

**CANADA
PROVINCE OF QUÉBEC
REGIONAL COUNTY OF
ARGENTEUIL
MUNICIPALITY OF THE TOWNSHIP OF WENTWORTH**

BY-LAW NUMBER 2017-003

**BY-LAW REGARDING THE REMOVAL AND DISPOSAL
OF RESIDUAL MATERIAL**

WHEREAS the provisions in articles 19 and 55 of the Municipal Powers Act (L.R.Q. c. C-47) regarding Municipality's power to legislate matters concerning the environment and salubrity;

WHEREAS the provisions of articles 53.5 and 53.7 of the Environment Quality Act (L.R.Q., c. Q-2) regarding the establishment of the Residual Materials Management Plan by all municipalities;

WHEREAS the provisions of By-law number 89-16 of the MRC of Argenteuil concerning the enactment of its Residual Materials Management Plan 2016-2020;

WHEREAS the provisions of section 53.24 of the Environment Quality Act (L.R.Q. c. Q-2) binding the Municipality of the Township of Wentworth to the MRC of Argenteuil's Residual Materials Management Plan;

WHEREAS the By-Law of the Municipality of the Township of Wentworth on this subject dates several years and that it must be updated and replaced with respect to the evolution of the subject since then;

WHEREAS a notice of motion for the present by-law was made by Councillor Deborah Wight-Anderson during the regular sitting Council held on June 5th, 2017;

THEREFORE it is proposed by Councillor Lorraine Lyng-Fraser and **RESOLVED**

THAT the Council adopt By-law number 2017-003 entitled "By-Law regarding the removal and disposal of residual materials" and is hereby enacted and decreed as follows:

ARTICLE 1

The preamble forms and integral part of this By-Law.

ARTICLE 2

By-Law number 2007-002-01 and its amendments are hereby repealed as well as any other By-Law concerning the management of residual materials.

ARTICLE 3 – PARTIAL INVALIDITY OF THE BY-LAW

In the event that any part, clause or provision of this By-Law is declared invalid by a recognized court, the validity of all other parts, clauses or provisions shall not be in doubt.

ARTICLE 4 – GENERAL PROVISIONS

SECTION 4.1 – EXPLANATORY PROVISIONS

4.1.1 CONTEXT

The main objective of this By-Law is to ensure the proper functioning of residual waste collection, to re-iterate sorting at source, to respect the principles of recuperation and to build on citizen participation.

4.1.2 PERSONS CONCERNED

This By-Law shall apply to any natural or legal person.

ARTICLE 5 – DEFINITIONS

For the purposes of this Regulation:

1. "Bin": A closed, watertight container of type "rolling-bin" European style grasp, with a capacity of not less than 240 liters and not more than 360 liters, conforming to the model shown in "Annex 1", provided with a lid and a grasp for emptying into a collection vehicle using an automatic grasp or an automated arm.
2. "Collection": means any operation whereby residual materials placed in authorized containers are removed from a place of deposit to a treatment or disposal facility.
3. "Regular garbage collection": means any operation which consists of removing the ultimate waste from a place of disposal and placing it therein to an authorized landfill.
4. "Selective collection": means any operation whereby recyclable materials are separately placed in designated containers authorized for that purpose and transported to a recycling facility.
5. "Container": means a non-combustible, watertight container with a capacity of not less than 1.5 cubic meters (2 yd.) and not more than six cubic meters (8 yd.).
6. "Ultimate waste or ultimate residue" means residual materials which cannot be reused, restored, recuperated, recycled or valorized and which must be disposed of by regular collection or disposal in an appropriate place for that purpose. Ultimate waste therefore includes household waste and bulky waste that cannot be re-used, restored, recuperated, recycled or valorized.
7. "Ecocentre" means a place of public utility used for the purpose of collecting, recovering, sorting, storing, packaging, repairing, reclaiming (composting) or regenerating and reselling residual material.
8. "Technical Landfill" means the ultimate waste treatment and disposal site recognized and authorized by the Ministry of Sustainable Development, Environment and the fight against Climate Change.
9. "Recyclable material": Residual material, not considered as waste, which can be recuperated by selective collection.

The materials accepted by the sorting center *Tricentris*, shall be considered recyclable materials for the purposes of this By-Law.

10. "Residual material": Obsolete material, residue or object, rejected or otherwise discharged by households, industries, businesses and institutions that may be reused, restored, recuperated, recycled, valorized or disposed of.

Residual materials include waste, recyclable materials, construction, renovation and demolition residues, household hazardous wastes, green residues, brown residues, dry residues, tires, metal residues, information and communications technology, bulky residues and any other material not mentioned.

