

THE CORPORATION OF THE TOWN OF ESPANOLA

BY-LAW NO. 251

A by-law for establishing and maintaining a system for the collection, removal and disposal of garbage, ashes and other refuse in the Corporation of the Town of Espanola.

WHEREAS the Municipal Act empowers the Council of a Municipality to establish and maintain a system for the collection, removal and disposal of garbage, ashes and other refuse within the Corporation of the Town of Espanola.

THEREFORE, the Council of the Corporation of the Town of Espanola enacts as follows:

1. FOR the purpose of this By-law, the following words shall have the meaning given herein.
 - (a) "TOWN" shall mean the Corporation of the Town of Espanola.
 - (b) "DWELLING" shall mean any building or place occupied or used as a place of abode, other than a hotel, restaurant, apartment house, tenement, or building in which more than two families dwell, abide or live, or which contains more than two separate places of dwelling abode, or living.
 - (c) "SUPERINTENDENT" shall mean the Town Superintendent.
 - (d) "GARBAGE" shall mean all waste meat, fish, fruit and vegetables and other kitchen waste, all boots, shoes and other wearing apparel, and shall include bottles and metal cans not exceeding five gallons each in capacity and any other waste which in the opinion of the Superintendent is capable of incineration.
 - (e) "ASHES" shall mean the residue of any household fuel after such fuel has been consumed by fire, all tins, bottles, crockery, glass, etc. not used as food containers, waste metal, automobile tires, lawn and garden cuttings and tree limbs cut in pieces not longer than three feet and tied in bundles shall be considered as ashes.
 - (f) "HOUSEHOLDER" shall mean and include an owner, occupant, lessee, tenant or any person in charge or occupation of any dwelling, hotel, restaurant, apartment house, office building, public institution, shop store or other building or any portion thereof respectively.
 - (g) "NON-COLLECTIBLE WASTE" shall mean any waste or matter other than GARBAGE AND ASHES and shall include the following:
 - (1) Manufacturer's waste.
 - (11) Celluloid cuttings, moving picture film, oil soaked or gasoline soaked rags and explosive or highly combustible material of any nature whatsoever.
 - (111) 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 and other organic matter not properly drained and wrapped.

- (VI) Liquid Waste.
- (VII) Hay, straw and manure.
- (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 manufacturers waste.
- (XIII) Any material which has become frozen to the receptacle and cannot be removed by shaking.

(h) "STREET" shall mean any public highway, road, street, lane, alley, square, place, thoroughfare or way within the Town of Espanola.

2. No person shall sweep, throw, cast, lay, or direct or suffer any agent or employee to sweep, throw cast, lay or deposit any offal, garbage, fruit skins, cinders, straw, excelsior, store sweepings, shavings, paper, dirt, lawn raking, broken glassware, hand bills, crockery, bottles, carcass of any animal, or rubbish of any kind whatever, on any lane, street, creeks, roadway, sidewalk, or public place in the Town.

NOR shall any householder suffer the accumulation of, or deposit of, or permit the deposit upon his premises or upon the streets, lanes, or private lands at the rear of or adjoining his premises of any garbage, ashes, rubbish, manure, paper, or other refuse or permit any filthy liquid matter from any cesspool, stable, pig-pen, or other objectionable liquids to flow or drain upon such streets, lanes, or private lands.

NO person shall pick over, interfere with, disturb, remove, or scatter any bundle of paper, or any article placed for removal whether contained in a covered metal container or otherwise except and until the same is removed as herein provided.

3. EVERY householder shall provide and constantly maintain in proper order and repair for the purposes of sorting and putting out for collection of garbage a sufficient number of covered metal containers having a capacity of not more than eighteen gallons each, and such a container shall not weigh more than 80 lbs. including contents. Every such metal container shall be provided with a good watertight metal cover, which cover shall at all times remain in position so as to preclude ingress and egress of flies or the escape of odours therefrom. No container shall be greater than 36 inches in height or shall have a diameter larger than 24 inches.

4. Every householder shall provide and constantly maintain in proper order and repair for the purpose of sorting and putting out of ashes a sufficient number of containers having a capacity of not greater than one bushel or $1\frac{1}{4}$ cubic feet.

