

Type of Decision									
Meeting Date	Friday, Nov. 18, 2011				Report Date	Wednesday, November 16, 2011			
Decision Required	X	Yes		No	Priority	x	High		Low
Direction	x	Information Only			Type of Meeting	X	Open		Closed
REPORT TITLE									
Recycling By-Law Report 18/11/11/1104									

Subject: Additional information concerning the recycling by-law.

RECOMMENDATION: That Council specify which specific recommendations of the Special Recycling Committee are to be incorporated into the draft by-law and discuss the fee and fine schedule changes for implementation.

WHEREAS new information has been presented to be considered for incorporation into the recycling by-law;

AND WHEREAS staff require Council input prior to finalizing the draft by-law:

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby direct staff to implement the following specific amendments:

Clause	Change
2.02	remove double colon;
2.06.1.1	change "2" to "1";
2.06.2.1	change "4" to "___";
2.06.3.1	change "4" to "___";
4.01.2	change "two" to "one", change "two" to "one", change "containers" to "container" change "are" to "is";
4.01.5	change "four" to "___", change "four" to "___";
4.02	change "two" to "one";
5.03	suggestions required;
5.23.1.5	remove the number as there is no corresponding paragraph;
7.04.1	suggestions required;
10.15	add "Schedule "N" – Part I Provincial Offences Act Contraventions"
11.03.4	Change "L" in the last sentence to "N"

In Schedule A Remove Point 1, and 2; In Point 3 remove the words "clear or transparent"; and add the words "when full" to the end of the last sentence.

In Schedule F Remove the words "As decided on a case by case basis." Decide on a range for the material and insert in this section. An average dump truck holds 27 cubic yards, at \$10/cubic yard the cost of a standard sized load would be \$270.

In Schedule H Remove point (b), (c) and (m); Change point (f) from "Two (2)" to "One (1)" and "four (4)" with "___ (___)";

In Schedule K In point 2 – change "two (2)" with "one (1)";

In point 3 – replace the word “Any” with “all”; replace the words “other than regular household waste will” with the word “shall”; insert the phrase “the payment of” between the words “require” and “a”; Remove the words “the above” before the word schedule and add the letter “F” after the word “schedule”. The new sentence would read “All material shall require the payment of a tipping fee as per schedule F.”

In point 5 – add the words “and presented to the Landfill Attendant” at the end of the sentence.

In Schedule M Suggestions are required. All dates need to be adjusted; How would Council like to see the enforcement implemented?

Schedule N In order for staff to be able to apply penalties without going through a Justice of the Peace or other complicated process, Part I Provincial Offences fines need to be set. This schedule is a list of common infractions (as listed in the by-law) and “average” monetary fines as determined from neighbouring municipalities.

PART 1 PROVINCIAL OFFENCES ACT CONTRAVENTIONS

<u>ITEM</u>	<u>SHORT FORM WORDING</u>	<u>BY-LAW PROVISION CREATING THE OFFENCE</u>	<u>SET FINE (INCLUDES COSTS)</u>
1	Fail to pay proper tipping fee.	Schedule F	\$100
2	Fail to provide name and address at site.	5.10	\$100
3	Fail to declare origin of waste at site or provide false evidence of origin.	5.10	\$200
4	Deposit waste at site outside hours of operation.	5.05	\$200
5	Fail to transport waste in a safe manner, to avoid littering.	5.14	\$200
6	Fail to properly sort waste and dispose in designated area.	5.07	\$100
7	Improperly disposing of waste at the landfill site outside the gates	5.09	\$100
8	Dispose of Hazardous or other Prohibited Materials	5.06 and Schedule D	\$500
9	Salvaging at site without municipal permission.	5.13	\$200
10	Scavenging, removing or scattering waste on site.	5.13	\$100
11	Disposing of waste on municipal or private property other than the landfill site.	5.04.2 and 5.20.2	\$200
12.	Depositing waste generated on private property into public waste receptacles.	5.04.4	\$100
13.	Deposit any burning material or set or cause to be set any fire at any waste disposal site.	5.08	\$200

BACKGROUND/EXECUTIVE SUMMARY: The recommendations submitted by the Committee were somewhat vague when it came to implementation. In order to implement the recommendations, Council has to determine direction for the following clauses within the by-law.

