

The Corporation of the City of Clarence-Rockland

By-law 2025-33

Being a By-law to regulate the management of the City of Clarence-Rockland Waste Disposal Site (Landfill Site).

WHEREAS Section 11 (3) 3 of the *Municipal Act*, 2001, S.O. 2001, c.25 provides that a municipality may pass by-laws respecting matters within the sphere of jurisdiction of waste management; and

WHEREAS Section 391 of the *Municipal Act*, 2001 provides that a municipality may pass by-laws imposing fees or charges on any class of persons, for services or activities provided or done by or on behalf of it and for the use of its property including property under its control; and

WHEREAS the Council of the Corporation of the City of Clarence-Rockland deems it expedient to adopt a by-law to regulate the management of the City of Clarence-Rockland Waste Disposal Site (Landfill Site);

NOW THEREFORE the Council of the Corporation of the City of Clarence-Rockland enacts as follows:

1. SHORT TITLE

1.1 This by-law may be referred to as the 'Landfill Site By-law'

2. DEFINITIONS

- 2.1 *Administrative billing fee* means fees that are incurred because of the inability of a customer to pay on site, upon exiting the scale;
- 2.2 *Ammunition* means projectiles such as cartridges, bullets and shot shells, together with their fuses and primers, that can be fired from guns or otherwise propelled, but excludes empty shells or spent ammunition;
- 2.3 *Asbestos waste* means waste that results from the removal of asbestos; containing construction or insulation materials or the manufacture of asbestos; containing products and contains in weight, more than 1% of asbestos fibres;
- 2.4 *Ashes* means the residue from burnt materials;
- 2.5 *Bale wrapping* means plastic wrapping used for the purpose of wrapping silage hay bales and excludes any other farm plastics, such as but not

limited to plastics for bunker silos;

- 2.6 *Branches* means elements of trees exterior to the ground surface, excluding leaves, fruits or nuts that are off branches, and excluding stumps or roots;
- 2.7 *Black box material* means recyclable material accepted for curbside collection in Clarence-Rockland which are made of paper, cardboard or any other acceptable fiber, as modified from time to time;
- 2.8 *Blue box material* means recyclable material accepted for curbside collection in Clarence-Rockland which are made of glass, plastic, or metal, including gable top containers, as modified from time to time;
- 2.9 *City* means the municipal corporation of the City of Clarence-Rockland or the geographic area of the City of Clarence-Rockland, as the context requires;
- 2.10 *Concrete* means a clean, hardened mixture of rock and sand, and excludes concrete mixed with other debris of noticeable size, such as wood or metal, and excluding any asbestos containing material;
- 2.11 *Construction wood* means woody material originating from construction, demolition and renovation projects, exempt of any other debris with the exception of nails and screws, and excluding any branches, stumps, roots or trunks;
- 2.12 *Contaminated soil* means soil containing any substances with the potential to adversely affect immediate or surrounding areas, as defined in Ontario reg. 347, and as modified from time to time;
- 2.13 *Council* means the Council of the City of Clarence-Rockland;
- 2.14 *Cover alternative* means material that without any required transformation, is available for use as an alternative cover for waste, in accordance with the terms and requirements of the Landfill Site's Environmental Compliance Approval, and as modified from time to time;
- 2.15 *Designated landfill* means the area of the Landfill Site that is engineered to receive waste within the limits of the approved Environmental Compliance Approval;
- 2.16 *Director of Operations* means the Director of Operations or his/her delegate;
- 2.17 *Environmental Compliance Approval* means all certificates, permits and approvals required by the Province of Ontario and issued by the Ministry of the Environment, Conservation and Parks, for the undertaking of activities, pursuant to Part V of the Environmental Protection Act and its regulations, as amended;
- 2.18 *Electronics* means electronic items as defined by Phase 1 of the Waste

Electrical Electronics Equipment (WEEE) Program and include: laptop computers, desktop computers, and peripherals such as keyboards and mice, monitors, desktop printers, disk drives, printers, fax machines and televisions, as modified from time to time;

