



PROVINCE OF QUEBEC
TOWN OF KIRKLAND

BY-LAW NO: 2020-53

**BY-LAW CONCERNING THE COLLECTION,
TRANSPORTATION AND STORAGE OF RESIDUAL
WASTE**

ADOPTION PROCEDURE

Notice motion:	April 6, 2020
Filing of draft by-law:	April 6, 2020
Adoption of by-law:	May 4, 2020
Publication:	May 11 2020
Coming into force:	May 11 2020

- WHEREAS in accordance with its capacities regarding environmental issues and its regulatory powers provided by the *Municipal Powers Act* (CQLR, c. c-47.1), the Town of Kirkland may, via by-law, establish and exploit a residual waste disposal or valorization system or entrust it, in whole or in part, to another person after having previously established the rules and conditions to be complied with;
- WHEREAS the Town of Kirkland must take all necessary measures to ensure compliance with the rules contained in the *By-Law of the urban agglomeration council to encourage coherent interventions concerning the exercise of powers regarding residual materials* (RCG 17-009);
- WHEREAS according to article 356 of the *Cities and Towns Act* (CQLR c. C-19) notice of motion of the present by-law was given and the draft by-law was presented at the regular sitting of the municipal council held on April 6, 2020;
- WHEREAS copies of the present by-law were made available to the public;
- WHEREAS the preamble is an integral part of the present draft by-law;

THE MUNICIPAL COUNCIL ORDERS AND STATUTES AS FOLLOWS:

CHAPTER I – GENERAL CONDITIONS

ARTICLE 1 SCOPE OF APPLICATION

The provisions of the present by-law apply to the entire territory of the Town of Kirkland.

ARTICLE 2 TERMINOLOGY

In the present by-law, unless the context specifies otherwise, the following terms are defined as follows:

- “**Blue wheeled bin**”:
Blue plastic bin on wheels owned by the Town, closed and leakproof, made for the collection of recyclable material, with a capacity of 120, 240 or 360 litres and that must not be filled past its edges;
- “**Brown wheeled bin**”:
Brown plastic bin on wheels owned by the Town, closed and leakproof, made for the collection of organic waste, with a capacity of 80 or 240 litres and that must not be filled past its edges;
- “**Christmas tree**”:
Conifer or broadleaf tree used for decorative purposes at Christmas;
- “**Collection**”:
All of the operations pertaining to the pick-up of residual waste and its transportation towards a location where it is to be transferred, sorted or processed;
- “**Container**”:
Front, side or rear-loading wheeled metal recipient with a lid and a residual waste storage capacity of one and a half cubic metres (1.5 m³) to six cubic metres (6 m³) and that must not be filled past its edges;
- “**Contractor**”:
Any person or company being mandated by the Town to collect and transport residual waste;
- “**CRD**”:
Waste issued from construction, renovation and demolition;
- “**Dwelling unit**”:
Residential living area comprised of one or more rooms, occupied by a single household, directly accessible from outside, from a lobby or from a hallway connecting multiple dwelling units, equipped with complete sanitary installations and other installations or spaces necessary for a person to create a dwelling environment;
- “**Employee of the Town**”:
Municipal public servant employed by the Town of Kirkland;

“Establishments not served”:	All immovables not served by the municipal collection services;
“Food residue”:	Any food waste identified in Appendix B;
“Green residue”:	Any green waste identified in Appendix B;
“Household garbage”:	Residual waste identified in Appendix C;
“Household hazardous waste (HHW)”:	Any household hazardous waste identified in Appendix D;
“ICI”:	Building, including its shelters and enclosures, used by an owner, tenant or occupant other than for habitation purposes and, without restricting the generality of the foregoing, industries, businesses, institutions and factories;
“ICT”:	Items pertaining to the information and communication technologies (ICT), such as computers and computer screens, keyboards, electronic tablets, TV’s, printers, cell phones, video game consoles and digital music players;
“Immovable”:	Any immovable as defined by the <i>Civil Code of Québec</i> (CQLR, c. C-1991);
“In-Ground Container”:	Fixed semi-underground container or recipient used for temporary storage of residual waste between collections. The container can be of a bin truck or front loader type;
“Major transformation”:	Any expansion, demolition or partial or complete reconstruction of a building or any other modification which generates an increase in the quantity of residual waste;
“Manual collection”:	All of the man-made operations pertaining to the collection of bulk items, household garbage, organic waste or green waste stored in a recipient to that effect that may be lifted, emptied and put down manually, without any help from a mechanised system;
“Mechanised collection”:	All of the operations pertaining to the collection of bulk items, household garbage, organic waste or green waste stored in a recipient to that effect that may be lifted, emptied and put down mechanically with the help of tilters;
“Non-recoverable bulk item”:	Residual waste too bulky to be disposed of in a recipient. Non-recoverable bulk items are identified in Appendix C;
“Non-recoverable CRD”:	Non-recoverable residual waste from the construction, renovation and demolition of buildings. Non-recoverable CRDs are identified in Appendix C;
“Occupancy unit”:	Any unit of a residential or mixed building or any establishment of the industrial, commercial or institutional sectors;
“Occupant”:	Any person living in a building;
“Organic waste”:	Residual waste identified in Appendix B;
“Owner”:	Any person who has a right of ownership or a dismemberment of a right of ownership to a building;
“Perishable waste”:	Residual waste identified in Appendix B and any other waste that could cause bad odours (ex: diapers, litter, pet droppings, etc.);
“Recipient”:	Any recipient, including containers, in-ground containers, wheeled bins, bags and garbage cans in which residual waste is to be stored;

