

DRAFT WAWA WASTE COLLECTION BY-LAW

THE CORPORATION OF THE MUNICIPALITY OF WAWA

BY-LAW NO. XXXX-26

BEING A BY-LAW to regulate the collection, set-out, storage and disposal of garbage and waste materials within the Municipality of Wawa.

WHEREAS the Council of The Corporation of the Municipality of Wawa is authorized under the Municipal Act, 2001, S.O. 2001, c. 25 to pass by-laws respecting waste management services and matters relating to health, safety, and nuisance conditions;

AND WHEREAS Council deems it desirable to regulate waste collection and related matters within the Municipality of Wawa;

NOW THEREFORE the Council of the Corporation of the Municipality of Wawa enacts as follows:

PART 1 — SHORT TITLE

1.1 Short Title

This by-law may be cited as the “Waste Collection By-law”.

PART 2 — DEFINITIONS

2.1 Definitions

In this by-law:

“*Additional Collection*” means a collection in addition to the standard weekly collection service of once per week.

“*Approved Waste Container*” means a metal or plastic container made of durable rust-proof material capable of withstanding freezing temperatures; having a tight fitting, easily removable lid which shall be in position at all times; equipped with suitable handles for lifting, carrying and dumping; having a maximum capacity of not more than 40 gallons (175 liters) and a minimum capacity of not less than 10 gallons; with a filled weight not to exceed 45 pounds/23 kg, and used for the storage of garbage and refuse until it is collected. It also includes sealed garbage bags in good condition and capable of being safely handled.

“*By-law Enforcement Officer*” means a By-Law Enforcement Officer or designate appointed by the Municipality of Wawa.

“*Commercial Business*” includes a commercial, industrial, institutional or mixed-use property that produces waste.

“*Collector*” means the Municipality, its employees, and/or a contractor retained by the Municipality for the purpose of waste collection.

“Council” means the Council of the Corporation of the Municipality of Wawa.

“Front-End Garbage Bin” means a container capable of being emptied by a front-end loading vehicle used for the collection of garbage.

“Garbage or Waste” means household or commercial waste materials normally generated from a dwelling unit or business, excluding Prohibited Waste.

“Hazardous Waste” means waste that is flammable, corrosive, reactive, toxic, explosive, or otherwise designated as hazardous under provincial or federal law.

“Industrial, Commercial and Institutional Property” is included in the definition of commercial used throughout this By-law.

“Large Item” means a large item over 45 lbs in weight such as a fridge, couch, or similar item that cannot be safely lifted into a collection vehicle by one person.

“Multi-Residential” means a dwelling with four or more units and includes an apartment, row house, townhouse, or condominium complex.

“Municipality” means the Corporation of the Municipality of Wawa.

“Occupant” means a person who occupies land, including an owner, tenant, lessee, business operator or person in control.

“Officer” means a By-law Enforcement Officer appointed by the Municipality of Wawa to enforce the provisions of this By-law or his/her Designate and/or an O.P.P. Police Officer.

“Owner” means the registered owner of land, including a person acting as agent, property manager or any person having charge or control over the property.

“Prohibited Waste” includes, but is not limited to:

- hazardous waste;
- biomedical waste;
- construction and demolition waste;
- tires;
- batteries;
- propane tanks;
- scrap metal;
- automotive parts and fluids;
- sewage, septage, or related waste;
- dead animals;
- electronic waste (e-waste);
- hot ashes; and
- any waste banned from landfill disposal under provincial law.

“Refuse Constituting a Nuisance” means refuse or garbage that is in such a condition that it can be blown in the wind, allows bad odour to escape, is likely to attract animals and birds or presents a health, safety or fire risk.

“Set-Out Area” means the location designated by the Municipality for collection, generally at the edge of the travelled portion of the roadway or as approved by the Director of IS.

“Waste” includes Garbage and all other discarded materials intended for collection.

PART 3 – INTERPRETATION AND SEVERABILITY

3.1 All schedules, forms, appendices attached to this By-law shall form part of this By-law.

3.2 Every provision of this By-law is independent of all other provisions. If any provision of this By-law is declared invalid for any reason, by a court of competent jurisdiction, all other provisions of this By-law shall remain valid and enforceable.

