

CORPORATION OF THE TOWNSHIP OF FRONTENAC ISLANDS

WOLFE ISLAND TRANSFER SITE BY-LAW NO. 07-2016

WHEREAS the Municipal Act S.O. 2001, Chapter 45, Section 11 (3) and amendments thereto authorizes the Council of a local municipality to pass by-laws respecting waste management; and

WHEREAS the Council of the Township of Frontenac Islands deems it necessary to enact an updated by-law respecting waste management in the Wolfe Island District of the Township of Frontenac Islands; now

THEREFORE the Council of the Corporation of the Township of Frontenac Islands enacts as follows:

1. Title, Scope and Definitions:

1.1 Short Title

This By-law shall be known as the "Wolfe Island Transfer Site By-law".

1.2 Scope

1.2.1 The provisions of this By-law shall apply to all persons, lands, structures and uses within the boundaries of the Wolfe Island District in the Township of Frontenac Islands.

1.2.2 No person shall deposit, any waste, refuse or garbage within the Wolfe Island District of the Township of Frontenac Islands except in conformity with the provisions of this By-law and schedules annexed thereto.

1.2.3 This By-law shall not be effective to relieve, reduce or mitigate any person from compliance with any provision of the Public Health Act or Environmental Protection Act or any regulation or order prescribed by the Medical Officer of Health or the Minister of Environment.

1.3 Definitions

For the purposes of this By-law:

1.3.1 "Bagged Waste" means waste contained within a plastic bag with a capacity no greater than 135 litres (30 imperial gallons) and capable of being closed or tied and containing the Garbage without tearing.

"Commercial Hauler" means a person engaged in the collecting, transporting or disposing of waste materials for profit or gain and includes persons collecting, transporting or disposing of waste generated or originating from and incidental to the carrying out of a trade, commercial activity or other similar business operation where such waste does not originate or is not generated from the principle residence or place of business of that person.

- 1.3.2 "Council" means the Council of the Corporation of the Township of Frontenac Islands.
- 1.3.3 "Municipal Transfer Site" means a site designated and operated by the Township of Frontenac Islands within the District of Wolfe Island for the deposit or transfer of waste in accordance with the provisions of this By-law and the terms and conditions of a Certificate of Approval issued by the Ministry of Environment.
- 1.3.4 "Official" means an officer, servant or employee of the Corporation of the Township of Frontenac Islands.
- 1.3.5 "Person" means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee and any heirs, executors, successors, assigns or other legal representative of a person to whom a contract can apply according to law.
- 1.3.6 "Recyclable Waste" means those materials and items which are accepted by the Township at the Municipal Transfer Site for collection, transfer and processing at a recycling centre or third party re-user and as may be further defined in the schedule(s) annexed to this By-law.
- 1.3.7 "Waste" means garbage, refuse and other waste materials generated from domestic household sources and similar uses approved for disposal by the Ministry of Environment and Energy and the Township Council at the Municipal Transfer Site and shall for the purpose of this definition.
- 1.3.8 "Transfer Site Attendant" means an official duly appointed by Council responsible for the supervision and operation, under the direction of Council, of a Municipal Transfer Site and for the administration of this By-law.
- 1.3.9 "White Goods" means refrigerators, freezers, stoves, ovens, hot water heaters, water tanks, washing machines, clothes dryers and similar such items, goods and materials.
- 1.3.10 "Wolfe Island District" or "District of Wolfe Island" means the entire geographic area of the former Township of Wolfe Island.

2. Municipal Transfer Site

- 2.1 The following area is designated as the Municipal Transfer Site Part of Lot 3, Concession 8, North of Base Line, Wolfe Island.
- 2.2 No person shall use any lands within the Wolfe Island District for that of a transfer site except lands designated for such use by by-law.

2.3 The Municipal Transfer Site shall be operated and maintained by the Township in accordance with the terms and conditions of the Site Environmental Compliance Approval, the provisions of this By-law and the requirements of the Ministry of the Environment.

2.4 Notwithstanding any other penalty or remedy of law available to the Township, the owner, occupant, lessee or person using any structure or lands within the boundaries of the Wolfe Island District for the dumping or disposing of garbage, refuse, industrial waste, hazardous materials or waste of any kind where such lands or structures are not designated as a transfer site, shall upon written notice served by the Township cease using such lands or structures for such purposes and shall remove or cover such garbage, refuse, industrial waste, hazardous materials or other waste in the manner as may be prescribed by the Township.

2.5 Hours of Operation of Transfer Site

2.5.1 The Municipal Transfer Station shall be open for the deposit of waste and other permitted materials in accordance with the times set out in Schedule "A" to this By-law.

2.5.2 Notwithstanding the provisions of Section 2.5.1 above, public access to the Municipal Transfer Station shall be restricted to those times when a Township Transfer Site Disposal Attendant is on duty and in attendance at the site.

