

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

OFFICE CONSOLIDATION OF BY-LAW 2016-144

Consolidated on December 22, 2016

Passed by Council on August 9, 2016

Amendments:

- 1) By-law 2016-209 November 22, 2016 Section 1 (Definitions)

Note: This consolidation is prepared for convenience only. For accurate reference the original by-laws should be reviewed.

Appendix # B
to
Report # WM 2017-005

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

BY-LAW 2016-144

A BY-LAW FOR COLLECTION AND MANAGEMENT OF WASTE AND
RECYCLABLES WITHIN THE CITY OF KAWARTHA LAKES

Recitals

1. Section 10(1), paragraph 7 of subsection 10(2) of the Municipal Act, 2001, S.O. 2001, c.25 authorizes a municipality to pass By-laws dealing with Waste Management.
2. Section 391 of the Municipal Act, 2001, S.O. 2001, c.25 authorizes municipalities to impose fees or charges for services rendered.
3. Council considers it advisable to collect, remove and dispose of waste generated within the City of Kawartha Lakes.
4. This By-law replaces By-law 2007-024.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this **By-law 2016-144**.

Table of Contents

Section 1.00 Definitions and Interpretation

- 1.01 Short Title
- 1.02 Definitions
- 1.03 Interpretation Rules
- 1.04 Statutes
- 1.05 Severability
- 1.06 Duties and Powers of the Director of Public Works

Section 2.00 General Provisions and Prohibitions

- 2.01 Prohibitions

Section 3.00 Curbside Collection Services (General)

- 3.01 General Provisions for Curbside Collection
- 3.02 Curbside Collection for Private, Seasonal and Unassumed Roads
- 3.03 Curbside Collection Frequency and Time
- 3.04 Curbside Waste Limits and Approved Containers
- 3.05 Curbside Recycling Limits and Approved Containers
- 3.06 Special Curbside Collections
- 3.07 Curbside Collection Set Out Requirements
- 3.08 Prohibitions for Curbside Collection
- 3.09 Removal of Uncollected Waste
- 3.10 Medical Waste Register

Section 4.00 Disposal and Recycling at Landfill Sites

- 4.01 General Landfill Site Provisions
- 4.02 Landfill Site Hours of Operation
- 4.03 Acceptance of Contaminated Soil
- 4.04 Acceptance of Asbestos
- 4.05 Acceptance of Household Hazardous Waste
- 4.06 Acceptance of Other Materials for Diversion

- j) establish and ensure enforcement of the terms and conditions on which curbside collection services which have been included, restricted, suspended or terminated under this By-law may be resumed in whole or in part;
- k) establish procedures for the handling and disposal of waste and other materials as defined in this By-law;
- l) establish the terms of an agreement with any user or owner for the acceptance of waste at the landfill site;
- m) establish the terms of an agreement with any user or owner for the acceptance of recyclable materials, leaf and yard waste, scrap metal, household hazardous waste or other designated material for recycling at the landfill site;
- n) determine the guidelines for the disposal of asbestos waste in accordance with Regulation 347, R.R.O. 1990, as amended; and
- o) deal with any other matter assigned by this By-law or necessary for the curbside collection, removal and disposal of waste and administration of this By-law.

Section 2.00: General Provision and Prohibitions

2.01 Prohibitions

- a) No user or owner shall:
 - i) Unless authorized by the Director of Public Works and his or her designate, scavenge, salvage, pick over, interfere with, remove or scatter or any like or similar activity in relation to any waste, recyclable materials or bulky items set out for curbside collection;
 - ii) Cover waste, recyclable materials, leaf and yard material or bulky items with animal deterrents such as bleach or cayenne pepper;
 - iii) Permit any animal owned by him or her or under his or her control to pick over, interfere with collection, remove or scatter any waste, leaf and yard material, recyclable materials or bulky items placed out for curbside collection;
 - iv) Cast or otherwise deposit or permit any contractor, agent or employee of such user or owner to throw, cast or otherwise deposit any waste, recyclable materials, leaf and yard material or bulky items whatsoever on or in any street, public property or private property without the prior consent of the owner, except as expressly authorized by this By-Law;
 - v) Place waste recyclable materials, leaf and yard material or bulky items on public property for collection by a private collection agency;
 - vi) Deposit waste recyclable materials, leaf and yard material or bulky items generated on private property into public waste receptacles located on public streets;
 - vii) Except where permitted in this By-law, no user or owner shall dispose or cause to dispose any waste recyclable materials, or bulky items within the City limits other than in authorized landfill sites.

Section 3.00: Curbside Collection Services (General)

3.01 General Provisions for Curbside Collection:

- a) The City shall provide curbside collection within the boundaries of the City of Kawartha Lakes to the following locations in accordance with this By-law,
 - i) Low density residential buildings, residential institutions and mobile home parks for:

- (1) waste;
- (2) recyclable materials;
- (3) leaf and yard material; and
- (4) bulky items and appliances

ii) High density multi-residential buildings, industrial, commercial or institutional building and seasonal trailer parks and resorts for:

- (1) waste; and
- (2) recyclable materials

iii) For new development the City shall provide curbside collection from occupied dwelling units, in accordance with this By-law only after the issuance of the first final occupancy permit;

iv) Despite any other provision of this By-law, curbside collection services shall not be provided, except by agreement, to any land or building owned or leased by the Crown in Canada, the Crown in right of Ontario, a university, a community college, a hospital, or to any property for which no taxes are paid and for which no grants in lieu are received or any vacant or for any unoccupied structure or property that does not contain a structure.

3.02 Curbside Collection for Private, Seasonal and Unassumed Roads:

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

- i) Snow ploughed to a minimum of 3 metres (10 feet) width.
- ii) Sand and salt applied during icy conditions
- iii) Vegetation cut back to three metres (10 feet) height and width
- iv) All potholes, cracks and grading shall be repaired as directed and to a standard to the satisfaction of the Director of Public Works and his or her designate

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

c) Every user or owner of a premises not entitled to City collection services or who generates waste of a type for which curbside collection is not provided, shall ensure the provision of a storage enclosure which is adequate to contain all of the waste to be disposed of and such waste shall be conveyed to the point of disposal by and at the expense of the user or owner of such waste. Every user or owner not entitled to curbside collection, pursuant to the provisions of this By-law, shall not place waste for curbside collection;

d) Where private collection services are utilized, the owner shall ensure waste is stored until collected in properly constructed and maintained containers which are emptied as necessary in order to prevent development of odours or nuisances and which are not allowed to overflow;

e) The owner shall ensure all containers, structures or buildings provided for the storage of waste shall at all times be maintained in a secure, clean, dry and sanitary condition so as to prevent entry of rodents, insects or other vector and vermin.

3.03 Curbside Collection Frequency and Time:

- a) Where the City provides curbside collection for waste such collection services shall be provided at collection locations once a week, except when a normal collection day falls on a holiday as provided herein;
- b) Where the City provides curbside collection for recyclable materials such collection services shall be provided at collection locations once a week –