PART 4 — GENERAL PROVISIONS

4.1 Littering and Dumping Prohibited

No person shall throw, deposit, dump, or permit the dumping of Garbage or Waste on any highway, roadway, municipal property, park, waterway, shore, vacant land, or private property except in accordance with this By-law.

4.2 Accumulation of Waste

No Owner or Occupant shall permit the accumulation of Garbage or Waste on land in a manner that:

- creates a nuisance;
- attracts vermin or wildlife;
- creates an odour issue;
- creates a health or safety hazard; or
- results in litter leaving the property.

4.3 Burning of Waste Prohibited

No person shall burn Garbage or Waste materials within the Municipality of Wawa.

4.4 Other General Requirements

- a) All vegetable or animal waste resulting from the handling, preparation, cooking and serving of foods and all other offensive materials shall be strained, securely wrapped and placed in proper containers.
- b) Wooden boxes, crates, branches and yard trimmings shall be securely tied in bundles not exceeding 3 feet, 6 inches or 24 inches in diameter and not weighing more than 30 pounds.
- c) Newspapers, magazines and cardboard cartons shall be securely tied in compact bundles weighing not more than 30 pounds.
- d) Property owners/occupants shall keep waste containers clean and disinfected.
- e) Every householder shall provide and maintain in good condition proper containers for collectible waste.
- f) No person shall pick over, disturb, remove or scatter materials placed out for collection or obstruct collection employees in the lawful execution of their duties.
- g) No municipal or contract garbage/waste employee shall be required to enter into any private property or enter any private building except to gain access to approved containers for the purpose of removing collectible waste.
- h) Every householder shall place their contained Waste at the roadside by 7:00 a.m. on the day of regular collection.
- i) Garbage shall be placed for collection in accordance with the following:
 - i) roads with concrete curbs; garbage to be placed directly behind the curb,
 - ii) roads with concrete sidewalks tightly abutting the curb: garbage to be placed directly behind the sidewalk on property owner's side,
 - iii) roads with boulevards between sidewalks and curbs: garbage to be placed directly on the boulevard behind the curb,
 - iv) roads with asphalt gutter and asphalt shoulder: garbage to be placed on edge of asphalt shoulder,
 - v) roads with gravel road shoulder: garbage to be placed directly on road shoulder.
- j) Cleanup of all litter resulting from the methods of setting out the collectible waste by the householder shall be the responsibility of the householder.
- k) All Waste must be bagged and/or placed in proper containers.
- l) Sawdust must be bagged in garbage bags and placed in proper containers.

PART 5 — WASTE COLLECTION SERVICE

5.1 Municipal Collection

The Municipality may provide curbside waste collection to eligible properties on a weekly or bi-weekly basis, or as determined necessary by the Director.

Each single residential property may have up to four (4) garbage bags or two (2) approved containers per week for waste collection, which excludes paper and cardboard assembled neatly beside waste containers.

5.2 No Guarantee of Collection

Waste collection is subject to weather, road conditions, equipment breakdown, safety concerns, and operational limitations. The Municipality is not responsible for missed collection due to improper set-out or cancellations of scheduled service.

PART 6 — SET-OUT RULES

6.1 Set-Out Time

Waste for collections must be placed no later than 7:00 a.m. on the day of collection.

6.2 Removal After Collection

All containers and uncollected Waste should be removed as soon as possible.

6.3 Container Requirements

All Waste must be contained in:

- sealed garbage bags; and/or
- rigid garbage containers with tight-fitting lid or an approved commercial bin; and
- must be in good condition and capable of being safely handled.

6.4 Weight and Amount

No Waste container or bag shall exceed 21 kg (45 lbs).

6.5 Improper Set-Out

Waste may be refused if it is loose; leaking; contains Prohibited Waste; is overweight; is not properly bagged or in a proper container; or is set out outside permitted times.

