

First, the By-Law includes gender bias wording which is directed solely at the male population. Additionally, the By-Law references a “Director of Operations”, which will be changed to a City representative or designate. These changes will help to enforce the updated By-Law.

Secondly, mandatory recycling for residents and businesses will substantially decrease the amount of waste entering the landfill. This will also help to reduce greenhouse gas emissions produced by the Municipal Landfill Site.

Thirdly, the addition of set fines will allow the enforcement of the By-Law to recover some of the costs of the Officer and also re-coup some of the cleanup costs. Furthermore, the By-Law provides restrictions on weight and volume (maximum weight of 20 kilograms and maximum volume of 80 liters for garbage placed at the curb). It does not currently include limits on the amount of garbage placed at the curb each week. Implementing a two bag limit on garbage means that residents would need to attach a garbage bag tag to all bags in excess of two. The City of Elliot Lake would sell garbage bag tags at a cost of \$2.00 each or \$20.00 per booklet. The tags could be purchased at City Hall and the Collins Hall.

Finally, the current By-Law (05-74) lacks information regarding what types of materials are approved for recycling as well as hazardous waste. The addition of schedules outlining approved recyclable materials and hazardous materials will ensure that residents and businesses know the proper items to recycle and the disposal requirements.

These changes will enable the City of Elliot Lake to improve its ability in which waste management is regulated throughout the community. This in turn will provide guidelines for all residents and businesses.

FINANCIAL IMPACT

After contacting various printing facilities, both local and from surrounding areas, it has been determined that Cliffe Printing in Sault Ste. Marie would provide the best and most cost effective bag tags. The City would purchase 5,000 tags which would cost \$795.00 + tax. This would bring in approximate revenue of \$9,100.



In 2018, the City of Elliot Lake spent \$2622.85 advertising waste management practices. In 2019, our advertising costs will increase as educating residents and businesses on the changes in the By-Law will be necessary.

The enforcement of the proposed By-Law changes will have an effect on current staffing as By-Law enforcement will be required to ensure that the By-Law amendments are managed and that the public is aware of these changes.

Implementing the proposed Garbage By-Law would also help to decrease the amount of waste sent to landfill, by encouraging reduction and recycling of waste, thus extending the life of the landfill and reducing the operating costs.

LINKS TO STRATEGIC PLAN

The proposed Garbage By-Law links to the Strategic Plan as it promotes Environmental Stewardship through implementing limits surrounding the amount of garbage residents are allowed to place at the curb. These limits will encourage residents to send less waste to landfill which can be achieved by striving to purchase items with less packaging, recycling eligible materials and backyard composting.

SUMMARY

Implementing the updated Garbage By-Law is necessary as it will address concerns related to outdated language, an obsolete position, types of garbage permitted for disposal, garbage bag limits and penalties for improper collection, disposal and removal of waste within the current Garbage By-Law.



Ontario Regulation 347: General – Waste Management

CONTAMINATED SOIL

82. (1) Despite sections 75 to 79, a person may dispose of listed waste or characteristic waste by land disposal if the waste is soil or a soil mixture and the waste is first treated in accordance with the following rules:

1. If the soil or soil mixture is corrosive waste, ignitable waste or reactive waste, it must be treated so that it ceases to be corrosive waste, ignitable waste or reactive waste, as the case may be.
2. For each regulated constituent listed in Schedule 6 that can reasonably be expected to be present in the soil or soil mixture at a concentration that exceeds 10 times the standard set out for that regulated constituent in Column 4 of that Schedule, the soil or soil mixture must be treated so that,
 - i. the concentration of the regulated constituent after the treatment is not more than 10 per cent of the concentration of the regulated constituent before the treatment, or
 - ii. the concentration of the regulated constituent after the treatment is not more than 10 times the standard set out for the regulated constituent in Column 4 of Schedule 6.
3. For the purpose of subparagraph 2 i, the concentration of the regulated constituent shall be based on,
 - i. the total concentration of the regulated constituent in the soil or soil mixture, measured in milligrams per kilogram, if,
 - A. the regulated constituent is a metal, and the soil or soil mixture is treated using a metals removal technology,
 - B. the regulated constituent is carbon disulfide, cyclohexanone or methanol, and the soil or soil mixture is treated using a metals removal technology, or
 - C. the regulated constituent is not a metal and is not carbon disulfide, cyclohexanone or methanol, or
 - ii. if subparagraph i does not apply, the concentration of the regulated constituent in leachate from the treated media, measured in milligrams per litre, when the soil or soil mixture is tested using the Toxicity Characteristic Leaching Procedure.
4. If soil or a soil mixture is treated in accordance with paragraphs 1 to 3 and the residuals from the treatment are characteristic waste that is soil or a soil mixture, paragraphs 1 to 3 also apply to those residuals. O. Reg. 461/05, s. 19.

