

## **BY-LAW NUMBER 027-2023**

(Office Consolidation as amended by  
By-Laws 2024-023, 2024-041 and 2025-28)

### **BEING A BY-LAW TO REGULATE NEEBING'S LANDFILL SITES**

#### **Recitals:**

The Corporation operates two landfill sites. By-laws 017-2015, as amended, regulates the use of the sites.

Council wishes to change from the current bag tag system under By-law 017-2015 to a punch card system.

Council considers it appropriate to update the by-law regulating Neebing's landfill sites to keep the regulations current and provide an appropriate resource for members of staff and the public.

#### **ACCORDINGLY THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF NEEBING ENACTS AS FOLLOWS:**

1. **DEFINITIONS:** Where they appear with their initial letters capitalized, the following terms in this By-law have the meanings set out for them in this Section 1.
  - a) "Attendant" means a person employed by the Corporation to oversee the operations of a Landfill Site during its operational hours.
  - b) "By-law" means this By-law, together with its recitals and schedules, which are integral parts of it, as amended from time to time, including successor by-laws.
  - c) "Clerk" means the person employed or contracted to the Corporation to function as its "Clerk" in accordance with the Act. The term includes any person employed or contracted to the Corporation to function as its "Deputy Clerk" and any persons to whom the Clerk has properly delegated authority in writing.
  - d) "Commercial" includes agricultural; industrial and resort operations.
  - e) "Commercial Punch Card" means a card issued by the Corporation that allows a commercial entity access to the Landfill Site with Waste.
  - f) "Corporation" means The Corporation of the Municipality of Neebing, a municipal corporation incorporated and in good standing in accordance with the laws of the Province of Ontario.
  - g) "Council" means the elected Council of the Corporation.
  - h) "Demolition Waste" means all inorganic solid wastes and includes shingles, siding, glass, plastics, wood or building construction materials.
  - i) "Garbage Bag" means a standard size (26" x 36" or smaller) opaque plastic bag.

- j) “Good Neighbour Shed” means a structure, located on a Landfill Site into which second-hand goods may be placed in accordance with the terms and conditions of this By-law.
- k) “Hazardous Waste” means Waste that bears any one of the following symbols or signal words: danger, warning, poison, caution, caustic, irritant or volatile, or any material that is defined as “hazardous waste” by Provincial legislation.
- l) “Land” means surface land and all subsoil.
- m) “Landfill Site” means the Corporation’s facilities known as the “Sandhill Site”, located on Sandhill Road, and the “Scoble Site”, located on East Oliver Lake Road. The term includes the entire property owned by the Corporation and incorporated into the Waste management operations, or held for future expansion or buffer purposes. Rules and Regulations in this By-law that apply to a Landfill Site apply equally to either the Sandhill Site or the Scoble Site, unless expressly indicated otherwise.
- n) “Neebing” is the geographic area under the authority of the Corporation, including the geographic townships of Scoble, Blake, Crooks, Pearson and Pardee.
- o) “Permit” means a pre-paid voucher authorizing the holder to dispose a large load of Waste.
- p) “Punch Card” means a card issued by the Corporation that allows a person to lawfully dispose of Garbage Bags at the Landfill Site.
- q) “Residential” is an adjective describing the use of a building on property for human habitation. The term includes buildings that are occupied by humans for recreational purposes on other than a year-round basis.
- r) “Recyclable Material” means material designated from time to time by the Corporation as recyclable and for which alternative collection regulations apply.
- s) “Waste” means anything for which the holder has no further use and which the holder has discarded or wishes to discard. The term includes household garbage.

2. **Responsibility for Actions:** When this By-law requires someone to do something, the requirement may be met by directly undertaking the action or by causing someone else to undertake the action. When this By-law prohibits someone to do something, the prohibition applies to direct action and also to causing, permitting or allowing another person to undertake the prohibited action. Nothing in this Section 2 derogates from any person’s ultimate responsibility for his or her actions.

3. **“Includes”:** The terms “include”, “includes”, and “including” must be interpreted in a manner that does not in any way limit the words or phrases that precede or follow them.

