



**DISTRICT OF PORT EDWARD  
REFUSE RATES & REGULATIONS  
BYLAW NO. 666**

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**A BYLAW TO REPEAL THE DISTRICT OF PORT EDWARD REFUSE BYLAW No. 362 AND BYLAW No. 398**

**WHEREAS** Council for the District of Port Edward wishes to amend the refuse rates within the Municipality; and

**WHEREAS** pursuant to the Community Charter, a Council may by bylaw establish a Refuse Collection Service, by exercising its statutory powers and imposing fees in relation to that service; and

**NOW THEREFORE** the Council of the District of Port Edward in open meeting assembled enacts as follows:

**1. CITATION**

This Bylaw may be cited for all purposes as the “Refuse Rates & Regulations Bylaw No. 666”

**2. REPEALS**

That “Refuse Bylaw No. 362, 1995” and its amendments be repealed in its entirety.

**3. INTERPRETATION**

**District** shall mean the municipality of the District of Port Edward.

**Dwelling** shall mean any building or place occupied or used as a dwelling place of living by one or more tenants, including each suite of a multiple dwelling or each unit of an apartment building.

**Quarter** means the relevant 3 month period ending on the last day of March, June, September, and December of any year.

**Hazardous Waste** means materials, including but not limited to household waste, which carry the poison, fire compressed gas and/or corrosive warning labels, solvents, batteries, paints, cleaning fluids, biomedical wastes, polychlorinated biphenyls (PCB's) and any other hazardous wastes as defined by the Hazardous Waste Regulation of the Environmental Management Act, which requires special handling.

**Refuse** includes, but is not necessarily limited to food wastes, market wastes, combustibles such as paper, cardboard, plastics, leather, yard trimmings, non combustibles such as metal cans, glass containers, crockery, dirt, ashes from fireplaces and on-site incinerators. **It does not include the following:** street sweepings, bulky wastes such as furniture, refrigerators, tires and stumps, construction and demolition refuse such as pipes, concrete, institutional or municipal activities. Refuse resulting from industrial operations is not included.

**Refuse Container** means a watertight plastic or sheet metal, raised bottom container not exceeding one hundred (100) liters in capacity, weighing not over twenty-five (25) kilograms when filled, fitted with two (2) sturdy handles, one (1) on each side, and a tight fitting cover equipped with a handle. The term shall also apply to containers of other material of similar size and weight when approved by the Public Works Superintendent.

**Householder** shall mean any person occupying any dwelling, habitation, or place of residence in the District; but shall not include any person who is merely a boarder, roomer, or lodger therein.

**Owner** shall mean and include the agent, heir, executor or administrator, of such owner, or the lessee or occupier of any premises.

**Public Works Superintendent** shall mean a person appointed from time to time by Council or his designate.

**Trade Premises** shall mean any warehouse, factory, shop, cafe, restaurant, eating house, club, drive-in, lunch counter, wholesale or retail business place, or office block, and any building other than a dwelling or apartment house as above defined.

#### **4. ESTABLISHMENT OF REFUSE COLLECTION SYSTEM**

It shall be lawful for the District Municipality to inaugurate, equip, maintain and operate a system of "Refuse Collection" within the District under the control and direction of the Public Works Superintendent. Except as provided in this bylaw, all persons within the District shall make use of the system established and provided by the District for the collection, removal and disposal of refuse, and other noxious, offensive, unwholesome and discarded matter.

#### **5. REFUSE CONTAINER REQUIREMENTS**

- (1) Every person who occupies any trade and office premises, dwelling or apartment house, where refuse is disposed of, shall provide and maintain in good clean order and repair a suitable refuse container sufficient in number at all times to contain all refuse.