2.5.3 No person shall trespass on the Municipal Transfer Site except as is required to transfer material to the site in accordance with this By-law, or as is necessary to conduct lawful business within the Wolfe Island District during the designated hours of operation of the Transfer Site in the presence of the Transfer Site Attendant or other official.

3. General Provisions

3.1 No person shall deposit waste at the Municipal Transfer Station that originates or is generated from a location or use outside of the boundaries of the Wolfe Island District of the Township of Frontenac Islands.

3.2 Persons shall deposit the permitted waste at the Municipal Transfer Station in accordance with the directions of the Transfer Site Disposal Attendant and in accordance with the provisions of this By-law.

3.3 All waste to be deposited at the Municipal Transfer Station shall be bagged.

3.4 No person shall deposit waste of any kind on any lane, street, watercourse, private or public property.

3.5 No person shall deposit in the Municipal Transfer Station any

prohibited waste material as listed in Schedule "B" to this By-law or any industrial waste.

- 3.6 No person shall deposit of waste that is not bagged.
- 3.7 The Transfer Site Attendant shall be and is hereby authorized to refuse access to the Municipal Transfer Site any person who is in contravention of any provision of this By-law, as may reasonably be determined by the attendant. All such persons refused access or use to the transfer site shall be referred to the Township Office on Wolfe Island by the attendant to review the grounds of such access refusal, such grounds to be provided to that person by the attendant.
- 3.8 Persons who desire to access the Municipal Transfer Site may be required to provide evidence or documentation upon demand acceptable to the Transfer Site Disposal Attendant or other Township Official so as to determine the residency of that person or the origination of the waste to be deposited and the conformity of such residence or origination of waste with the provisions of this By-law.
- 3.9 No person shall pick over, interfere with, remove or scatter any materials in the Municipal Transfer Site.

4. Special Provisions

4.1 Construction Waste

No person shall deposit construction waste at the Municipal Transfer Site.

4.2 Recyclables, Scrap Metal, White Goods and Tires

- 4.2.1 Recyclable Materials shall be those items listed in Schedule "C" to this By-law.
- 4.2.2 Recyclable materials shall be separated from other waste to be deposited of in the applicable bins of the Municipal Transfer Station and shall be deposited in the recycling containers at the site in accordance with the directions of the Transfer Site Attendant and the provisions of Schedule "C" to this By-law.
- 4.2.3 Scrap metal and white metal shall be separated from other waste to be deposited of in the applicable area of the Municipal Transfer Station and shall be deposited in the scrap metal area located at the Transfer Site and in accordance with the directions of the Transfer Site Disposal Attendant.
- 4.2.4 Clean brush shall be deposited for disposal at the designated area of the Municipal Transfer Station in accordance with the directions of the Transfer Site Disposal Site Attendant. (Saturdays only)
- 4.2.5 Tires may be deposited of at the Municipal Transfer

Site in accordance with the following conditions:

4.2.5.a All rims must be removed from tires.

4.2.5.b Tires are to be deposited at the tire disposal area in accordance with the directions of the Transfer Site Attendant.

4.2.6 No person shall deposit recyclable material, white metal, scrap metal or tires except in the areas of the Transfer Site designated for such items.

4.2.7 No person shall deposit waste, white metal or scrap metal that contains residue of propane, gasoline, toxic chemicals, P.C.B. or other such hazardous materials.

4.3 Bulky and Large Plastic Wastes

4.3.1 No person shall deposit bulky or large plastic wastes except in the applicable bins of the Municipal Transfer Station and shall be deposited in the bins in accordance with the directions of the Transfer Site Attendant and the provisions of Schedule "C" to this By-law.

5. Penalties and Enforcement

5.1 Any person guilty of an infraction of any provision of this By-law shall on conviction pay a fine or penalty not exceeding \$ 5,000.00, exclusive of costs, for each and every offence and such penalty shall be recoverable under the Provincial Offences Act. Upon conviction for a breach of the provisions of this By-law the court of jurisdiction may make an order prohibiting the continuation or repetition of the offence by the Offender.

5.2 Where a person fails or defaults to carry out any direction or action required by the Township as authorized by this By-law, upon reasonable and written notice the Township may proceed to do such things or carry out such actions as directed at the expense of the person as provided by Section 446 (1) of the Municipal Act S.O. 2001, Chapter 45.

5.3 Should any section, clause or provision in this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of this By-law shall not be affected.

6. Administration

6.1 The Transfer Site Attendant(s) shall supervise all operations at the Transfer Site under the direction of the Public Works Manager and as detailed in Schedules "C" and "F" to this By-law and shall enforce compliance with the provisions of this By-law.