4. **Text Organization:** The headings and section numbers in this By-law are not to be considered interpretive tools. They are placed solely for ease of reference.
5. **Severability:** If any word, phrase, sentence or section of this By-law is ruled by a court or tribunal of competent jurisdiction to be invalid or unenforceable, that ruling does not apply to the balance of the By-law, which will remain in full force and effect.
6. **GENERAL PROVISIONS AND PROHIBITIONS:** This Section 6 sets out rules and regulations associated with use of the Corporation's Landfill Sites as well as other rules and regulations regarding the disposal of Waste in Neebing. Landfill Sites are operated by the Corporation under express authority issued by the Province of Ontario. Many of the rules and regulations in this Section are imposed to ensure that the Corporation operates the Landfill Sites in accordance with these authorities. Some of these rules and regulations are imposed to enable the Corporation to receive the full benefit of recycling programs offered by other orders of government. Failure to comply will result in increased costs to the Corporation and/or decreased revenues to the Corporation. Some of these rules and regulations are imposed for the health and safety of the Attendants or other persons on the Landfill Sites at any given time. Due to the severe consequences associated with violating these rules and regulations, the public is expressly notified that the rules and regulations will be strictly enforced.
  - 6.1 **No Littering or Private Disposal:** No person shall dispose of Waste in any Land or in any structure situated within Neebing except at a Landfill Site.
  - 6.2 **Permit/Punch Card Required:** Despite the payment of a fee as required by this By-law, no person, other than a person in possession of a Permit or Punch Card, shall dispose of Waste at a Landfill Site.
  - 6.3 **Must Use Punch Card:** No person shall dispose of a Garbage Bag of Waste at a Landfill Site without presenting a punch card to the Attendant.
  - 6.4 **Where to Place Material:** No person shall dispose of Waste or Recyclable Materials at any place other than the respectively designated area at the Landfill Site, or at another place as directed by an Attendant, and in all cases, in accordance with this By-law.
  - 6.5 **No Hazardous Waste:** No person shall dispose of Hazardous Waste at a Landfill Site.
  - 6.6 **No External Waste:** No person shall dispose of any Waste which originated outside of Neebing at a Landfill Site.
  - 6.7 **Acceptable Waste:** No person shall deposit any material at the Landfill Site unless it complies with the rules outlined in Schedule "B" to this By-law.
  - 6.8 **No Entry after Hours:** No person shall dispose of Waste at a Landfill Site except during the posted hours of operation, without the prior permission of, or authority from, the Corporation.
  - 6.9 **No Scavenging:** No person shall remove any material from a Landfill Site without the prior written permission of, or authorization from, the Corporation.

- 6.10 Exception: Section 6.9 does not apply to prohibit removal of material from the Good Neighbour Shed.
- 6.11 No Smoking: No person shall smoke tobacco or other products at the Landfill Site except in a designated smoking area. Where no designated smoking area exists, no smoking is permitted anywhere on the property.
- 6.12 Secure Loads: No person shall transport Waste material to the Landfill Site without having securely packaged the material and/or secured it in the transporting vehicle in a manner which prevents dropped or windblown materials.
- 6.13 No Loose Waste: No person shall deposit loose Waste, with the exception of Demolition Waste, into the Landfill Site. All Waste must be within Garbage Bags.
- 6.14 Good Neighbour Shed Operations: No person shall place in a Good Neighbour Shed any material other than that which is set out in Schedule "B" as material permitted for that purpose.
- 6.15 Use Restrictions at Scoble Site: No person shall deposit Demolition Waste or large non-burnable items at the Scoble Site. Such items may be taken to the Sandhill Site.
- 6.16 Respect: All persons using the Landfill Site shall show respect to the Attendants and follow instructions issued by the Attendants. Failure to follow such instructions or direction is an offence under this By-law.
- Where a difference of opinion arises between an Attendant and a Landfill Site user, the Landfill Site user shall respect the instructions at the time they are provided, in accordance with this Section 6.16, and may bring the issue to the attention of the Clerk, in writing, for later resolution or clarification by Administration or Council of the Corporation.
- 6.17 No Interference: No person shall interfere with an Attendant who is undertaking his or her duties in accordance with this By-law or with his or her employment duties.

7. **DISPOSAL FEES**: Persons entitled to dispose of Waste at a Landfill Site in accordance with this By-law will be charged the fees set out in this Section 7 and in By-law 2016-006.

- 7.1 Punch Cards for Residentially Occupied Properties: Owners of Residential housing units in Neebing will be supplied with a Punch Card annually, free of charge. The number of punches is set out in By-law 2016-006.

Punch Cards will only be valid for a one-year period starting on August 1st and ending July 31st. Any unused punches will not carry over into the next period.

No Punch Cards will be provided free of charge to any person who is not a property owner. Tenants and other occupiers will need to obtain their Punch Card from their landlords, or purchase them from the Municipal Office.

No Punch Cards will be provided free of charge to owners of properties that do not contain Residential housing units.