- 2.19 *Explosives* means any material or item that causes a sudden, almost instantaneous release of gas, heat, and pressure, accompanied by loud noise when subjected to a certain amount of shock, pressure, or temperature including, but not limited to, road flares, dynamite, fireworks, etc.;
- 2.20 *Extended opening hours* means opening hours outside regular opening hours for which a fee has to be paid in order for the site to be operational and open for waste disposal for contractors and shall be limited between Monday and Thursday, 8AM to 4PM, excluding statutory holidays and regular opening hours;
- 2.21 *Hazardous waste* means any material, which is so designated or restricted within the meaning of any Federal or Provincial statute or regulation;
- 2.22 *Household hazardous waste* means any household product, material, or item labelled as "hazardous", "toxic", "explosive", "ignitable", "corrosive", "reactive" or "flammable", that was generated by a household in a quantity lower to 100kg per month;
- 2.23 *Items with refrigerant* means an appliance or container containing refrigerant in liquid or gaseous form, including any part of such appliance or container, as defined in reg.463/10, and as modified from time to time;
- 2.24 *Landfill ban* means a legislative measure taken to forbid landfilling of any material, whether directly or indirectly;
- 2.25 *Landfill Site* means The Corporation of the City of Clarence-Rockland Waste Disposal Site, described as Lot 15, Concession 4, known as 2335 Lalonde Road in Bourget;
- 2.26 *Landfill site attendant* means a staff person appointed to manage the Landfill Site;
- 2.27 *Liquid waste* means any waste that is in liquid state or has the potential to transform to liquid state under any weather conditions, including, but not limited to, any snow, ice or frozen liquid waste;
- 2.28 *Manager* means the person appointed to the position of managing the Landfill Site and includes any person appointed or designated to act on his or her behalf;
- 2.29 *Material recovery facility* means a facility where collected recyclables

are sorted;

- 2.30 *Mattress* means a rectangular piece of bedding used for sleeping or resting, typically consisting of a combination of materials such as foam, innersprings, and fabric. Common materials include memory foam, latex, and polyester, and it is designed to provide support and comfort. Only accepted for recycling when originating from residential sources, not commercial sellers and resellers;
- 2.31 *Metal* means any item composed of any metallic composite in excess of 60% of its total weight;
- 2.32 *Mixed load* means a load destined to landfilling containing in excess of 10% of material for which diversion is possible and a diversion program is accessible, such as, but not limited to, curbside collection, return to retailers program or depots including all the depots present at the Landfill Site, and including diversion programs for which a fee is required;
- 2.33 *Pathological waste* means waste that is:
- a) any part of the human body, including tissues and bodily fluids, but excluding extracted teeth, hair, nail clippings and the like;
 - b) any animal carcass or part of, with the exception of kitchen waste;
 - c) non-anatomical waste infected with a communicable disease;
 - d) medicines, drugs or syringes; and
 - e) bandages, dressings or other infected materials;
- 2.34 *Pharmaceutical* means any product manufactured as a medicinal drug or natural medicinal product;
- 2.35 *Public Notice* means an official announcement shared through various channels to inform the public, including the city's website, social media, and printed flyers at the Landfill Site.
- 2.36 *Refrigerant* means any liquid or gases used in the purpose of cooling, regardless of the specific mechanism for cooling or nature of product;
- 2.37 *Recyclable material* means a material for which diversion is possible or required by any level of government, or for which an accessible diversion program is in place, such as but not limited to, curbside collection, return to retailers' program or depots including all depots present at the landfill site.
- 2.38 *Regular opening hours* means opening hours as defined in Schedule A, and shall not include extended opening hours as defined in this by-law;
- 2.39 *Scavenge* means removal of any discarded material from the Landfill Site;
- 2.40 *Sewage* means any type of wastewater or any type of solidified material

created by the removal of liquid from waste water, and include animal and human excrement;

