

THE CORPORATION OF THE TOWNSHIP OF NIPISSING

BY-LAW NUMBER 2021-58

Being a by-law to prohibit the unauthorized disposal of waste and to establish and regulate a system for the disposal of solid waste in the defined areas of the Township of Nipissing.

WHEREAS the Corporation of the Township of Nipissing (the "Township") is the owner and operator of landfill sites located at Concession 15, Lot 5 (Bear Creek Landfill), Provisional Certificate of Approval No. A522402 and Concession 17, Part of Lot 21 (Wolfe Lake Landfill), Provisional Certificate of Approval No. A522401;

AND WHEREAS Section 10(2) of the Municipal Act, S.O. 2001, c.25 provides for single tier municipalities to pass by-laws respecting health, safety and well-being of persons and the services that a municipality is authorized to provide;

AND WHEREAS the Council deems it desirable to prohibit the unauthorized disposal of waste and to regulate the disposal of waste and recycling;

NOW THEREFORE the Council of the Corporation of the Township of Nipissing hereby enacts as follows:

1. Definitions

"Council" means the Council of the Corporation of the Township of Nipissing.

"Household Hazardous Waste" includes but is not limited to paint, oil, solvents, batteries, sharps and used needles, pesticides, cleaners and chemicals.

"Human Waste" means urine or feces produced by a human.

"Landfill Supervisor" and/or their designate is the person appointed by Council to supervise the operations of the landfill sites, as per the approved job description within the Township's Human Resources Policy Manual.

"Recyclable Materials" includes but is not limited to cardboard, paperboard, paper, steel, aluminum and some plastics.

"Solid Waste" means discarded materials includes garbage, refuse, household waste and other materials which do not include human waste, commercial agricultural animal viscera and carcasses, household hazardous waste, rubber tires (all types), electronic waste and recyclable materials.

2. Waste Disposal Site – Access and Use

- i. Only solid non—hazardous municipal and commercial waste originating from within the Township of Nipissing may be deposited at the landfill sites known as "Bear Creek Landfill" and "Wolfe Lake Landfill". No person shall deposit or cause to be deposited waste originating from any place other than the Township of Nipissing at the landfill sites.
- ii. Landfill Operations; Landfill Declaration Form Policy #2015-01, attached as Appendix "A" and forming part of this By-Law, requires residents to complete and sign the declaration form qualifying the nature and origin of bulk waste entering the Wolfe Lake landfill site.
- iii. No person other than a resident, property owner or agent of same with proper Landfill Entry Permit may deposit waste at the landfill sites known as "Bear Creek Landfill" and "Wolfe Lake Landfill". Recyclable materials will not be accepted in household waste at the landfill sites. Recyclable materials shall be placed in the appropriate receptacles provided and clearly marked for recyclable materials at each landfill.

- iv. Locations:
- Bear Creek Landfill Site:**
Household and commercial waste, steel, burnable brush and clean wood, recyclable materials, electronics and textiles are accepted at the Bear Creek Landfill Site. All other materials will be refused at this site.
- Wolfe Lake Landfill Site:**
Household and commercial waste, steel, burnable brush and clean wood, recyclable materials, electronics, textiles, shingles and bulk items are accepted at the Wolfe Lake Landfill Site.
- v. Residential construction waste, sorted, will only be accepted at the Wolfe Lake Landfill Site. Cement block is not accepted in the construction waste. Cement block will be refused at each landfill site.
- vi. Bulk items such as plastic yard furniture, mattresses, furniture, plastic coolers, large plastic items and construction items shall be placed in the appropriate location of the Site at the direction of the Landfill Site Supervisor or their designate.
- vii. Landfill Hours of Operation
Landfill hours shall be:
3513 Highway 534 (Wolfe Lake Site): Saturday 10 a.m. to 6 p.m.
Monday 10 a.m. to 6 p.m.
Thursday 4 p.m. to 8 p.m.
2719 Highway 654 (Bear Creek Site): Friday 10 a.m. to 6 p.m.
Sunday 10 a.m. to 6 p.m.
Wednesday 4 p.m. to 8 p.m.
Landfill sites will be closed on Statutory Holidays including Remembrance Day when it falls on a week day.

3. General Provisions

- i. Every person entering a landfill site to deposit waste shall present a valid Landfill Permit and provide payment as required in accordance with the current User Fee By-Law.
- ii. The Landfill Supervisor or their designate shall be permitted to inspect and approve or refuse any load prior to entering the landfill sites.
- iii. All solid waste shall be placed in accordance with the direction of the Landfill Supervisor or their designate. Every person using the Landfill Site(s) shall follow the Landfill Public Safety Policy, attached hereto as Schedule "B".
- iv. All household waste shall be contained within clear or tinted bags, allowing the Landfill Supervisor or their designate an unobstructed view of items within the bag. One privacy bag per clear bag of waste will be allowed. A privacy bag shall not be larger than 20" x 22". Any waste arriving at the Landfill sites not in compliance with this regulation will be refused.
- v. No dead animals including fowl, or parts thereof, produced from a commercial agricultural operation shall be dumped or disposed of at the landfill sites. Animal viscera/carcasses resulting from the hunting and harvesting of animals shall be placed as directed by the Landfill Site Supervisor or their designate.
- vi. Mixed loads not sorted for appropriate disposal will be refused entry to either landfill site.
- vii. Household hazardous waste will not be accepted at the Township Landfill Sites. All Household Hazardous Waste is accepted at the Household Hazardous Waste Depot in the City of North Bay for Township residents and landowners.

