

## The Corporation of the Town of LaSalle

### By-law Number 8601

A By-law to establish and maintain a system for the collection and disposal of waste in the Town of LaSalle

**Whereas** Section 8 of the Municipal Act, 2001, S.O. 2001. c.25, as amended, provides that a single-tier municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authorities under this or any other Act;

**And whereas** Section 11 of the Municipal Act, 2001. S.O. 2001, c.25 as amended, provides that a single-tier municipality may pass by-law respecting matters within the spheres of jurisdiction including but not limited to waste management;

**And whereas** Section 425 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws providing that any person who contravenes any by-law of the municipality is guilty of an offence;

**And whereas** the Essex-Windsor Waste Management Master Plan provides that it is the policy in Essex-Windsor to continually investigate and implement alternative ways and means of waste reduction and to pursue in conjunction with the Provincial Government and area Municipalities, active public education programs to this end;

**And whereas** the Council of the Corporation of the Town of LaSalle recognizes the need to divert material from the Regional Landfill Site through waste reduction, reuse and recycling;

**And whereas** Council deems it advisable to regulate the collection of certain classes of waste and to regulate certain other classes of waste including recycling material and yard waste material to be collected in the Town of LaSalle;

**Therefore** the Council of the Corporation of the Town of LaSalle enacts as follows:

#### 1. Definitions

In this by-law:

#### **Appliances & Metal Items Means:**

- a) appliances such as but not limited to, refrigerators, stoves, freezers, microwaves ovens, washers, dryers, air conditioning units, barbeques, and dishwashers;
- b) scrap metal items, such as but not limited to furnaces, hot water tanks, metal sinks, swing sets, bathtubs and pool heaters.

**Approved Roll-out Cart** means a 90 gallon (340 litre) wheeled container compatible with lifting mechanisms as approved by the Town that is available through a private contractor.

**Blue Box** means a durable plastic container approved by the Town in accordance with the Essex-Windsor Solid Waste Authority (EWSWA) that is to be used for the collection of Recyclable material, as designated by EWSWA.

**Bulk Lift Container** means a waste container with a capacity of 3 to 6 cubic metres (4 to 8 cubic yards), capable of being emptied by front-end loader collection trucks.

**Bulky Items** means any items that are larger than 1 metre (39 inches) in any one dimension or weigh more than 20 kilograms (44 pounds), including furniture, televisions and appliances.

**Bundle** means a pack of magazines, newspapers, cardboard or other waste paper which is securely tied with a non-ferrous material and weighs less than 20 kilograms (44 pounds).

**Collection Service** means the services provided by the Town in accordance with this by-law for the collection of garbage, recyclable material and yard waste.

**Collectable Waste** means garbage, recyclable material or yard waste materials prepared in the manner prescribed in this by-law and set out for collection in the manner prescribed in this by-law.

**Collection Agent** means a company with whom the Town has entered into a contract for the collection of appliances and metal items and includes all employees and agents of such a company.

**Contaminated Waste** means the mixing of any object or non-collectable waste with collectable waste; the mixing of recyclables, yard waste or chemical household waste with garbage; or the mixing of any substance designated as household chemical waste with garbage.

**Construction and Renovation Material** means any waste material resulting from the construction, reconstruction, alteration, demolition, repair or removal of any building or structure.

**Designated Waste Disposal Facility** means a private or public facility designated for and approved by the Ontario Ministry of the Environment for the disposal of recyclable materials, garbage, yard waste, scrap metal, used tires and any other non-collectable waste material.

**Director** means the Town's Director of Public Works or any successor thereof, or his or her authorized representative or agent.

**Dwelling Unit** means a suite operated as a housekeeping unit used or intended to be used as a domicile by one (1) or more persons, and usually containing cooking, eating, living, sleeping and sanitary facilities.

**EWSWA** means the Essex-Windsor Solid Waste Authority, which is the Regional body responsible for the implementation of the Regional Waste Management Master Plan.

**Garbage** means waste materials excluding non-collectable waste as set out in Part 5 of this By-law, recyclable materials and yard waste.

**Garbage Container** means a hard sided container to place garbage in for storage and collection, as set out in Part 3 of this by-law.