6.6 Location of Waste Receptacle

All waste must be stored in a proper container or bin which provides proper space for waste collection including waste collection vehicles, does not block fire routes or, driveways and is not located on public property including boulevards and streets.

PART 7 – MULTI-RESIDENTIAL DWELLINGS AND PROPERTY

7.1 Multi-Unit Residential Dwellings

Notwithstanding any other provisions of this by-law, the owner (s) of any multi-unit dwelling of four or more tenants shall provide an approved receptacle/garbage bin to contain the garbage of all tenants.

7.2 Application for Collection Required

Any owner or agent of a property with multi-residential units of four or more units must request in writing that the Director of Infrastructure Services conduct an initial inspection to determine an appropriate and compatible waste collection receptacle and location. If approved, the Director will provide a written letter of confirmation of approval.

PART 8 — COMMERCIAL COLLECTION AND ADDITIONAL PICKUPS

8.1 Standard Commercial Collection

Commercial properties may be eligible for one scheduled weekly collection per week as determined by the Municipality. Commercial includes Industrial, and Institutional users.

8.2 Additional Collection by Agreement

A Business may make application to the Municipality for:

- one (1) Additional Collection per week; or
- two (2) to three (3) Additional Collections per week.

The Municipality may, at its sole discretion, enter into an Agreement with the Commercial Business for additional pick-ups, as agreed to by the Director of Infrastructure, a copy of which agreement is attached as Appendix “A”.

8.3 Fees

Additional commercial collection shall be subject to fees as per the Municipality’s Schedule of Fees, as amended.

8.4 Conditions

Additional collection may be refused, suspended, or terminated where:

- The business or property owner is not in good standing with the Municipality;
- Waste is repeatedly set out improperly;
- Waste includes Prohibited Waste;

- The volume of Waste is excessive beyond what is intended for curbside service;
- An access or health and/or safety issues exist on the property;
- Or the Business has not paid its quarterly remittance for any additional pick-ups within 30 days of the billing due date, with any interest and penalties that may be owed.

8.5 Large Volume Waste

Where a business produces Waste more than acceptable curbside volumes, the Municipality may require the Business to:

- obtain a private waste hauler; or
- use the municipal landfill directly.

PART 9 — PROHIBITED WASTE AND SPECIAL WASTE

9.1 Prohibited Waste

No person shall place Prohibited Waste for curbside collection.

9.2 Hazardous Waste

Hazardous Waste shall be disposed of only through approved programs or facilities.

9.3 Hot Ashes

No person shall place ashes for collection unless fully cooled and contained in a non-combustible container.

PART 10 — WASTE RESTRICTIONS AND COLLECTION LIMITS

10.1 No Heavy or Bulk Items

The Municipality does not provide curbside collection for heavy or bulk items including but not limited to furniture, mattresses, appliances; building renovation materials; and any large or scrap items or similar materials. Any bulk item must be disposed of directly at the landfill site by private arrangement.

10.2 Waste Limits

All waste placed at curbside for collection must meet the following rules;

- a) The maximum allowable waste per curbside per property is four (4) bags or two garbage receptacles not exceeding 45 pounds (22 kg) per bag/container.

- b) Cardboard such as boxes are to be placed beside containers and secured to prevent boxes from being scattered and the amount is not included in the amounts set-out in 10.2 (a).
- c) Yard waste such as leaves, grass and bush clippings, flowers, plants wood shavings, small twigs and other similar, small vegetation may be set-out in biodegradable bags or certified compostable plastic or paper bags and will not be included in the limits set-out in 10.2(a).

10.3 Collection on Statutory Holidays

Waste will not be collected on Statutory Holidays, or Holidays declared by the Municipality of Wawa. If collection is missed due to a Holiday, then Waste collection services may take place on the closest day following, not including on weekdays.

10.4 Collection Services on Private, Seasonal and Unassumed Roads

Residents living on a private, seasonal or unassumed road shall not receive waste and recycling collection, except by agreement.