(2) If soil or a soil mixture is treated in accordance with paragraphs 1 to 3 of subsection

Hazardous Industrial Waste	Regulated Constituents (and Treatment Subcategories ¹)	Land Disposal Treatment Requirements	
		Aqueous Waste	Non- aqueous Waste

(1) and the residuals from the treatment are characteristic waste that is not soil or a soil mixture, section 79 applies to those residuals. O. Reg. 461/05, s. 19.

028	Residues resulting from the incineration or thermal treatment of soil contaminated with Hazardous Waste Numbers F020, F021, F022, F023, F026 and F027.	HxCDDs (All Hexachlorodibenzo-p-dioxins)	NA	0.000063	0.001
		HxCDFs (All Hexachlorodibenzofurans)	NA	0.000063	0.001
		PeCDDs (All Pentachlorodibenzo-p-dioxins)	NA	0.000063	0.001
		PeCDFs (All Pentachlorodibenzofurans)	NA	0.000035	0.001
		Pentachlorophenol	87-86-5	0.089	7.4
		TCDDs (All Tetrachlorodibenzo-p-dioxins)	NA	0.000063	0.001
		TCDFs (All Tetrachlorodibenzofurans)	NA	0.000063	0.001
		2,4,5-Trichlorophenol	95-95-4	0.18	7.4
		2,4,6-Trichlorophenol	88-06-2	0.035	7.4
		2,3,4,6-Tetrachlorophenol	58-90-2	0.03	7.4

MANAGEMENT OF ASBESTOS WASTE

17. No person shall manage asbestos waste except in accordance with the following:

1. No person shall cause or permit asbestos waste to leave the location at which it is generated except for the purpose of transporting it, in accordance with paragraph 2, to a waste disposal site, the operator of which has agreed to accept it and has been advised as to its anticipated time of arrival.
2. Asbestos waste transported to a waste disposal site shall,
 - i. be in a rigid, impermeable, sealed container of sufficient strength to accommodate the weight and nature of the waste, or

- ii. where the asbestos waste is being transported in bulk, be transported by means of a waste management system that is subject to an environmental compliance approval that specifically authorizes the transportation of asbestos waste in bulk.
 - 3. Where a container referred to in subparagraph i of paragraph 2 is a cardboard box, the waste must be sealed in a six-mil polyethylene bag placed within the box.
 - 4. Every container referred to in subparagraph i of paragraph 2 must be free from punctures, tears or leaks.
 - 5. The external surfaces of every container referred to in subparagraph i of paragraph 2 and of every vehicle or vessel used for the transport of asbestos waste must be free from asbestos waste.
 - 6. Both sides of every vehicle used for the transportation of asbestos waste and every container referred to in subparagraph i of paragraph 2 must display thereon in large, easily legible letters that contrast in colour with the background the word "CAUTION" in letters not less than ten centimetres in height and the words:

CONTAINS ASBESTOS FIBRES

Avoid Creating Dust and Spillage

Asbestos May be Harmful To Your Health

Wear Approved Protective Equipment.

- 7. Asbestos waste being transported from the location at which it is generated,
 - i. shall be transported,
 - A. by a driver trained in the management of asbestos waste,
 - B. as directly as may be practicable, to the waste disposal site at which disposal of the asbestos waste is intended to take place,
 - ii. shall not be transferred to a transfer station or other waste disposal site where disposal of the asbestos waste will not take place, but it may be transported to a waste disposal site that is subject to an environmental compliance approval that specifically authorizes acceptance and processing of asbestos waste,
 - iii. shall not be transported with any other cargo in the same vehicle,
 - iv. shall not be transported in a compaction type waste haulage vehicle,
 - v. where it is being transported in cardboard boxes, shall be in an enclosed vehicle,

