

THE CORPORATION OF
THE TOWNSHIP OF THE ARCHIPELAGO

By-law No. 2022-08

To Regulate the Use of the Waste Management System

WHEREAS Section 11(3)3 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended authorizes municipalities to pass By-laws to prohibit or regulate the use of any part of a waste management system within the municipality;

AND WHEREAS the Township of The Archipelago wishes to pass a By-law to establish user fees for the deposit of non-household waste at staffed transfer stations and landfill sites;

AND WHEREAS the Township of The Archipelago wishes to prohibit the depositing of all non-household waste at any non-staffed transfer station or landfill site;

NOW THEREFORE BE IT RESOLVED that the Council of The Corporation of the Township of The Archipelago enacts as follows:

1. Definitions:

“Attendant” shall mean any employee of The Archipelago trained to staff, operate and implement the requirements of this By-law at a waste site/station.

“(Clear) Bag” shall mean a transparent or “see through” plastic bag for containing either household waste, garbage or recyclables of a size not to exceed 175 litres in volume.

“(Black) Bag” shall mean any plastic bag that is not transparent or “see through”.

“Boats” shall mean wooden, fibre glass, or other material of construction with all engines, components, tanks and all fluids removed, including other small watercraft such as paddle boards and paddle boats. Aluminum or steel boats will be classed as scrap metal.

“Brush” shall include tree limbs, branches, shrubs and twigs.

“C&D (Construction and Demolition) Waste” shall mean clean construction, demolition and renovation materials, including the following: pieces of plaster, lumber, broken concrete, excavated material, wall board, siding, sinks, toilet bowls, or any other waste material resulting from the construction, alteration, repair, demolition or removal of any building or structure, including a fence, and shall not contain any recyclables.

“Chippable Wood Waste” shall include brush, branches and limbs greater than 1 inch in diameter and over 1 foot in length, and tree stumps.

“Collection” shall mean the activity of removing municipal waste or resource materials that originate from premises within The Archipelago by employees, or persons, firms or corporation under contract with The Archipelago.

“Commercial enterprise” shall mean any establishment set up for the purposes of providing goods and/or services for profit. This shall include short-term and long-term property rentals and condominiums.

“Commercial premises” shall mean a specific property under registered ownership, including all buildings and accessory structures thereon, at which a commercial enterprise is conducted. This shall include, but not be limited to; hotels, motels, restaurants, retail stores, apartment homes, condominiums and all residential buildings operating full-time or part-time in a commercial capacity.

“Commercial waste” shall mean waste incidental to a commercial enterprise or operation, including waste produced directly from a retail activity or as the result of a service or undertaking but shall not include waste as a by-product of a manufacturing operation or process.

“Condominium” shall mean individual residential condominium units.

“Container” shall mean a plastic or metal container that can be used to dispose of household waste or recyclables. The container itself shall be reused and not disposed of and the dimensions of which shall not exceed 75 centimetres meter in height and 50 centimetres in width and length, or a volume of 190 litres.

“Contaminated Recyclable” shall mean any non-recyclable item placed in a recycling bin or bag is considered contaminated.

“Cubic Yard” for the purpose of this By-law, one (1) cubic yard shall also be the equivalent of the bed of a pick-up truck, the trunk of a Sport Utility Vehicle, a small trailer (single axle), or the volume of waste that can be safely transported on a small (<18ft) boat. The calculation of the appropriate volume to be charged shall be at the sole discretion of the attendant.

“(Old/Wayward) Docks” shall mean docks originating from a private residence and not a commercial premises or enterprise, or found in a waterway of The Archipelago that have been cut into pieces less than 2m in length and less than 1.5m in width, with the wood component separated from the foam and any metal.

“Freon” is an ozone depleting gas present in equipment such as fridges, freezers, chillers, wine coolers, air conditioning units and similar. Upon disposal, such units need to be decommissioned by a licensed professional in order to safely remove the gas.