- 1) **That Council adopts a user pay principle as its primary strategy for waste diversion.**
 - a) The current draft by-law has accomplished that goal.
 - b) Does this mean that anything other than user pay be eliminated?
- 2) **That the introduction of clear plastic bags be deferred at least one year until the impact of the user pay approach can be measured.**
 - a) Easy to implement.
- 3) **Households be limited to one bag of garbage for curbside pickup.**
 - a) Does this then mean that they can bring unlimited numbers to the disposal site?
 - b) What about commercial operators? The limit in the draft by-law was 4?
- 4) **That Council consider including garbage bags as part of large loads subject to tipping fees (as opposed to counting each bag and charging by the bag).**
 - a) The price per cubic yard was set using comparative prices from neighbouring communities and determining an equivalent price/bag vs. cubic volume. There should not be a significant difference using either method. This can be done simply and does not require a change to the by-law.
- 5) **That Council consider setting up special monthly or quarterly tipping fee accounts for high volume users.**
 - a) Again, this is administrative in nature and does not require a change to the by-law.
- 6) **That Council consider the implementation of a bag tag system with a limit of one free tag per household per week.**
 - a) When comparing the costs and administrative efforts required with the bag tag system as opposed to the card system it was determined that the bag limit with the card for additional bags is cheaper and simpler to use.
 - b) The majority of users will only put out one bag of garbage a week and will not require any special arrangements or tags or cards. The people who use more than the one bag per week will be those required to take the extra steps of obtaining a card.
 - c) The cards can be produced cost effectively in-house and as needed.
 - d) Cards would only be required of those who use more than one bag a week. Tags would be required to be delivered to everyone at increased costs to the municipality.
- 7) **That Council vigorously pursue educational initiatives, including:**
 - i) Council has agreed to complete additional P&E activities once the by-law was approved. Staff have applied for and been successful in obtaining funding under the CIF to provide additional P&E for 2011-2012.
 - ii) Council agreed at the meeting of September 16, 2011 to advertise the new program, promoting recycling and composting.

- (1) Ratepayers are to receive a card worth 10 free trips/bags initially as an introduction to the pay for use program. There was consideration given to the purchase of containers etc. for promotion as well.
- (2) Information is to be shared informing ratepayers that Council will supplement 75% of the purchase of a composter up to a set price.
- (3) Ken Giroux upon completion of the grounds maintenance contract for 2011 suggested that Council purchase proper recycling containers for public spaces. This issue is currently on the agenda for budget discussions for 2012.

b) Improved signage encouraging recycling.

- i) Noted. The challenge is with location. Unless you visit the disposal sites, you would not see it.
- ii) What would be ideal locations for increased signage?

c) The production of an information sheet (broadsheet) on the benefits and practice of recycling that would be distributed to each household and would be handed out by campground owners to their seasonal and transient campers.

- i) Once the changes were made and by-law implemented this was already planned to occur.

d) The possible placement of recycling containers in high traffic, strategic public locations with an additional recycling drop off point in Deux Rivieres.

- i) We have looked into this option on more than one occasion. A bin would need to be in a high traffic area to prevent cross contamination with garbage, making the entire effort useless. Also, a formal transfer station would need additional Certificate of Approvals from the Ministry of the Environment.

FINANCIAL IMPLICATIONS/BUDGET IMPACT: Ease of implementation of fines for contravention.

POLICY IMPACT: As per policy.

Approved and Recommended by the Clerk

Melinda Reith,

Municipal Clerk

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