

The Corporation of the Municipality of Grey Highlands

By-law No. 2023-084

**Being a By-law to Regulate and Maintain the
Collection, Disposal and Diversion of Waste,
Recyclable and Diversion Materials; and
To repeal By-law 2022-121**

Whereas, the Municipal Act, S.O. 2001, C.25, section 8 provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance a municipality's ability to respond to municipal issues; and

Whereas, the Municipal Act, S.O. 2001, C.25, section 11(3) provides that lower-tier municipalities may pass by-laws within certain spheres of jurisdiction, including waste management; and

Whereas, Section 74, Section 425(1), Section 426, and Section 429 of the Municipal Act 2001, S.O. 2001, C.25, as amended authorizes that a municipality may, in a by-law prohibiting or regulating any matter passed under the "waste management" sphere of jurisdiction, provide that a person who contravenes the by-law is guilty of an offence and is liable to a fine; and

Whereas, the Council deems it to be in the public interest to establish a system for the collection, removal, and disposal of waste and other refuse, which includes a mandatory requirement to separate recyclable waste from other forms of waste prior to its collection to reduce waste; and

Whereas, the Council considers it to be significant for the Municipality to promote and educate residents regarding diversion programs to enhance the mandatory removal of all items that shall be diverted from the landfill;

Now Therefore the Council of the Municipality of Grey Highlands hereby enacts as follows:

1. SHORT TITLE

1.1 This By-law shall be known and shall be cited as the "Waste Collection and Mandatory Recycling and Diversion By-law"

2. APPLICATION

2.1 The provisions of this By-law shall apply to all lands within the Municipality of Grey Highlands.

3. SCOPE

3.1 No person shall dispose of or cause to be disposed of any waste, recyclables, or items associated with a diversion program except in conformity with the provisions of this By-law and schedules annexed hereto.

3.2 The By-law shall not be effective to relieve, reduce, or mitigate any person from compliance with any provisions of the Public Health Act or

Environmental Protection Act or any regulation or orders as prescribed by the Medical Officer of Health or the Minister of the Environment.

3.3 If any provision or provisions of this By-law shall be held to be invalid, illegal, unenforceable or in conflict with the law of any jurisdiction, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

4. EFFECTIVE DATE

4.1 This By-law shall come into effect on the date of passing.

5. DEFINITIONS

In this By-law:

5.1 "ANIMAL" shall mean any live animal or birds and carcasses or parts thereof any animal or other creature.

5.2 "ASSIGNED COLLECTION DAY" shall mean the day upon which Municipal Collection is designated in the Recycling and Waste Schedule to occur for an Eligible Property.

5.3 "CART" shall mean one of the following approved containers supplied by the Municipal Collection Contractor:

- a) "RECYCLING CART" which means a 95-gallon green container with a yellow lid, intended for the collection of recyclable materials; and
- b) "WASTE CART" which means a 64-gallon green containers with a green lid, for the collection of waste materials.

5.4 "ASH" or "ASHES" shall mean and include the residue of any household fuel remaining after burning and shall include soot and other chimney or fire pit deposits.

5.5 "BANNED MATERIALS" are any item identified on Schedule 'D' which are not permitted to be disposed of except in accordance with the specific diversion program for that material.

5.6 "BULKY WASTE" shall mean bulky, heavy, or large articles such as stoves, refrigerators, furnaces, bed springs, mattresses, furniture, boxes, barrels, water tanks, tires, electronic waste and the like, which would normally accumulate at a dwelling unit.

5.7 "MUNICIPAL LAW ENFORCEMENT" shall mean the person or persons appointed to that position by the Council of the Corporation of the Municipality of Grey Highlands, or any other person appointed by the Municipality from time to time for purposes of enforcement of this By-law.

5.8 "CARDBOARD" shall mean all corrugated cardboard which is clean, non-contaminated, non-waxed, layered cardboard with a rippled, middle layer.

5.9 "COMMERCIAL" shall mean a property which is used solely for retail, wholesale, or service purposes including those providing recreational, office, personal services.

5.10 "COMMON COLLECTION AREA" shall mean the area approved and/or designated area by the Municipality or the Municipal Collection Contractor for the placement of Front-End Bins.

5.11"COMPOSTABLE MATERIAL" shall mean all organic material including, household organics, leaves, and grass clippings, which are able to decompose and decay readily into reusable nutrient rich soil.

5.12"CONSTRUCTION OR DEMOLITION WASTE" shall mean discarded building material, and all other refuse material excluding concrete, earth, stones, and steel, resulting from the erection, repair, or demolition of building, structures, or other improvements of property. This shall include wood and wood-based construction waste, and excludes loose plastics, tarps, insulation, and other light debris.

5.13"CONTAMINATED SOIL" shall mean soil that originated within the boundaries of Grey Highlands, in which an analysis must be provided, and approval obtained from the Director or designate as set out under the Certificate of Approval issued by the Ministry of Environment, Conservation and Parks, that lists the requirements for Landfill Site operations.

5.14"COUNCIL" shall mean the elected Council of the Corporation of the Municipality of Grey Highlands.

5.15"CURBSIDE EXCHANGE DAYS" shall be those days designated for placing usable items at the curb for collection by other persons as prescribed in Schedule "F" Curbside Exchange Day Program.

5.16"DIRECT DISPOSAL" means the transportation to and deposit of solid waste (including waste and recyclables) at a Waste Disposal Site by the Owner or Occupant of a property within the Municipality. Direct Disposal includes the transportation and deposit of Privately Collected waste and recyclables.

5.17"DIRECTOR" shall mean the person appointed to the position of Director in charge of Waste and Diversion by the Council of the Corporation of the Municipality of Grey Highlands.

5.18"DOWNTOWN COLLECTION AREA" means those portions of the Settlement Area of Markdale, and Flesherton as identified in Schedule 'E'.