- (2) A limit of two (2) refuse containers will be allowed per household, dwelling or apartment building
- (3) Refuse is to be stored in bags within the refuse containers in order to minimize odor from refuse, littering and attract animals.
- (4) All refuse containers shall at all times be kept on the property of such a dwelling, apartment, business office unit or trade premise and must be placed on the side of the road for pick-up on collection day set by Council.
- (6) Notwithstanding any other provisions of this bylaw, large containers may be supplied by the District to apartment houses or trade premises where volumes of refuse exceed one (1) cubic meter per week.

## **6. PROHIBITIONS**

- (1) Hazardous Waste are to be removed by owner or householder.
- (2) All building construction or demolition within the District shall not;
  - (a) Place or dump the waste accumulating from such construction or operations on any lane, street, walkway, sidewalk or any public place; or
  - (b) Accumulate such waste on the land or about the premises where such construction or operation is being carried out without disposing of the waste within such time as the Superintendent of Public Works, by written notice may deem reasonable.
- (3) No person shall throw, sweep or place noxious, offensive, unwholesome or discarded matter or other rubbish onto any land, street, walkway, sidewalk or any public place in the District.

## **7. FEES**

- (1) For the collection of refuse from premises as herein before provided, the rates set in "Schedule A" which is hereto attached and forms a part of this bylaw, is hereby imposed and levied by the District and are made payable to the District at the Municipal Office by the parties liable under this bylaw for the removal of such refuse.
- (2) Annual prepayment of refuse fees are eligible for a 10% discount provided fees are prepaid for the year by March 31 of each year.
- (3) The user rates as set forth in "Schedule A" shall be payable quarterly, unless otherwise required, at the office of the Municipal Collector on or before the last business day of the current quarter for which the billing is made and subject to an interest penalty on

the current charges equal to the rate as set by the Ministry of Municipal Affairs for arrear and delinquent taxes if not paid on or before the due date as printed on the refuse billing.

- (4) All monthly accounts shall become due and payable on the 30th of the following month and subject to an interest penalty on the current charges equal to the rate as set by the Ministry of Municipal Affairs for arrear and delinquent taxes if not paid on or before the due date as printed on the refuse billing.
- (5) Failure to receive mail will not be recognized as valid excuse for failure to pay rates or interest charges when due.

## **8. PENALTIES**

- (1) Every person who contravenes this bylaw or who neglects to do or refrains from doing anything required by this bylaw, shall be deemed to be guilty of an infraction thereof, and liable to the penalties hereby imposed.
- (2) Any person who contravenes this bylaw shall be guilty of an offense and shall, on summary conviction, be liable to a penalty not exceeding Two Thousand Dollars (\$2,000.00), and costs of the conviction.

READ a first time this 8<sup>th</sup> day of December, 2015

READ a second time this 8<sup>th</sup> day of December, 2015

READ a third time this 8<sup>th</sup> day of December, 2015

ADOPTION this 15<sup>th</sup> day of December, 2015

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Mayor

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Director of Corporate Services

## SCHEDULE A

(Effective January 1, 2016)

### REFUSE RATE

### QUARTERLY RATE

#### **Residential Premises**

\$ 55.00

each Residential unit including those in private homes, apartments with private entrances, cabins - Each unit  
(Maximum 2 containers)

#### **Trailer Parks, Manufactured Home Parks**

\$ 55.00

each individual trailer or manufactured home to be classified as a single residential unit – Each unit  
(Maximum 2 containers)

#### **Commercial Premises**

\$ 220.00

shall apply to stores, shops, restaurants, hotels, motels, apartments with common entrances, churches, schools, clubs, and other organizations, offices, and establishments not otherwise classified in this section – Maximum 4 containers

**For all stores, shops, restaurant, hotels, motels, Apartments with common entrances, clubs, and other organizations, offices, and any establishment not otherwise classified in this section using containers provided by the Municipality**

\$555.00

For each large container – 1 pickup per week

#### **Processing Plants, Light and Heavy Industrial**

**Plants and for all other waste material** not covered in this schedule, shall enter into a contract with the District for the services required at a rate set out in such contract.