11. "Owner": The occupant, the tenant, the usufruct or a person who occupies in any capacity an immovable situated in the territory of the Municipality.

12. "Household waste": Residual material, excluding bulky waste, which cannot be reused, restored, recuperated, recycled or valorized, and which must be disposed of by the regular municipal collection or disposed of in an appropriate place to this end.

13. "Person" means a natural person, company, corporation or any other moral person.

14. "Construction, Renovation and Demolition Residue": Residual material resulting from construction, renovation or demolition including, but not limited to, wood, gypsum, asphalt shingle, ceramic, gypsum board, porcelain, pipes, insulation and any other material or object.

15. "Information and communication technology residue" means any material, apparatus or object derived from information and communication technologies, including computers, monitors, peripherals, televisions, telephones, reading devices or audio or video recording, cameras and any other materials of this type.

16. "Hazardous domestic waste" means residual material or residue of hazardous products for household purposes.

Any generated residue that has the properties of a leachable, flammable, toxic, corrosive, explosive, oxidizing or radioactive hazardous material, such as: aerosols, adhesives, dyes, latex and alkyd paints, used oil, propane cylinders, batteries for cars, household batteries, used solvents, pesticides (insecticides, herbicides and fungicides), chemical products (acids, bases, cyanides, reactants and oxidants), photography products, pool products, drains, oven, toilet solutions, medicines and other toxic or dangerous products used in domestic activities.

17. "Bulky residue": Residual material that can be defined as waste or reusable material with an additional management constraint due to its large size or its considerable weight and which is not ordinarily rejected by the occupants and whose weight does not exceed 100 kilograms.

The following are considered to be cumbersome residues for the purposes of this By-Law: domestic appliances, cooking appliances, washing machines, spin dryers, etc. (excluding refrigerator, freezer, air conditioner, water cooler and all other articles containing a halocarbon tank), electrical or gas accessories for domestic use, hot water tank, bathtub, sink, bed

base, carpet, old furniture, above ground pool, etc., as well as tied and bundled branches of one (1) meter maximum length.

18. "Residue": Residual material that may or may not be considered as a construction, renovation and demolition residue, including bricks, concrete, asphalt and other aggregate residues.

19. "Green residue" means residual matter or vegetable residue including peels, husks and leftover fruits or vegetables (cooked or raw), grass clippings, garden residues or any other residue acceptable for domestic composting.

20. "Brown residue" means residual matter or residue resulting from the maintenance or development of a property or building including dead leaves, dead plants, dried flowers, including also dry matter such as: straw, hay, sawdust, coffee / tea, filters included or any residue acceptable for domestic composting.

21. "Unit of occupancy" means a permanent or seasonal single-family dwelling, each dwelling of a multiple dwelling, place of business office, commerce, public building, industry, institution and municipal building that complies with all the provisions provided for in this By-Law.

SECTION 5.1 - ADMINISTRATIVE PROVISIONS

5.1.1 COMPETENT AUTHORITY

The application, monitoring and control of this By-Law shall be the responsibility of the designated officer. Designated assistant officials to assist or replace the designated officer may be appointed by resolution of the Council. The designated officer and his authorized representatives are therefore the competent authority.

5.1.2 POWERS OF THE NAMED OFFICIAL

The powers of the designated officer are set out in the By-law on the administration of Town planning number 101 of the Municipality of the Township of Wentworth in effect.

ARTICLE 6 - RULES FOR REMOVAL AND DISPOSAL OF RESIDUAL MATERIALS

SECTION 6.1 – GENERAL RULES

6.1.1 OWNER RESPONSIBILITY

The owner of the immovable is responsible for the disposal of the residual materials in a responsible and safe manner and in conformity with the present By-law. This includes sorting materials at source, depositing the materials in the appropriate containers and transporting the subject materials to the intermunicipal ecocentre where appropriate.

SECTION 6.2 - REGULAR GARBAGE COLLECTION

6.2.1 MATERIALS ACCEPTED IN REGULAR GARBAGE COLLECTION

Only final residues are accepted for regular collection. This waste includes:

1. Household waste:

Any residual material that cannot be re-used, restored, recuperated, recycled or valorized through selective collection, by another collection or other recuperation program or through recuperation operations at the intermunicipal ecocentre.

2. Ultimate residue:

Any bulky residue that cannot be reused, restored, recuperated, recycled or valorized through recuperation operations at the intermunicipal ecocentre.

6.2.2 MATERIALS NOT ACCEPTED IN REGULAR GARBAGE COLLECTION

The following materials are not accepted for regular garbage collection:

1. Recyclable materials:

Recyclable materials accepted for selective collection, accepted by the sorting center *Tricentris*, including fibers, glass, plastic and metal.