Punch Cards will only be provided to owners of vacant land with a recreational trailer, if they have purchased a trailer licence.

All commercial users shall purchase Punch Cards, Commercial Punch Cards or other applicable Permits and/or pay the tipping fee as outlined in By-law 2016-006.

- 7.2 Additional Punch Cards: Should any Neebing property owner or occupier require additional Punch Cards, these may be purchased at the Municipal Office at the price and in the numbers indicated in By-law 2016-006. Proof of property ownership or residential address within Neebing will be required at time of purchase.

- 7.2.1 Other Property Owners: Punch Cards may be provided on a case-by-case basis to owners of property that do not have residential and/or commercial uses.

Persons wishing to request a punch card shall submit the request, in writing, to the Clerk. The Clerk will review the request and approve the provision of a punch card if there is sufficient evidence that the use of a Punch Card is warranted.

- 7.3 Large Loads: Subject to Section 7.4, fees for disposal of Waste by load rather than in Garbage Bags must be pre-paid at the Municipal Office before the Waste will be accepted at the Sandhill site.

- 7.4 Promise to Pay/Invoice: Persons attending the Sandhill Site not having pre-paid but attending with larger Waste loads will be required to sign an acknowledgement of the load, including a promise to pay. The person will be required to demonstrate proof of either residency or property ownership in Neebing. The Municipal Office will issue an invoice, which will be mailed to the person who signed the promise to pay, at the earliest opportunity. Invoices will require remitting payment to the Municipal Office within fifteen (15) days from the date of the invoice. Late payments will be subject to the interest and/or penalties set out in By-law 2016-006. Where a person has an outstanding invoice under this section, his or her privileges under this By-law may be revoked until such time as all payments are up to date.

A person signing a promise to pay is deemed to sign on behalf of every owner of the property which entitled him or her to use the Landfill Site. The promise to pay document will contain a statement whereby the person signing the document expressly acknowledges that he or she has the authority of the other property owners to sign the document and bind all of them to the payment. Disputes with respect to this authority are disputes between the property owners and/or occupants themselves and cannot involve the Corporation.

- 7.5 Collection Through Tax Roll: In addition to being subject to penalties, the amount of money that is outstanding after an invoice has been issued under Section 7.5 but has not been paid, may be added to the municipal tax roll for the qualifying property, and collected in like manner as municipal taxes.

8. **SPECIAL ACCESS:** Special access may be provided to a Landfill Site, either within or outside of regular operating hours. Special access will be considered on a case-by-case basis.

Persons or organizations wishing to request access shall submit the request, in writing, to the Clerk. The Clerk will review the request and authorize access with consideration to staff availability and landfill capacity.

If special access is granted outside of regular operating hours, the person to whom access was granted shall pay a fee, in addition to any other fees Council may have imposed, for the Attendant, as set in the User Fees By-law 2016-006.

Fees for special access under this Section may be pre-paid or by a promise to pay invoice in accordance with Section 7.4 of this By-law. If the fees are pre-paid and the calculated total differs from the prepaid amount, then either an invoice will be sent or a refund issued.

9. **LANDFILL SITE HOURS OF OPERATION:** Summer hours occur between April 1<sup>st</sup> and September 30<sup>th</sup> annually. Summer hours are:

Saturdays from 9:00 am to 5:00 pm; and  
Sundays and Wednesdays from 4:00 pm to 8:00 pm.

Winter hours occur between October 1<sup>st</sup> and March 31<sup>st</sup> annually. Winter hours are:

Saturdays from 9:00 am to 5:00 pm; and  
Sundays from 12:00 pm to 4:00 pm.

10. **FEES:** The Schedule of fees to be charged for use of the Landfill Site is in By-law 2016-006.

11. **ENFORCEMENT:**

Attendants have the right to inspect loads before being deposited at the Landfill Site.

Attendants have the right to refuse to allow a person to dispose of Waste outside the terms and conditions of this By-law.

Any person who contravenes the provisions of this By-law is guilty of an offence and, upon conviction, is subject to the penalties prescribed by the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.

12. **USE RIGHT REVOCATION:** Subject to applicable law, the rights and privileges granted to any person under this By-law may be revoked by the Council.

13. **REPEALS:** By-law Number 017-2015 is repealed.

14. **EFFECTIVE DATE:** This By-law shall come into force and take effect on January 1, 2024.

**ENACTED AND PASSED IN COUNCIL** this 21<sup>st</sup> day of June, 2023 as witnessed by the corporate seal of the Corporation and the hands of its proper Officers duly authorized in that behalf.