- “**Recoverable bulk item**”:
Residual waste too bulky to be disposed of in a recipient. Recoverable bulk items are identified in Appendix E;
- “**Recoverable CRD**”:
Recoverable residual waste from the construction, renovation and demolition of buildings. Recoverable CRD are identified in Appendix E;
- “**Residual waste**”:
All of the generated products destined for valorization, recovery, recycling, disposal, burial or incineration and without restricting the generality of the foregoing, household garbage, recyclable material, organic waste, bulk items, household hazardous waste, other hazardous waste and construction, renovation or demolition waste materials;
- “**Robotic collection**”:
All of the operations pertaining to the collection of bulk items, household garbage, organic waste or green waste stored in a recipient to that effect, with the help of a robotic system that grips the recipient and mechanically lifts, empties or puts down the recipient;
- “**Served establishments**”:
All immovables served by the municipal collection services;
- “**Town**”:
Town of Kirkland;
- “**Wheeled bin**”:
Plastic bin on wheels, closed and leakproof, made for the collection of residual waste with a maximum capacity of 360 litres and equipped with a European grip that must not be filled past its edges;

CHAPTER II – COLLECTION SERVICES

ARTICLE 3 IDENTIFICATION OF ESTABLISHMENTS BEING SERVED

- a) The municipal residual waste collection service is provided at a frequency established by the Town and exclusively to:
1. Any dwelling unit, regardless of whether it is registered or not on the Town’s roll;
 2. Any educational establishment, day-care centre, charitable registered with the Canada Revenue Agency, church, religious temple, presbytery; and
 3. Any municipal building.
- b) The municipal organic waste collection service is not systematically provided to of nine (9) dwelling units or more. It can, however, be provided, on request, and according to the frequency established by the Town.
- c) Any dwelling unit built after the coming into force of the present by-law will automatically be required to participate in the organic waste collection.

ARTICLE 4 IDENTIFICATION OF ESTABLISHMENTS NOT BEING SERVED

- a) The municipal residual waste collection service is not provided to the ICI category establishments except those indicated in article 3 a) 2. :
- The Town can, exceptionally and at its own discretion, undertake pilot projects for residual waste collection for establishments which are not being served by such collection services;
- b) The owner of an establishment not being served by such a collection service must, at its own expense, provide for the collection of residual waste according to the laws and by-laws in effect;

- c) The owner of a served establishment referred to in article 3 a) 2. and the owner of a residential building of nine (9) dwelling units or more can decide not to use the residual waste collection services offered by the Town and provide, at its own expense, collection services of residual waste according to the laws and by-laws in effect;

ARTICLE 5 MUNICIPAL RESIDUAL WASTE COLLECTION SERVICE

- a) Subject to the provisions of this by-law, the Town can execute or mandate a contractor to proceed, exclusively, to the collection and transportation of recyclable material, organic waste, household garbage, Christmas trees, branches, recoverable bulk items and recoverable CRDs from the served establishments, as defined in article 3 a) 1.
- b) Subject to the provisions of this by-law, the Town can execute or mandate a contractor to proceed, exclusively, to the collection and transportation of recyclable material, organic waste, household garbage, Christmas trees and branches from the served establishments, as defined in article 3 a) 2.
- c) For this purpose, the Town provides blue wheeled bins with a capacity of 120, 240 or 360 litres for the collection of recyclable material as well as brown wheeled bins with a capacity of 80 litres for residential buildings of eight (8) dwelling units or less and 240 litres for residential buildings of nine (9) dwelling units or more and the served establishments mentioned in article 3 a) 2. for the collection of organic waste.
- d) The recipients distributed to the served establishments must remain on the property to which they are assigned.
- e) It is strictly prohibited to deposit by the side of the road, for a collection offered by the Town or its authorized contractor, residual waste from another city or another occupancy unit.

CHAPTER III – SPECIFICATIONS CONCERNING RESIDUAL WASTE COLLECTIONS FOR SERVED ESTABLISHMENTS

Section 1 – Residual Waste

ARTICLE 6 OBLIGATION TO SORT AND RECOVER

Any owner, tenant or occupant of a served establishment must remove from the household garbage, without limitation: recyclable material, organic waste, recoverable bulk items, recoverable CRDs, HHW and ICTs, tree branches and Christmas trees in order to dispose of them as required by the by-law.

ARTICLE 7 OBLIGATION OF THE OWNER

Any owner of a served establishment must provide its tenants or occupants with enough regulatory recipients to store residual waste between collections.