- vi. shall be properly secured and covered with a suitable tarpaulin or net if it is transported in a vehicle that is not enclosed, and
 - vii. shall be transported only in vehicles equipped with emergency spill cleanup equipment including a shovel, a broom, wetting agent, protective clothing, a supply of six-mil polyethylene bags, bag closures and personal respiratory equipment.
8. During the transportation or unloading thereof, any asbestos waste that is loose or in a container that is punctured, broken or leaking shall be packaged, immediately on discovery, in a six-mil polyethylene bag.
 9. Where containers of asbestos waste are being unloaded, the unloading shall be carried out so that no loose asbestos or punctured, broken or leaking containers of asbestos waste are landfilled.
 10. Asbestos waste may be deposited only at locations in a landfilling site that have been adapted for the purpose of receiving asbestos waste or are otherwise suitable for that purpose.
 11. Asbestos waste may be deposited at a landfilling site only while the depositing is being supervised by the operator of the site or a person designated by the operator for the purpose and the person supervising is not also operating machinery or the truck involved.
 12. Where asbestos waste is deposited, as set out in paragraph 10, at least 125 centimetres of garbage or cover material must be placed forthwith over the deposited asbestos waste in such a manner that direct contact with compaction equipment or other equipment operating on the site is avoided.
 13. Every person handling asbestos waste or containers of asbestos waste, supervising the unloading of asbestos waste in bulk or cleaning asbestos waste residues from containers, vehicles or equipment shall wear protective clothing and personal respiratory equipment while so doing.
 14. Protective clothing that has been or is suspected of having been in contact with asbestos waste shall be changed at the site of the exposure and either properly disposed of as asbestos waste or washed at the end of the working day.
 15. Disposable protective clothing shall not be reused.
 16. Every person directly or indirectly involved in the transportation, handling or management of asbestos waste shall take all precautions necessary to prevent asbestos waste from becoming airborne. R.R.O. 1990, Reg. 347, s. 17; O. Reg. 234/11, s. 18

Ontario Regulation 558**CONTAMINATED SOIL**

4. Schedules 1, 1.1 and 2 to the Regulation are revoked and the following substituted:

SCHEDULE 1**HAZARDOUS INDUSTRIAL WASTES**

Hazardous Industrial Waste from Non-Specific Sources		
USEPA Hazardous Waste No.	Industry and No.	Waste
F028		Residues resulting from the incineration or thermal treatment of soil contaminated with EPA Hazardous Waste Nos. F020, F021, F022, F023, F026 and F027.

THE CORPORATION OF THE CITY OF ELLIOT LAKE***B*****Y-LAW No. 05-74**

Being a by-law to regulate the collection, removal and disposal of garbage, recycling and other refuse within the City of Elliot Lake.

WHEREAS, pursuant to Sections 11(1), 77 and 127 of *the Municipal Act*, S.O. 2001, c.25, a local municipality may pass by-laws to prohibit or regulate the use of any part of a waste management system and to require the owner or occupant of land to clean and clear land of refuse and debris.

NOW THEREFORE, the Council of The Corporation of the City of Elliot Lake, hereby,
ENACTS AS FOLLOWS:

1. DEFINITIONS**1.1 In this by-law,**

“ashes” means the solid residue of any household fuel remaining after burning.

“bag tag” means a specially marked tag issued by the City of Elliot Lake for the purpose of allowing collection of additional garbage containers in excess of the garbage limit, provided other limits and restrictions are adhered to.

“biomedical waste” means whether solid or liquid, including but not limited to, any animal or human organ or part thereof, bone, muscle, or animal or human tissue or part thereof, used bandages, poultices, dressings, medicines, vitamins, drugs, vaccines, needles, syringes, vials or any other similar material or substance which contains or may contain pathogenic micro-organisms or which may be hazardous or dangerous.

“building materials” means all waste materials generated from the renovation, demolition or repair of a structure.

“bulky item” means any weighty or bulky materials that do not fit in a garbage container, including but not limited to furniture, mattresses, carpet, appliances, outdoor equipment and any other large discarded material as designated by the Director of Public Works

“carcass” means the remains of an animal.

“collectible waste” means waste which may be collected pursuant to this by-law.

“collection contractor” means any person or business association which has entered into a contract with the City of Elliot Lake for the collection and/or processing and/or disposal of garbage and/or recycling.