2. Residues of construction, renovation and demolition:

Residual materials from construction, renovation or demolition, including but not limited to wood, gypsum, asphalt shingles, ceramics, drywall, porcelain, pipes, insulation and all other materials or potential objects.

These residues are recuperated from the intermunicipal ecocentre or from a sorting center for dry materials.

3. Hazardous household waste:

Residual materials or residues of hazardous products for household purposes. Hazardous household waste includes used oils and filters, paints, lead-acid batteries, solvents, pesticides, acids and bases, dry batteries, mercury lamps, glues and other residues with Real risk or potential for corrosion, inflammation, toxicity or explosion.

These materials are accepted at the intermunicipal ecocentre or from recognized private collectors.

4. Information and communication technology residues:

Materials, apparatus or articles derived from information and communication technologies, including computers, screens, peripherals, televisions, telephones, audio or video recording or recording apparatus, cameras and all other materials of that type.

These articles are accepted at the intermunicipal ecocentre.

5. Bulky residues:

Residual material which may be defined as waste or reusable material having additional management constraints due to its large size or considerable weight and not ordinarily discharged by the occupants and weighing not more than 100 kilograms.

The following are considered to be cumbersome residues for the purposes of this By-Law: domestic appliances, cooking appliances, washing machines, spin dryers, etc. (excluding refrigerator, freezer, air conditioner, water cooler and all other articles containing a halocarbon tank), electrical or gas accessories for domestic use, hot water tank, bathtub, sink, bed base, carpet, old furniture, above ground pool, etc. As well as tied and bundled branches of one (1) meter maximum length.

6. Green residue:

Residual matter or vegetable residue including peels, husks and leftover fruits and vegetables (cooked or raw), lawn trimmings, garden residues or any other residue acceptable for domestic composting.

The domestic composter only takes green and brown residues.

7. Brown residue:

Residual matter or residue resulting from the maintenance or development of a property or building including dead leaves, dead plants, dried flowers, including also dry matter such as: straw, hay, sawdust, coffee / tea, filters included or any residue acceptable for domestic composting.

The domestic composter only takes green and brown residues.

8. Other matters:

Regular collection excludes all other materials affected by another collection or recuperation program, as well as fertilizers, biomedical wastes and hazardous materials.

These non-accepted materials are not collected as part of the regular collection. It remains the responsibility of the occupant to dispose of these materials in a responsible and safe manner and in accordance with the provisions of this By-Law.

SECTION 6.3 - COLLECTION OF RECYCLABLE MATERIAL

6.3.1 MATERIALS ACCEPTED FOR SELECTIVE COLLECTION

Only recyclable materials accepted by the sorting center *Tricentris* are accepted for selective collection.

Every owner is responsible for sorting and disposing of the recyclable materials in the designated bin.

6.3.2 MATERIALS NOT ACCEPTED FOR SELECTIVE COLLECTION

The following materials are not accepted for selective collection:

1. Household waste

All residual materials covered by regular garbage collection.

2. Bulky residues

Any bulky residues that can be re-used, restored, recuperated, recycled or valorized through recuperation operations at the intermunicipal ecocentre or part of regular garbage collection.

3. Residue of construction, renovation and demolition

Residual material resulting from construction, renovation or demolition including but not limited to wood, gypsum, asphalt shingles, ceramics, drywall, porcelain, pipes, insulation and all other materials or objects. These residues are recovered from the intermunicipal ecocentre or from a sorting center for dry materials

4. Hazardous domestic waste

Residual material or residue of hazardous products for household purposes. Hazardous household waste includes used oils and filters, paints, lead-acid batteries, solvents, pesticides, acids and bases, dry batteries, mercury lamps, glues and other residues with real risk or potential for corrosion, inflammation, toxicity or explosion.

These materials are accepted at the intermunicipal ecocentre or from recognized private collectors.

5. Information and communications technologies

Any material, apparatus or object derived from information and communication technologies, including computers, monitors, peripherals, televisions, telephones, audio or video recording or recording apparatus, cameras and any other material of this type.

These subjects are accepted at the intermunicipal ecocentre.

6. Green residue:

Residual matter or vegetable residue including peels, husks and leftover fruits and vegetables (cooked or raw), grass clippings, garden residues or any other residue acceptable for domestic composting.

7. Brown residue:

Residual matter or residue resulting from the maintenance or development of a property or building including dead leaves, dead plants, dried flowers, including also dry matter such as: straw, hay, sawdust, coffee / tea, filters included or any residue acceptable for domestic composting.