Any owner of a served establishment must ensure adequate storage of residual waste from the dwelling units; he is responsible for preparing it for collection, for putting it to the curb and removing it following the collection.

Any owner of a served establishment must ensure that all rules concerning the collection of residual waste are displayed in a location visible by all tenants or occupants.

Section 2 – Recyclable Material

ARTICLE 8 MINIMUM STORAGE VOLUME FOR RECYCLABLE MATERIAL BETWEEN COLLECTIONS

- a) Each served establishment must dispose of a sufficient storage volume for recyclable material to ensure its collection in accordance with this chart:

Number of occupancy units per single or multiple occupant building	Mandatory minimum storage volume per occupancy unit – Weekly collection
1 to 8	120 litres
9 or more	Enough to allow each occupancy unit to dispose of 100% of their recyclable material
New building of 9 or more	See article 40

- b) Owners of served establishments of nine (9) dwelling units or more must only acquire recycling recipients with a capacity of 360 litres (blue wheeled bins). Any other collection recipient must first be authorized in writing by the Town.
- c) Owners of an establishment mentioned in article 3 a) 2. must only acquire recycling recipients with a capacity of 360 litres (blue wheeled bins). Any other collection recipient must first be authorized in writing by the Town.
- d) The Town may provide an additional blue wheeled bin to owners, tenants or occupants of a served establishment who request it. However, the Town reserves the right to accept or deny such request depending on the reason given or the availability of recipients.

ARTICLE 9 ADMISSIBLE RECIPIENTS FOR THE COLLECTION AND DISPOSAL OF RECYCLABLE MATERIAL

- a) The admissible recipients for the collection of recyclable material from served establishments performed once a week are:
 - 1. 120-litre blue wheeled bin;
 - 2. 240-litre blue wheeled bin;
 - 3. 360-litre blue wheeled bin;
 - 4. In-ground containers according to the criteria listed in article 40 of the present by-law and previously approved by the Town.
- b) The blue wheeled bin must be placed less than one (1) metre from the street curb, its wheels facing towards the served establishment. The bin must not be placed directly on the public way.
- c) There must be a minimum clearance of 60 centimetres around the blue wheeled bin to allow for its pick up.
- d) The lid of the recipients must be shut and the closing mechanism must not be engaged if applicable.
- e) Only the recyclable material inside the authorized bins will be collected unless indicated otherwise by the Town.
- f) The weight of a blue wheeled bin must not exceed 50 kilograms for the 120-litre recipient, 70 kilograms for the 240-litre recipient and 110 kilograms for the 360-litre recipient.
- g) Blue wheeled bins must only be used for the weekly collection of recyclable material.

ARTICLE 10 RECYCLABLE MATERIAL

The recyclable material accepted in the collection are identified in Appendix A.

Section 3 – Organic Waste

ARTICLE 11 MINIMUM STORAGE VOLUME FOR ORGANIC WASTE BETWEEN COLLECTIONS

- a) Each served establishment must dispose of sufficient storage volume for organic waste to ensure its collection, in accordance with this chart:

Number of occupancy units per single or multiple occupant building	Mandatory minimum storage volume per occupancy unit – Weekly collection
1 to 8	80 litres
9 to 24	Enough to allow each occupancy unit to dispose of 100% of their organic waste
New building of nine or more	See article 40

- b) Owners of served establishments of nine (9) dwelling units or more must only acquire 240-litre brown wheeled bins. Any other collection recipient must first be authorized in writing by the Town.
- c) Owners of an establishment mentioned in article 3 a) 2. must only acquire 240-litre brown wheeled bins. Any other collection recipient must first be authorized in writing by the Town.
- d) The Town may provide an additional brown wheeled bin to owners, tenants or occupants of a served establishment who request it. However, the Town reserves the right to accept or deny such request depending on the reason given or the availability of recipients.

ARTICLE 12 ADMISSIBLE RECIPIENTS FOR THE COLLECTION AND DISPOSAL OF ORGANIC WASTE

- a) The admissible recipients for the collection of organic waste from served establishments performed once a week are:
 - 1. 80-litre brown wheeled bin;
 - 2. 240-litre brown wheeled bin;
 - 3. Biodegradable paper bags, cardboard boxes or garbage cans of 100 litres or less for residual waste listed in Appendix B a) 2. – Green Residue;
 - 4. Wheeled bin of 360 litres maximum equipped with a European grip which can mechanically be lifted for residual waste listed in Appendix B a) 2. – Green Residue;
 - 5. In-ground containers according to the criteria listed in article 40 of the present by-law and previously approved by the Town.
- b) The admissible recipients for the collection of organic waste must be placed less than one (1) metre from the street curb. They must not be placed directly on the public way.
- c) The lid of the recipients must be shut and the closing mechanism must not be engaged if applicable.
- d) The weight of a brown wheeled bin must not exceed 34 kilograms for the 80-litre recipient and 70 kilograms for the 240-litre recipient.
- e) Each recipient (biodegradable paper bags, cardboard boxes or garbage cans of 100 litres or less) for manual collection must not exceed 25 kilograms in weight.
- f) The weight of a wheeled bin must not exceed 50 kilograms for a 120-litre recipient, 70 kilograms for a 240-litre recipient and 100 kilograms for a 360-litre recipient.
- g) For sanitary reasons, organic waste may be wrapped in newspaper or paper bags before being deposited in the recipient from which it is to be collected.
- h) Brown wheeled bins must only be used for the weekly collection of organic waste.
- i) Residual waste described in Appendix B a) 1. (food residue) must only be placed in a brown wheeled bin of 80 or 240 litres provided by the Town, unless a written authorization has been obtained from the Town;

