

| Type of Decision | | | | | | | | | |
|--|-----------------------|------------------|--|----|-----------------|------------------------|------|--|--------|
| Meeting Date | Friday, Sept. 9, 2011 | | | | Report Date | Tuesday, Sept. 6, 2011 | | | |
| Decision Required | X | Yes | | No | Priority | X | High | | Low |
| Direction | x | Information Only | | | Type of Meeting | X | Open | | Closed |
| REPORT TITLE | | | | | | | | | |
| Waste Management By-law Options Report 09/09/11/1002 | | | | | | | | | |

Subject: Review and adoption of a by-law created to increase diversion and decrease the amount of material going to landfill.

To create a consolidated waste management document which describes our existing plan in detail making it easier for everyone to understand. The bottom line is to divert as much material as possible from our disposal sites to extend the operating lives of existing sites in a cost effective manner to reduce overall costs to ratepayers.

RECOMMENDATION: That this By-law be adopted consolidating current waste disposal requirements into one comprehensive document while implementing tools which will improve our plan.

The by-law needs some final direction to be discussed at the meeting of September 9, 2011. Once these decisions have been made (specifically to levy fees and charges) notice of a public meeting needs to be advertised and held – October 7, 2011. After the public meeting, the fees will need to be set and the by-law passed.

The following information explains the options that I have chosen for the draft by-law. Of course they may be discussed and altered. There are some concerns that I have absolutely no direction from Council (such as Freon removal) and require a decision.

Please review this document and come prepared to finalize a number of issues.

BACKGROUND/EXECUTIVE SUMMARY: As previously expressed and discussed at the public meeting of August 12, 2011. Additional information for consideration:

- Various townships have, like HCM, a large population of seasonal residents – a special mailout should occur to send a copy of the new by-law to each permanent property owner with the intent to post in their cottages for other visitors as well.
- Use the annual “Hunter’s New” as distributed by the MNR to advertise the changes to our program to lease holders – hunt camp owners.
- The costs of basic landfill operations are included in basic taxes hence the free bags per week. Due to increased costs of waste management, extra fees are required. To ensure that the users of the programs pay and not those diverting material, tipping fees have been implemented.
- People seen dumping material can be reported to the municipal office where fines can be laid. The OPP as well as our By-law enforcement officer and even our Landfill Attendant can enforce this by-law. Fines and penalties can be added to the tax bill. This will encourage seasonal property owners to spread the word. It does not assist with land use camps.

- A two bag limit will be kept with the intention to go to one bag within a certain time period. When moving to one bag, will likely require tags.
- “OOPS” stickers will be left on bags not to be collected with a short message as to why the material was left roadside.
- When material is located improperly disposed of, providing the offender is recognizable, the municipality cleans the mess up and sends an invoice to the owner or offender. Also, the OPP is notified.

Overall Waste Management Plan

Options incorporated into the draft by-law:

1. Partial user pay system which includes tipping fees for all users over a certain base amount.
 - a. Bags or bag tags;
 - i. Limit the number of bags to be collected or deposited;
 1. One or two to residential users;
 2. Four or five for commercial, industrial and trailer park users;
 - ii. All other bags will have to be self-hauled to the disposal site;
 - b. Tipping Fees
 - i. for all materials to disposal sites;
 - ii. for all users;
 - iii. for material in excess of that collected;
 - iv. no fees for recyclables – unlimited bags of recyclables collected,
 - c. **Need to plan for FREON removal. Until now we have collected all materials regardless of their state. According to our Certificate of Approval we must insist that white goods not be collected until/unless refrigerants have been professionally removed;**
 - i. **provide name and contact for service to private residences;**
 - ii. **Arrange to have someone come up quarterly to extract from all white goods at site and have Council pay for it. Currently we are accepting these materials. It is contrary to our CofA.**
 - iii. **Charge a fee for materials which include Freon or other gases that require professional removal.**
2. Recycling
 - a. Provision of free blue boxes/containers for home storage; this can be a component of an advertising campaign, possibly paid for through CIF.
 - b. Increased promotion and education – blue boxes for home storage;
 - c. Improved signage at landfill;
 - d. Website improvements; -FAQ section;
3. Collection containers.
 - a. Using transparent bags for all waste. This will enable the garbage collector to view materials in garbage and refuse those bags that contain recyclable or prohibited materials.
4. Collection along private roads? Sample in Schedule “J” to by-law from Kawartha Lakes.

GUIDELINES FOR COLLECTION ON PRIVATE, SEASONAL AND UNASSUMED ROADS

Residents residing on a private, seasonal or unassumed road will receive curbside collection services provided that the road is accessible to a small collection vehicle and maintained to the following standards:

- (a) snow ploughed to a minimum of 3 metres width;
- (b) sand and salt applied during icy conditions;
- (c) vegetation cut back to 3 metres height and width
- (d) all potholes, cracks and grading shall be repaired as directed and required by the Director and /or his designates

Residents living on private, seasonal and unassumed roads shall be responsible for arranging their own road maintenance as set herein.”