5. It shall be the duty of the person receiving rent for a furnished or unfurnished apartment to see that a sufficient number of covered metal containers are provided for each apartment and such other equipment as may be necessary for the orderly disposal of garbage. Provided that all such metal containers so supplied for each apartment unit shall bear a number on the outside of such metal containers, which number shall correspond to the number of the designated apartment unit. Provided further that the person and/or householder receiving rent for such apartment accommodation shall provide and secure a proper place where the covered metal containers shall be stored and available for the tenants' use and collection as hereinafter provided by the appropriate agency..

6. EACH and every householder shall prepare and properly place for ultimate disposal all garbage, ashes, paper, and other waste for the disposal of which he is under this By-law responsible in the manner set forth in the following rules, namely:

- (a) GARBAGE shall be drained of all liquids and be securely wrapped in paper and deposited in a properly covered metal container supplied by the householder, which container shall conform to the description therefore in the rules hereof.
 - (b) ASHES shall be cold and placed in proper receptacles or containers.
 - (c) NEWSPAPERS, magazines, cardboard cartons and other waste paper shall be securely tied in solid compact bundles or in cardboard boxes, and should not weigh more than 80 pounds.
 - (d) CRATES, barrels and similar containers shall be knocked down flat and securely tied in convenient bundles. No such bundle shall weigh more than 80 pounds or have a dimension greater than three feet.
 - (e) CLIPPINGS from trees and shrubs shall be compactly and securely tied in bundles. No such bundle shall weigh more than 80 pounds or have a dimension greater than three feet.
 - (f) Non-Collectable waste, as defined in Section one (1) of this By-law, shall be removed by the householder at his own expense at least once a week. Pending such removal by the householder, the material referred to in this paragraph shall be stored by the said householder in covered wooden boxes and/or covered metal receptacles to prevent such material from being spread. Provided, however, that where the householder neglects or refuses to remove the said non-collectable waste from his premises after demand has been made so to do by the Town Superintendent and/or the Medical Officer of Health or anyone acting under the direction of either of them, then the said non-collectable waste shall be removed from any such property by the Corporation through its servants or agents and a charge shall be made for the removal thereof at the rate of .25¢ per cubic foot. The estimate of the Town Superintendent or agent acting under his direction as to the amount removed shall be final and conclusive. Accounts for removal of non-collectable waste shall be rendered as soon as possible and shall be due when rendered. Upon failure of the householder to pay any such account within five days of the rendering of a statement of charges, collections of garbage shall cease and no further collections shall be made until the account has been paid in full.
7. COVERED metal containers containing garbage shall be placed for collection in the following manner:
- (a) IN residential sections covered metal containers shall be placed on the ground at the front of the dwelling (unless there is a lane at the rear of the property) in such a position that there is easy access to the property.
 - (b) IN business sections the covered metal containers shall be placed in the lane at the rear of the property.
 - (c) WHERE Rules (a) and (b) of this section cannot be reasonably observed the Town Superintendent or anyone acting under his direction shall have the power to designate the precise point at which the covered metal containers shall be placed for collection.

8. NO person shall obstruct any street, as defined in this By-law, or other public place by placing thereon a vehicle of any description or any building material, trade waste, garbage cans, refuse of any sort, branches of trees, or other encumbrances, provided however a householder may place covered metal garbage containers when designated on the day of collection pursuant to Section 7 of this By-law, such containers to be placed on the day of collection not more than three hours before the regular time of collection.

NO containers shall be permitted to remain on the street, or in front of premises served, for an unreasonable length of time after collection has been effected.

9. GARBAGE collections shall be carried out as follows:

TWO collections per week:

MONDAYS⁹ and THURSDAYS⁹ South of Second Avenue.

TUESDAYS⁹ " FRIDAYS⁹ North of Second Avenue.

10. UNDER no condition shall any person acting under the direction of the Town Superintendent enter any private dwelling, apartment house, hotel, or tenement, or ascend, or descend any stairway or enter any elevator or hoist for the purpose of carrying out or returning thereto any container nor shall he demand any gratuity, gift, or consideration for services rendered beyond his regular wage.