- viii. Rubber tires will not be accepted at the Township Landfill Sites. The Township of Nipissing is not a registered Collection Site for tires under the *Resource Recovery and Circular Economy Act, 2006*, and not approved to accept tires of any kind.
- ix. As detailed within the Provisional Certificate of Approval for each landfill site, scavenging is not permitted. Any item deposited within a landfill site may only be removed by an agent acting under an agreement with the Township of Nipissing for a recognized waste diversion program or system.
- x. No person shall enter upon or dispose of any waste or recyclable materials at the landfill site(s) outside of operating hours of the Landfill Site(s) or when a Landfill Attendant is not present. Exceptions may be made by authority of the Operations Superintendent and with staff member present during use.
- xi. No person shall dump or dispose of any waste on any land owned by the Municipality or Her Majesty the Queen in right of either Canada or Ontario, except the stated Landfill Site(s). Dumping of waste outside of the landfill site(s) is prohibited.
- xii. No person(s) shall dump or dispose of any waste on any private land within the Municipality unless the land described is a waste disposal site operated in accordance with an approval issued under the *Environmental Protection Act R.S.O.1990, c. E.19* provided that this subparagraph shall not prohibit the temporary storage of refuse pending other disposal or the composting of organic material all of which refuse or organic material originated on the parcel of land where it is stored.
- xiii. No person shall dispose of human waste from a commercial or residential unit, including recreational units, within the landfill site(s).
- xiv. No person(s) shall dispose of human waste other than collected within an appropriate human waste collection unit for septic/sewage disposal, on any land owned by the Township of Nipissing.

4. Penalties and Enforcement

- i. Load Refusal at Landfill Sites:
Penalties shall be enforced on the person named on the Landfill Entry Permit utilized at the time of use.
 - a. For waste placed in an area not designated or for non-compliance of placing waste as directed by municipal staff, landfill privileges may be suspended for a one (1) month period.
 - b. Placing recyclable materials, household hazardous waste materials, electronics or textiles in household waste in contravention of this By-Law will result in the person(s) depositing the waste materials may be suspended for a one (1) month period.
 - c. Non-compliance of placing waste as directed by municipal staff and municipal policy may result in a one (1) month suspension of landfill privileges.
 - d. Not having a valid Landfill Entry Permit will result in the load being refused entry to the site.
 - e. Attempting to place waste of any kind that has not originated in the Township of Nipissing will result in the load being refused and possible further actions if attempts to contravene the Landfill By-Law continue.

ii. Suspension of Landfill Privileges:

Penalties shall be enforced on the person named on the Landfill Entry Permit utilized at the time of use.

- a. Completing and submitting a Landfill Declaration form with false information shall result in a suspension of landfill privileges for the person named on the Landfill Entry Permit and/or the person attempting to contravene the landfill policy. The suspension will begin with a one (1) year period.
- b. Should there be a subsequent issue regarding the same individuals, revocation of landfill privileges will be imposed.
- c. Verbal, physical or implied harassment toward municipal staff will not be tolerated. Should there be a reported incident, the person(s) in contravention of the harassment shall have their landfill privileges suspended pending an investigation of the matter by municipal resources and/or the Ontario Provincial Police.
- d. Anyone found to be guilty of harassment of a municipal staff member shall have their landfill privileges suspended for a period of two (2) years. Should there be any subsequent issues of this nature regarding the same individual(s) or any acts of retribution for the enforcement of this suspension, the individual(s) involved shall have their landfill privileges revoked.
- e. Any person suspended from access to the landfill sites for any purpose shall be notified by written notice from the Township Office, setting out the grounds for the suspension. Those wishing to appeal the decision may do so before Council by providing written notice of the request to the Municipal Administrator. Council shall consider whether to maintain or revoke the suspension subject to such conditions as it may determine.

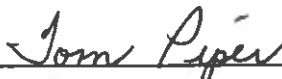
iii. Provincial Offences Act

- a. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine, to a maximum of \$1,000 (one thousand dollars) for each offence exclusive of the costs, as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

5. **Repeals**

By-Law Number 2020-27 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 7TH DAY OF DECEMBER, 2021.




Tom Piper, Mayor



Kris Croskery-Hodgins, Municipal Administrator

Certified a true copy of By-Law 2021-58


Kris Croskery-Hodgins,
Municipal Administrator-Clerk-Treasurer
Township of Nipissing, District of Parry Sound
December 9, 2021

TOWNSHIP OF NIPISSING POLICY			
Effective Date: June 24, 2015	Revision Date: December 7, 2021	Number: 2015-01	Revision: 1
Title: Landfill Operations – Landfill Declaration Form			
Approved By: Tom Piper Mayor			Page: 1 of 2

Purpose:

To provide direction for the disposal of waste at the Township's two Landfill locations to help prolong the life of the landfills and ensure that all waste entering the sites has been generated within the Township of Nipissing.