- 2.41 *Sharps* includes used and unused hypodermic needles, syringes, insulin pen tips, lancets and glass pipe stems;
- 2.42 *Sludge* means any material in a semi-solid state;
- 2.43 *Special circumstances* means unusual or exceptional situations that require temporary adjustments to normal operations or procedures. These may include, but are not limited to, altered seasonal hours, significant weather events, pandemics, or staffing shortages.
- 2.44 *Supervisor* means the person appointed to the position of managing the Landfill Site in addition to the Manager and includes any person appointed or designated to act on his or her behalf;
- 2.45 *Textile* means any material made of fabric and accepted for textile diversion, such as used clothing and curtains, but excluding fabrics stained with blood, oil or gasoline;
- 2.46 *Tires* mean a primary rubber component that is designed to surround a rim of a motor vehicle, excluding tracks;
- 2.47 *Yard waste* means organic waste originating from the maintenance of lawn and vegetation on residential properties, including leaves, hedge clippings, grass clippings, weeds, nuts, fruits, garden plants, house plants and branches less than 4 inches in diameter and 4 feet in length, but excluding rocks, sod, soil and stumps;
- 2.48 *Waste* means anything discarded at the Landfill Site;
- 2.49 *Waste hauler* means any vehicle transporting waste or recyclable materials at the Landfill Site, for which the responsible individual for all incoming materials will be deemed the driver.

3. INTERPRETATION

- 3.1 That the Hours of Operation outlined in Schedule "A" hereto attached be declared to form part of this By-law.
- 3.2 All legislation and regulations referenced herein are Ontario provincial laws, as amended, unless noted otherwise.
- 3.3 In this by-law, the word "metre" shall be represented by the abbreviation "m", the word "kilogram" shall be represented by the abbreviation "kg", the word "litre" shall be represented by the abbreviation "L", the word "centimetre" shall be represented by the abbreviation "cm", the words "cubic metre" shall be represented by the abbreviation "m³", the word 'tonne' shall be represented by the

abbreviation "t".

- 3.4 In this by-law, a word interpreted in the singular number has a corresponding meaning when used in the plural.
- 3.5 The headings inserted in the by-law are for convenience of reference only and shall not affect the construction or interpretation of this by-law.
- 3.6 The provisions of the by-law are severable. If any provision, section or word is held to be invalid or illegal, such invalidity or illegality shall not affect or impair any of the remaining provisions, sections or words.

DISPOSAL SERVICES

4. WASTE PROCESSING FACILITY

- 4.1 The City of Clarence-Rockland operates a solid waste disposal site, located at 2335 Lalonde Road in Bourget and named City of Clarence-Rockland Waste Disposal Site, in accordance with its Environmental Compliance Approval as amended from time to time and in accordance with the provisions of this By-law.
- 4.2 The City of Clarence-Rockland operates a household hazardous waste depot, located at 2335 Lalonde Rd, in accordance with its Environmental Compliance Approval as amended from time to time and in accordance with the provisions of this By-law.

5. DIRECTOR OF OPERATIONS

- 5.1 All City of Clarence-Rockland disposal facilities and household hazardous waste depots shall be maintained and operated under the direction and the responsibility of the Director of Operations and shall be operated in conformity, with all applicable regulations of the Environmental Protection Act and of any other applicable laws or regulations of Ontario and of Canada.
- 5.2 The provisions of this By-law shall be administered and enforced by the Director of Operations.

6. FEES

- 6.1 The City prescribes the fees and charges for the use of the Landfill Site as set forth in the current User Fees By-law.
- 6.2 Upon enacting this by-law, all privileges of disposal without payment of prescribed fees previously granted shall be null and void.
- 6.3 Prescribed fees and charges shall not apply to waste generated by the operations of any departments of the City of Clarence-Rockland but

shall apply to any subcontractors performing work for the City, with the exception of the subcontractor in charge of waste collection.