ARTICLE 13 ORGANIC WASTE

Organic waste items accepted in the collection are identified in Appendix B.

Section 4 – Household Garbage**ARTICLE 14 ADMISSIBLE RECIPIENTS FOR THE COLLECTION AND DISPOSAL OF HOUSEHOLD GARBAGE**

- a) The admissible recipients for the collection of household garbage from served establishments performed once a week are:
1. A recipient that is clean, in good condition, closed and leakproof, made from strong and resistant material, complete with handles and a lid, meant for manual collection, with a maximum capacity of 100 litres and that must not exceed 25 kilograms in weight;
 2. A recipient that is clean, in good condition, closed and leakproof, made from strong and resistant material, complete with handles and a lid, meant for mechanised collection, with a maximum capacity of 360 litres and that must not exceed 70 kilograms in weight;
 3. A plastic bag, with a minimum average thickness of 0.040 millimetres, in good condition, closed and leakproof and that does not exceed 25 kilograms in weight;
 4. A front, side or rear-loading container previously approved by the Town;
 5. An in-ground container according to the criteria listed in article 40 of the present by-law and previously approved by the Town.
- b) It is forbidden for a building of eight (8) dwelling units or less to have individual recipients of more than 360 litres unless there is a prior written agreement with the Town.
- c) Any recipient must keep a 10 centimetres garbage-free zone between the top of the garbage and the edge of the recipient, so that it is not completely full and may be shut tightly.
- d) The household garbage must be wrapped in a leakproof plastic bag before being deposited in the recipient which it is to be collected, except when only a plastic bag is used.
- e) In order to avoid any confusion, the use of blue or brown wheeled bins is prohibited for the household garbage collection.

ARTICLE 15 QUANTITY OF HOUSEHOLD GARBAGE ACCEPTED PER SERVED ESTABLISHMENT

A served establishment may have, at a maximum, the equivalent of a 360-litre wheeled bin for household garbage per dwelling unit. The quantity is limitless for institutions mentioned in article 3 a) 2.

A maximum of five cubic metres (5 m³) of non-recoverable bulk items and non-recoverable CRDs can also be deposited for the weekly collection of household garbage on top of the maximum volume of 360 litres.

ARTICLE 16 ACCEPTED HOUSEHOLD GARBAGE

The household garbage items accepted in the collection are identified in Appendix C.

Section 5 – Household Hazardous Waste**ARTICLE 17 COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE**

- a) The Town holds a household hazardous waste (HHW) collection twice a year at the municipal yard located at 25 Claude-Jodoin Street, Kirkland. The Town informs the served establishments of the dates on which this collection will take place by using its website, electronic billboards and municipal publications.
- b) HHW must be kept in their original recipients or properly labelled in order to facilitate processing. The maximum volume of any HHW is 19 litres per recipient.
- c) ICIs are strictly forbidden to participate in the collection of HHW. They must oversee and assume the costs of the disposal of HHW, in accordance with the laws and regulations in effect.
- d) HHW items accepted in the collection are identified in Appendix D.

Section 6 – Bulk Items and CRDs**ARTICLE 18 COLLECTION, DISPOSAL AND ACCEPTED QUANTITY OF RECOVERABLE BULK ITEMS AND RECOVERABLE CRDs****1. Curbside pick-up, on request**

- a) The Town holds, on request and without cost, special collections of recoverable bulk items and recoverable CRDs according to a schedule and a calendar published annually. The recoverable bulk items and recoverable CRDs are listed in Appendix E.
- b) The recoverable bulk items and recoverable CRDs must be deposited near the sidewalk, the curb or the right of way and out of the public way so as not to pose any risk to the security of goods and people.
- c) During the curbside pick-up, the total accepted quantity of recoverable bulk items and recoverable CRDs is two cubic metres (2 m³) per dwelling unit.
- d) Construction aggregates in bulk (brick, mortar, rock, concrete, asphalt, paving stones, patio stones, asphalt singles, etc.) as well as soil, rock and turf are strictly prohibited in the curbside pick-up.
- e) An annual maximum total of six (6) disposal services of recoverable bulk items and recoverable CRDs is offered per dwelling unit. The Town adds curbside pick-ups and drop-offs at the municipal yard to count the number of services offered (ex: four (4) curbside pick-ups + two (2) drop-offs at the municipal yard = six (6) services).
- f) The recoverable bulk items and recoverable CRDs covered by this service cannot come from work executed by construction companies and is only offered to dwelling units specified in article 3 a) 1.