- 6.2 Council may by resolution authorize the waiving or reduction of fees or grant minor variances to provisions of this By-law for community groups, special activities and other circumstances where Council in its unfettered sole discretion deems that such actions are within public interest and not contrary to the intent of this By-law.
- 6.3 Council may authorize studies and programs and prepare policies for the maximization of the life expectancy, efficiency and effectiveness of the Municipal Transfer Station and the reduction, reuse and recycling of waste.

7. Schedules

7.1 The following schedules annexed and attached to this By-law shall form a part of this By-law:


Schedule "A"	Municipal Transfer Station Hours of Operation
Schedule "B"	Prohibited Waste Materials
Schedule "C"	Operation Manual for Recycling Depot
Schedule "D"	Fee Schedule
Schedule "E"	Disposal of Hazardous Waste
Schedule "F"	Duties of Transfer Site Attendant

8. Implementation

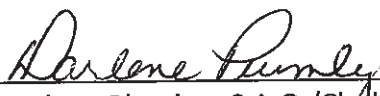
- 8.1 This By-law repeals any and all previous by-laws pertaining to waste disposal in the Wolfe Island District upon its effective date.
- 8.2 This By-law shall come into force and effect on

READ a first and second time this 14th day of March, 2016

READ a third time and passed this 14th day of March, 2016



 Denis Doyle, Mayor



 Darlene Plumley, C.A.O./Clerk

SCHEDULE "A"

WOLFE ISLAND TRANSFER SITE BY-LAW NO. 07-2016

Monday: 9:00 a.m. to 12 noon and 12:30 p.m. to 5:00 p.m.

Tuesday: Closed

Wednesday: 9:00 a.m. to 12 noon and 12:30 p.m. to 5:00 p.m.

Thursday: Closed

Friday: Closed

Saturday: 9:00 a.m. to 12 noon and 12:30 p.m. to 5:00 p.m.

Sunday: Third Sunday in June to third Sunday in September 9:00 a.m.
to 12 noon and 12:30 p.m. to 5:00 p.m.

Hours for Statutory Holidays to be posted at least one week in advance.

SCHEDULE "B"

WOLFE ISLAND TRANSFER SITE BY-LAW NO. 07-2016

PROHIBITED WASTE MATERIALS

The following items shall be prohibited for disposal within the transfer site area of the Wolfe Island District Transfer Site:

- Asphalt pavement
- Biological or pathological waste
- Boats, canoes or other marine units
- Bricks
- Motor vehicle bodies and/or parts
- Cement
- Cement blocks
- Dead animals
- Grass clippings farm machinery
- Human sewage
- Industrial or manufacturers waste
- Masonry
- Mixed waste
- Petroleum soaked rags or explosives or any other highly combustible material
- Plaster
- Railroad ties
- Stumps
- Waste electrical equipment and electronics

SCHEDULE "C"

WOLFE ISLAND TRANSFER SITE BY-LAW NO. 07-2016

OPERATION MANUAL FOR TRANSFER SITE

1. The recycling depot shall be operated at the same hours operated by the Wolfe Island Transfer Site.
2. The recycling bins shall remain locked at all times except during the hours of operation as determined in Section 1 above.
3. The following types of materials shall be accepted for recycling in the recycling bin:
 - Clear glass and coloured food grade Glass (clean-with lids removed)
 - Waste glass, ie. mirrors, window glass
 - Newspapers & inserts, catalogues, magazines, flyers, telephone books, circulars, paperback books, books with hard covers removed, boxboard, food boxes (e.g. cereal & cracker boxes), milk/juice cartons, egg cartons, greeting cards, paper tubes, letter paper and envelopes, household paper
 - Aluminum & steel cans
 - Corrugated cardboard
 - PET containers, HDP # 2, PP # 5, PS # 6, polycoat
 - Film plastic
 - Aluminum foil
 - Styrofoam (clean)

The following electronic waste items shall be accepted for recycling:

- Desktop computers, portable computers, hand held computers
 - Computer peripherals (keyboard, mouse etc.)
 - Monitors
 - Printing devices
 - Copiers, scanners
 - Televisions, radios, audio & video players, video recorders, video players/projectors, receivers, speakers, tuners, turntables, equalizers
 - Telephones, cellular phones, PDA's, pagers (and Accessories)
 - Typewriters
 - Cameras
4. The following materials shall also be accepted for recycling and stored at the transfer site:
 - white goods and scrap metal
 - rubber tires (rims removed)
 5. The following materials shall also be accepted in the bulky and large plastics transfer bins:
 - Upholstered furniture and mattresses
 - Large rigid plastic items including lawn furniture and toys
 - Bulky items may be subject to a disposal fee.
 6. Storage of rubber tires shall not exceed 5000 at any one time.
 7. The transfer site attendant shall be responsible for all recycling and disposal activities at the site as set forth in the "Duties of the Transfer

Site Attendant” which shall be posted in the attendant’s shelter.