11. NO refuse of the consistence of swill shall be collected from any premises whatsoever. Where refuse of this class is encountered the collectors shall leave the same and report immediately to the Town Superintendent who shall cause the same to be removed by the householder at his own expense.

12. CARCASSES of dogs, cats and other small animals and fowl may be removed by the owner to the Town Dump or incinerator and disposed of by the Town in such manner as may be determined by the Superintendent or by the employee in charge of incinerator.

The carcasses of larger animals shall be disposed of by the owner thereof, as follows: The owner of any such animal shall forthwith inform the Town Superintendent of the location of the carcass and the Town Superintendent shall remove or cause such carcass to be removed to such place as may be designated by the Town Superintendent. The Town Superintendent shall thereupon cause such carcass to be disposed of at the expense of the owner and the owner shall pay the cost of such disposal to the Town on demand being made therefor.

13. (a) ALL persons employing or using carts, wagons, or other vehicles, making excavations for building purposes and in conveying earth, rubbish, or other material from such excavations, or from any public place where the same may be deposited, all earth, rubbish, or other material that may fall from the wheels of, or from such carts, wagons or vehicles shall, before the removal thereof over the Corporate Streets, lanes or sidewalks, apply to the Town Superintendent for permission to remove and dispose of such material as hereinbefore described. The Superintendent shall arrange as soon as may be convenient, a system and/or scheme for the removal and disposal of such material and all charges that may occur as a result thereof shall be paid by the applicant forthwith upon demand being made therefore by the Town Superintendent.

(b) NO person shall convey through the streets any manure, garbage, offal or waste from butcher shops, or slaughter houses, or any waste or organic matter whatever, except in properly covered metallic container or otherwise, in carts, wagons, or vehicles, 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, so far as possible, the escape of any offensive odors therefrom.

14. WHERE there is a troublesome dog on the premises, all necessary protection must be given to the collectors during the removal of garbage etc.

15. THE Town shall provide all the necessary equipment and labour for the removal and disposal of garbage.

THE Superintendent shall be responsible for the collection, removal and disposal of garbage within the Town of Espanola, and shall be responsible to the Town Council through the Public Works Committee.

THE said Superintendent shall from time to time fix the routes of collection and the day of collection for each such route.

IT shall be the duty of the Town Superintendent and of the Medical Officer of Health, and everyone acting under the direction of either of them, to enforce the observance of the provisions of this By-law and to prosecute every person who violates the provisions thereof. Provided however that the Sanitary Inspector of the Town of Espanola is hereby authorized to investigate and correct, if possible, any complaints received from householders against the provisions of this By-law, but such authority shall not be at variance with the duties of the Town Superintendent and/or the Medical Officer of Health as hereinbefore provided.

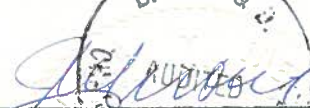

16. IT shall be the duty of the Town Superintendent to enforce the observance of those sections of this By-law which affect the collections of garbage by the Public Works Department.

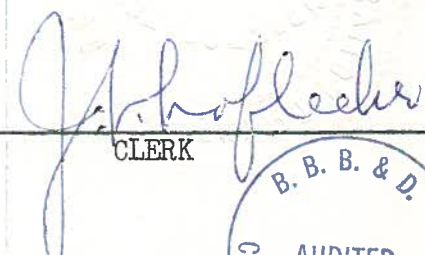
17. This By-law shall come into effect on the day of its being passed;

18. By-law Number 31 of the Corporation of the Town of Espanola is hereby rescinded;

19. ANY person guilty of a breach of this By-law shall be liable upon conviction to a penalty not exceeding fifty dollars (\$50.00), exclusive of costs, and such penalty shall be recoverable under "The Summary Conviction Act", and for each day that a person contravenes the provisions of this By-law it shall be deemed to constitute a separate offence and subject to the penalty as herein provided.

ENACTED AND PASSED IN OPEN COUNCIL
THIS 4TH DAY OF MAY, A.D., 1965.


MAYOR



CLERK