“Garbage, or Household Waste” means all waste generated within the household, including all drained animal and vegetable waste material from the preparation of food, sweepings, ashes, discarded household utensils and wearing apparel, ceramics, multi-material products and packages, non-recyclable glass containers, dog, cat and other pet feces and litter placed inside a sealed and leak-free bag, diapers placed in a sealed and leak-free bag, and other materials as designated by The Archipelago, with the exception of bulky items, such as furnishings, carpets, mattresses, etc., or any material used in the construction or renovation of buildings.

“Household Waste” is waste that is generated as a result of the ordinary day-to-day use of a household premise.

“Household Hazardous Waste” shall include aerosol cans containing product, bleach, cleansers, drain cleaners, flashlight batteries, flea powder, medicine, nail polish and remover, oven cleaners, photographic chemicals, thermometers/thermostats, antifreeze, car batteries, brake fluid, gasoline, glues, motor oil, oil filters, paint, paint thinners, solvents, turpentine, fertilizers, herbicides, insecticides, pesticides, pool chemicals, propane tanks and propane cylinders.

“Invasive Plant” shall mean a plant that causes ecological or economic harm in a new environment where it is not native to The Archipelago, an example of which is *Phragmites Australis*. Transportation and disposal of invasive plants shall only occur by following proper guidelines, which can be found on The Archipelago website.

“Leaf and Yard Waste” shall include garden trimmings, hedge trimmings, leaves, fall leaves, sticks and branches less than 1 inch in diameter and less than 1 foot long, Christmas trees and vegetable and plant matter. Leaf and yard waste does not include grass clippings.

“Large Items” shall mean weighty or bulky materials or articles including furniture, mattresses, cloth covered box springs, small area rugs, carpets cut in 1.2 metre (4 foot), lengths and bundled, crates, barrels, non-collapsible boxes, non-metal bath tubs, and any other materials and articles which would normally accumulate at a household excluding garbage and resource materials.

“MT” shall mean a metric tonne or 1,000 kilograms.

“Non-Household Waste” is any waste that is generated outside of a domestic household.

“Occupant” shall include any lessee, tenant, owner, agent of a lessee, tenant owner, or any person in control of a premise.

“Premises” shall include any building, dwelling place, room, apartment, condominium, townhouse, hotel, motel, restaurant, shop, store, office, parking area and any place which is under separate occupation or control.

“Private Contractor” shall mean any person, firm, or corporation who collects municipal waste or resource materials from premises within The Archipelago and includes all persons who dispose of waste from their own

premises, but does not include municipal employees or persons, firms or corporation under contract with The Archipelago for the collection of municipal waste or resource materials.

“Recyclables” shall mean material designated from time to time by The Archipelago as recyclable and for which alternative collection regulations apply.

“Scrap Metal” shall include but not be limited to water tanks, metal lawn furniture, bicycles, barbecues and auto parts.

“Roof Shingles” shall mean residential asphalt shingle waste from a household roof that is clean and free of contaminants, such that it may be recycled.

“Tag” shall mean a purchased sticker, tab, tie or label approved by The Archipelago for the purpose of disposing of certain chargeable items in accordance with the fee schedule in Appendix ‘A’.

“Transfer Station” means a site where recyclables and garbage are collected and transferred to a secondary location in preparation for processing or landfilling.

“Waste Card” shall mean a card, permit or sticker that can be affixed to a windshield, allowing an Archipelago ratepayer to dispose of waste at one of the authorized sites/stations within the municipality or an approved location outside of the municipality where an agreement exists between the third party municipality and The Archipelago.

2. Authorized Sites/Stations:

The Township has established the following sites and stations for the disposal of waste in the municipality:

1. North Area Landfill Site No. 9
2. Bayfield Transfer Station
3. Skerryvore Transfer Station
4. Pointe au Baril Transfer Station
5. Crane Lake Transfer Station
6. Healey Lake Transfer Station
7. Woods Bay Transfer Station
8. Devil’s Elbow Transfer Station
9. Sheep Head Bay Transfer Station

Ratepayers may dispose of household waste and recyclables at the MacFarlane transfer station in Parry Sound (year round), or the 12 Mile Depot in Georgian Bay Township (summer only) for as long as agreements remain in good standing between municipalities.

Household hazardous waste can only be disposed of at the MacFarlane transfer station in Parry Sound.