5.19"ELIGIBLE PROPERTY" shall mean a legally conveyable parcel of land that satisfies one of the following requirements:

- a) has constructed upon it at least one (1) and not more than eight (8) dwelling units as defined in the Municipality's Comprehensive Zoning By-law;
- b) is located within a Downtown Collection Area and has constructed upon it a building or buildings being used by or for a commercial use or purposes. For the purposes of this definition and by-law, a commercial use or purpose does not include Industrial or Institutional (use or purposes) as defined herein.
- c) is not located within a Downtown Collection Area and has constructed upon it a building or buildings being used by or for a commercial use or purposes, if requested by the Owner.
- d) has constructed upon it a building being used by or for an institutional use or purpose, if requested by the Property Owner.

5.20"FRONT-END BIN" shall mean a fully covered, watertight metal container with a lid capable of being locked to the body of the container and that is compatible with the contractor's front-end collection vehicle.

5.21"HAZARDOUS WASTE" also identified as Municipal Hazardous and Special Waste shall mean waste and materials defined by Schedule 'C' of this By-law, and as may be defined from time to time by the Ministry of

Environment, Conservation and Parks as hazardous. Such items are to be disposed of at authorized Municipal Household Hazardous waste facilities, as designated by the Municipality of Grey Highlands.

5.22“INDUSTRIAL” shall mean any business or use falling within the meaning of a General Industrial Use, a Light Industrial Use, A Dry Industrial Use or Extractive Industrial Use in the Municipality’s Comprehensive Zoning By-law.

5.23“INSTITUTIONAL” shall mean any business pertaining to schools, hospitals, libraries, places of worship, government owned properties, facilities which provides community support services or other non-profit agencies or other properties containing an Institutional Use as defined in the Municipality’s Zoning By-law.

5.24“MEDICAL EXEMPTION” shall mean an approved applicant who is not able to meet the waste limit due to waste generated stemming from a medical or health related situation of a resident on the Eligible Property.

5.25“MUNICIPAL COLLECTION” shall mean the collection of waste and recyclables under direction of the Municipality, from an Eligible Property that is contained within an Approved Cart or Front-End Bin.

5.26“MUNICIPAL COLLECTION CONTRACTOR” shall mean the person or firm engaged by the Municipality to conduct Municipal Collection.

5.27“MUNICIPALITY” shall mean the Corporation of the Municipality of Grey Highlands.

5.28 “MULTI-RESIDENTIAL” shall mean any unit or apartment in a building with two but not more than eight units, including high-rise, mid-rise, low-rise, row house, or walk-up designation as defined in the Municipality’s Zoning By-law.

5.29“NON-COLLECTABLE MATERIAL” shall mean items including, but not limited to, bulky waste, electronic waste, recyclable materials, and wood waste which are barred from Municipal Collection. These items are identified in Schedule ‘A’, ‘C’, and ‘E’. Of such items as listed in Schedule ‘A’, only items identified in Schedule ‘C’ may be disposed of as household hazardous waste through household hazardous waste facilities.

5.30“OCCUPANT” shall mean any occupant, lessee, tenant, or any person having use, occupation, and/or charge of any portion thereof of any property or building thereon.

5.31“OWNER” shall mean registered owner(s) of the parcel of land and/or any building thereon as disclosed on title.

5.32“PRIVATE COLLECTION” (or “PRIVATELY COLLECTED”) means the collection of waste and recyclables at a property by a contractor at the request of and/or under the direction of the owner of the property or tenant thereof.

5.33“PRIVATE ROAD” shall mean any roadway that is not a Public Highway as defined herein and for the purposes of this by-law includes a road allowance or highway under the jurisdiction of the Municipality of Grey Highlands that is not maintained by the Municipality on a year-round basis. For clarity a road within any plan of condominium is a Private Road.

5.34“PUBLIC HIGHWAY” shall mean any highway, street, road, lane etc. under the jurisdiction of the Municipality of Grey Highlands, the County of

Grey (a County Road), or the Province of Ontario (a Provincial Highway) which is maintained by such authority on a year-round basis.

5.35“RECYCLABLE MATERIALS” shall mean materials that will be collected by the Municipality’s recycling collection contractor, as identified in Schedule ‘B’ subsection 1 of the By-law.

5.36“RECYCLING AND WASTE COLLECTION SCHEDULE” shall mean the timetable identifying the days upon which Municipal Collection will occur for Eligible Properties or areas within the Municipality.

5.37“REFUSAL MARKER” shall mean a marker or tag intended to be attached to Carts and/or other materials set out for Municipal Collection identifying the reason(s) why such Cart and/or other materials have not been collected.

5.38“REFUSE” shall mean any disposable waste material.

5.39“SCAVENGING” shall mean the unauthorized removal of refuse material from, in, around, or among the disposable waste materials at the Waste and Diversion Sites, or from the curb, or roadside boulevard where such is set out for Municipal Collection except on Curbside Exchange Days.

5.40“SOLID WASTE” shall include any refuse, recyclable material, compostable material, ash, bulky item, household hazardous waste, non-collectible solid waste, special collection waste, transient waste, residual waste, and yard waste.

5.41“SPECIAL OPENING” shall mean the opening of a waste diversion site outside of normal operating hours. Such special openings to be requested a minimum of 24 hours in advance and requires approval by the Director or their delegate. The fees are set out in the Corporation of the Municipality of Grey Highlands Fees and Charges By-law that is currently in effect.

5.42“TRANSIENT WASTE” shall mean any waste generated from lands or properties outside the of the Municipality of Grey Highlands.

5.43“WASTE” shall mean household, industrial, commercial, or institutional refuse excluding recyclables, Municipality Hazardous and Special Waste as identified in Schedule ‘C’ of this By-law and non-collectable materials identified in Schedule ‘A’ of this By-law.

5.44“WASTE AND DIVERSION SITE” shall mean a site designated by the Municipality for the collection of waste, recyclables, and other diversion programs.

5.45“WOOD” shall mean clean wood items that include branches, brush, and construction wood that is not contaminated with preservatives, paints, hazardous materials, be pressure treated or contains any other contaminant.