7. HOURS OF OPERATION

- 7.1 The Clarence-Rockland Waste Disposal Site shall be open to the public at times set forth in Schedule "A" Hours of Operation.
- 7.2 Notwithstanding Section 7.1, the Director of Operations reserves the right to close the Landfill Site on any day without prior notice, should safety or environmental reasons prompt him or her to do so.
- 7.3 Notwithstanding Section 7.1, the Director of Operations is authorized to temporarily adjust the opening hours under special circumstances, providing that public notice is provided at least twenty-four (24) hours in advance.
- 7.4 Notwithstanding Section 7.1, the Director of Operations is authorized to open the site outside of regular hours upon granting extended hours landfill permission in accordance with the following:
 - a. A written request must be submitted to the Director of Operations at least ten (10) business days prior to the date the service is required.
 - b. All surcharges related to extended opening hours of the site shall be paid for at least three (3) days prior to the date the service is required.
 - c. Only services related to disposal will be offered during extended opening hours. No recycling or diversion services, such as, but not limited to, the household hazardous waste depot, will be offered.

8. SPEED LIMIT

- 8.1 The speed limit for vehicles traveling within the limits of the Landfill Site shall be of twenty (20) kilometers per hour.
- 8.2 No person shall exceed the speed limit set out in Section 8.1 within the limits of the landfill site.

9. PRINCIPLES OF ENGINEERING

- 9.1 The Director of Operations shall utilize the principles of engineering in the Landfill Site to confine the waste to the smallest practical area and to cover the waste with a layer of suitable material as frequently as may be necessary to ensure that nuisances or dangers to human health, public safety or the environment are not created by the unloading or disposing

of waste.

10. USE OF THE FACILITY AND LIABILITY EXCLUSION

- 10.1 A person operating a vehicle carrying waste intending to deliver said waste to the Landfill Site shall ensure that the vehicle load is properly secured and covered with a tarp, if necessary to prevent littering along the roads and at the landfill, prior to unloading, depositing or disposing of waste.
- 10.2 No person unloading, depositing or disposing of waste at the Landfill Site shall fail to unload, deposit, or dispose of the waste so as to confine the waste to the smallest possible area.
- 10.3 All loads shall be unloaded from the back of the trailer or vehicle as to confine the waste as far away to the traveling area as possible.
- 10.4 Any person entering upon the Landfill Site does so at his/her own risk and he/she and the owner of any vehicle brought upon such facility shall save the City harmless from any damages or claims whatsoever to themselves or their property or to any other person or property whatsoever arising from such person's negligence or otherwise.
- 10.5 The driver of the vehicle carrying the load to be disposed shall be fully responsible of all material within the load. Any surcharge fees, if any, shall be paid upon exiting the Landfill Site.
- 10.6 Users of the Landfill Site shall comply to the Landfill site attendant's instructions, including location for disposal of waste and acceptability of material for disposal.
- 10.7 All children 12 years of age and younger, as well as all animals, shall not exit the passenger area of the vehicle on the property of the Landfill Site. This shall not apply to children that are accompanied by an adult to visit the washrooms of the scale house, providing that the customer's vehicle is parked in the designated parking space.

11. PROHIBITION AND OFFENCES

No person shall at the Clarence-Rockland Waste Disposal Site:

- 11.1 Unload any vehicle that is carrying waste in any area of the Landfill Site without the prior approval of the Manager, Supervisor or Landfill site attendant whose decision shall be final and binding;
- 11.2 Unload any waste in an area not designated by the Manager, Supervisor or Landfill site attendant as being suitable for the reception of such waste, and in particular shall not deposit waste at the gate or entrance

of the Landfill Site;

