

THE CORPORATION OF THE TOWNSHIP OF BILLINGS

BY-LAW 2013-45

BEING A BY-LAW TO UPDATE AND CONSOLIDATE WASTE SITE REGULATIONS

WHEREAS Responsible Waste Site Management requires regulation of dumping areas and sorting of certain types of waste;

AND WHEREAS the continuation of our Certificate of Approval to Operate a Dump Site is contingent upon our observance of its conditions;

AND WHEREAS the Municipal Act S.O 2001, Chapter 25, Section 11(3) authorizes the Council of a local municipality to pass by-laws for establishing, maintaining and operating a waste management system;

AND WHEREAS the Municipal Act S.O 2001, Chapter 25, Section 391(1) authorizes the Council of a local municipality to impose fees and charges on a person for services provided;

AND WHEREAS the Municipal Act S.O 2001, Chapter 25, Section 429(1) authorizes the Council of a local municipality to establish penalties for offences under a by-law;

This By-law shall incorporate and nullify By-laws 2009-25, 08-11 and 97-09, 97-12, 91-14, 91-05 and supersede any general Ministry of the Environment regulations.

NOW THEREFORE the Council of the Municipality declares:

1. UPON ARRIVAL at the Waste Management Site all persons shall stop and wait for the attendant to direct them to the proper waste and recycling depot locations.
2. ORIGIN OF WASTE PERMITTED
No persons shall deposit waste that originate and accumulate outside the Municipality. It shall be at the discretion of the attendant to determine if the waste originated in Billings.
3. DUMPING OF WASTE
No person shall dump waste inside or outside the gate or any place, except in clearly indicated locations within the dump.
4. SEGREGATION OF WASTE
The segregation of waste is mandatory.
 - 4.1. All persons using the landfill must segregate waste as provided in Schedule B of this By-law.
 - 4.2. All persons depositing garbage shall use clear plastic bags only.
 - 4.3. Failure to segregate waste may result in penalties as provided under Section 11 and/or the prohibition of any person or household from using the waste site.
5. ITEMS PROHIBITED
 - 5.1. No person shall dispose of refrigerators and freezers not bearing a tag by a certified technician certifying Freon or other coolant has been removed from the compressor.
 - 5.2. No person shall dispose of any substance identified as hazardous by the Ministry of the Environment, including but not limited to:

Batteries
Drain Cleaners
Oven Cleaners
Pesticides
Herbicides
Pharmaceuticals
Cleaning Fluids
Ammonia

Bleach
Aerosols
Gasoline
Paints
Oils
Solvents
Propane Tanks
Dead Mammals or parts thereof

The Waste Site Attendant has discretion to refuse any items brought to the dump which he reasonably expects may include any one of the above.

6. TIPPING FEES shall be charged at the rates described in Schedule A of this By-Law, and materials accepted for the fees are also herein defined.
7. FIRE PIT REGULATIONS
No person other than the Waste Site Attendant shall ignite fires in the burn pit or elsewhere on the premises.
8. DUMPING OF WASTE
All persons shall deposit waste where indicated by signs, unless specifically directed elsewhere by the attendant. All waste shall be in clear bags.
8.1. No persons shall dump over pit face.
9. SPEED LIMIT
The maximum allowable speed for motor vehicles in the Waste Site shall be 5 kilometers per hour, and all motor vehicle operators should be prepared to stop if so signaled by the Waste Site Attendant.
10. MUNICIPAL EMPLOYEES shall not profit from the removal of materials from the landfill site.
11. PENALTY
Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P.33.

Read a first time this 16th day of September, 2013

Read and second and third time and enacted this 1st day of October, 2013

Austin Hunt, Mayor

Kathy McDonald, Clerk-Treasurer

SCHEDULE 'A'
TO BY-LAW 2013-45
BILLINGS TOWNSHIP LANDFILL TIPPING FEES

ITEM	TIPPING FEE
Stove, washers, dryers, water tanks	\$10.00
½ ton truck load scrap metal	\$50.00
1 ton truck load scrap metal	\$110.00
Anything containing Freon	WILL NOT TAKE
Furniture – couches, chairs etc.	\$15.00
Mattresses, box springs	\$15.00
½ ton truck load shingles	\$25.00
1 ton truck load shingles	\$110.00
1 tandem truck of contaminated soil (MOE approval required)	\$400.00

The Township of Billings will not accept any unclean building debris. Refusal of material and fees charged are at the discretion of Waste Site attendant. Unsorted materials will be refused.