- 5. A littering/disposal by-law needs to be implemented and enforced allowing fines to be laid for illegally dumping material, for not recycling and for setting tipping fees for certain materials.
 - a. Fines
 - b. Promotion and Education
 - i. A copy of the new by-law is to be sent to each resident as newsletters are distributed so that each resident has the opportunity to completely understand the new document.
 - c. Free fall and/or spring collection of large items; as is current.
- 6. Recycling Contract
 - a. Will require Andre and Bill to keep additional stats to show who does not recycle and how much recyclables and garbage come from commercial users.
- 7. MHSW
 - a. Have to enforce not depositing with waste – clear bags will assist in this process;
- 8. Disposal Sites
 - a. Access to site – should it be limited? Extend fences to reduce possibility of trespass? Should we plan to have fences extended, people routinely break in – budget for 2012?

Financial Implications/Budget Impact: There will be additional fees in time for our attendant to police sites, track down those who litter, keep additional stats and perform spot audits. The long term benefits will exceed any current cost increases.

Policy Impact: The document that is finalized upon outcome of this discussion will create new policy for Waste Management combining all that is current.

Approved and Recommended by the Clerk

Melinda Reith,
Municipal Clerk

Melinda Reith

The following articles show that there is some success in using provincial resources to charge and successfully fine individuals for dumping illegally.

Pembroke Observer - \$750 fine for littering Posted 1 year ago

A Petawawa woman has been fined \$750 for littering after dumping several bags of garbage on private property near Pembroke. Melissa Redpath pleaded guilty to the charge of littering under the Environmental Protection Act.

Court heard that on November 11, 2009, a Ministry of Natural Resources conservation officer, on routine patrol, discovered 12 bags of garbage behind the cross-country ski club located on Forest Lea Road near Pembroke. An investigation led to the littering charge against Redpath. Justice of the Peace Terry Pasch heard the case in the Ontario Court of Justice, Pembroke, on January 18, 2010.

The Ministry of Natural Resources reminds all residents that it is illegal to dump garbage anywhere other than in a licensed landfill site. To report a natural resource violation, call 1-877-TIPS-MNR (847-7667) toll-free any time or contact the ministry office during regular business hours. You can call Crime Stoppers anonymously at 1-800-222-TIPS (8477).

Timmins Daily Press - \$1,000 fine for littering on Crown land By The Daily Press Posted 2 months ago

A Timmins resident has been fined \$1,000 for littering on Crown land. Ryan Talbot of Timmins pleaded guilty to depositing material on Crown land.

The court heard that in April 2011, a Ministry of Natural Resources Timmins District conservation officer responded to a complaint regarding a large amount of garbage that had been dumped in the bush in Bristol Township, west of Timmins. The material dumped included a refrigerator, a mattress, and nine bags of garbage.

Further investigation revealed that Talbot had been paid \$50 to take the garbage to a landfill site, but instead had dumped it in the bush. The garbage was cleaned up by Talbot before his court date. Justice of the Peace Theodore Hodgins heard the case in Timmins provincial court on June 30.

West Perth cracks down on garbage dumping

West Perth cracks down on garbage dumping By Mitchell Advocate

Posted 6 years ago

At the urging of Logan Coun. Larry Wight, the municipality of West Perth is looking to crack down on littering and illegal dumping of garbage within its borders.

"...To me, \$2 for a bag of garbage is not that overly expensive for most people." Kraemer said the reason each garbage bag disposal tag costs \$2 is due to federal regulations on municipal landfills. "We're being regulated to death," he said.

He said landfills are now too expensive for small municipalities to operate and should be controlled at the county level.

Even so, Kraemer said throwing garbage out at the side of the road is not the answer. He said the hour spent collecting the garbage on Jan. 12 likely cost the taxpayers of West Perth more than \$50 due to the cost of the municipality's employees and the truck.

In the past year, Kraemer said he has issued warnings to five or six people for illegally dumping garbage. The most common excuse Kraemer hears when he contacts people after linking them to illegally discarded garbage is that someone else must have stolen their garbage.

In all likelihood, someone is not going to steal someone else's garbage and throw it out in the country,? Kraemer said. The garbage found in the rural area of West Perth on Jan. 12 was linked to two Mitchell residents. Their information was forwarded on to West Perth OPP and Sgt. Doug French said police would continue the investigation and be in contacted with the people in question.

People expected of littering and illegally dumping garbage can be fined or charged under the West Perth littering bylaw, the Environmental Protection Act or the Highway Traffic Act, according to Sgt. French. If caught littering or illegally disposing of garbage, the current fine in West Perth, under the littering bylaw, "is not less than \$50 and not more than \$100 for the first and subsequent offences exclusive of costs."

Kraemer said the municipality is considering raising the fines to help further discourage people from dumping garbage. In Ontario, fines for littering a highway are \$90 under the Highway Traffic Act and \$105 for abandoning material that is likely to become litter under the Environmental Protection Act.