- 11.3 Unload or dispose of waste in any part other than in the designated landfill;
- 11.4 Neglect or refuse to provide proof of the origin of waste tendered for disposal when such is requested;
- 11.5 Pick over, scavenge, salvage, incinerate, remove, burn or scatter any waste in any area of the Landfill Site;
- 11.6 Enter for the purpose of unloading or disposing of any materials without first having the vehicle weighed on the weigh scales of the Landfill Site, as directed by the scale attendant, and paying the required fee, unless the materials are accepted at the diversion area designated to receive materials prior to the weighing of vehicles.
- 11.7 Enter by vehicle or on foot during those hours when the Landfill Site is not open to the public, unless written permission is granted by the Director of Operations;

12. PROHIBITED MATERIALS

No person shall, at the Landfill Site, deposit any of the following materials:

- 12.1 sludge from septic tanks or septage;
- 12.2 highly flammable or volatile substances, including ashes;
- 12.3 the carcass of any animal or part thereof save bona fide kitchen waste;
- 12.4 hauled sewage (excluding dewatered sludge, dried incinerated sludge and grits and screenings);
- 12.5 sewage, human or animal excrement, with the exception of domestic animal excrement which has been properly packaged in a closed container such as a plastic bag with the open end tied off;
- 12.6 explosive material;
- 12.7 ammunition, firearms and explosives;
- 12.8 pharmaceuticals or dangerous chemical waste;
- 12.9 pathological waste;
- 12.10 liquid waste;
- 12.11 sharps;
- 12.12 any dangerous and hazardous material such as poisons, hot live ashes, caustics, acids, pesticides, herbicides, radioactive material, industrial process sludge, biomedical waste, substances which may cause

- personal or environmental problems;
- 12.13 material originating from a material recovery facility (MRF), unless material is defined as residue and authorized by Director of Operations;
- 12.14 live animals or birds;
- 12.15 any material under a landfill ban from any level of government to which the jurisdiction of the City of Clarence-Rockland is subject;
- 12.16 any material deposited with the intent to damage any vehicle;
- 12.17 any waste that is suspected to have been or has been generated outside the boundaries of the City of Clarence-Rockland or for which proof of origin cannot be provided upon request;
- 12.18 any waste that the Director of Operations assesses should not be landfilled for precautionary reasons or because of a lack of information regarding the material.

13. ASBESTOS

No person shall transport, unload or dispose of asbestos, unless such transporting, unloading or disposal is in accordance with the following conditions:

- 13.1 Said person is fully in compliance with R.R.O. 1990, Regulation 347 (Environmental Protection Act) section 17, including required training and certification necessary to deal with transportation and handling of asbestos waste;
- 13.2 All asbestos must be contained in a rigid, impermeable, sealed container of sufficient strength to accommodate the weight and nature of the waste. If the container is a cardboard box, the waste must be placed in a polyethylene bag placed within the box. The container must be free from punctures, tears or leaks. The external surface of the container and the vehicle used for the transport of the asbestos waste must be free from asbestos waste;
- 13.3 During unloading, the packaged asbestos waste materials shall be handled individually and care taken to place the package in the designated area to avoid spillage. This unloading shall be the responsibility of the contractor and shall not be done by a landfill facility operator or an unqualified/unlicensed person;
- 13.4 The unloading shall only be done in the presence of a landfill facility operator to ensure that no loose asbestos or broken containers are unloaded and that no airborne particulate is generated;
- 13.5 In the event that loose asbestos or broken containers are found, the haulage vehicle operator shall repackage the material with additional

containers or bags provided on his vehicle;

- 13.6 At no time when the asbestos is unloaded or when cover material is backfilled on the asbestos until cover reaches normal grade, shall there be presence of any citizens, contractors or municipal employee unrelated to the disposal of asbestos within a radius of two hundred and fifty (250) meters from outer radius of the excavation hole for disposal of asbestos. This shall not apply to the municipal employee responsible for the supervision of asbestos disposal;
- 13.7 The contractor bringing the asbestos to the Landfill Site shall be responsible to contract the excavation of the hole necessary for the landfilling of the asbestos material, as well as backfilling of the hole following disposal of asbestos material. The hole shall be dug at a location prescribed by municipal staff, and at a time determined by municipal staff;
- 13.8 The Director of Operations shall be contacted five (5) business days prior to delivery. The Director of Operations shall prescribe the date and time at which the asbestos shall be brought to the Landfill Site;
- 13.9 The Director of Operations reserves the right to limit or refuse the acceptance of asbestos at the Landfill Site. His decision shall be final and binding;
- 13.10 The person responsible for the disposal of asbestos shall pay any applicable surcharge for special opening of the site.