8. Other matters

Selective collection excludes all other materials affected by another collection or recuperation program, as well as fertilizers, biomedical waste and hazardous materials. It remains the responsibility of the occupant to dispose of these materials in a responsible and safe manner and in accordance with the provisions of this By-law.

SECTION 6.4 - CONDUCT OF THE REGULAR COLLECTION OF HOUSEHOLD AND RECYCLABLE MATERIALS

6.4.1 BINS

6.4.1.1 Rolling bins

Household waste and recyclable materials must be disposed of exclusively in the bins authorized by the Municipality, on all the territory of the Municipality, namely rolling bins with a capacity of 240 liters or 360 liters for household waste and 360 liters for recyclable materials. Citizens have until December 31st 2017 to replace their containers so that it meets the requirements of this By-Law.

6.4.1.2 Recyclable material bin

Recyclable materials must be placed in a blue 240 liters or 360 liters bin provided by the Municipality. Bins provided by the Municipality become bound to the building and must remain in the required place for the needs of the future occupants.

The owner is responsible for the maintenance, good condition and the functional integrity of the rolling bin that is assigned to them. One (1) bin will be provided by the Municipality to each dwelling, business or industry. The owner or occupant is responsible for any damage or theft and could be asked to pay for the replacement of the bin.

The owner is responsible for the materials present in the recycling bin supplied to them by the Municipality.

6.4.1.3 Maximum quantities

The maximum quantity of ultimate waste accepted in the regular garbage collection is one (1) 360 liters rolling bin, per unit of occupancy. The owner must have any excess waste removed at his expense. It must also ensure that the collection of its waste is carried out regularly so as to avoid any accumulation. If the ultimate waste quantity exceeds the maximum quantity, the occupant must take full responsibility for the collection of its ultimate waste by using a private contractor.

The maximum quantity of recyclable materials accepted in the selective collection is two (2) rolling bins of 240 liters or 360 liters, per unit of occupancy. The owner must have any excess material removed at his expense. It must also ensure that the collection of its materials is carried out regularly so as to avoid any accumulation.

The Municipality has the right to intervene to establish the maximum quantity for a unit of occupancy, on the recommendation of the designated officer, when materials are regularly deposited outside the containers authorized by the Municipality.

6.4.1.4 Maintenance of the bins

The owner of each unit of occupancy is responsible for the maintenance of the bins for the regular and selective collections. They must be kept clean, dry and in good condition. Bins shall not have any projections that could injure the person responsible for the removal or tear their clothing.

The owner is liable for damages resulting from their handling. The owner of each unit of occupancy cannot hold the Municipality responsible for the damage resulting from their handling.

6.4.1.5 Supply of bins

The Municipality will provide to any owner who requests it, at the expense of the latter, a rolling bin for use at regular garbage collection.

The Municipality will provide any owner who requests it with one (1) 240 liters or 360 liters blue-colored rolling bin for selective collection.

The Municipality will provide to any owner who requests it one (1) domestic composter and kitchen tray for the use of domestic composting.

6.4.1.6 Effective date for the use of garbage bins

Effective January 1st 2018, any owner or occupant must use the designated garbage bins for regular garbage collection. Sanctions are provided for offenders, Article 8 of this By-Law.

The blue color is used for the bins used for collecting recyclable materials. With the exception of the color blue, the colors black, green or charcoal gray are used for bins intended for regular garbage collection.

6.4.2 FREQUENCY AND SCHEDULE OF REGULAR GARBAGE COLLECTIONS, RECYCLABLE MATERIALS AND BULKY ITEMS

6.4.2.1 Frequency and schedule of regular garbage collection

Regular garbage collection is carried out according to the schedule and conditions stipulated in the service contracts granted by the Municipality of the Township of Wentworth, throughout the territory of the Municipality.

Collection is carried out on private roads only if they are suitable for passage. If the contractor cannot collect at homes on private roads because of the bad condition of the road, the resident must leave the container at the nearest road where collection is being made or at a collection point authorized by the Municipality.

On the day of collection, bins must be deposited on the street at the earliest twenty-four (24) hours the day before the day of collection and at the latest before 7 am on the day of collection. Empty bins must be removed from the street no later than twenty-four (24) hours after collection, even if the container has not been emptied by the contractor.

The bins should be placed at the edge of the street, in the front of the unit of occupancy, set back from the curb or shoulder so as not to impede pedestrian traffic, vehicles, road works and snow removal, be accessible to the pick-up truck and have the lid that can be tilted towards the road.

6.4.2.2 Frequency and timing of collection of recyclable materials

The collection of recyclable materials is carried out according to the schedule and the conditions stipulated in the service contracts granted by the Municipality of the Township of Wentworth, throughout the territory of the Municipality.

