

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW NUMBER 104 (1971)

A by-law to provide for the collection
and disposal of garbage, ashes and other
refuse.

THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM
ENACTS AS FOLLOWS:

DEFINITIONS

1. Whenever used in this By-law,
 - (a) 'Garbage' shall mean all rejected, abandoned or discarded household waste, either animal or vegetable, wearing apparel, waste paper, broken crockery and glassware, bottles, cans, grass cuttings, garden refuse and other such refuse matter; but shall not include weighty or bulky articles such as stoves, furnaces, bed-springs, furniture, wooden packing boxes, and barrels or anything of a similar nature.
 - (b) 'Ashes' shall mean the solid residue of any fuel for heating or cooking purposes, and soot or other cleanings from chimneys.
 - (c) 'Householder' shall mean any owner, occupant, lessee, tenant or other person in charge of any dwelling, hotel, restaurant, apartment house, office building, public institution or other premises.
 - (d) 'Dwelling' shall mean any building or place of abode other than a hotel, restaurant.
 - (e) 'Street' shall mean any public road, street lane, alley, square, place, thoroughfare or way within the limits of the Town of Pelham.
 - (f) 'Engineer' shall mean the person or persons for the time being filling the office of Town Engineer for the Corporation, or his properly appointed representative.
 - (g) 'Corporation' or 'Town' means the Corporation of the Town of Pelham.
 - (h) 'Non-collectible waste' shall mean any waste or matter other than garbage or ashes and shall include the following:
 - i) Manufacturers' waste.
 - ii) Celluloid cuttings, moving picture film, oil soaked or gasoline soaked rags and any explosive or highly combustible material of any nature whatever.

- iii) Broken plaster, lumber or other waste or residue resulting from the construction, alteration, repair, demolition or removal of any building or structure.
- iv) Sawdust and/or shavings.
- v) Swill or other organic matter not properly drained or wrapped.
- vi) Liquid waste.
- vii) Bandages, poultices, dressings and other such waste.
- viii) Night Soil.
- ix) Carcass of any animal.
- x) Live animals or birds.
- xi) Furniture
- xii) Stock of any wholesaler which shall be regarded as manufacturer's waste.
- xiii) Any material which has become frozen to the receptacle and cannot be removed by shaking.
- xiv) Discarded truck and automobile tires.

ADMINISTRATION

- 2. The Corporation shall provide a system for the collection, removal and disposal of garbage, ashes and other refuse in accordance with the terms of this By-law.
- 3. It shall be the duty of the Engineer to administer and enforce the provisions of this By-law.

COLLECTION PROCEDURE

- 4.
 - a) The Collector shall collect all collectible garbage, ashes and other refuse from every dwelling, building or premises requiring such service at least once a week and deliver the same to such garbage disposal site or sites provided by the Town of Pelham either in the Town of Pelham or in some other municipality as may be designated from time to time by the Council.
 - b) Collection from any dwelling shall consist of a total of not more than six (6) receptacles or bundles per collection, which meet the requirements of Sections 5 and/or 6 of this By-law.
 - c) Collection from any premises other than dwellings shall consist of not more than nine (9) receptacles or bundles per collection, which meet the requirements of Sections 5 and/or 6 of this By-law.

RECEPTACLES

5. Proper receptacles shall be provided by the householder.

a) For Garbage

Every householder shall provide and constantly maintain in proper order and repair for the purpose of putting out for collection of garbage a sufficient number of covered metal or plastic containers.

Every such container shall be provided with proper handles, and a watertight cover, which cover shall at all times remain in position so as to preclude the ingress and egress of flies, or the escape of odours therefrom. No container shall be greater than 36 inches in height, or have a diameter larger than 18 inches, or weigh more than 75 pounds, including contents.

b) For Ashes

Every householder shall provide and constantly maintain in proper order and repair for the purpose of putting out for collection of ashes a sufficient number of metal containers having a capacity of not greater than one bushel or 1-1/4 cubic feet.

PREPARATION OF GARBAGE, ASHES, ETC. FOR COLLECTION

6. a) Householdors shall deposit in one receptacle or set of receptacles all material defined as 'garbage' and in another receptacle or set of receptacles all material defined as 'ashes' as indicated in Section 1 (a) and (b), and the contents of any garbage receptacle or receptacles shall not be deposited or mixed with the contents of any ash receptacle or receptacles, or vice-versa but each class of materials as specified shall be kept separately.

b) Garbage shall be drained of all liquids and be securely wrapped and then placed in a receptacle conforming with Section 5 (a) or this By-law.

c) Ashes shall be cold and placed in proper receptacles.

d) Such refuse as crates, newspapers, packing materials, brush, bedding and material of like nature may be collected in like manner as garbage or ashes if securely tied in compact bundles or parcels not exceeding 4 feet in length or 2 feet in any other dimension or weighing over 60 pounds, or placed in sufficient receptacles as specified herein so that they will not be scattered.

e) Materials classified as 'non-collectable' under section 1 (h) of this By-law, or placed for collection in such manner or in such containers as to be at variance with the terms and conditions set forth in this By-law shall be refused by the collector, and must be removed and disposed of by the owner at his own expense.