2. Drop-off at the municipal yard – 25, Claude-Jodoin Street

- a) The Town offers residents, without cost, the opportunity to drop off recoverable bulk items and recoverable CRDs at the municipal yard located at 25, Claude-Jodoin Street according to a schedule and a calendar published annually. The recoverable bulk items and recoverable CRDs are listed in Appendix E.
- b) The recoverable bulk items and recoverable CRDs must be deposited where indicated by the municipal yard employees.
- c) Aggregates made up of asphalt and asphalt shingles cannot be dropped off at the municipal yard.

- d) For a drop-off at the municipal yard, the total maximum quantity accepted of recoverable bulk items and recoverable CRDs is two cubic metres (2 m³) per dwelling unit.
- e) An annual maximum total of six (6) disposal services of recoverable bulk items and recoverable CRDs is offered by dwelling unit. The Town adds curbside pick-ups and drop-offs at the municipal yard to count the number of services offered (ex: four (4) curbside pick-ups + two (2) drop-offs at the municipal yard = six (6) services).
- f) The recoverable bulk items and recoverable CRDs covered by this service cannot come from work executed by construction companies and is only offered to dwelling units specified in article 3 a) 1.

Section 7 – Christmas Trees and Branches

ARTICLE 19 COLLECTION AND DISPOSAL OF CHRISTMAS TREES

- a) The Town holds a Christmas tree collection once per year for served establishments during winter. The Town informs the served establishments of the date on which this collection will take place by using its website, electronic billboards or municipal publications.
- b) The Christmas trees must be placed near the sidewalk, the curb or the right of way and out of the public way in order not to hinder traffic or obstruct drivers' visibility.
- c) All ornaments and wrappings must be removed from the Christmas trees which must not be buried in snow.

ARTICLE 20 COLLECTION AND DISPOSAL OF BRANCHES

- a) The Town holds, without cost, a collection of branches for served establishments on specific dates over the course of the year, or on request, at any time during regular office hours. Only branches prepared and arranged according to the following guidelines are accepted for collection:
 - 1. Branches must lie entirely on the grounds of the served establishment and must be deposited near the sidewalk, the curb or the right of way and out of the public way;
 - 2. The cut extremities must be directed towards the street;
 - 3. The diameter of the branches must be less than 20 centimetres;
 - 4. Branches must be free of debris such as soil, peat, timber or metal;
 - 5. The pile of branches must not exceed the allowed dimensions, namely two and a half metres (2.5 m) x two metres (2 m) x one and a half metres (1.5 m) (length x width x height).

CHAPTER IV – REGULATIONS FOR THE TAKEOUT OF RESIDUAL WASTE FOR SERVED ESTABLISHMENTS

ARTICLE 21 TIME PERIOD TO DEPOSIT RESIDUAL WASTE BEFORE THE COLLECTION

- a) Unless specified otherwise by the Town, the collection of residual waste from served establishments takes place between 7:00 a.m. and 6:00 p.m. The Town will inform the served establishments as to which dates those collections will be held on via its website, electronic billboards or municipal publications.
- b) The residual waste from served establishments must be taken out at the earliest at 6:00 p.m. the night before the collection and 7:00 a.m. at the latest on the day of the collection. It must be deposited near the sidewalk, the curb or the right of way and out of the public way or else it will not be picked up.

- c) Recoverable bulk items and recoverable CRDs included in the curbside pick-up offered by the Town can exceptionally be deposited curbside after 6:00 p.m. the Sunday before the collection.
- d) Any residual waste or any recipient must be placed out of the public way and out of the visibility triangle and must not in any way hinder traffic or obstruct drivers' visibility;

ARTICLE 22 TIME PERIOD FOR THE REMOVAL OF RECIPIENTS

The residual waste storage recipients must be put away in accordance with the current regulations at the latest 12 hours after the residual waste collection.

ARTICLE 23 RESIDUAL WASTE COLLECTION ON HOLIDAYS

When the scheduled residual waste collection day is a holiday, the Town informs the served establishments of an alternative collection date via its website, electronic billboards or municipal publications.

ARTICLE 24 ACCESSIBILITY OF RESIDUAL WASTE ON COLLECTION DAY

- a) Any owner, tenant or occupant of a served establishment must ensure that the waste collection truck has access to the recipients and that they do not pose any risk to the safety of persons or property.
- b) The location of the recipients must allow the waste collection truck to lift the recipients without having to back up onto a street, a driveway or a parking space. If such a manoeuvre is unavoidable, an agreement must be made between the owner and the contractor which must be forwarded to the Town for approval.
- c) For any in-ground container which may represent a fall hazard during collection, the owner must ensure that collection operations comply with the *Regulation respecting occupational health and safety* (CQRL, c. S-2.1, r. 13) and the *Act respecting occupational health and safety* (CQRL, c. S-2.1, a 223) and any other applicable legislation.