6. Municipal Collection from Eligible Property

6.1 The Municipality, shall provide Municipal Collection to an Eligible Property through the Municipal Collection Contractor, who shall supply one Recycling Cart and one Waste Cart to each Eligible Property, subject to section 13 with the exception of Multi-Residential and properties with combined commercial and residential units in the Downtown Collection areas.

a) Multi-residential properties shall be supplied 0.5 of a Recycling Cart and 0.5 of a Waste Cart per dwelling unit (rounded up the next whole number).

b) Combined commercial and residential properties within the Downtown Collection Area shall be supplied 0.5 of a Recycling Cart and 0.5 of a Waste Cart per dwelling unit (rounded up the next whole number).

6.2 No person shall set out any materials for Municipal Collection unless such material constitutes as waste or recyclable which are contained in Waste Cart or Recyclable Cart or Front-End Bin, as applicable.

6.3 Carts and Front-End Bins shall only be used for the collection of waste and recyclables generated upon and/or from the Eligible Property.

6.4 Additional Waste Carts and Recycling Carts (beyond those allocated under section 6.1) may be available at the rates prescribed in Municipality's Fees and Charges By-law in effect at the time of purchase and subject to the following conditions:

a) one Waste Cart for commercial use;

b) one Recycling Cart and one Waste Cart for residential use;

c) Double the allocated number of carts Recycling Cart and Waste Cart for multi-residential based on number of units;

d) Double the allocated number of carts Recycling Cart and Waste Cart for combined commercial and residential properties within the Downtown Collection area based on number of units.

6.5 At the Municipality's discretion and/or direction a group of Eligible Properties may be issued or required to utilize a Front-End Bin in place and in lieu of Carts (See section 13)

6.6 No person shall set out waste or recyclables for Municipal Collection except in a Cart or Front-End Bin:

a) where the lids of which are fully closed; and

b) wherein only recyclables are contained in the Recycling Cart and only waste materials are contained in the Waste Cart;

c) that is in good working order and/or that is not damaged.

7. Location of Carts for Collection

7.1 Subject to section 7.2, no Cart shall be set out for Municipal Collection unless the Cart is set out upon or adjacent to a Public Highway in a location that is adjacent to the Eligible Property and, as applicable:

a) where the Public Highway has a curb face and sidewalk abutting such curb (except in a Downtown Collection Area), such Cart is located behind the sidewalk so as not to impede pedestrian traffic;

b) where the Public Highway has a concrete curb with no sidewalk or has a concrete curb and sidewalk separated by a boulevard, such Cart is located between the concreted curb and sidewalk within 1 foot (0.3 metres) of the curb;

c) in a Downtown Collection Area, on the sidewalk directly behind the curb;

d) where the Public Highway is under the jurisdiction of the Municipality of Grey Highlands with a gravel shoulder, such Cart is located on the edge of the shoulder closest to the Eligible Property;

e) where the Public Highway is a Provincial Highway or County Road with a gravel or paved shoulder, no closer than 1 meter (3.3 feet) from the edge of the shoulder portion of such County Road or Provincial Highway and within the driveway of the Eligible Property;

f) overhead clearance of 13.6 feet (4.1 metres) is required for automated collection from wires, tree branches, and any other obstructions.

7.2 Where an Eligible Property abuts and/or is accessed by a Private Road, Carts shall be placed upon the Public Highway in close proximity to the intersection of the Private Road and the Public Highway in accordance with subsections 7.1 a) through f) as applicable.

7.3 No Cart shall be set out for Municipal Collection unless the wheels are facing away from travelled roadway.

7.4 No person shall set out a Cart in such a way as to impede or obstruct pedestrians on sidewalks, vehicular traffic, or any road maintenance operations.

7.5 No Cart shall be set out for Municipal Collection on top of any snowbanks or where access to the Cart is obstructed by snow or snowbanks.

7.6 No person shall set out Carts for Municipal Collection unless the street number of the Eligible Property is clearly visible from the roadway.

7.7 No Cart shall be set out for Municipal Collection unless the Carts are spaced along the roadway with at least 1 meter (3.3 feet) separation between Carts.

7.8 No person shall retain, place and/or use a Cart except for the collection of waste and recyclables at the address and location for which such Cart has been issued.

7.9 No person shall retain or use a Cart except for all Carts that are associated with the house/business and are to be left at the property when moving or change of ownership.

8. Municipal Collection Days and Times

8.1 Municipal Collection will occur on a bi-weekly basis in accordance with the Recycling and Waste Schedule. Waste and recyclables will be collected on the same collection day.

8.2 The Municipality will publish a Recycling and Waste Schedule on its municipal website and a printed version can be requested.

8.3 Carts shall be set out for Municipal Collection:

- a) no earlier than 5:00 p.m. on the day preceding the assigned collection day for the subject property; and
- b) not later than 7:00 a.m. on the day of collection.

8.4 No person shall leave a Cart left out at the collection area after 11:59 p.m. on the assigned collection day whether or not the Municipal Collection occurred.

8.5 Notwithstanding 8.3 and 8.4, Carts placed out for Municipal Collection on a Private Road may be left out by a resident at the collection area for the duration of the collection week, at their own risk.

9. Cart Storage

9.1 When not placed for Municipal Collection, no Cart shall be stored except in accordance with the provisions of this by-law.

9.2 Except when placed for Municipal Collection, no Cart shall be used or stored in such a manner as to direct odour on to a neighbouring property.

9.3 When not set out for Municipal Collection, where a Cart is intended to be stored at or near the end of a driveway on the Eligible Property, such Cart must be at least 1 meter (3.3 feet) from the boundary of the Eligible Property and the abutting Public Highway property.

a) No person shall store the Carts in such a way that impedes or obstruct pedestrians on sidewalks, vehicular traffic, or any road maintenance operations.

b) No person shall store the Carts on Municipal property.

9.4 If a storage unit for the Carts is constructed, the unit must:

a) comply with the applicable zoning regulations; and

b) shall not impede or obstruct pedestrians on sidewalks, vehicular traffic, or any road maintenance operations.