14. CONTAMINATED SOILS

No person shall transport, unload or dispose of contaminated soils, unless such transporting, unloading or disposal is in accordance with the following conditions:

- 14.1 A complete engineering report with the origin of the soil and the level of all possible contaminants in the soil, as defined by Ontario Reg. 347, is provided to the Director of Operations at least four (4) weeks prior to the transporting of the material at the site;
- 14.2 A leachate test is conducted on the soil sample and provided to the Director of Operations;
- 14.3 Results from the engineering report must confirm that the soil is defined as non-hazardous waste under Ontario reg. 347;
- 14.4 The person is advised in writing by the Director of Operations that the soil is acceptable at the Landfill Site;
- 14.5 The soil shall not be mixed with any other material, such as waste or

boulders, upon arrival on site;

- 14.6 The Director of Operations reserves the right to refuse any soil of suspicious origin or nature, regardless of presence or attested presence of contamination or not.

15. REFUSAL RIGHTS

- 15.1 The City reserves the right to refuse to accept for disposal any material of a questionable nature or origin.
- 15.2 Despite subsection (1), under special or emergency conditions, the Director of Operations may accept waste which have been approved by the Ministry of the Environment, Conservation and Parks.

16. ENFORCEMENT

- 16.1 The administration and enforcement of this by-law shall be pursuant to the provisions of this by-law.

17. DISPOSAL OF UNACCEPTABLE MATERIAL

- 17.1 A person who disposes of or deposits unacceptable material at the Landfill Site shall be responsible for its immediate removal and clean up, as well as the payment of any and all associated fines imposed by the Ministry of the Environment, Conservation and Parks.
- 17.2 Failure to remove unacceptable material in a prompt and complete manner shall result in payment of removal costs in addition to a 25% administrative surcharge of the costs.

18. PENALTY

- 18.1 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction thereof is liable to a fine of not more than \$10,000.00 for a first offence and \$25,000.00 for any subsequent offence, except that where a corporation is convicted of an offence the maximum penalties shall be \$50,000.00 for the first offence and \$100,000 for any subsequent offence.

19. PROHIBITION ORDER

- 19.1 When a person has been convicted of an offence under this by-law, the Ontario Court of Justice (Superior Court) of the United Counties of Prescott-Russell, or any court of competent jurisdiction thereafter, may, in addition to any penalty imposed on the person convicted, issue an Order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the

continuation or repetition of the offence.

20. REPEAL

20.1 THAT By-law No. 2018-48 be and is hereby repealed.

21. EFFECTIVE DATE

21.1 This by-law shall come into force and take effect on the 9th day of April 2025.

Mario Zanth, Mayor

Monique Ouellet, Clerk

SCHEDULE "A" of By-law 2025-33

Opening Hours

The Landfill Site has the capability of opening from Monday to Saturday, from 8 a.m. to 7 p.m.

The City reserves the right to modify or determine the hours of operation, as deemed necessary, to accommodate public needs, operational requirements, or other circumstances. Any changes to the hours of operation for public access will be communicated in accordance with City policies.

The Clarence-Rockland Waste Disposal Site shall be closed on the following holidays:

- New Year's Day
- The Day after New Year's Day
- Family Day
- Good Friday
- Easter Monday
- Victoria Day
- Canada Day
- Civic Holiday
- Labour Day
- Thanksgiving
- Remembrance Day
- Christmas
- Boxing Day