Note that most of the transfer station locations have storage limitations due to the small footprint of the location. Therefore, for any non-household waste, such as commercial or C&D waste, there is a restriction in the amount that can be disposed of, per day, to one cubic yard, or the equivalent of the back of a pick-up truck. There are no restrictions if disposing of non-household waste at the North Area Landfill Site No. 9. Ratepayers in the South Archipelago may also inquire with neighbouring landfills as to their fees and ability to accept waste from non-residents.

Anyone disposing of any type of waste at any authorized site/station must carry a valid waste card to be available for inspection upon request of the site attendant. The waste card may be an original or a facsimile.

3. Disposal Options at Authorized Sites/Stations

Everyone entering a waste disposal location must first see the attendant.

The attendant has the authority to inspect, charge for, and reject loads, at their sole discretion. Any attempt by a ratepayer to coerce, intimidate or make threats to a site attendant will result in their immediate prohibition to access any Township of The Archipelago waste locations.

The following items are allowed to be disposed of at each location. Some are chargeable and are identified with an asterisk (*). See Schedule 'A' for applicable tipping fees.

- i) North Area Landfill Site No. 9
 - Household waste
 - Recyclables
 - Scrap metal
 - Empty/expired 20lb propane tanks
 - Batteries and cell phones
 - Electronic waste (e.g. TV's, computers, batteries)
 - Re-use items
 - Invasive plants (see Township website under "Site 9" for handling requirements)
 - Clothing and textiles
 - Old or wayward docks cut into <2m lengths (wood separated from foam and metal)
 - Freon containing items (e.g. fridge/freezers, AC units) (*)
 - C&D waste (*)
 - Clean roof shingles (*)
 - Commercial waste (*)
 - Large items (*)
 - Boats (*) only between the first open day in June and the last open day in October
 - Leaf & yard waste
 - Chippable Wood Waste (*)
- ii) Bayfield Transfer Station
 - Household waste
 - Recyclables
 - Batteries and cell phones
- iii) Skerryvore Transfer Station
 - Household waste
 - Recyclables
 - Batteries and cell phones
- iv) Pointe au Baril Transfer Station
 - Household waste
 - Recyclables
 - Batteries and cell phones
- v) Crane Lake Transfer Station
 - Household waste
 - Recyclables
 - Electronic waste
 - Scrap metal
 - Empty/expired 20lb propane tanks
 - Re-use items
 - Clothing and textiles
 - Old or wayward docks cut into <2m lengths (wood separated from foam and metal)
 - Batteries and cell phones
 - C&D waste (*)
 - Commercial waste (*)
 - Large items (*)
 - Boats (*) only between the first open day in June and the last open day in October and by prior appointment only
- vi) Healey Lake Transfer Station
 - Household waste
 - Recyclables
 - Electronic waste
 - Scrap metal
 - Empty/expired 20lb propane tanks
 - Re-use items
 - Clothing and textiles

- Old or wayward docks cut into <2m lengths (wood separated from foam and metal)
 - Batteries and cell phones
 - C&D waste (*)
 - Clean roof shingles (*)
 - Commercial waste (*)
 - Large items (*)
 - Boats (*) only between the first open day in June and the last open day in October and by prior appointment only
- vii) Woods Bay Transfer Station
- Household waste
 - Recyclables
 - Electronic waste
 - Scrap metal
 - Empty/expired 20lb propane tanks
 - Re-use items
 - Clothing and textiles
 - Old or wayward docks cut into <2m lengths (wood separated from foam and metal)
 - Batteries and cell phones
 - C&D waste (*)
 - Commercial waste (*)
 - Large items (*)
- viii) Devil's Elbow Transfer Station
- Household waste
 - Recyclables
 - Scrap metal
 - Re-use items
 - Old or wayward docks cut into <2m lengths (wood separated from foam and metal)
 - Batteries and cell phones
 - C&D waste (*) – limited to 1 cubic yard per week
 - Large items (*) – limited to 1 cubic yard per week
- ix) Sheep Head Transfer Station
- Household waste
 - Recyclables
 - Scrap metal
 - Re-use items
 - Old or wayward docks cut into <2m lengths (wood separated from foam and metal)
 - Batteries and cell phones
 - C&D waste (*) – limited to 1 cubic yard per week
 - Large items (*) – limited to 1 cubic yard per week
- x) MacFarlane Transfer Station (while agreement is in effect)
- Household waste
 - Recyclables
 - Household hazardous waste
- xi) 12 Mile Depot (while agreement is in effect)
- Household waste
 - Recyclables