SCHEDULE 'B'

TO BY-LAW 2013-45

BILLINGS TOWNSHIP SEGREGATION OF WASTE

METALS: are to be placed in bin designed for metals. Appliances including refrigerators and freezers must have a Freon removed tag on and door removed. Attendant will direct where appliances go. (Tipping fees apply)

TIRES: are to be placed on tire pile with rims removed.

ELECTRONICS: are to be placed in the electronics bin.

CLEAN WOOD: this would including lumber, brush and sawdust which will be directed by the attendant on where to place. Attendant may refuse unmanageable amounts of brush, stumps, and tree waste.

FURNITURE, MATTRESSES etc.: are to be placed where the attendant directs. (Tipping fees apply)

SHINGLES: are to be placed where the attendant directs. (Tipping fees apply)

PAPER: to be placed in paper recycling bin.

CARDBOARD/BOXBOARD: to be placed in cardboard recycling bin and flattened. Waxed items will not be accepted.

CO-MINGLE: to be placed in co-mingle recycling bin. This includes recyclables:

- Plastics #1- #6 (NOT PLASTIC BAGS)
- Metal cans (remove lids)
- Aluminum foil and trays
- Milk and juice cartons (flatten, remove caps and straws)

* **DO NOT INCLUDE:** glass, styrofoam, coffee cups, diapers, toys, ceramics & dishes, plastic pails with metal handles, oil/antifreeze jugs, hazardous waste, and all plastic bags.

***NOTE:** pop cans may be put in Shriners collection area or co-mingle bin.


GARBAGE: Items not listed above are to be placed in clear plastic garbage bags and disposed of where the attendant directs.

**TOWNSHIP OF BILLINGS
PART I – PROVINCIAL OFFENCES ACT**

BY-LAW # 2013 – 45 Update and Consolidate Waste Site Regulations

ITEM	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1	Failure to stop for attendant	Section 1	\$50.00
2	Deposit waste accumulated outside Township	Section 2	\$100.00
3	Dump waste at gate or improper location	Section 3	\$200.00
4	Failure to properly segregate waste	Section 4.1	\$100.00
5	Failure to use clear bags	Section 4.2	\$50.00
6	Deposit prohibited hazardous materials	Section 5.2	\$500.00
7	Ignite fire within Waste Site	Section 7	\$500.00
8	Failure to deposit waste where directed	Section 8	\$100.00
9	Exceed posted speed limit within waste site	Section 9	\$50.00

NOTE : The penalty provision for the offences indicated above is Part 11 of by law No. 2013-45 a certified copy of which has been filed.



OFFICE OF THE REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
NORTHEAST REGION

159 CEDAR STREET
3rd FLOOR, SUITE 303
SUDBURY, ONTARIO P3E 6A5



CABINET DU JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO
RÉGION DU NORD-EST

159, RUE CEDAR
3^e ÉTAGE, BUREAU 303
SUDBURY (ONTARIO) P3E 6A5
TELEPHONE/TÉLÉPHONE (705) 564-7624
FAX/TÉLÉCOPIEUR (705) 564-7620

PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-Law No. 2013-45, of the Township of Billings, Manitoulin District, attached hereto is the set fine for that offence. This Order is to take effect November 6th, 2013.

Dated at the City of Greater Sudbury, this 30th day of October, 2013.

A handwritten signature in blue ink, appearing to read 'M. Lambert', written over a horizontal line.

MARTIN LAMBERT
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE

OFFICE OF THE REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
NORTHEAST REGION

159 CEDAR STREET
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FAX/TÉLÉCOPIEUR (705) 564-7620

October 30, 2013

Mr. Delroy N. Prescott, MLEO
By Law Enforcement Officer
The Township of Billings
The Old Mill, P.O. Box 34
Kagawong, Ontario, P0P 1J0

Dear Mr. Prescott:

Re: Set Fine Application – Provincial Offences Act – Part I
Township of Billings, Manitoulin District

Enclosed herewith is an original Order and an original schedule of set fines for By-law No. 2013-45, the By-law indicated in the schedule. Please ensure that a copy of the said documents is forwarded to the Provincial Offences Office, which has jurisdiction for the Township of Billings.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

I have forwarded the copy of the Order and the schedules of these set fines to the Ontario Court of Justice in Gore Bay, together with a certified copy of the By-Law.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Martin Lambert', written over a horizontal line.