Every user or owner of a premise not entitled to Waste collection services and who generates waste shall ensure the provision of a storage enclosure which is adequate to contain all the waste to be disposed of and such waste shall be conveyed to the point of disposal by and at the expense of the user or owner of such waste.

Where private collection services are utilized, the owner shall ensure waste is stored until collected in properly constructed and maintained containers which are emptied as necessary to prevent development of odours or nuisances and which are not allowed to overflow.

Municipal Waste collection will be provided to properties located on the unassumed roads known as Catfish Creek and Long Beach Road weekly between May 15th and October 15th. (See Wawa Municipal Policy). Between October 16th and May 14th, winter Waste collection will be provided at the nearest public road intersection (Harbour Road-Long Beach or Highway 17-Catfish Creek Road).

PART 11 – WAWA MUNICIPAL LANDFILL and NON-RESIDENT/BUSINESS USE

11.1 Tipping and Landfill User Fees

Every person attending the Wawa Municipal Landfill shall pay tipping fees as set-out in the Schedule of Fees By-law, as amended and approved by Council.

All users of the Landfill must be residents or property owners in the Municipality of Wawa. Non-residents and businesses not located in the Municipality or bringing waste from outside municipal boundaries shall not be permitted to use the Landfill, unless a written agreement is approved by Wawa Municipal Council.

At its sole discretion, the Municipality may request proof that any person using the Landfill resides within or owns property or that the waste generated came from within the geographic boundaries of the Municipality.

11.2 Contractor Authorization Policy

The Wawa Municipal landfill has a legal obligation to only accept waste generated within the boundaries of the Municipality of Wawa, and any unorganized area in the general vicinity it agrees to provide service by way of written and approved contract as per the landfill's Environmental Compliance Approval (ECA) and directed by regulation from the Ministry of Environment, Conservation and Parks.

Building contractors or businesses doing work on behalf of residents within the Municipality of Wawa, may deposit the construction or demolition waste at the Wawa Landfill site if:

1. The resident or property owner for whom work is being done has completed a Contractor Authorization Form for Use of Landfill Site, attached as Appendix B. This form authorizes the contractor to use the landfill site on the owner's behalf.
2. The property owner gives the form to the contractor who signs the form acknowledging they may only deposit waste from this project at the Landfill Site.
3. The contractor presents the Contractor Authorization Form for Use of Landfill Site to the landfill site attendant.
4. If the waste being disposed is from a business located within the municipality, Landfill staff will accept a letter on the business' letterhead stating that the waste was generated at a Municipality of Wawa property.

11.3 Non-Residents/Businesses

Subject to approval of Municipal Council and the Ministry of Environment, should any resident/business outside municipal boundaries be approved to transport solid, non-hazardous refuse to the Wawa Landfill by way of written agreement, a 100% cost recovery

for disposal, handling and processing of all waste received from outside Municipal boundaries will be charged, along with an administration fee as set out in the Wawa Schedule of Fees, as amended.

The Director of Infrastructure has the final authority to set the non-resident/business tipping fees if not indicated in the Schedule of Fees.

PART 12 — ADMINISTRATION AND AUTHORITY

12.1 Director of Infrastructure Services or Delegate

Subject to the provisions of this By-law, the Director of Infrastructure or his/her Designate is authorized to administer this By-law, including the carrying out of the following;

- a) Determine waste collection schedules, frequencies and times including days;
- b) Classify materials as the applicable types of waste addressed in this By-law;
- c) Determine limits and any requirements associated with waste collection;
- d) Determine eligibility of receipt of waste collection services;
- f) Approve suitable containers for the Collection Service;
- g) Changes schedule or hour related to the collection services including Waste Disposal Site;
- h) Suspend, discontinue or revoke Waste Collection Services or Waste Disposal Site access to any Person who breaches any provisions of this By-law;
- i) Deal with any and all matters assigned by this By-law or necessary for the collection, processing and disposal of waste; and

The Director of Infrastructure Services may delegate their responsibilities under this By-law to any Officer, employee or agent of the Municipality.

PART 13 — ENFORCEMENT, ENTRY AND INSPECTION

13.1 Inspection Authority

The By-law Enforcement Officer may enter upon land at any reasonable time for the purpose of administering and enforcing this by-law.