**Grass Clippings** means lawn clippings, which are deemed to be non-collectable during the months of June, July, August and September.

**Household Chemical Waste** means domestic products that contain ingredients which are toxic or potentially harmful to the environment, including those items set out in Part 6 of this by-law.

**Liquid Waste** means waste in liquid form and includes septic waste or liquid waste that results directly from food processing or preparation operations.

**Multi-Residential Unit** means an apartment building, condominium, hotel, rooming house or any separate building designated to contain four (4) or more dwelling units.

**Non-Collectable Waste** means waste identified in Part 5 of this by-law.

**Occupant** means any person or persons over the age of eighteen years in possession of property.

**Owner** includes the registered owner and the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person's own account or as agent or trustee of any other person, or who would receive the rent if such land and premises were let, and shall also include a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards of this by-law.

**Public View** means a view of the front yard, curbside, or front porch, but does not include a view of the side yard or rear yard.

**Recycle Material** means any materials the Town had included in a recovery program as determined by the EWSWA.

**Recycling Container** means a container to place recyclable material in for collection, as set out in Part 3 of this by-law.

**Red Box** means a durable plastic container approved by the Town in accordance with the Essex-Windsor Solid Waste Authority that is to be used for the collection of recyclable paper products, as identified by the EWSWA.

**Street** means any public road, avenue, parkway, lane, alley or highway as defined in the Municipal Act, 2001, S.O. 2001, c.25, as amended.

**Yard** means land that is not a highway, including vacant lots or any part of a lot, which is not beneath a building.

**Yard Waste** means organic growth on property including brush, leaves, hedge, tree, and garden trimmings but does not include sod, turf, soil, earth, sand, clay, rocks, stone or other similar items.

**Yard Waste Container** means a container to place yard waste in for collection, as set out in Part 3 of this by-law.

**Waste** means any garbage, recyclable materials or yard waste intended for collection.

**Waste Diversion Program** means a system established by the Town, in accordance with the Regional Waste Management Master Plan, to divert waste materials from landfill disposal.

## **2. Administration**

2.1 The Municipality shall operate a system for the collection, removal and disposal of collectible waste in accordance with the provisions of this by-law.

## **3. Receptacles for Storage and Collection of Garbage, Recyclable Material and Yard Waste**

3.1 All garbage, recyclable material and yard waste are to be set out for collection in accordance with the provisions of this Part. All approved containers shall be drained of liquid and securely covered wrapped or tied.

3.2 Every occupant and owner of a residential dwelling unit shall ensure that garbage stored in a yard is placed in a garbage container, bundle or non-returnable plastic waterproof bags.

3.3 A household type container shall comply with the following specifications:

- a) external handles and a watertight lid;
- b) a lid which is readily separable from the container;
- c) a capacity of not more than 125 litres (33 gallons);
- d) an external height no greater than 78 centimeters (31 inches); and
- e) a diameter at the top equal to or greater than the diameter at the bottom, no greater than 50 centimeters (20 inches); OR
- f) a 340 litre (90 gallon) approved rollout cart; OR
- g) a properly covered metal bulk lift container; OR
- h) any combination of the above.

3.4 Every owner and occupant of a dwelling unit shall place all recycle material set out for collection in plastic containers known as a Blue Box and a Red Box or any other container determined by the Director as approved for the purpose of storing or setting out recyclable material;

3.5 Every owner and occupant shall rinse all residue from all containers set out for collection as recyclable materials;

3.6 Every owner and occupant of a multi-residential unit shall place all recyclable material set out for collection in plastic containers know as a Blue Box and a Red Box or approved roll-out carts or any other container determined by the Director as approved for the purpose of storing or setting out of recyclable material;

3.7 If newsprint or magazines are placed outside a recyclable material container, the owner and occupant shall tie the newsprint and magazines in bundles weighing less than 20 kilograms (44 pounds);

3.8 Every owner and occupant shall flatten and tie cardboard in bundles weighing less than 20 kilograms (44 pounds) and measure no more than 76 centimeters by 76 centimeters by 100 centimeters (30 inches by 30 inches by 39 inches), or the occupant may break down cardboard boxes and place the cardboard boxes in a larger box not exceeding the size and weight restrictions above.