10. General Provisions

10.1 All Carts or Front-End Bins are issued to the Eligible Property (or Eligible Properties as the case may be) and are eligible for Municipal Collection when set out in accordance with the requirements of this by-law.

10.2 If Carts or Front-End Bins are lost or stolen or otherwise missing from the Eligible Property or Common Collection Area, it is the responsibility of the Owner or Occupant of such Eligible Property to purchase new Carts or Front-End Bins at the amount established in the Municipality's Fees and Charges By-law in effect at the time of purchase.

10.3 The Municipality of Grey Highlands will consider medical exemption support for residents who are not able to meet the limitation upon waste that is eligible for Municipal Collection or Direct Disposal where waste generated from a medical or health related circumstances may result in exceedances of the limits. Information and an application for this program is available on the Grey Highlands website.

10.4 The Municipality of Grey Highlands may repair or replace Carts, if in the sole discretion of the Director or their designate, damage resulted from an act of carelessness on the part of the Municipality or their contractors, on a case-by-case basis.

10.5 Municipal Collection may be refused/denied if or when:

a) the Cart is inaccessible at the time of intended collection,

b) the Cart is not set out for collection in accordance with the provisions of this by-law,

c) there are non-collectable materials or banned material in the Cart,

d) the Cart is frozen to the ground,

e) the materials inside the Cart are frozen to the Cart,

f) the Cart is placed upon or adjacent to a property that is not an Eligible Property,

g) Municipal Collection Services have been suspended, discontinued, or revoked concerning the Eligible Property.

10.6 Waste and/or recycling and/or other material that was refused for Municipal Collection may be identified with a refusal marker affixed by the contractor to the Cart or other material.

10.7 The Municipality has the sole discretion to determine whether a property is an Eligible Property.

10.8 All Municipal Hazardous and Special Waste items listed in Schedule 'C' may be diverted in accordance with the current program offered by Municipality of Grey Highlands at a Waste Disposal Site.

10.9 No person shall set out waste or recycling which is not generated from the use and occupation of the Eligible Property.

10.10 The Municipality shall have the sole discretion to suspend, discontinue or revoke Municipal Collection in whole or in part to an Eligible Property for breaching any provision of this By-law and to thereafter reinstate Municipal Collection upon such terms and conditions that it determines appropriate.

10.11 No person shall set out Non-Collectible Material for Municipal Collection.

11. Non-Eligible Properties

11.1 The Owner or Occupant of any property that is not an Eligible Property shall arrange for Private Collection and/or Direct Disposal.

12. Private Roads

12.1 Where specifically authorized, Municipal Collection may occur along and/or upon such Private Road. In such cases, the requirement of section 7.2 shall not apply and the Location of Carts for Municipal Collection shall comply with the requirements in section 7.1 a) through f) as applicable.

12.2 Where specifically authorized, Municipal Collection through the use of Front-End Bins may occur along or upon such Private Road in a common collection area. In such cases the Location of Common Collection Area shall be identified in the specific authorization.

12.3 In newly registered plans of subdivision, Municipal Collection will not commence until such time as the Municipality has passed a by-law assuming the applicable street(s) within the Plan of Subdivision. Until such time, the Subdivider shall provide for Private Collection from every dwelling unit for which occupancy has been granted.

13. Front-End Bins

13.1 At the Municipalities discretion, Municipal Collection may be designated or permitted to occur via the use of Front-End Bins.

13.2 Where Front-End Bins are authorized, such Bins shall be placed in a Common Collection Area as designated by the Municipality of Grey Highlands or, in the case of authorized Municipal Collection upon a private road, in accordance with section 12.2.

13.3 Where Front-End Bins have been authorized, two separate and distinguishable Front-End bins shall be placed within the Common Collection area:

- a) one for recyclables;
- b) one for waste.

13.4 Front-End Bins shall remain in the Common Collection Area at all times.

13.5 No person shall deposit waste or recyclables in a Front-End Bin unless such waste or recyclables have been generated from an Eligible Property to which such Front-End Bin has been assigned or designated.

13.6 No person shall deposit waste or recycling in a Front-End Bin over the allowable volume per eligible property;

- a) equivalent of 64 gallons of garbage
- b) equivalent of 95 gallons of recycling

14. Waste and Diversion Site Operations

14.1 The Artemesia, Holland/Markdale, and Osprey Waste and Diversion sites may be collectively or individually referred to as the "Waste and Diversion Sites."

14.2 The Municipality shall have sole discretion to prohibit specific items or material from being deposited at the Waste and Diversion Sites, to refuse any solid waste based on volume, to require separation of material as it considers appropriate, and to levy fees for the depositing of certain types and quantities of solid waste.

14.3 Access to and use of Waste and Diversion Sites shall be restricted to the following:

- a) Owners and Occupants of property within the Municipality who, when requested, provide proof of the location and/or right to occupy such property;
- b) Building contractors under contract to persons identified in subsection a) conducting work on a property within the Municipality;
- c) A contractor/hauler intending to deposit Privately Collected materials from property within the Municipality.

14.4 No person shall dispose of or cause to be disposed, transient waste at a Waste and Diversion Sites.

14.5 No person shall dispose of or cause to be disposed at any Waste and Diversion Site, any hazardous waste items as identified in Schedule 'C' of this By-law.

14.6 All waste that has been generated within the limits of the Municipality being deposited by someone other than the Owner or Occupant of a property in the Municipality may be required provide written documentation giving that person the right to deposit their waste materials from the respective owner/occupant.

14.7 A contractor/hauler that is disposing of Privately Collected solid waste at the Waste Diversion Sites may be required to provide documentation that they are doing so under contract with a person identified in section 14.3a)

14.8 The Municipality shall determine the hours and days of operation for the Waste and Diversion Sites.

14.9 No person shall access or attempt to access a Waste and Diversion Site except during those hours when such site is open unless expressly authorized in writing. Access outside of the normal hours of operation will be at the discretion of the Director or their delegate and upon payment of the required Special Opening Fees, as set out in the Corporation of the Municipality of Grey Highlands Fees and Charges By-law that is currently in effect.