PLACING RECEPTACLES FOR COLLECTION

7.
 - a) All receptacles shall be placed at street line of a public street in a place of easy access for the Collector.
 - b) Where clause (a) of this section cannot reasonably be observed, the Engineer or anyone acting under his direction shall have the power to designate the precise point at which receptacles shall be placed for collection.
 - c) Empty receptacles must be removed from the street or from public property by the householder of the premises from which they came before 7:00 p.m. on the same day that the garbage is collected.

GENERAL NUISANCE

8.
 - a) No person shall allow garbage, ashes or other refuse to accumulate upon any premises nor keep a garbage dump or receptacle or repository for waste material on his premises or in such condition or in such a location that the same is a nuisance or emits foul or offensive odours or harbours or attracts rats or other vermin or insects, and the body of a dead animal must be promptly disposed of by the owner thereof, so that the same shall not become a nuisance.
 - b) No person shall permit garbage, ashes or other refuse including paper of any description, to be blown or dropped from the premises occupied by him or from a vehicle owned or operated by him into any lane, street, creek, roadway or other public property in the Town of Pelham.

COLLECTORS' RESPONSIBILITIES

9.
 - a) The employed as collectors shall follow such routes as shall be laid out by the Engineer, and conform to all instructions from him. The work of each route shall be completed daily and the collectors must be courteous and render every reasonable facility to the householders for the proper execution of the work.
 - b) The collector shall handle all receptacles with due care and after thoroughly removing their contents shall place them as follows:
 - i) In Residential Areas - At the edge of the roadway immediately in front of the premises from which they came, and in such manner as not to obstruct the roadway or any sidewalk, footpath or driveway.
 - ii) In Business Areas - Where possible, receptacles will be replaced on conformity with (i) above. Where receptacles have been placed in a lane or alleyway they shall be replaced where taken from.

In any event, the Engineer or anyone acting under his direction shall have the power to designate where receptacles shall be placed after collection.

c) No salvaging of any description shall be conducted either on the collection routes or in and around the disposal area unless by permission of the Engineer.

d) Except by order of the Engineer no garbage collection vehicle shall enter a privately owned roadway or land or other private property for the purpose of garbage collection.

e) No Town collector shall be required to enter any house, apartment house, other building or ascend or descend any stairway or enter any elevator or hoist or loading platform for the purpose of collecting or removing any ashes, garbage, or other refuse, nor ask or receive any fee or gratuity in addition to his wages for services rendered.

TRANSPORTATION OF REFUSE

10. No person shall convey through the streets within the Town limits any garbage, ashes, or other refuse or any non-collectible waste except in properly covered containers or otherwise in carts, wagons, on vehicles totally enclosed or covered with canvas or tarpaulins, so fastened down around the edges as to prevent any of the contents falling upon the streets and to protect the same from flies and to control, as far as possible, the escape of any offensive odours therefrom.

DISPOSAL OF NON-COLLECTIBLE WASTE

11. Most items of non-collectible waste may be delivered at the disposal site with permission of the Engineer or as designated by Council. Any person wishing to dispose of non-collectible waste shall apply to the Engineer for permission, and on obtaining such permission shall haul such waste to the disposal site at his own expense, and shall deposit the same in accordance with the direction of the Engineer or of the employee in charge of the disposal site at his own expense, and shall deposit the same in accordance with the direction of the Engineer or of the employee in charge of the disposal site acting under his direction.

The Town will provide for a location for disposal of certain non-collectible waste that is not considered as garbage by definition in the 'Waste Management Act, 1970' and regulations attached thereto.

DEFRAYMENT OF EXPENSE

12. There is hereby imposed upon all lands throughout the Town of Pelham according to their assessed value, and there shall be levied and collected from year to year and in every year upon the said lands a special rate sufficient to defray the expense of the collection, removal and disposal of ashes, garbage and other refuse and the same shall become due and payable each year at the time fixed and appointed therefore in the By-law of the Corporation passed in each year providing

PENALTY

13. Any person who violates any provision of this By-law shall upon conviction be liable to a penalty not exceeding \$300.00 for each offence, exclusive of cost, recoverable under the provisions of the Ontario Summary Convictions Act and in default of payment to imprisonment in the common jail for a period not exceeding ten days unless such fine and costs are sooner paid.

EXISTING BY-LAWS REPEALED

14. All by-laws of the former Village of Fonthill, Township of Thorold and Township of Pelham and Town of Pelham, relating to the collection and disposal of garbage, ashes, and other refuse, are hereby repealed.

PASSED THIS 14th. DAY OF JUNE, 1971, by COUNCIL OF
THE TOWN OF PELHAM.


CLERK


MAYOR