3.9 Every owner and occupant shall ensure that each yard waste container is:

- a) a metal or plastic can as outlined in section 3 of this by-law or paper yard waste bags or cardboard boxes with a capacity of no greater than 125 litres (33 gallons) or any combination of the above;
- b) if brush is placed out for collection, every occupant shall cut the brush no greater than 1.2 metres (4 feet) in length and bundle the brush securely to a diameter of no greater than 0.6 metres (2 feet);
- c) natural Christmas trees will be collected at times specified out for collection must be free of all decorations and plastic bags.

#### **4. Collection Regulations for Garbage, Recyclable Material and Yard Waste**

4.1 Every owner and occupant shall set out materials for collection before 6:00 a.m. on the day of scheduled collection but not earlier than 7:00 p.m. on the day proceeding collection.

4.2 No owner and occupant shall place garbage, recyclable material or yard waste shall be placed at a height greater than 0.4 metres (16 inches) from the level of the street.

4.3 Every owner and occupant shall place all garbage, recyclable material and yard waste set out for collection as close as possible to the curbside and not on the traveled portion of the street in front of the dwelling, or to impede or interfere with the flow pedestrian traffic on a sidewalk or trail.

4.4 Collection crews shall not enter onto private property for the purpose of collecting or removing any garbage, recyclable material or yard waste.

4.5 Every owner and occupant shall prepare all garbage as specified in Part 3 of this by-law, unmixed with any recyclable material, yard waste or non-collectable materials as specified in Part 5 of this by-law or it will be deemed non-collectable.

4.6 Any garbage, recyclable material or yard waste deemed by the Director to be non-collectible shall be removed from the public view by the occupant of the premises from which it was placed for collection within 24 hours of being deemed non-collectible by the Director.

4.7 All empty containers, following waste collection, shall be removed from public view by the owner and occupant of the premises from which it was placed for collection before 8:00 p.m. on the day of scheduled collection.

4.8 No person shall keep a garbage container, recycling material container or yard waste container in such condition or such location as to create a nuisance or emit

offensive odours or harbour or attract insects, rats, or other vermin or to present a safety hazard to collectors.

4.9 Every owner/occupant shall store all garbage containers, recycling containers, and yard waste containers out of public view.

## **5. Non-Collectable Material**

5.1 Garbage, recyclable material and yard waste that is not placed in proper receptacles, set out at the required locations or at the required times, as set out in this by-law, will not be collected.

5.2 The following is designated as non-collectable waste and the person from whom such waste originates is responsible to dispose of it at a designated waste disposal facility:

- a) liquid waste
- b) animal waste, manure or excrement, carcass of any animals;
- c) earth, brick, stone, concrete, soil or sod;
- d) construction and renovation material;
- e) hot ashes or other waste that is capable of igniting;
- f) bio-medical and pathological waste including syringes, needles, sharps, dressings;
- g) automobile parts including tires;
- h) manufacturing and industrial waste;
- i) ammunition, oil or gasoline soaks materials, liquid chlorine, acid or any explosive or combustible material;
- j) any sharp edged material such as broken glass, broken crockery, cut metal or anything of a similar nature unless such material is placed in separate, secure containers clearly marked as to contents.
- k) any materials which have been frozen to a container on the ground;
- l) tree trunks and stumps;
- m) wooden pallets;
- n) bulky items;
- o) material containing chlorofluorocarbons (CFC's); and
- p) other materials as designated by the Director from time to time.

5.3 The following is designated as Household Chemical waste and the person from whom such waste originates is responsible to dispose of it at a designated waste disposal facility:

- a) explosive waste, including but not limited to wastes that may also produce deadly fumes or vapors when exposed to air or mixed with other materials and propane cylinders and tanks;
- b) flammable waste, including but not limited to gasoline, barbeque starter fluid, varsol, paint thinner, and other like solvents and fingernail polish remover;
- c) toxic waste, including but not limited to wastes that are poisonous or lethal if swallowed or inhaled, paint (full or partially full cans), pesticides, over-the-counter and prescription medicine and household and other cleansers;
- d) corrosive waste, including but not limited to batteries (household and automotive), drain opener, over cleaner, acid and photographic solution;

- e) substances as defined in the Environmental Protection Act, Ref. 347, as amended (pursuant to the Environmental Protection Act, R.S.O. 1990, c.E19, as amended);
- f) liquid waste;
- g) bio-medical and pathological waste including syringes, needles, sharps, dressings; and
- h) materials containing chlorofluorocarbons (CFC's); and
- i) other materials as designated by the Director from time to time.