“compostable materials” means solid non-hazardous waste derived from plants or animals, including waste consisting of compounds of carbon, all readily biodegradable, and limited to materials as designated by the Director of Public Works.

“Corporation” means The Corporation of the City of Elliot Lake.

“Director of Public Works” means the Director of the Public Works Department of the City of Elliot Lake or their designate.

“dwelling” means any building or other structure occupied or used as a place of abode, other than a hotel, restaurant, apartment house or tenement.

“food source” shall mean anything or any substance contained within the garbage that can be taken into or assimilated by a plant or animal to keep it alive and enable it to grow and repair tissue.

“garbage” means solid waste destined for disposal other than recyclable materials, yard trimmings, bulky items and non-collectable waste.

“garbage collection day” means the regular scheduled garbage pickup day established for each location in the City by the Corporation in accordance with this by-law and shall include the adjusted date where public holidays occur.

“garbage container” means a rigid metal or plastic container having a removable watertight lid and has a capacity of no more than twenty kilograms (20 kg) or eighty litres (80 L).

“highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for

or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

“householder” means an owner, occupant, lessee, tenant or other person in charge of a dwelling, hotel, restaurant, apartment house, office building, shop, store, public institution or other property.

“IC&I” means any industrial, commercial or institutional premises including but not limited to businesses, organizations, offices, stores, malls, restaurants, hotels, schools, healthcare facilities, manufacturers, factories, places of worship and warehouses.

“landscaping and yard debris” means plant materials including grass, plant clippings, leaves, roots and branches.

“non-collectible waste” includes,

- (a) ashes;
- (b) carcasses or parts of any animal or fowl with the exception of bona fide kitchen waste;
- (c) biomedical wastes;
- (d) building materials or building rubbish;
- (e) compressed gas cylinders, explosive or incendiary materials of any kind whatsoever;
- (f) hay, straw, manure and animal litter;
- (g) human or animal excrement;
- (h) biological, toxic or hazardous waste;
- (i) rags soaked in oil, gasoline or any other inflammable substance;
- (j) swill, organic matter not drained or wrapped or liquid waste; or
- (k) automotive parts.

“recyclables” include all materials set out in Schedule “A”. Recyclables shall not include any item with grease, food, dirt, or oil residue.

“refuse” includes debris, rubbish, junk or disused materials of any kind whatsoever and without limiting the generality of the forgoing, includes a motor vehicle that appears by reason of its age, appearance, mechanical condition or lack of license plate, to be inoperative, inoperative mechanical equipment, automotive and mechanical parts, disused furniture, old clothing, garden refuse, earth or rock fill, old or decayed lumber, material from construction or demolition projects and other vehicles, machinery equipment, materials or structures apparently disused in their existing location.

2. RESIDENTIAL GARBAGE

a. No person shall,

(a) accumulate or permit the accumulation of garbage, **recycling**, landscaping or yard debris, non-collectible waste, **bulky items** or other refuse, upon their property or upon property occupied or controlled by **them**;

(b) store garbage improperly; or

(c) place garbage at the highway or curbside,

i) on any day other than garbage day;

ii) before **5:00 AM** on garbage collection day; or

iii) unless the garbage is in a garbage can and complies with the provisions of Sections **9.4 to 9.8 and 9.10 inclusive**.

b. For the purposes of Section 2.1(b) above, “Store garbage improperly” means

garbage that is kept outside of the main building or secure accessory building and is not within a secure enclosure for garbage cans, sealed to prevent the entry by vermin or wild animals including bears.

3. IC&I

a. IC&I premises

- (a) shall collect and store recyclables separately from waste generated by tenants, employees and/or customers.
- (b) shall ensure recyclables meet the standards set out in the by-law.
- (c) shall ensure recyclables are either collected by a recycling processor or taken to a recycling depot.

b. No person,

- (a) shall deposit garbage in a bulk garbage disposal container located on a commercial, industrial, institutional or multi-unit residential zoned property unless such person is a householder on the same property or unless the bulk garbage disposal container is clearly designated by authorized signs for general public use.
- (b) who is a householder at a commercial, industrial, institutional, or multi-unit residential zoned property, shall store garbage, which is a food source, in a garbage disposal container or a garbage storage facility unless such container or facility is sealed to prevent the entry of vermin and wild animals including bears.