14.10 No person shall refuse to follow the direction of the Waste and Diversion Site Attendants:

- a) concerning a determination as to whether materials are to be to reused, recycled or diverted; and/or
- b) concerning a determination as to where items are to be deposited within the Waste and Diversion Site; and/or
- c) to enter or exit weigh scales where they exist; and/or
- d) concerning such other matter that is in the best interest of the management and operation of the Waste and Diversion Site.

14.11 No person shall refuse to pay the fees as assessed by a Waste and Diversion Site Attendant under authority of the Municipality's Fees and Charges By-law.

14.12 No person shall bypass or attempt to bypass the Waste and Diversion Site weight scale where they exist, to avoid or to attempt avoid assessment of fees.

14.13 No person shall behave in a manner that is threatening or disruptive to the operation of the Waste and Diversion Site or the conduct of Municipal Collection. Such threatening or disruptive behaviour includes but is not limited to engaging in violent and/or threatening manner and/or use of profane or abusive language towards Waste Diversion Site Attendants, Municipal staff, service providers or the Municipal Collection Contractor or its employees, and creating a nuisance or interfering with provision of services at a Waste Disposal Site or the conduct of Municipal Collection.

14.14 Waste and Diversion Site Attendant, subject to section 20.5 and 20.6 may refuse to allow access to a Waste Disposal Site to any person or to require a person to leave such Site for breaching any provisions of this By-law.

14.15 Waste and Diversion Site Attendants shall obtain verbal or written approval from the Director or designate before reinstating access rights to a person, which had previously been refused, suspended, discontinued, or revoked.

14.16 A fee shall be charged to reinstate the Waste and Diversion Site and waste/recycle collection services to any individual who has had said service suspended for any reason and shall be defined by the Corporation of the Municipality of Grey Highlands Fees and Charges By-law that is currently in effect.

14.17 Every person who wishes to dispose of contaminated soil at a waste and diversion site shall ensure that the contaminated soil originated within the boundaries of Grey Highlands. An analysis must be provided and approval obtained from the Director as set out under the Certificate of Approval issued by the Ministry of Environment, Conservation and Parks that lists the requirement for Waste Disposal site operations. Fees for disposal of the contaminated soil will be as laid out in the Municipality of Grey Highlands Fees and Charges by-law that is currently in effect.

15. Curbside Exchange Days

15.1 No person shall place material at the curb for Curbside Exchange Day or collect material placed out for Curbside Exchange Days except in accordance with the provisions prescribed in Schedule 'F' Curbside Exchange Days Program.

16. Household Hazardous Waste

16.1 No person shall use the Household Hazardous Waste program except in accordance with the provisions prescribed in Schedule 'G'.

17. Reuse Centre

17.1 No person shall use the Reuse Centre program except in accordance with the provisions prescribed in Schedule 'H'.

18. User Fees

18.1 All fees related to waste collection and disposal fees shall be as set out in the Corporation of the Municipality of Grey Highlands, Fees and Charges By-law that is currently in effect.

18.2 Fees levied at the Waste and Diversion Sites shall be payable in cash, cheque, at the site, with the exception of pre-authorized accounts with the Municipal Finance Department. Receipts shall be issued by the Attendant for the charge levied to the operator of each vehicle using the facility. Other methods of payment may be added at the discretion and availability of such service as determined by the Municipality.

18.3 If the pre-authorized account remains unpaid on the last day of the month in which they were incurred, a statement of the outstanding amount shall be issued from the Municipal Finance Department. The fee shall be paid within 30 days of issue of the statement from the Municipality and if said fees remain outstanding after 30 days from issuance of the statement, interest at the rate of 1.25% shall be added onto the original amount and will continue to be added every 30 days thereafter, until the account is paid in full. Two notices of unpaid fees shall be issued before a final noticed is issued after 90 days arrears. After that time, the outstanding fees under Section 398 (2) of the Municipal Act for Waste Charges can be added to the tax roll and collected in the same manner of taxes.

18.4 A minimum fee shall be charged at the Waste and Diversion Sites for small loads which do not exceed 45 kilograms for Residential, Commercial, or Industrial waste. Minimum fees are subject to change at any time at the discretion of the Municipality and will be listed in the most current Fees and Charges By-law.

18.5 A fine shall be applied to any persons who refuse to pay for the use of the Waste and Diversion Sites as payment of theft of service. The fine shall apply to all persons who refuse to pay for the use of the Waste and Diversion Sites, refuse to pay the fee determined by the Waste and Diversion Sites Attendant or for any other action in contravention of section 17 of this By-law. The charge along with the applicable unpaid fee for Waste and Diversion Sites shall be issued by the Municipal Finance Department in the same manner as pre-authorized Waste and Diversion Site accounts and shall be subject to all provisions of section 18.3 of this By-law. Any person who has incurred a fine shall have their Waste and Diversion Site services revoked.

19. Scavenging

19.1 No person shall participate in scavenging, picking over, interfering with, disturbing, removing, or scattering waste and recyclables contained in Carts or Front-End Bins which have been set out for Municipal Collection

19.2 No person shall participate in scavenging, picking over, interfering with, disturbing, removing, or scattering any materials within a Waste and Diversion Site.

20. Penalties and Enforcement

20.1 A Municipal By-law Enforcement Officer is hereby authorized and empowered to enforce the provisions of this By-law.

20.2 Every person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

20.3 In the event that any person fails to comply with the requirement or provisions of this By-law the rectification of the matter shall be carried out by the Municipality with the cost thereof being recoverable by the Municipality from the at person either by suit, or in the alternative, in like manner as municipal taxes.

20.4 In the event that any person fails to comply with a notice to comply issued pursuant to this By-law is guilty of an offence and upon conviction is liable to a fine or penalty as provides for in this By-law.