5.4 Appliances, metal items and scrap metal will be collected only on dates as established by the Director. No person shall place for collection any appliances or scrap metal on any other dates than those establishes by the Director. Before placing such items out for collection, every person shall ensure that the doors are removed or secured shut on any appliances and metal items.

## **6. Additional Provisions for Landlords, Multi-Residential Dwelling Units & Commercial Establishments**

6.1 Receptacle storage enclosure/stands large enough to hold the required number of receptacles or bundles shall be provided by the owners of the types of premises listed below. The Director shall approve the structure, maintenance and location of the receptacle storage enclosure/stands:

- a) combined commercial and residential establishments with more than one residential unit;
- b) commercial establishments with more than one occupant;
- c) homes with two or three dwelling units;
- d) multi-residential dwelling units;
- e) townhouse complexes without internal roadways that receive centralized collection of garbage, recyclable material and yard waste.

6.2 Occupants of, or those responsible for setting out of materials for collection at multi-residential units and food service establishments shall place all garbage, recyclable material and yard waste in approved roll-out carts and/or in bulk lift containers.

6.3 Obligation on owner of multi-residential units regarding garbage and recyclables:

- a) in a building containing less than four dwelling units, one or more suitable containers or compactors shall be provided for garbage and recycling in a manner acceptable to the Director and in accordance with Part 4 of this by-law.
- b) in a building containing six or more dwelling units, two or more suitable hard-sided animal- proof containers or compactors shall be provided for garbage and recycling in a manner acceptable to the Director and in accordance with Part 4 of this by-law.
- c) Garbage in a container or compactor provided in accordance with subsection (1) shall be stored and either placed for pick-up or regularly disposed of so as not to cause a risk to the health or safety of any person.
- d) a container or compactor provided in accordance with subsection (1) shall:
  - i) be maintained in a clean and sanitary condition;
  - ii) be maintained in good repair;
  - iii) be accessible to residents; and
  - iv) not obstruct an emergency route, driveway, walkway or alleyway.

- e) all garbage containers used for the storing and disposing of domestic waste shall be covered tightly at all times except when the garbage container is being filled or emptied.
- f) building owners shall ensure that tenants are provided with approved and adequate recycling containers.

## **7. General Prohibitions**

7.1 No person shall sweep, throw, deposit or allow his agents or employees to sweep, throw or deposit any garbage, non-collectable material, recyclable material or yard waste on any street or other public place or on any lands not owned by such person.

7.2 Any material placed at curbside, alleyway or in any other location for collection by the Town is the property of the Town or its authorized collection agent(s). No person or corporation, unless authorized by the Director, shall interfere with or cause or permit any person to interfere with or collect, scavenge, disturb, remove or scatter any garbage, recyclable material or yard waste placed out for collection by the Town except for the person(s) who placed the material for collection, or if authorized under law.

7.3 No person shall convey through the streets any garbage recyclable material or yard waste unless it is carried in properly covered containers or in vehicles totally enclosed or covered with canvas or tarpaulins, fastened down so as to prevent any of the contents from falling upon the streets or any escape of offensive odours.

7.4 No person shall place garbage, non-collectible material, recyclable material or yard waste on property or in the alleyway abutting property in such a way as to attract rodent, insect and animal infestation.

## **8. Enforcement**

8.1 The Director and his or her designates and all By-Law Enforcement Officers appointed by any Town by-laws are authorized to enforce this by-law.

8.2 Every person who contravenes any of the provisions of this by-law is guilty of an offence, and upon conviction, is liable to a fine and any other penalties as provided for in the Provincial Offences Act, R.S.O. 1990, c.P33, as amended.