4. SCAVENGING, SCATTERING OR DISTURBING GARBAGE

- a. No person besides those designated by the Director of Public Works shall pick over,

disturb, remove or scatter any garbage, ashes, rubbish, recycling or other refuse placed for collection or disposal by a householder or deposited at the Municipal Waste Disposal Site.

5 LITTERING AND DEPOSITING WASTE

- a. No person shall throw, place, deposit or permit or cause to be thrown, placed or deposited any waste on any highway within the City.
- b. In the case of land that is not a highway, no person shall throw, place or deposit or permit or cause to be thrown, placed or deposited any waste on any land not including buildings, within the City, including ponds, lakes, rivers and watercourses, without the consent of the owner or occupant of the property.

6 WASTE DUMPING

- a. No person shall place, dump or deposit or permit to be placed, dumped or deposited any quantity of waste on any land, not including building, within the City, including ponds, lakes and streams, except as permitted by the Director of Public Works.
- b. No person shall place, dump or deposit their privately generated waste into:
 - 1. Public litter and recycling bins/ receptacles; or
 - 2. Regulation containers belonging to another person or entity, without that person or entity's consent.

7 DISPOSAL OF NON-COLLECTABLES

- 7.1** Landscaping or yard debris (excluding leaves on an established leaf collection day), and non-collectable waste shall not be collected by the Corporation but shall be disposed of by the householder at their expense in such manner as the **Director of Public Works** may from time to time direct.

- 7.2** Every householder shall ensure that animal and human excrements shall be flushed in a sanitary manner when possible or otherwise wrapped in absorbent paper and placed in a leak proof bag, mixed in with residential refuse and put out in small quantities of no more than 10% by volume of a garbage container.

8 CONTAMINANTS

- 8.1** No person shall dispose of any waste or refuse specified in Ontario Regulations 347 (as amended from time to time) and 558 by land disposal at the Municipal Landfill or any area within City limits, including contaminants and contaminated refuse not limited to, asbestos and contaminated soil, unless in compliance with the criteria and guidelines set out by Ministry Standards and Ontario Regulations 347 and 558.

9 COLLECTION DAYS

- 9.1** The **Director of Public Works** is authorized to designate the type or method of collection from any location collected by the City. The Director is further authorized to withdraw collection service from any location found in violation of compliance with the type or method of collection designated for that location within 30 days written notice.
- 9.2** The **Director of Public Works** may from time to time alter the times and frequency of collection in each area of the City.
- 9.3** Every householder owning or controlling property within the City of Elliot Lake shall, prior to the time of collection, place all garbage and recycling accumulated on their property in front of that portion of **their** property adjoining the highway along which collection is to be made, in containers authorized by this by-law. Such garbage and recycling placement shall be as close as possible to the edge of paved or improved road surface portion of the highway but shall not obstruct traffic on the highway, sidewalk or footpath.

- 9.4** Garbage and recycling placed for collection shall be set out not later than 7:00 a.m. on the designated collection day and no earlier than 5:00 a.m. on the designated collection day.
- 9.5** Subject to **Section 10.7**, all garbage placed for collection shall be in plastic bags and contained in a metal or plastic garbage can or cans with secure water tight lids.
- 9.6** Garbage placed for collection shall be drained of all liquid, and shall be securely wrapped and tied.
- 9.7** Garbage placed for collection shall weigh no more than twenty (20 kg) kilograms and be no larger than eighty (80 L) litres.
- 9.8** Empty garbage containers, **recycling** and all material which the collector refused must be removed from the highway or from public property by the occupant of the property from which it was taken **before 7:00 pm** on the same day that the garbage is collected or the material refused.
- 9.9** **No collection contractor or** employee of the City shall enter any dwelling, apartment house or other building or ascend or descend any stairway or enter any elevator or hoist or a loading platform for the purpose of collecting garbage, **recycling**, rubbish or other material or for returning garbage or recycling containers.
- 9.10** **No more than two (2) garbage bags per household per week shall be placed curbside for garbage collection, unless garbage bags placed curbside in excess of two (2) possess a bag tag issued by the City of Elliot Lake. Any garbage bags placed curbside in excess of two (2) without a bag tag will not be collected by the collection contractor or the City of Elliot Lake.**

10 CURBSIDE LIMITS

- 10.1** No person shall exceed the garbage limits established in Section 9.10 without the proper identification and purchase of a bag tag.
- (a) Effective January 1st, 2020 any bags or containers in excess of the limits set out in this by-law must possess a bag tag.