20.5 Order to leave Waste and Diversion Site: The Director, a supervisor, or any delegate under the direction of the Director may order a person to leave the Waste and Diversion Sites if they determine a person:

- a) fails to provide proof of residency, as required, when requested;
- b) is scavenging
- c) is behaving in a manner that is offensive to Municipal staff or any other persons in attendance;
- d) is depositing solid waste contrary to those allowed by this by-law;
- e) is conducting illegal activity;
- f) has no lawful reason to be at the Waste and Diversion Site;
- g) has failed to pay a fine imposed under this By-law; or,
- h) has breached any provisions under this By-law.

20.6 Refused access to Waste and Diversion Site: The Director, a supervisor or delegate under the direction of the Director shall refuse a person access to the Waste and Diversion Site if they determine a person:

- a) owes money pursuant to this By-law and fails to pay the balance owing on demand;
- b) is transporting material which is unacceptable for deposit at the Waste and Diversion Sites; or,
- c) has violated this By-law.

20.7 Suspension of collection of waste/recycling disposal services:

In addition to any other remedy under this By-law, where the owner or Occupant of an Eligible Property or a person attending a Waste and Diversion Site, contravenes any of the provisions of this By-law, the Director or their delegate shall give written notice to the foregoing person(s) by mail or hand delivery, advising of the particulars of the breach under this By-law and whether the breach has resulted in a suspension of services, or providing a timeline to remedy the breach or comply, taking into consideration the particulars of the breach.

20.8 Where there has been a failure to remedy the breach in the timeline provided or on a subsequent contravention of this By-law, or failure to pay any fines or other monies owing under this By-law, the Director or

their delegate shall issue a notice to suspend collection services to that Eligible Property or to any person for access to Waste and Diversion Sites.

20.9 Any person shall apply to the Director or their delegate, in writing, to lift the suspension and upon the owner or person demonstrating that they are in compliance with the By-law and has promised in writing to comply in the future with this By-law, the Director or their delegate may:

- a) list the suspension;
- b) impose such conditions or terms as they consider appropriate to reinstate collection services;
- c) charge the fee for reinstating services;
- d) each day on which an offence of this By-law occurs or continues when not complying after the time given shall constitute as separate offenses.

21. Administration

21.1 The Municipality may enter into agreements with contractors for services as required and to meet the requirements of this By-law.

21.2 Special activities and events must conform to the terms and conditions of this By-law. All special activities and event organizers shall be responsible for making arrangements in advance for collection and disposal of waste, recycling, and diversion items.

21.3 Council may, by resolution, grant variances from the provisions of this By-law for community groups, special activities, and other circumstances where Council, in its sole discretion, deems that such actions are within the public interest and not contrary to the intent of this By-law.

22. Implementation

22.1 Schedules "A", "B", "C", "D", "E", "F", "G", "H", and "I" are hereby declared to for a part of this By-law.

22.2 By-law No. 2022-121 is here by repealed as of the date of the By-law coming into effect.

Read a first, second and third time, and finally passed on June 21 2023.

The Corporation of the
Municipality of Grey Highlands

Original Signed By

Paul McQueen, Mayor

Original Signed By

Raylene Martell, Municipal Clerk

Status: Passed

**Schedule "A" to By-law Number 2023-084
Non-Collectible Materials**

1. For the purpose of this By-law, the following materials shall not be acceptable for Municipal Collection;
 - 1.1 Municipal Hazardous and Special Waste as defined by Schedule C, as amended from time to time;
 - 1.2 Household hazardous waste material which are corrosive, toxic, reactive, or flammable;
 - 1.3 Biomedical or pathological waste whether solid or liquid, as designated and regulated in Regulation 347, as amended from time to time;
 - 1.4 Non-anatomical waste infected with communicable disease;
 - 1.5 PCB waste;
 - 1.6 Radioactive waste;
 - 1.7 Motor vehicles bodies or parts thereof exclusive of steel which is recyclable;
 - 1.8 Live animals or birds and carcasses or parts thereof of any animal or other creature;
 - 1.9 Manure, septic or holding tank pumping, or raw sewage;
 - 1.10 Materials of any kind or nature that contain hot live coals or fire. All ash must be disposed of no earlier than 1 week after it has been removed from a fire or heat source;
 - 1.11 Explosive, highly combustible, or ignitable waste;
 - 1.12 Construction waste as defined by Section 5.20 as permissible, including loose plastic, insulation, tarps, and any non-wood or wood-based materials. Material no free of oil;
 - 1.13 Any gaseous, semi liquid, or liquid waste;
 - 1.14 A designated substance as prescribed by the Occupational Health and Safety Act R.S.O. 1990, c.0.1. as amended;
 - 1.15 Sealed metal drums or barrels;
 - 1.16 Any materials not adhering to waste collection regulations, including proper uses of carts and time for collection;
 - 1.17 Any waste material no generated within the corporate limits of the Municipality of Grey Highlands and transient waste;
 - 1.18 Pathological waste, including: syringes, needles, dressings, body parts and fluids, tissues, medical instruments, and other such items that may reasonably contained pathogenic bacteria or microorganisms;
 - 1.19 Stumps, rocks, fill, clean earth, concrete;

1.20 Any other materials that may be hazardous or dangerous to the public health, safety, or environment;

1.21 Other material as designated by the Municipality from time to time.

Schedule "B" to By-law Number 2023-084
Recyclable Materials (Blue Box Materials)

For the complete list of accepted recyclable materials, please visit the Grey Highlands website.