8.3 For the purpose of inspecting any land to determine compliance with the terms of this by-law, the Director may enter onto any public or private land.

8.4 No person shall hinder or obstruct the Director in the enforcement of this by-law or from carrying out an inspection of land.

## **9. Severability**

9.1 If a court of competent jurisdiction should declare any section or a part of this by-law to be invalid, the remainder of this by-law shall continue in force unless the court makes an order to the contrary.

## **10. Repeals**



- 10.1 The following by-laws are repealed:  
a) By-law 3462 and all its amendments.

**Read** a first and second time and finally passed, By-law 8601 on this 24th day of August, 2021.

1st Reading – August 24, 2021

2nd Reading – August 24, 2021

3rd Reading – August 24, 2021

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Mayor

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Deputy Clerk

**Part 1 Provincial Offences Act  
The Corporation of the Town of LaSalle  
By-law Number 8601**

A By-law to establish and maintain a system for the collection and disposal of waste in  
the Town of LaSalle

	Column 1	Column 2	Column3
Item	Short Form Wording	Offence Creating Provision of Defining Offence	Set Fine
1	Fail to use proper garbage container	s. 3.3	\$125.00
2	Fail to use proper recyclable container	s.3.4	\$125.00
3	Fail to properly prepare wastepaper for collection	s.3.7	\$125.00
4	Fail to properly prepare cardboard for collection	s.3.8	\$125.00
5	Fail to use proper yard waste container	s.3.9(a)	\$125.00
6	Fail to properly bundle brush for collection	s.3.9(b)	\$125.00
7	Fail to place garbage for collection at proper times	s. 4.1	\$125.00
8	Material is higher than 0.4 meters from the street level	s4.2	\$125.00
9	Failure to properly place materials for collection	s4.3	\$125.00
10	Fail to prepare garbage properly	s4.5	\$125.00
11	Fail to remove materials not collected	s.4.6	\$125.00
12	Fail to remove empty containers	s.4.7	\$125.00
13	Fail to maintain garbage, recycling or yard waste container	s.4.8	\$125.00
14	Fail to dispose of non-collectable waste	s.5.2	\$125.00
15	Fail to dispose of household chemical waste	s.5.3	\$125.00
16	Placed appliance or metal item for collection on unauthorized date	s.5.4	\$125.00
17	Fail to provide proper receptacle storage enclosure	s.6.1	\$125.00
18	Fail to provide roll-out cart and/or bulk lift container	s.6.2	\$125.00
19	Fail to provide sufficient number of carts or containers	s.6.3	\$125.00
20	Sweep/Throw/Deposit garbage on public or private property	s.7.1	\$125.00

21	Seep/Throw/Deposit non-collectable material on public or private property	s.7.1	\$125.00
22	Sweep/Throw/Deposit recyclable material on public or private property	s7.1	\$125.00
23	Sweep/Throw/Place yard waste on public or private property	s.7.1	\$125.00
24	Interfere with refuse placed for collection	s7.2	\$125.00
25	Disturb refuse placed for collection	s.7.2	\$125.00
26	Removed refuse placed for collection	s.7.2	\$125.00
27	Scatter refuse placed for collection	s.7.2	\$125.00
28	Interfere with recyclable material placed for collection	s.7.2	\$125.00
29	Disturb recyclable material placed for collection	s.7.2	\$125.00
30	Removed recyclable material placed for collection	s.7.2	\$125.00
31	Scatter recyclable material placed for collection	s.7.2	\$125.00
32	Interfere with yard waste placed for collection	s.7.2	\$125.00
33	Disturb yard waste placed for collection	s.7.2	\$125.00
34	Removed yard waste placed for collection	s.7.2	\$125.00
35	Scatter yard waste placed for collection	s.7.2	\$125.00
36	Fail to secure waste during transport	s.7.3	\$125.00
37	Fail to prevent animal infestation from garbage on property	s.7.4	\$125.00
38	Fail to prevent animal infestation from recyclable material on property	s.7.4	\$125.00

**Note: The penalty provision for the offences indicated above is section 5 of By-law No. 6681, a certified copy of which has been filed.**