CHAPTER V – STORAGE OF RESIDUAL WASTE BETWEEN COLLECTIONS

ARTICLE 25 ACCUMULATION OF RESIDUAL WASTE

- a) The storage of residual waste between collections must never facilitate the proliferation of vermin or rodents.
- b) It is forbidden to scatter or pile up any residual waste.
- c) Despite the above, the accumulation of domestic residual waste for urban composting reasons is permitted if it is deposited in a closed composting bin, safe from animals and operated in accordance with the current regulations.

ARTICLE 26 DEPOSITING RESIDUAL WASTE IN A RECIPIENT BELONGING TO SOMEONE ELSE

It is forbidden for anyone to deposit residual waste in a recipient that does not belong to them or that is to be used by a served establishment other than their own.

ARTICLE 27 DEPOSITING RESIDUAL WASTE ON SOMEONE ELSE'S PROPERTY

- a) It is forbidden for anyone to deposit or store, or request that a third party deposit or store, residual waste on the grounds of an immovable of which they are not the owner, tenant or occupant or that is not specifically designated for this purpose in the regulation.

- b) It is forbidden for anyone to dispose of residual waste in a watercourse, in the Town's sewer system or on public property.

ARTICLE 28 SECURITY

It is forbidden for anyone to deposit, for a curbside pick-up, any recipient or bulk item equipped with a door or a closing device without having first removed the door or the closing device.

ARTICLE 29 SEARCHING THE CONTENTS OF THE RECIPIENTS

It is forbidden to anyone but the Town employees or the contractor to deposit in, tip over or rummage through the recipients belonging to others and designated for the collection of residual waste.

ARTICLE 30 VANDALISM

- a) It is forbidden to burn or set on fire collection recipients, the residual waste they contain or the waste located next to the collection recipients.
- b) It is forbidden to damage the Town's collection recipients in any way.

CHAPTER VI – STORAGE OF RESIDUAL WASTE BETWEEN COLLECTIONS – SPECIAL PROVISIONS

Section 1 – Dwelling Units

ARTICLE 31 STORAGE AND STOCKING

The stocking of recipients used to store residual waste between collections may only be performed as follows:

1. For residential buildings of one (1) to three (3) dwelling units, the recipients must be stored on the rear setback, against the wall of the main or accessory building or in the side setback, on the garage side or parking side.
2. For residential buildings of four (4) to eight (8) dwelling units, residual waste must be stored inside the building or in recipients stored in an opaque enclosed area made of authorized material similar to that of the main building and located in the rear setback or by complying with the related laws and regulations.
3. Except for new buildings referred to in article 40, for residential buildings of nine (9) dwelling units or more, residual waste must be stored inside the building or in recipients stored in an opaque enclosed area made of authorized material similar to that of the main building and located in the rear setback or by complying with the related laws and regulations.

Section 2 – Establishments: Restaurants, Food Retailers and Agri-Food Industries

ARTICLE 32 APPLICATION

This section applies to restaurants or any other establishment where meals are prepared or food is processed in any way, to any establishment selling or displaying unwrapped food or other unwrapped perishable products and, without restricting the generality of the foregoing, catering businesses, grocery stores and food markets, fruit stores, fish stores, butcher shops and agri-food industries.

ARTICLE 33 COLD ROOM

- a) Any establishment referred to in article 32 must have a cold room that meets the following conditions:
1. It must have a minimal surface area equal to the highest of the following:
 - i) two and a half square metres (2.5 m²);
 - ii) Two percent (2 %) of the establishment's net leasable area, including the dining room, bar, kitchen and storage areas.
 2. Its floor-to-ceiling height must be at least two (2) metres;
 3. It must have fire separations made from non-combustible material and a fire resistance level of at least two (2) hours or at least one (1) hour if protected by an approved automatic sprinkler system;
 4. Any cold room located in a building higher than three (3) floors or in a building whose flooring area exceeds 600 square metres must be protected by an approved automatic sprinkler system;
 5. The surface of its floor, walls and ceiling must be impermeable and washable;
 6. It must be fitted with a drain and a floor angled towards said drain;
 7. Its interior temperature must be kept between 2 °C and 7 °C.
- b) The perishable waste of any establishment that must be equipped with a cold room may only be stored in said cold room. Except for new buildings referred to in article 40, perishable waste originating from the occupancy units can also be placed in recipients and stored in the cold room.

ARTICLE 34 SHELTERS AND ENCLOSURES

- a) Any establishment referred to in article 32 may be equipped with a shelter or an enclosure that meets the following conditions:
1. It must have a minimal surface area equal to the highest of the following:
 - i) two and a half square metres (2.5 m²);
 - ii) Two percent (2 %) of the establishment's net leasable area, including the dining room, bar, kitchen and storage areas.
 2. Be made of material similar to that of the main building.
- b) The recyclable material of any establishment referred to in article 32 must be deposited in recipients for this purpose and stored in a shelter, an enclosure, in the cold room or in an in-ground container.
- c) The residual waste of any establishment referred to in article 32 must be deposited in the location previously approved by a Town employee, twelve (12) hours before the collection at the earliest and the recipients must be put away four (4) hours after the collection at the latest.