THE CORPORATION OF THE  
MUNICIPALITY OF NEEBING

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Mayor

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Clerk-Treasurer

## SCHEDULE "A" TO BY-LAW XXX-2023 WASTE DISPOSAL FACILITY FEES

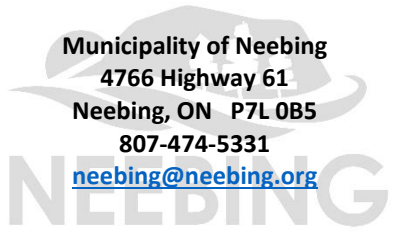
The fees for disposing of Waste material and/or other associated services, at either Landfill Site, are as set out in By-law 2016-006.

\*Recyclable Material accepted may vary with municipal programs available – users should check current information before depositing items in the recycling areas

### “Sample Punch Card Format”

22	21	20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1
23											<b>Resident Landfill Site Permit Card</b> <span style="font-size: 1.5em; font-weight: bold;">2024</span>										
24																					
25																					
26																					
27																					
28																					
29																					
30	<b>Summer Hours of Operation</b> April 1 - September 30 Sat 9:00am-5:00pm Sunday and Wednesday 4:00 pm-8:00 pm										<b>Winter Hours of Operation</b> October 1 – March 31 Saturday 9:00 am-5:00 pm Sunday 12:00 pm-4:00 pm										
31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	Card # <span style="font-size: 1.2em;">000000</span>	

*Front*

<ol style="list-style-type: none"> <li>1. Additional Tipping Fees will apply to large loads.</li> <li>2. Each number on the punch card entitles the holder to 1 bag of household garbage.</li> <li>3. The punch card must be shown to the attendant at every visit to be allowed access into the landfill site.</li> <li>4. The punch card entitles the holder to access either landfill site during normal hours of operation.</li> <li>5. If the punch card is lost, or stolen the owner or resident must purchase a new card at full price</li> </ol>	 <p> <b>Municipality of Neebing</b>  <b>4766 Highway 61</b>  <b>Neebing, ON P7L 0B5</b>  <b>807-474-5331</b>  <a href="mailto:neebing@neebing.org">neebing@neebing.org</a> </p>
<p><b>SCOBLE LANDFILL IS CLOSED TO DEMOLITION AND COMMERCIAL WASTE</b></p> <p>RECYCLING DEPOTS ARE AVAILABLE AT BOTH LANDFILL SITES AT NO CHARGE</p>	

*Back*

### “Sample of COMMERCIAL Punch Card”

Municipality of Neebing Commercial Card				
1	2	3	4	5



**SCHEDULE “B” TO BY-LAW XXX-2023  
PERMISSABLE AND NON-PERMISSABLE WASTE**

The Rules set out in this Schedule must all be followed. Please note that Recycling programs are subject to change in accordance with government programs and available markets. The items listed in this Schedule as being accepted for recycling purposes were current as at the date the By-law was passed.

1. The following items are permitted at the Landfill Sites

<b>Sandhill Site</b>	<b>Scoble Site</b>
Household Waste Ashes Batteries Compost Clean Wood and Brush Electronics Metal Fridges/Freezers <b>without</b> Freon Recyclable Material Paper products: Flyers Flattened Cardboard Paper, Newspaper Magazines Cereal Boxes, box board Containers: Pop Cans Metal Cans Milk Cartons Juice Boxes Plastic Containers (#1 - #7) Tires Items for the Good Neighbour Shed Demolition Waste	Household Waste Ashes Batteries Compost Clean Wood and Brush Electronics Metal Fridges/Freezers <b>without</b> Freon Recyclable Material Paper products: Flyers Flattened Cardboard Paper, Newspaper Magazines Cereal Boxes, box board Containers: Pop Cans Metal Cans Milk Cartons Juice Boxes Plastic Bottles (#1 - #7) Tires Items for the Good Neighbour Shed

2. Fridges and freezers must display a sticker indicating that the Freon has been removed.
3. Items in good condition can be dropped off and picked up from the Good Neighbour Shed. Items in good condition means items that are gently used or unused, unbroken, and clean.
4. Upholstered furniture, baby furniture, car seats, electrical items, food, liquids, clothing, footwear, encyclopedias and magazines are not permitted in the Good Neighbour Shed.
5. The following items are not permitted at the Landfill Sites:
  - a. Fluorescent Lights;
  - b. Hazardous Waste;
  - c. Dead animals;
  - d. Sewage; and/or
  - e. Fridges and freezers **with** Freon.