4. Prohibitions:

- a) No person shall deposit any non-household or commercial waste at the following municipally operated locations:
- i) Pointe au Baril Transfer Station
 - ii) Bayfield Transfer Station
 - iii) Skerryvore Transfer Station

- b) No person shall deposit any waste in any location except at a waste disposal site/station established in accordance with this By-law.
- c) No person shall deposit or otherwise dispose of any waste brought in from outside the limits of the Township of The Archipelago, upon any lands, whether publicly or privately owned, including any waste disposal sites/stations established by the Township of The Archipelago
- d) No person shall deposit or otherwise dispose of waste, as herein defined, at any transfer station or landfill site, inside or outside, except during the hours of operation of the transfer station or landfill site, established in accordance with this By-law.
- e) No person shall scavenge, interfere with, remove, exchange or scatter any waste found at a transfer station or landfill site, without the prior approval of the Municipality, in writing.
- f) No person shall deposit or otherwise dispose of the following items at any waste disposal or transfer stations within the municipality:
 - i) liquid, toxic or hazardous waste of any type;
 - ii) oils;
 - iii) solvents;
 - iv) distillates;
 - v) raw sewage;
 - vi) condemned or dead animals;
 - vii) used cars or car parts;
 - viii) boat shrink wrap.
- g) Only clear plastic bags and approved containers are allowed to be used. Black bags are not allowed and shall be refused by the site attendant.

5. Tipping Fees

- a) Non-household waste may be deposited at the following municipally operated sites subject to the payment of a tipping fee as set out in Schedule 'A' attached to this By-law:
 - i) Healey Lake Transfer Station
 - ii) Woods Bay Transfer Station
 - iii) Crane Lake Transfer Station
 - iv) North Area Landfill Site No. 9
 - v) Devil's Elbow Transfer Station
 - vi) Sheep Head Bay Transfer Station
- b) Non-household waste may only be deposited by residents of The Archipelago, limited to one cubic yard per day (or equivalent to a truck/SUV load, a small trailer load or a boat load), at all Transfer Stations. This restriction is not applicable to North Area Landfill Site No. 9.
- c) Contractors, for the purposes of disposing of C&D waste or other building and renovation activities, are not permitted to use Devil's Elbow or Sheep Head.
- d) Household waste, not including recyclables, generated by a commercial operation (for example, a cottage rental), shall be subject to a tipping fee per bag/container. See Schedule 'A'. Clean recyclables resulting from a commercial operation are not subject to a tipping fee. Contaminated recyclables will be classified as regular household waste and will be charged a tipping fee.

6. Penalties

- a) All waste disposal sites/stations are under video surveillance. Video evidence will be used to assist with the issuance of set fines, clean-up fees, or any other fees, or potential prosecution.
- b) Anyone observed contravening any provision of this By-law shall be issued a ticket with a set fine of \$300.00 for a first offence and/or a clean-up fee of \$150.
- c) Non-payment of the set fine and/or clean-up fee within thirty (30) days of The Archipelago having delivered or sent by prepaid registered post an invoice, shall incur interest on the

amount due at the rate of 1.5% per month plus an administration fee of \$20 per additional notice of payment that is issued.

- d) Unpaid invoices after 6 months will be referred to a Private Collection Agency for recovery.
- e) Every person who contravenes any provision of this By-law shall be liable upon conviction to a maximum fine of \$5,000.00 exclusive of costs for a second and subsequent offence and every such penalty shall be recoverable under the Provincial Offences Act, R.S.O. 1990.
- f) An offence shall be deemed to occur for each day or part thereof for which a contravention of the By-law continues.
- d) The imposition of a penalty for a contravention of this By-law shall not excuse the condition or permit it to remain or continue and the person who has contravened the By-law shall rectify any condition or matter resulting therefrom.