1. For the purpose of this By-law, Recyclable Materials shall include:
 - 1.1 Newspapers and insert, flyers, fine paper including office paper, construction paper and envelopes;
 - 1.2 Glossy magazines and catalogues, telephone directories, and paperback books;
 - 1.3 boxboard including wax and plastic-coated boxboard and polycoat containers such as drinking boxes, with all wrap spouts and liners removed;
 - 1.4 Clean paper egg cartons;
 - 1.5 Hard cover books (covers removed);
 - 1.6 Cardboard, including tetra juice boxes and milk containers;
 - 1.7 Glass bottles and jars with lids removed and placed in recycling;
 - 1.8 Aerosol and paint cans (dried), empty;
 - 1.9 Aluminum foil and foil wrap, including pie plates;
 - 1.10 Aluminum and steel beverage and food containers;
 - 1.11 Rigid plastics;
 - 1.12 Small and wide mouth tubes and containers with the lids removed marked #1 P.E.T, #2 H.D.P.E, #3 V, #4 L.D.P.E., #5 P.P., #6 P.S. and other plastics;
2. For the purpose of this By-law the following are not considered Recyclable Materials:
 - 2.1 Glass drinking glasses, dishes, cups, crystals, window glass, light bulbs, mirrors, pottery, glass pots and pans, and make-up jars;
 - 2.2 Plastic fish pots, toys, cooking tubes, foam cups and dishes, coat hangers, Meat trays;
 - 2.3 Batteries;
 - 2.4 Paper tissue, waxed paper foil gift wrap;
 - 2.5 Plastic bags

Schedule "C" to By-law Number 2023-084
Municipal Hazardous and Special Wastes

1. For the purpose of this By-law, the following materials shall be accepted for the purpose of recycling, reclamation, or appropriate disposal at designated household hazardous waste service facilities only:
 - 1.1 **Pharmaceuticals:** Pills, liquids, cough syrups, cosmetics, nail polish, inhalers, perfumes, and veterinary drugs.
 - 1.2 **Paints (household):** Household latex paint, household oil paint, and craft and specialty paints.
 - 1.3 **Aerosols:** All aerosol containers (e.g., spray paint, cleaners, polishers, etc.) and all propane cylinders.
 - 1.4 **Pesticides:** All herbicides and insecticides, pesticide aerosols.
 - 1.5 **Oxidizers:** Fertilizers, plant food, all nitrates, bleach, hydrogen peroxide, sodium hypochlorite, nitric acid, pool chemicals.
 - 1.6 **Acids**
 - 1.7 **Caustics**
 - 1.8 **Automotive/ Recreational Vehicles:** motor oil, gasoline, diesel, anti-freeze, transmission fluid, brake fluid, batteries, adhesives, auto-body filter, auto-body paint, car polishes, and car waxes.
 - 1.9 **Organics:** caulking, cements, and glues, driveway sealers, compounds, epoxies, floor paint, industrial paint, lacquer, liquid plastics, marine paint, paint stripper, poly filler, putty, resin, rust paint, shellac, silicone compound, solvents, stain, thinners, urethane, and varnish.
 - 1.10 **Batteries:** all car/vehicle, dry cell, single use and household.
 - 1.11 **Any other household product or item label as:** corrosive, toxic, reactive, explosive, and oxidizing.

Schedule "D" to By-law Number 2023-084

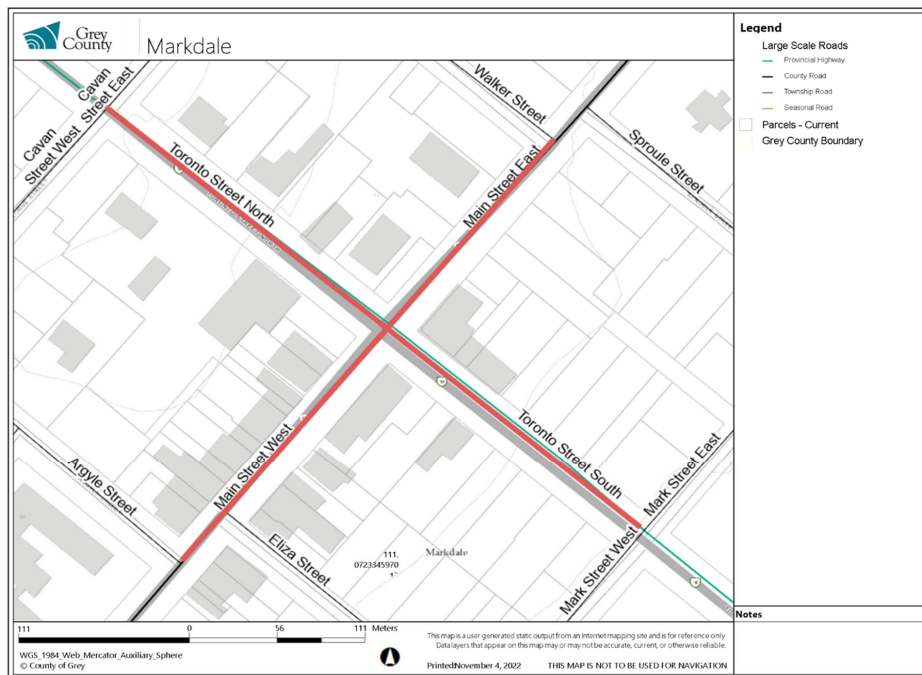
Banned Materials

1. For the purpose of this By-law, Banned Materials shall include:
 - 1.1 Waste in recycling
 - 1.2 Recycling in waste
 - 1.3 Batteries in waste and/or recycling
 - 1.4 Electronics in waste and/or recycling
 - 1.5 Municipal Hazardous and Special Waste in waste or recycling
 - 1.6 Florescent lights in waste and/or recycling
 - 1.7 Drywall in waste and/or recycling
 - 1.8 Clothing in waste and/or recycling
 - 1.9 Hazardous in waste and/or recycling
 - 1.10 Prescription and needles in waste and/or recycling
 - 1.11 Scrap metal in waste and/or recycling
 - 1.12 Large pieces of Styrofoam in waste and/or recycling
 - 1.13 Tires in waste and/or recycling