13.2 Orders

Where a By-law Enforcement Officer determines a contravention exists, the Officer may issue an order requiring compliance.

13.3 Enforcement

This By-law may be enforced by every municipal law enforcement officer, landfill attendants, the Director of Infrastructure Services or designate, or landfill contractor;

No user or owner shall hinder or obstruct, or attempt to hinder or obstruct, any person exercising a power or performing a duty under this By-law.

PART 14 — OFFENCES AND PENALTIES

14.1 Offence

Every person who contravenes any provision of this by-law is guilty of an offence.

14.2 Penalty

Every person convicted of an offence under this by-law is liable to a fine and/or penalty as provided for under the Provincial Offences Act, R.S.O. 1990, c. P.33.

Where a person fails or defaults to carry out any direction or action required by the Municipality as authorized by this by-law, the Municipality may recover the costs of doing a thing or matter from the person directed or required to do it and the Municipality may recover the costs of doing a thing or matter from the person or business or corporation directed or required to do it and the Municipality may recover the costs by action and/or adding the costs to the tax roll and collecting them in the same manner as property taxes, as provided in Section 434 of the Municipal Act, as amended.

Every person who contravenes the provisions of any section of this By-law and every director or officer of a corporation who knowingly concurs in the contravention of this By-law by the corporation, is guilty of an offence under the provisions of the Municipal Act, 2001, S.O. 2001, c. 25 as amended and is liable on conviction to a penalty where the minimum fine shall not exceed \$500 and a maximum fine shall not exceed \$100,000 exclusive of costs under the provisions of the Municipal Act, 2001, c. 25 as amended.

PART 15 — REPEAL

15.1 Repeal

The following by-laws are hereby repealed:

- By-law No. 31-69 (Garbage and Litter By-law);
- By-law 688-89 (amendment);
- By-law No. 1046-96 (amendment);
- By-law No. 1109-97 (amendment);

and any other by-laws or portions of by-laws inconsistent with this by-law.

PART 16 — SEVERABILITY

16.1 Severability

If any section of this by-law is found by a court to be invalid, the remainder shall continue in force.

PART 17 — EFFECTIVE DATE

17.1 Effective Date

This by-law shall come into force and take effect on July 1, 2026.

PASSED a first, second and third time and enacted on May 19, 2026.

Mayor Melanie Pilon

Clerk Maury O'Neill

APPENDIX A TO BY-LAW XXX-26

COMMERCIAL WASTE COLLECTION SERVICE AGREEMENT

FOR ADDITIONAL WEEKLY WASTE PICK-UPS

BETWEEN

THE CORPORATION OF THE MUNICIPALITY NAME OF WAWA

(the "Municipality")

- AND -

[BUSINESS NAME / PROPERTY OWNER]

(the "Customer")

1. SCOPE OF SERVICE

The Municipality of Wawa agrees to provide additional collection of waste from the property located at [Insert Address].

Additional Service: [1 or 2 additional pick-ups per week]

Collection Days: [e.g., Monday, Wednesday, Friday]

Size and Number of Waste Receptacle(s):

2. EQUIPMENT & COMPLIANCE

Containers: Waste must be placed in approved waste receptacles, bins or carts.

Weight Limits: No individual container shall exceed 22 kg/45 lbs.

Sorting: The Customer shall ensure all waste is sorted according to the Municipality of Wawa Waste Collection By-Law. Contaminated bins will not be collected.

Access: The Customer must ensure that collection vehicles have unobstructed access to the bins by [e.g., 7:00 AM] on scheduled days.

3. FEES AND PAYMENT

Service Fee: The Customer agrees to pay an additional fee for additional agreed upon extra pick-ups per the Municipal Schedule of Fees By-law, as amended, billed quarterly for the extra collection services.

Billing: Invoices will be issued quarterly and added to the Customer’s utility bill or property tax account.

Late Payment: Interest at a rate of 1.25% per month will be applied to overdue accounts.