- (b) Bag tags will be available at City Hall and the Collins Hall beginning January 1st, 2020 at a fee of \$2.00 per tag or \$20.00 per booklet.
- (c) Any bags or containers in excess of the limits set out in this by-law without a bag tag affixed will not be collected by the collection contractor or the City of Elliot Lake.
- (d) There is no limit at a dwelling on the number of approved containers for recycling or the quantity of recyclable materials that may be set out for curbside collection services.

11 BUILDER, CONTRACTOR AND CONSTRUCTION SITE RESTRICTIONS

- 11.1 No person,
 - (a) engaged in any excavation, construction or demolition work shall encumber the streets and sidewalks adjacent thereto with any earth, stones, garbage, landscaping or yard debris, or waste material created by or resulting from such work;
 - (b) shall remove any earth, stones, landscaping or yard debris, or other waste material from the site of any excavation, construction or demolition work without first obtaining the permission of the **Director of Public Works**.
- 11.2 All waste material removed from the site of any work mentioned in Section 10.1(b) above, shall be disposed of in such manner as the **Director of Public Works** may direct and all costs, charges and expenses incurred or necessitated in disposing of the same in accordance with such directions, shall be borne by the builder, contractor or other person concerned.

13 TRANSPORTATION OF GARBAGE, ETC.

- 12.1 No person shall convey through a highway any garbage, **recycling**, landscaping or yard debris, non-collectable waste or other refuse, except in properly covered metal receptacles or in vehicles equipped with canvas covers or tarpaulins.
- 12.2 Where a vehicle is used to carry refuse, **recycling** or waste material of any kind, the

canvas cover or tarpaulin shall be placed and fastened in such manner as shall prevent the refuse or waste matter from falling onto the highway.

13 ENCUMBERING PRIVATE PROPERTY

- 13.1** No person shall throw, place or deposit refuse or debris on any private property or on property of the Corporation or any local board thereof.
- 13.2** The provisions of **Section 12.1** above shall not apply where consent of the owner or occupant of the property is given and all other provisions of this by-law are complied with.

14 ENCUMBERING HIGHWAYS/ SIDEWALKS PROHIBITED

- 14.1** Every owner, tenant or occupant of a dwelling, hotel, apartment house, tenement, building or other premises and every person having the control or charge of any church, school, or other public institution fronting or abut on any highway where the sidewalks are paved shall keep the same free of all obstructions.

15 ANIMAL CARCASSES

- 15.1** Where a carcass of any animal is found on any highway or private property, the owner thereof, or where the owner is unknown, the owner upon whose premises the animal lies shall notify the office of the **Director of Public Works** and shall dispose of the animal in accordance with the instructions of the **Director of Public Works**.
- 15.2** Where the owner of the animal is known, all expenses of disposing of its carcass shall be borne by the owner.

16. PENALTY

- 16.1** Any person other than a corporation who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine of not more than \$10,000.00 for a first offence and not more than \$25,000.00 for any subsequent offence under the by-law.
- 16.2** Notwithstanding any other provision of this by-law, a corporation upon conviction of a contravention of this by-law is liable for a fine of not more than \$50,000.00 for a first offence and not more than \$100,000.00 for any subsequent offences.
- 16.3** Where any person fails to comply with provisions set out by this by-law, the persons may be fined accordingly. A list of fines is set out in Schedule “B”.

17. VALIDITY

- 17.1** If a court of competent jurisdiction declares any provision, or any part of a provision of this by-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this by-law that each and every other provision of this by-law authorized by law be applied and enforced in accordance with its terms to the extent possible according to law.

18. SHORT TITLE

- 18.1** This by-law may be cited as the Garbage By-Law.

19. REPEAL

- 19.1** By-Law No. 85-58 is hereby repealed.

20. EFFECTIVE DATE

20.1 That the following updated schedules attached hereto shall form part of this by-law;

- Schedule “A”- Recyclables
- Schedule “B”- Set Fine Schedule

20.2 This by-law comes into effect on the first day of January, 2020.

PASSED this ____th day of _____, 2019.

