

A BY-LAW TO AMEND BY-LAW 2005-09, AS AMENDED,  
 BEING A BY-LAW OF THE CORPORATION OF THE CITY OF PEMBROKE,  
 REQUIRING WASTE MANAGEMENT DIVERSION PROGRAMS AND  
 ESTABLISHING AND MAINTAINING A SYSTEM OF COLLECTION,  
 TRANSPORTATION AND DISPOSAL OF MUNICIPAL SOURCE-  
SEPARATED SOLID WASTE WITHIN THE CITY OF PEMBROKE

WHEREAS Section 11 of the Municipal Act, S.O. 2001, c. 25, as amended, provides that a lower tier municipality and an upper tier municipality may pass by-laws respecting matters within the spheres of jurisdiction including waste management matters;

AND WHEREAS the Municipal Council of the Corporation of the City of Pembroke is a partner in the Ottawa Valley Waste Recovery Centre (OVWRC) and is committed to the Environmental Mandate “To Walk Lightly on the Environment”;

AND WHEREAS the Council of the Corporation of the City of Pembroke deems it advisable to amend By-law 2005-09 to include a provision prohibiting the scavenging of scrap metal and white goods during the large item collection;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF PEMBROKE ENACTS AS FOLLOWS:

1. THAT Section 6 of By-law 2005-09 be amended by adding thereto the following:

**6. LARGE ITEM SPECIAL COLLECTION**


- (i) No person shall scavenge, pick over, interfere with, disturb, remove, or scatter any scrap metal or white goods material set out for large item special collection.
- (j) No waste generator shall place large item special collection material out for collection prior to 7:00 p.m. on the 4<sup>th</sup> (fourth) day preceding the designated collection.

2. THAT the Short Form Wording and Set Fine Amount for By-law 2005-09, as amended, be amended by adding thereto the following:

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
52.	Scavenge, pick over, interfere with, disturb, remove or scatter, any scrap metal or white goods material set out for large item special collection.	Section 6 (i)	\$500.00
53.	Placing out large item special collection waste prior to 7:00 p.m. on the 4 <sup>th</sup> (fourth) day before collection.	Section 6 (j)	\$250.00

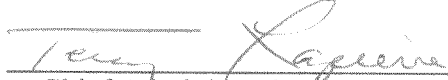
3. This by-law shall come into force and take effect upon the date of the final passing thereof.


READ A FIRST AND SECOND TIME THIS 4<sup>th</sup> DAY OF SEPTEMBER, 2007.

  
 Chief Administrative Officer/Clerk

  
 Mayor

READ A THIRD TIME AND PASSED THIS 4<sup>th</sup> DAY OF SEPTEMBER, 2007.

  
 Chief Administrative Officer/Clerk


  
 Mayor

PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the schedules of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 2005-09 as amended, of the **City of Pembroke** attached hereto are the set fines, including costs, for those offences. This Order is to take effect October 29, 2007.

Dated at Ottawa this 29<sup>th</sup> day of October 2007.

  
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Judith C. Beaman, Regional Senior Justice  
Ontario Court of Justice  
East Region

City of Pembroke – By-law 2005-09, as amended  
**Part I Provincial Offences Act**  
**Title: Collection By-law**

Item	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
1.	Failing to place waste stream(s) in specified containers.	3(a)	\$100.00
2.	Full container or bundles weigh more than 22.7 kg (50 lbs.).	3(a)(i)	\$100.00
3.	Container, bag or bundle height more than 90 cm (36 in.).	3(a)(ii)	\$100.00
4.	Container, bag or bundle diameter or width more than 60 cm (24 in.).	3(a)(iii)	\$100.00
5.	Container, bag or bundle volume more than 0.1 m <sup>3</sup> (3 ft. <sup>3</sup> ).	3(a)(iv)	\$100.00
6.	Plastic bag volume less than 0.08 m <sup>3</sup> (2.82 ft. <sup>3</sup> ).	3(a)(v)	\$100.00
7.	Failing to separate waste streams.	3(c)(i)	\$200.00
8.	Plastic bag not securely tied or sealed.	3(c)(ii)	\$100.00
9.	Failing to limit refuse set out to four (4) collection containers or unbroken plastic garbage bags, properly sealed and tied.	3(c)(ii)	\$150.00
10.	Fail to maintain the organic cart in a clean and sanitary condition.	3(c)(viii)	\$100.00
11.	Tree cuttings and shrubs exceed size restrictions.	3(c)(ix)	\$100.00
12.	Tree cuttings and shrubs not bundled securely with string or twine.	3 (c)(ix)	\$100.00
13.	Placing for collection wet organics which have not been drained and wrapped in absorbent paper.	3 (c)(xi)	\$100.00
14.	Placing hot ashes out for collection.	3 (c)(xii) (1)	\$100.00
15.	Ashes not placed in a combustible container.	3 (c)(xii) (2)	\$100.00
16.	Ashes not separated from flammable waste.	3 (c)(xii) (3)	\$100.00
17.	Failing to tightly wrap and place sharps in a rigid reusable container or cardboard box and clearly marked.	3 (c)(xiii)	\$200.00
18.	Failing to place animal faeces for collection as prescribed.	3 (c)(xiv)	\$100.00
19.	ICI waste generator failing to manage waste streams properly.	3(d)(i)	\$200.00
20.	ICI waste generator failing to use proper container.	3 (d)(ii)	\$200.00
21.	ICI waste generator failing to establish and maintain a waste diversion program.	3(e)	\$200.00
22.	Building Owner failing to separate waste streams.	3(f)	\$200.00