4. TERM AND TERMINATION

Effective Date: This agreement begins on [Date].

Renewal: This agreement shall automatically renew annually unless terminated.

Termination: Either party may terminate this agreement by providing 30 days’ written notice. The Municipality may suspend service immediately if the Customer fails to pay or repeatedly violates waste sorting by-laws.

5. LIABILITY & INDEMNITY

The Customer acknowledges that collection vehicles may need to enter private property. The Customer shall indemnify and save harmless the Municipality from any claims for damages to private pavement, curbs, or structures, except where caused by gross negligence.

IN WITNESS WHEREOF the parties have executed and agree to this Agreement.

For the Municipality: _____ **Date:** _____

DIRECTOR OF INFRASTRUCTURE OR DESIGNATE

For the Customer: _____ **Date:** _____

AUTHORIZED SIGNATURE

APPENDIX “B”

MUNICIPALITY OF WAWA

Wawa Landfill – Non-Resident/Business Guidelines

PURPOSE

The Wawa Municipal Landfill is only for the disposal of waste generated within the Municipality of Wawa. Under a term contract agreement, the Municipality of Wawa currently accepts refuse from the Hawk Junction Local Services Board area collected and transported by an approved contractor. This agreement with Hawk Junction may be cancelled at the discretion of the Municipality anytime.

The purpose of this policy is to establish guidelines for contractors whose business address is located outside of municipal boundaries or is in the municipal boundaries but collects refuse from outside the boundaries.

The Wawa Municipal landfill has a legal obligation to only accept waste generated within the boundaries of the Municipality of Wawa, and any unorganized area in the general vicinity it agrees to by way of written and approved contract as per the landfill's Environmental Compliance Approval (ECA) and directed by regulation from the Ministry.

DEFINITIONS

“Contractor” means a person or company that undertakes a contract to perform a service/perform work at a certain price or rate.

“Contractor Authorization Form” means a form completed by the property owner, resident or tenant and contractor acknowledging permitted landfill uses by the contractor.

“Property Owner” means a person who owns a property in the Municipality of Wawa.

“Tenant” means the tenant of a commercial or industrial property with a gross lease including a portion of the taxes with respect to ratable property in the area.

REQUIREMENTS FOR BUILDING CONTRACTORS

If you are a building contractor doing work on behalf of residents within the Municipality of Wawa, you may deposit construction or demolition waste at the Wawa Landfill site if:

1. The resident or property owner for whom you are doing work on behalf of has completed a Contractor Authorization Form for Use of Landfill Site, available at the Municipal Office or for download on the municipal website. This form authorizes the contractor to use the landfill site on the owner's behalf.

2. The property owner gives the form to the contractor who signs the form acknowledging they may only deposit waste from this project at the Landfill Site.
3. The contractor presents the Contractor Authorization Form for Use of Landfill Site to the landfill site attendant.
4. If the waste being disposed is from a business located within the municipality, Landfill staff will accept a letter on the business' letterhead stating that the waste was generated at a Municipality of Wawa property.

CONTRACTOR AUTHORIZATION POLICY - LANDFILL GUIDELINES

Landfill attendants maintain the right to refuse contractors or residents entry to the landfill if there is reason to believe the waste being deposited was not generated in the Municipality of Wawa.

Landfill attendants may ask for proof of identification, demolition permit, or building permit.

Failure to comply with the Contractor Authorization Policy may result in access to the landfill being terminated.

Tipping fees will be applied to all waste delivered to the landfill per the Wawa Schedule of Fees, as amended and updated annually.

NON-RESIDENTS/BUSINESSES

Subject to approval of Municipal Council and the MOE, should any resident/business outside municipal boundaries be approved to transport solid, non-hazardous refuse to the Wawa Landfill by way of written agreement, a 100% cost recovery for disposal, handling and processing of all waste received from outside Municipal boundaries will be charged, along with a 10% administration fee as set out in the Wawa Schedule of Fees, as amended.

The Director of Infrastructure has the final authority to set the non-resident/business tipping fees if indicated in the Municipal Schedule of Fees, as amended.