8. The site attendant shall be provided with a list of approved items for recycling which shall also include general rules for recycling and shall be provided with a supply of this list which may be distributed to the general public.
9. The site attendant shall examine all materials brought to the site to determine if they are acceptable. Items not acceptable for recycling will be placed in the transfer site if it is determined that they are acceptable waste for the transfer site. Items not accepted for recycling and not acceptable for the transfer site will be returned to the individual who brought them to the depot.
10. The site attendant shall maintain a daily record of recycling activities on a form provided for this purpose and to be returned to the Public Works Manager on a monthly basis, a copy of this form is attached to the “Duties of the Transfer Site Attendant”.
11. The site attendant shall also keep a daily journal of all activities at the transfer site including recycling.
12. In the event that a fire is set by unknown persons or by an act of nature the site attendant shall immediately contact the Wolfe Island Volunteer Fire Department at 911 or 613-385-1698 and the Ministry of Environment at 613-549-4000 and C.A.O./Clerk’s office at 613-385-2216.
13. The site attendant will be provided with one large and one small fire extinguisher to be kept in the attendant’s shelter.
14. Adequate first aid, protective and safety equipment shall be available at the site.
15. The site attendant shall be responsible for arranging for pickup when the recycling and white good storage bins are full and need to be replaced and shall be responsible to arrange for the pickup of tires before the number of tires stored reaches 5,000.
16. The site attendant shall inspect the recycling bin, tire storage and clean brush storage each day upon opening the site and shall re-inspect those areas prior to closing the site to determine that only those acceptable goods are stored at each area.

SCHEDULE "D"

WOLFE ISLAND TRANSFER SITE BY-LAW NO. 07-2016

FEEES FOR WOLFE ISLAND DISTRICT TRANSFER SITE

4.2 White Goods & Furniture

Washers, dryers, water tanks, other metal tanks	\$ 20.00
Refrigerators, freezers, stoves, air conditioners, dehumidifiers	\$ 30.00
Couches	\$ 30.00
Stuffed Chairs	\$ 20.00
Mattresses	\$ 20.00

4.2.4 Brush

Half ton or a single axle trailer	\$10.00
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SCHEDULE "E"

WOLFE ISLAND TRANSFER SITE BY-LAW NO. 07-2016

DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE

In accordance with the Frontenac County and City of Kingston Restructuring Agreement, residents of the Township of Frontenac Islands may use the Household Hazardous Waste Disposal Site located at 70 Lappan's Lane, in the City of Kingston.

The fee to use this disposal site is \$ 36.15 per vehicle to be paid by the owner of the hazardous material. The Township will not be responsible for payment for any hazardous waste delivered to the site other than those which are the property of the municipality and are delivered by Township staff.

Site hours:

Beginning of April to end of November - Thursdays 8:00 am. to 5:00 p.m.
and the
second Saturday of each month 8:00 a.m. to 4:00 p.m.

Hazardous waste accepted at the site:

- paint, stains
- motor oil, grease
- car batteries
- household batteries
- propane cylinders
- acid/caustics (detergents, drain cleaner)
- pesticides/herbicides (fertilizer)
- medications
- sharps/needles
- solvents (gas, varsol)

The Council of the Township of Frontenac Islands may deem it necessary from time to time to hold a Household Hazardous Waste Day at the Wolfe Island Waste Disposal Site. When this occurs there will be adequate advertisement of the event and a properly licensed firm will be hired to collect and transfer the waste.

SCHEDULE "F"

WOLFE ISLAND TRANSFER SITE BY-LAW NO. 07-2016

DUTIES OF WOLFE ISLAND TRANSFER SITE ATTENDANT

An authorized attendant shall be on site at the Wolfe Island District Transfer Site during all hours which the site is open to the public.

The duties of the attendant shall be:

1. To identify all potential users and to determine that all waste to be deposited has been generated within the Wolfe Island District of the Township of Frontenac Islands.
2. To supervise the segregation and deposit of waste to ensure that household waste, electronic waste, clean brush, tires, scrap metal and white goods are segregated and deposited in the proper locations for these items.
3. To supervise the acceptance and segregation of recyclable goods under the terms of the Certificate of Approval and terms of By-Law No. 07-2016 (and subsequent amendments).
4. To collect fees for those items set out in the fee schedule of By-Law No. 07-2016 (and subsequent amendments).
5. To ensure that all bagged waste is acceptable under the terms of Township By-law No. 07-2016 (and subsequent amendments). and that waste prohibited by this By-law is not accepted.
6. To maintain a daily record of recycling activities under the terms of By-law No. 07-2016 (and subsequent amendments).
7. To ensure that all gates to the site are closed and locked when there is no attendant on duty at the site.
8. To supervise a rodent control program.
9. To clean up all litter at the site.
10. To prevent scavenging.