MAYOR

CITY CLERK

GARBAGE BY-LAW 05-74
BEING A BY-LAW TO REGULATE THE COLLECTION, REMOVAL AND
DISPOSAL OF GARBAGE, RECYCLING AND OTHER REFUSE IN THE CITY
OF ELLIOT LAKE

SCHEDULE “A”
RECYCLABLES

Symbol F:

- Newspaper
- Magazines
- Catalogues
- Phone books
- Advertising inserts
- Glossy flyers
- Photocopy paper and envelopes
- Shredded paper in clear bags
- Corrugated cardboard
- Cereal and shoe boxes
- Cardboard and boxboard milk and juice cartons

Symbol C:

- Metal food and beverage cans
- Aluminum food and beverage cans
- Aluminum foil trays
- Rinsed jar lids
- Containers marked #1 through #6

GARBAGE BY-LAW 05-74
BEING A BY-LAW TO REGULATE THE COLLECTION, REMOVAL AND
DISPOSAL OF GARBAGE, RECYCLING AND OTHER REFUSE IN THE
CITY OF ELLIOT LAKE

SCHEDULE “A”
RECYCLABLES CONTINUED

Non-recyclable items:

- Any symbol F or symbol C items with oil, grease, dirt or food residue.
- Disposable coffee cups
- Plastic bags including shopping bags, milk bags, chip bags and bread bags
- Plastic wrapper surrounding cases of water, juice boxes, pop, etc.
- Wrapping paper
- Tissue paper
- Carbon paper
- Styrofoam
- Broken glass

GARBAGE BY-LAW 05-74
BEING A BY-LAW TO REGULATE THE COLLECTION, REMOVAL AND
DISPOSAL OF GARBAGE, RECYCLING AND OTHER REFUSE IN THE CITY
OF ELLIOT LAKE

SCHEDULE “B”

SET FINES

By-law 05-74 Re: Garbage by-law

ITEM	SHORT FORM WORDING	OFFENCE CREATING PROVISION OR DEFINING OFFENCE	SET FINES
1	Accumulate waste upon property	2.1 (a)	\$300
2	Store garbage improperly	2.1 (b)	\$200
3	Place garbage at highway or curbside improperly	2.1 (c)	\$200
4	Not recycling- IC&I	3.1 (a), 3.1 (c)	\$500
5	Recycling improperly- IC&I	3.1 (b)	\$200
6	Dump garbage in a bulk container	3.2 (a)	\$200
7	Scavenging, scattering or disturbing garbage	4.1	\$200
8	Littering	5.1, 5.2	\$300
9	Illegal dumping- land	6.1	\$300 + cost
10	Illegal dumping- receptacles and containers	6.2	\$300 + cost
11	Encumbering streets or sidewalks	10.1 (a), 13.1	\$200
12	Removal of waste material	10.1 (b)	\$200
13	Improper transportation of garbage or recyclables	11.1, 11.2	\$300
14	Encumbering private property	12.1	\$300



**WRAP TAG
AROUND
NECK OF
BAG**

CITY OF SAULT STE. MARIE WASTE TAG

005121

WWW.SAULTSTEMARIE.CA/WASTE

Agenda Package Pg. 29



**WRAP TAG
AROUND
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CITY OF SAULT STE. MARIE WASTE TAG

005122

WWW.SAULTSTEMARIE.CA/WASTE



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CITY OF SAULT STE. MARIE WASTE TAG

005123

WWW.SAULTSTEMARIE.CA/WASTE



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CITY OF SAULT STE. MARIE WASTE TAG

005124

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CITY OF SAULT STE. MARIE WASTE TAG

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CITY OF SAULT STE. MARIE WASTE TAG

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AROUND
NECK OF**

CITY OF SAULT STE. MARIE WASTE TAG

005130



Motion to Amend the Procedural By-Law

Whereas Council has enacted By-Law 16-6 to facilitate the smooth operations of Council,

And Whereas Council wishes to ensure open and honest debate on all matters coming before Council,

And Whereas Section 60(2) of the Procedural By-Law (Motion to Defer) puts an immediate end to all debate on any matter, thus negating the purpose of the By-Law,

It is therefore proposed that Council amend Section 60 by eliminating 60 (2) from the Procedural By-Law.

And I so move,

Ed Pearce