Nothing herein contained shall in any way modify, affect or derogate from any other remedy available to the Corporation of the Township of The Archipelago with respect to such contravention.

7. Severability


If any section or part of this By-law is found to be illegal or beyond the power of The Township Council to enact, such section or part or item shall be deemed to be severable and all other sections or parts of this By-law shall be deemed to be separate and independent therefrom and to be enacted as such.

8. Repeal

- a) By-law 12-19 shall be repealed at midnight, May 31st, 2022.

9. This By-law shall come into force and effect on June 1st, 2022.

READ and FINALLY PASSED in OPEN COUNCIL this 11th day of March, 2022.



Reeve



Clerk



SCHEDULE 'A' to By-law No. 2022-

Transfer Station Disposal Fee Schedule**Residents**

| | |
|---|------------------------------------|
| Household waste: | Free |
| Recyclables: | Free |
| Old/Wayward Docks (clean/separated): | Free |
| Non-separated Old/Wayward Docks: | 10 tags (\$25) per cubic yard |
| Contaminated Recyclables: | 2 tags (\$5) per bag/container |
| C&D waste (clean): | 10 tags (\$25) per cubic yard |
| C&D waste (clean) with >25% concrete: | 20 tags (\$50) per cubic yard |
| C&D containing recyclables: | 30 tags (\$75) per cubic yard |
| Clean Roof Shingles: | 8 tags (\$20) per cubic yard |
| Mixed C&D waste: | 20 tags (\$50) per cubic yard |
| Large Items (inc. mattresses): | 8 tags (\$20) per item |
| Items containing Freon: | 12 tags (\$30) per item |
| Boats (up to 19ft at transfer stations): | 2 tags (\$5) per linear foot |
| Household Hazardous Waste: | Only at MacFarlane St. Parry Sound |

Commercial Waste

| | |
|--|-------------------------------------|
| Household Waste: | 1 tag (\$2.50) per bag or container |
| Recyclables: | Free |
| Household Waste: | 1 tag (\$2.50) per bag or container |
| Contaminated Recyclables: | 2 tags (\$5) per bag or container |
| C&D waste (clean): | 10 tags (\$25) per cubic yard |
| C&D waste (clean) with >25% concrete | 20 tags (\$50) per cubic yard |
| C&D waste containing recyclables: | 30 tags (\$75) per cubic yard |
| Clean Roof Shingles: | 8 tags (\$20) per cubic yard |
| Mixed C&D waste: | 20 tags (\$50) per cubic yard |
| Items containing Freon: | 12 tags (\$30) per item |
| Boats (up to 19ft at transfer stations): | 2 tags (\$5) per linear foot |

SCHEDULE 'A' to By-law No. 2022- (Continued)

North Area Landfill Site No.9 Disposal Fee Schedule

| | |
|--|---|
| Household Waste (Residents): | Free |
| Household Waste (Commercial): | \$125/MT (\$10 min. charge) |
| Recyclables: | Free |
| Scrap Metal: | Free |
| Old/Wayward Docks (clean/separated): | Free |
| Invasive Plants: | Free |
| Leaf and Yard Waste: | Free |
| Chippable Wood Waste: | \$125/MT (\$10 min. charge) |
| Non-separated Old/Wayward Docks: | \$125/MT (\$10 min. charge) |
| Contaminated Recyclables: | \$200/MT (\$15 min. charge) |
| C&D waste (clean): | \$140/MT (\$10 min. charge) |
| C&D waste containing recyclables: | \$200/MT (\$15 min. charge) |
| Mixed C&D waste: | \$200/MT (\$15 min. charge) |
| Clean Roof Shingles: | \$125/MT (\$10 min. charge) |
| Items containing Freon: | \$30 per item |
| Large Items (inc. mattresses): | \$20 per item |
| Boats (up to 30ft): | \$5 per linear foot |
| Contaminated Soils or Materials: | Not Accepted |
| Asbestos: | Not Accepted |
| Household Hazardous Waste: | Only at MacFarlane St. Parry Sound |