Scope:

All residents and landowners within the Township of Nipissing utilizing the landfill site services.

Policy:**Completion of a Landfill Declaration Form**

All shingles, construction materials, furniture, appliances (tagged or untagged) and other bulk waste items shall have a completed Landfill Declaration Form completed and submitted to the Landfill Attendant prior to the depositing of the items within the appropriate landfill sites.

Non-Compliance with Landfill Operations Policies

Should a resident, landowner or agent acting on behalf of a landowner refuse to complete a Landfill Declaration Form and present a valid Landfill Entry Permit, entry to the Landfill Site will be refused and noted in the Landfill Attendant's records. The dumping of waste not in compliance with this policy shall be forbidden within the Township of Nipissing Landfill Sites.

Should a resident, landowner or agent acting on behalf of a landowner be found to have contravened the Township of Nipissing Landfill Policies, such as but not limited to depositing waste not generated within the Township of Nipissing, not placing sorted types of waste as directed or not complying with the completion of the required Declaration Form, may have landfill privileges suspended or revoked.

Record Retention

The Landfill Attendant shall bring all completed forms to the Township Office for records storage according to the Township of Nipissing Record Retention By-Law. Once complete, these forms are protected under MFIPPA.

Disputes

Anyone disputing this policy or the enforcement of same, shall submit their concerns to the Township of Nipissing Office in writing during regular office hours for review by the Municipal Administrator.



The Corporation of the Township of Nipissing
45 Beatty Street
Nipissing ON P0H 1W0
Telephone 705-724-2144 Fax 705-724-5385
www.nipissingtownship.com

LANDFILL DECLARATION FORM

Landfill Card # _____

Name: _____
(please print)

Property Owner Name: _____
(if different from above)

Address: _____

Phone Number: _____

Item(s) being disposed of:

Shingles Construction Material

Furniture Appliances (tagged or not)

Mattress(s) Water Craft

Other _____

Please read the following carefully:

I, _____, declare that all materials I am bringing to the
(please print your name)
Township of Nipissing Landfill for disposal originated within the Township of

Nipissing at: _____
(Municipal Address of Origin (if different from above) here – Please print)

Signature

Date

Note: The Township of Nipissing operates both Landfill sites under Certificates of Authority (COA) Numbers A522401 and A522402, issued by the Ministry of the Environment. As per the COA only solid, non-hazardous municipal and commercial waste can be accepted and only waste that is generated within the Township of Nipissing shall be accepted at the sites.

Landfill Staff Signature

Date



TOWNSHIP OF NIPISSING POLICY			
Effective Date: August 7, 2018		Number: 2018-01	Revision: 0
Title: Landfill Operations – Landfill Public Safety Policy			
Approved By: Resolution R2018-139			Page: 1 of 1

Purpose:

To provide direction to the public and operating personnel of the landfill sites owned and operated by the Township of Nipissing on safe practices within the sites.

Scope:

All residents and landowners within the Township of Nipissing utilizing the landfill site services.

Policy:

The safety of the public and the site operating personnel is of prime importance at all times.

To protect the safety of the site users, the following basic rules shall apply:

- Children, pets and individuals not unloading waste must remain in vehicles.
- Only adults are allowed to unload vehicles in areas as directed by site operators.
- Wastes shall be unloaded in designated areas, to the rear of vehicles.
- Users must leave the unloading area immediately upon unloading of vehicles.
- Smoking in the unloading areas is not permitted.
- Lit smoking materials are to be extinguished within the vehicle and not extinguished in the unloading areas or surrounding areas.
- Scavenging in any area of the landfill sites is strictly prohibited.
- Entering the landfill site outside of the designated hours of operation, without the permission and presence of the Operations Superintendent, is considered trespassing and legal action will be taken.

Potential hazards within the landfill sites includes:

- Narrow Roads
- Vehicle Traffic
- Uneven Surfaces
- Exposed Wastes
- Odours
- Soft Ground
- Debris

Disputes

Anyone disputing this policy shall bring their concerns to the Township of Nipissing Office during regular office hours for discussion.

Email: admin@nipissingtownship.com, call 705-724-2144 or fax 705-724-5835

By-Law Number 2021-58
Schedule "C"

THIS IS SCHEDULE "C" TO BY-LAW NUMBER 2021-58

THE CORPORATION OF THE TOWNSHIP OF NIPISSING

Penalties – Part 4

Set Fines Part I

Provincial Offences Act

Item	Short Form Wording	Provision creating or defining offence	Set Fine
1	Enter Landfill to dispose of items outside of normal hours, without permission	3.x.	\$500.00
2	Dispose of waste outside of landfill site(s) on municipal property	3.xi.	\$300.00
3	Dispose of Human Waste in the landfill site(s)	3.xiii.	\$1,000.00

Note: The penalty provision for the offences indicated above is section 4 of By-Law Number 2021-58, a certified copy of which has been filed.