MARTIN LAMBERT
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE

ML/hrd

Encl.

c.c.: Her Worship Kathleen Bryant, Regional Senior Justice of the Peace
Her Worship Darlene Hayden, Justice of the Peace

Ministry of The Attorney General

Crown Law Office - Criminal
10th Floor
720 Bay Street
Toronto ON M5G 2K1

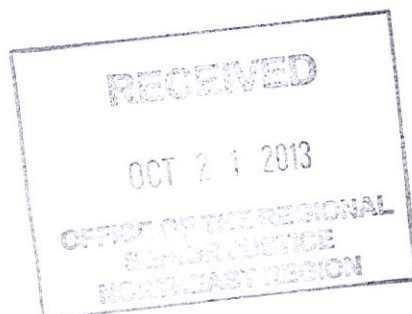
Tel: (416) 326-4600
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KerryLee.Thompson@ontario.ca

Ministère du Procureur général

Bureau des avocats
de la Couronne – droit criminel

10^e étage
720 rue Bay
Toronto ON M5G 2K1

Tel: (416) 326-4600
Fax: (416) 326-1746



October 17, 2013

The Honourable Martin Lambert
Regional Senior Justice, Northeast Region
Ontario Court of Justice
159 Cedar Street, 3rd Floor
Sudbury, Ontario
P3E 6A5

Dear Regional Senior Justice Lambert:

**Re: Township of Billings, Manitoulin District
Set Fine Application
Part I *Provincial Offences Act*
By-law no. 2013-45: Waste Regulation**

Please find enclosed one (1) set fine application submitted by Delroy N. Prescott, Bylaw Enforcement Officer, on behalf of the Township of Billings.

The Township has provided written reasons in a letter, dated October 9, 2013, as to why they are seeking these particular set fine amounts.

I have reviewed this application and I am content that it is complete and in order. I am forwarding it to Your Honour with a recommendation for approval.

Should you have any questions, please do not hesitate to contact me.

Yours truly,

Kerry Lee Thompson
Crown Counsel
/da

Enclosures


c.c. Delroy Prescott

**TOWNSHIP OF BILLINGS
PART I – PROVINCIAL OFFENCES ACT**

BY-LAW # 2013 – 45 Update and Consolidate Waste Site Regulations

ITEM	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1	Failure to stop for attendant	Section 1	\$
2	Deposit waste accumulated outside Township	Section 2	\$
3	Dump waste at gate or improper location	Section 3	\$
4	Failure to properly segregate waste	Section 4.1	\$
5	Failure to use clear bags	Section 4.2	\$
6	Deposit prohibited hazardous materials	Section 5.2	\$
7	Ignite fire within Waste Site	Section 7	\$
8	Failure to deposit waste where directed	Section 8	\$
9	Exceed posted speed limit within waste site	Section 9	\$

NOTE : The penalty provision for the offences indicated above is Part 11 of by law No. 2013-45 a certified copy of which has been filed.



ATTENTION ALL USERS OF
TOWNSHIP OF BILLINGS
LANDFILL FACILITY

COUNCIL HAS PASSED BY-LAW # 2013-45

Update and Consolidate Waste Site Regulations

WHICH INCLUDES PROVISIONS FOR SET FINES ON VIOLATION AS
PROSCRIBED

ITEM	OFFENCES SUBJECT TO SET FINES	Provision Defining Offence	Set Fine
1	Failure to stop for attendant	Section 1	\$50.00
2	Deposit waste accumulated outside Township	Section 2	\$100.00
3	Dump waste at gate or improper location	Section 3	\$200.00
4	Failure to properly segregate waste	Section 4.1	\$100.00
5	Failure to use clear bags	Section 4.2	\$50.00
6	Deposit prohibited hazardous materials	Section 5.2	\$500.00
7	Ignite fire within Waste Site	Section 7	\$500.00
8	Failure to deposit waste where directed	Section 8	\$100.00
9	Exceed posted speed limit within waste site	Section 9	\$50.00

NOTE : The penalty provision for the offences indicated above is Part 11 of
by law No. 2013-45

**TOWNSHIP OF BILLINGS
PART I – PROVINCIAL OFFENCES ACT**

BY-LAW # 2013 – 35 Control of Fires Including Requirements for Permits and Precautions

ITEM	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1	Burn without required permit	Part 2	\$50.00
2	Burn prohibited material	Part 3	\$50.00
3	Burn more than 2 cubic meters at one time	Part 3 (a)	\$50.00
4	Fail to have means of extinguishing on site	Part 3 (b)	\$50.00
5	Set uncontained fire	Part 7	\$100.00
6	Burn during Municipal Fire Ban	Part 10	\$500.00
7	Burn during daytime when prohibited	Part 11	\$50.00

**NOTE : The penalty provision for the offences indicated above is Part 12 of by law No. 2013-35
a certified copy of which has been filed.**