Section 3 – Establishments: ICI**ARTICLE 35 APPLICATION**

This section applies to any establishment in the ICI category generating residual waste other than those referred to in article 32.

ARTICLE 36 STORAGE AND STOCKING

- a) Except for new buildings referred to in article 40, any establishment of the ICI category referred to in article 35 generating residual waste must be equipped with a shelter or an enclosure designed and used exclusively for storing residual waste, except if the establishment referred to in article 35 stores its recipients of residual waste inside the building between collections.
- b) The residual waste of an establishment equipped with a shelter or enclosure can only be stored in recipients for this purpose in said shelter or enclosure.
- c) The residual waste of any establishment referred to in article 35 must be placed in the location previously approved by a Town employee, at the earliest twelve (12) hours before the collection and the recipients must be put away four (4) hours after the collection at the latest.

ARTICLE 37 SHELTERS AND ENCLOSURES

- a) Except for new buildings referred to in article 40, if it serves an establishment referred to in article 35, the shelter or enclosure must meet the following conditions:
 1. Be large enough to store any residual waste generated by the establishment over one week of activity;
 2. Be equipped with a washable floor and be naturally aerated by a window, a louvre, a damper or another similar device with an open surface equal to at least one percent (1%) of that of the shelter or enclosure;
 3. Be made of material similar to that of the main building;
 4. For an enclosure or shelter:
 - a) Be two (2) metres high from the floor;
 - b) Have a door that is two (2) metres high from the floor, made from opaque material of a colour that works well with the exterior cladding of the shelter or enclosure;
 - c) Have a floor covering and walls that are impermeable and washable.

Section 5 – Recipients, Containers and In-Ground Containers**ARTICLE 38 CONTAINERS, WHEELED BINS, IN-GROUND CONTAINERS**

- a) All residual waste stored in an enclosure or a shelter must be deposited in a container or wheeled bins.
- b) The containers must meet the following conditions:
 1. Be adapted for collection trucks;
 2. Be made from strong and resistant material;
 3. Be equipped with lids or doors ensuring that it's airtight and water resistant;
 4. Have a minimum volume of one and a half cubic metres (1.5 m³) and a maximum volume of six cubic metres (6 m³);
 5. Be kept clean, odourless and in a good state of use;
 6. Never be filled up higher than its edge.
- c) The wheeled bins must meet the following conditions:
 1. Be adapted for collection trucks;

2. Be made from plastic and be equipped with wheels;
 3. Be equipped with a lid that is airtight and water resistant;
 4. Have a minimum volume of 80 litres and be equipped with a European grip;
 5. Be kept clean, odourless and in a good state of use;
 6. Never be filled up higher than its edge.
- d) In-ground containers must meet the following conditions:
1. Be adapted for collection trucks;
 2. Be made from strong and resistant material;
 3. Be equipped with a lid that is airtight and water resistant;
 4. Be kept clean, odourless and in a good state of use;
 5. Never be filled up higher than its edge

ARTICLE 39 RESIDUAL WASTE PACKAGING

All perishable residual waste must be put into garbage bags before being stored in a cold room, a container or a wheeled bin located in a shelter or enclosure. These bags must be tied to ensure that no residual waste will leak out.

Where perishable residual waste is the subject of a special collection of organic waste which does not allow for the use of plastic bags, the establishment can be exempt from complying with this provision.

ARTICLE 40 IN-GROUND CONTAINERS

1. Targeted Users

- a) Notwithstanding any other provision contrary to this by-law, the use of in-ground containers for the regular collection of residual waste is mandatory for any new residential building of nine (9) dwelling units or more. However, it is not required to use an in-ground container for household garbage when the buildings of nine (9) dwelling units or more stores its household garbage in containers inside the building.

Is considered a new building or a new building complex any building or building complex for which a construction permit is issued after the present by-law has come into force.

- b) New buildings of nine (9) dwelling units or more must use in-ground containers for recyclable material and organic waste.
- c) The use of in-ground containers for the residual waste collection of establishments not served is mandatory for new constructions or major transformations of existing buildings of occupancy units for industries, businesses and institutions when there are more than four (4) occupancy units in one building or if the number of wheeled bins is more than eight (8) based on a weekly collection for the total number of occupancy units, regardless of the number of units. Each establishment must at least have in-ground containers for household garbage and recyclable material.
- d) New constructions and major transformations of existing buildings of occupancy units for industries, businesses and institutions when there are four (4) occupancy units or less in one building and when there is eight (8) wheeled bins or less based on a weekly collection for all of the occupancy units must have in-ground containers or store all their containers inside the building between collections. Each establishment must, at a minimum, have containers for household garbage and recyclable material.

- e) The occupancy units referred to in article 3 a) 2. are exempt from the obligation to install in-ground containers. Storage must, however, comply with the provisions of articles 35, 36 and 37 of the present by-law.