Item	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
23.	Placing out for collection source-separated solid waste in a location or manner not prescribed.	4(a)(i)	\$100.00
24.	Failing to distinctly separate refuse, organics, fibre recyclables or container recyclables from each other.	4(a)(ii)	\$100.00
25.	Failing to place collection containers 1.5 m (5 ft.) back from the curb or pavement edge during winter control operations.	4(a)(iii)	\$100.00
26.	Placing out for collection source-separated solid waste in a manner that obstructs usage of public sidewalk.	4(b)	\$100.00
27.	Failing to ensure collection location is maintained as clean and neat as possible.	4(b)	\$100.00
28.	Placing out for collection source-separated solid waste outside the timeframes permitted.	4(d)	\$100.00
29.	Failing to remove collection container(s) from the street, roadway or collection location on the day of collection.	4(e)	\$75.00
30.	Failing to ensure that all structures or buildings provided for the storage of container(s) are maintained in a clean and sanitary condition.	4(g)	\$100.00
31.	ICI Sector, contractor or builder placing item(s) out for large item special collection.	6(b)	\$250.00
32.	Placing out excluded item(s) for large item special collection (describe).	6(c)	\$75.00
33.	Placing out item(s) for large item special collection that exceed prescribed weight, volume or dimension.	6(e)	\$75.00
34.	Placing out item(s) for large item special collection in a manner which is not prescribed.	6(f)	\$75.00
35.	Failure to remove non-conforming item(s) immediately.	6(g)	\$150.00
36.	Sweep, throw, cast, lay or deposit waste on public place.	9(a)	\$200.00
37.	Scavenge, pick over, interfere with, disturb, remove or scatter, any source-separated waste placed out for collection in a container.	9(b)	\$200.00

City of Pembroke – By-law 2005-09, as amended  
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Item	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
38.	Placing out waste on a property that upon which it did not accumulate.	9(c)	\$250.00
39.	Permitting waste to be blown on or from premises on which waste is set out for collection.	9(d)	\$100.00
40.	Breaking, damaging or taking away container or cover.	9(e)	\$150.00
41.	Placing waste in a container not belonging to them.	9(i)	\$100.00
42.	Placing out for collection a container that is unsightly to the neighbouring environment.	9(f)(i)	\$75.00
43.	Placing out for collection a container that harbours or attracts rats, vermin or insects	9 (f)(ii)	\$100.00
44.	Placing out for collection a container that the waste falls out or protrudes from it.	9(f)(iii)	\$100.00
45.	Placing out for collection a container that is unsafe.	9(f)(iv)	\$100.00
46.	Permitting animal to (scavenge, pick over, interfere with, remove or scatter) any waste placed out for collection.	9(g)	\$100.00
47.	Placing waste so as to cause a public nuisance to the adjoining householder and/or building owner.	9 (h)	\$100.00
48.	Failure to remove unacceptable waste stream(s) from the Ottawa Valley Waste Recovery Centre.	10(a)	\$200.00
49.	Placing out for collection non-collectable waste.	10(b)	\$200.00
50.	Failure to transport any waste in properly covered containers or vehicles.	11(a)	\$200.00
51.	Failure to clean up any waste as a result of improper transportation.	11(b)	\$250.00
52. (2007-55)	Scavenge, pick over, interfere with, disturb, remove or scatter, any scrap metal or white goods material set out for large item special collection.	6 (i)	\$500.00
53. (2007-55)	Placing out large item special collection waste prior to 7:00 p.m. on the 4 <sup>th</sup> (fourth) day before collection.	6 (j)	\$250.00

“NOTE: the general penalty provision for the offences listed above is Section 14 of By-law 2005-09, a certified copy of which has been filed”.