Collection is carried out on private roads only if they are suitable for passage. If the contractor cannot collect the goods on private roads because of the poor condition of the road, the resident must leave the bin at the nearest road where the collection takes place or at a collection point authorized by the municipality.

On the day of collection, bins must be deposited on the street at the earliest twenty-four (24) hours the day before the day of collection and at the latest before 7 am on the day of collection. Empty bins must be removed from the street no later than twenty-four (24) hours after collection, even if the bin has not been emptied by the contractor.

The bins should be placed at the edge of the street, in the front of the occupancy unit, set back from the street edge or shoulder so as not to impede pedestrian traffic, vehicles, road works and snow removal, be accessible to the pick-up truck and have the lid tilted towards the path.

6.4.2.3 Frequency and time of bulky collection

The collection of bulky items is carried out according to the schedule and the conditions stipulated in the service contracts granted by the Municipality of the Township of Wentworth, throughout the territory of the Municipality.

On the day of collection of the bulky items, the bulky items must be placed on the street at the earliest twenty-four (24) hours the day before the day of collection and at the latest before 7 am on the day of collection. Left bulky items must be removed from the street no later than twenty-four (24) hours after collection.

6.4.3 GENERAL REQUIREMENTS DURING COLLECTIONS

On the days fixed for regular and selective collection, the following provisions must be respected:

1. household refuse and recyclable materials must be deposited in a bin dedicated to their collection;

2. other bulky material, scrap and wastes must be accessible and placed near the bin at garbage collection, as close as possible to the edge of the public thoroughfare, at a distance of not more than two (2) meters On the owner's side, in front of the building, so that collectors can see them from the street.

6.4.4 PREPARATION OF HOUSEHOLD GARBAGE

When preparing household waste for collection, the following provisions must be observed:

1. table and kitchen waste must be drained and wrapped;
2. the ash must be extinguished and cooled;
3. no waste shall contain any sharp or shard parts.

ARTICLE 7 - MISCELLANEOUS PROVISIONS APPLICABLE TO REGULAR GARBAGE COLLECTION AND RECYCLING MATERIAL

SECTION 7.1 PROHIBITED GESTURES

No person may:

- 1) depositing, disposing or scattering residual materials in a public or private highway, public space, vacant or partially constructed land;
- 2) burning residual materials within the boundaries of the Municipality;
- 3) to deposit residual materials in front of the building of others;
- 4) placing a container on the edge of a roadway for collection, in a volume different from that indicated in this By-Law;

SECTION 7.2 COMPENSATION

In order to pay for the expenses incurred in operating the transport collection service and disposal of residual materials, annual compensation is imposed per housing unit. This compensation shall be established annually by the Municipal Council by a By-law.

The compensation charge imposed by this By-law is payable by the owner(s) of immovable property serviced with priority and legal hypothec on such immovable in the same way as other property taxes.

This tax is and will be payable to the Municipality of the Township of Wentworth at the same time as the property tax, and will cover the period from January 1st to December 31st of each year.

This tax is payable within the time prescribed by law and bears interest at the rate fixed by resolution of the Municipal Council from the day on which it is due and payable.

ARTICLE 8 - PENAL PROVISIONS

Any person who contravenes any of the provisions of this By-Law shall be, without prejudice to other recourses which may be brought against it, to a fine not less than \$ 300 and not exceeding \$ 1,000 for an individual and \$ 2,000 for a corporation.

In the event of repeated infringement, it shall be liable to a fine which may be increased \$ 2,000 for a natural person and \$ 4,000 for a legal person. If an offense lasts more than one day, the offense committed on each day is a separate offense and the penalties for each of the offenses may be imposed for each day the offense lasts;

ARTICLE 9 - LANGUAGE

In case of differences between the French and English versions, the French version prevails.

ARTICLE 10 - ENTRY INTO FORCE

This By-Law shall enter into force on January 1st, 2018 in accordance with the Law.

(signed)

Jason Morrison
Mayor

(signed)

Natalie Black
General Manager, Secretary-Treasurer

Notice of motion: June 5th, 2017
Adoption: September 5th, 2017
Publication: September 12th, 2017

ANNEXE 1 BIN

Volume (litre)	240	360
Height (cm)	107	110
Wheel Diameter (cm)	20	30
Weight (kg)	15,4	23
Total weight with contents (kg)	70	100

Other characteristics

- Made of polyethylene
- Thermal resistance from -34°C to 39°C
- Molded from one piece
- « rolling-bin » type
- Handles on the lid molded on the cover