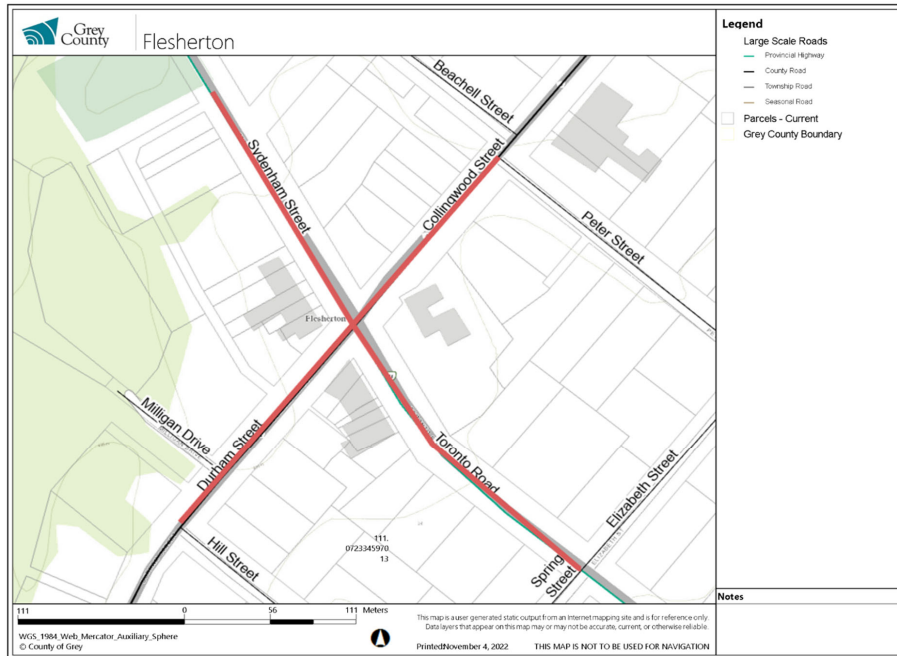
Schedule "E" to By-law Number 2023-084
Downtown Collection Areas

1. Properties within the Red Lines are designated as Downtown Collection Areas.

Village of Markdale



Village of Flesherton



Schedule "F" to By-law Number 2023-084

Curbside Exchange Day Program

1. For the purpose of this By-law, Curbside Exchange Day Program shall include the following provisions:

1.1 Curbside Exchange Days will run on the weekend following the long weekends in May and September.

1.2 No person shall place items at the curb for collection unless said items are marked in a manner that indicates as being Curbside Exchange Day items.

1.3 No person shall collect items from the curb unless they are clearly marked as being Curbside Exchange Day items.

1.4 No person shall place Curbside Exchange Day items out before 5:00pm on Friday and Curbside Exchange Day items must be removed no later than 8:00 a.m. on the Monday after.

1.5 No person shall place Curbside Exchange Day items out for collection at any location except at the curb in front of their premises.

1.6 No person shall place Curbside Exchange Day items out for collection in such a way as to impede or obstruct pedestrians on sidewalks, vehicular traffic, or any road maintenance operations.

1.7 The Municipality of Grey Highlands does not accept responsibility for any items that are lost or removed during Curbside Exchange Days.

Schedule "G" to By-law Number 2023-084
Household Hazardous Waste Program

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Schedule "H" to By-law Number 2023-084
Reuse Centre

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Schedule "I"
Municipality of Grey Highlands
Part 1 Provincial Offences Act
By-law 2023-084 - Waste Collection and Mandatory Recycling
and Diversion By-law
Municipal Set Fines.

Item	Short Form Wording	By-law Section creating or defining offenses	Set fine
1	Dispose of waste, recyclables, or diversion items outside of provisions of this by-law.	3.1	\$500.00
2	Set out waste and recyclable material not contained in the Waste Cart or Recyclable Cart.	6.2	\$250.00
3	Set out a Cart for collection that does not meet all requirements.	6.6	\$250.00
4	Set out a Cart in such a way as to impede pedestrians on sidewalks, vehicular traffic, or any road maintenance operations.	7.4	\$250.00
5	Set out a Cart that blocks or interferes with the street numbers.	7.6	\$250.00
6	Set out a Cart for collection from an address other than for which the Cart was issued.	7.8	\$250.00
7	Retain or use a Cart not associated with the eligible property.	7.9	\$250.00
8	Leave Cart at the collection area after 11:59 p.m.	8.4	\$250.00
9	Store carts in such a way that impedes or obstructs pedestrians on sidewalks, vehicular traffic, or any road maintenance operations.	9.3 (a)	\$250.00
10	Store Carts on Municipal property.	9.3 (b)	\$250.00
11	Set out waste or recycling at eligible property from which it was not generated.	10.9	\$500.00
12	Set out Non-Collection Material for Municipal Collection.	10.11	\$500.00
13	Deposit waste or recycling in Front-End Bin from eligible	13.5	\$500.00

	property from which waste or recycling was not generated.		
14	Dispose of waste or recycling in a Front-End Bin over the allowable volume.	13.6	\$250.00
15	Dispose of transient waste at the Waste and Diversion Sites.	14.4	\$500.00
16	Dispose of Hazardous Waste at the Waste and Diversion Sites.	14.5	\$500.00
17	Access or attempt to access the Waste and Diversion site outside of normal operating hours without appropriate approval.	14.9	\$500.00
18	Refuse to follow the direction of the Waste and Diversion Site Attendant.	14.10	\$500.00
19	Refused to pay the fees as assessed by the Waste and Diversion Site Attendant.	14.11	\$500.00
20	By-pass or attempted to bypass the scale or manipulate weight or fees at the Waste and Diversion Sites.	14.12	\$500.00
21	Behave in a manner that is threatening or disruptive to the operations or the Waste and Diversion Site or Municipal Collection.	14.13	\$500.00
22	Place material out for Curbside Exchange Days that do not follow requirements prescribed in Schedule "F".	15.1	\$250.00
23	<i>Use Household Hazardous Waste program that do not follow the requirement prescribed in Schedule "G"</i>	16.1	\$500.00
24	<i>Use Reuse Centre program that do not follow the requirement prescribed in Schedule "H"</i>	17.1	\$500.00
25	Scavenging material set out for collection in the Carts.	19.1	\$500.00
26	Scavenging material at the Waste and Diversion Sites.	19.2	\$500.00

NOTE: the general penalty provision for the offenses listed above in section 20.2 of By-law 2023-084, a certified copy of which has been filed.