2. Applicable Rules

- a) In-ground containers can be located in the side yard or behind the buildings as long as their location complies with the provisions of the present by-law and those of the applicable urban planning regulations. Priority must be given to a backyard rather than a side yard.
- b) An access lane must guarantee access to each in-ground container. This lane must have a width of at least a half metre (0.5 m) and be made of solid material allowing for maintenance and snow removal (ex: paving stones, bituminous concrete, cement concrete).
- c) In-ground containers servicing the same residential, industrial, commercial or institutional building or building complex must be regrouped. When it is impossible to regroup them all, each grouping of in-ground containers must include one in-ground container for each applicable residual waste.
- d) In-ground containers must be installed according to the manufacturer’s specifications and by qualified personnel. They must be installed according, but not limited to, the minimum distances indicated in the table below:

Elements	Minimum Distance
Other in-ground container	20 cm
Structure and walls, buildings or fixed objects	20 cm
Balconies, windows and doors	3 m
Town’s right-of-way (3 m and more)	1 m
Right-of-way of less than 3 m	4 m from the street asphalt
Overhead electrical wires, trees, lampposts and other overhead obstacles	6 m (vertical)
Property line	1 m
Flood risk areas and riparian strips	1 m
Access area for waste collection truck at the lifting point	Maximum distance: 6 m
In-ground public service infrastructure	40 cm (around and below)

- e) All infrastructure or servitude must be taken into account to ensure a secure location for the in-ground containers. Before the installation, the owner and the installer must make sure that a request is made to Info-Excavation, among others, to ensure a safe and compliant installation. Pipes for water, gas, sewer, electricity and others, without limitation, must previously be identified and the required authorizations must be obtained, including those of the Town.
- f) For the installation of an in-ground container, the installer must ensure that all operations are safe. Without limitation, the installer must monitor the excavation hole. If the hole is left unattended, a barricade must be installed around the excavation hole so that no one may fall into it. The installation of an in-ground container must be completed on the same day the excavation hole is dug. Appropriate measures must also be put in place to ensure the workers’ health and safety.
- g) In-ground containers must be equipped with a vegetation screen in order to conceal them without obstructing the access lane. This vegetation screen must be, at all times, kept in good condition and have year-round foliage (ex: conifers). When in-ground containers are located less than four (4) metres away from a balcony, window or main door, they must be concealed by a vegetation screen located between the in-ground containers and these elements.

- h) Except for the access lane and the space covered by the vegetation screen, a minimum distance of 30 centimetres must be covered by mulch, turf, paving stones, bituminous concrete or cement concrete around the in-ground containers.
- i) The landscaping required in paragraphs g) and h) must be completed within four (4) weeks following the installation of the in-ground containers when weather conditions permit.
- j) The exterior cladding material of the in-ground containers must match the exterior cladding of the main building and be previously approved by the Town.
- k) The served establishments must ensure that the weight of the in-ground containers' content complies with the loads permitted by the manufacturer and allows for their collection.

CHAPTER VII – PROPERTY AND MAINTENANCE OF RECIPIENTS

ARTICLE 41 PROPERTY OF RECIPIENTS

The bins labelled and provided by the Town for the collection of recyclable material or compostable material are the property of the Town.

ARTICLE 42 IDENTIFICATION OF RECIPIENTS

It is forbidden to alter, hide or eliminate the Town's logo.

It is forbidden to alter or destroy a recipient provided by the Town.

The owner, tenant or occupant of a served establishment is obligated to notify the Town within 48 hours when they notice that their blue wheeled bin or brown wheeled bin has been altered, modified or broken.

ARTICLE 43 MAINTENANCE OF THE RECIPIENTS, SHELTERS, ENCLOSURES AND COLD ROOMS

- a) The owner, tenant or occupant must perform a regular maintenance of their cold room, shelter, enclosure and recipients and make sure they are kept in good condition, clean, leakproof and odourless.
- b) At no time should residual waste be discarded, abandoned or left outside a cold room, shelter, enclosure or recipient.
- c) No object or vehicle must be in the loading zone of the waste collection truck near the lifting point of the collection recipients so as to not prevent the truck from lifting the recipients.
- d) Dust residue or residue likely to fly away during the collection must be deposited in a plastic bag or other recipient to prevent it from being scattered in the environment when the recipient is lifted.
- e) It is mandatory for owners, tenants or occupants to maintain, throughout the year, the access lane to the collection recipients and consequently, to remove any snow blocking access to the recipients as well as remove snow from the area where recipients are lifted. Recipients stuck in ice or snow will not be lifted.

ARTICLE 44 FEES FOR REPAIR OR REPLACEMENT

In the case of a break of recipient belonging to the Town by the owner, tenant or occupant of a served establishment, the fees related to the repair or replacement are assumed by the owner of said served establishment. The Town will send the owner the bill, which will have to be paid within sixty (60) days upon reception.

CHAPTER VIII – POWER OF CERTAIN TOWN EMPLOYEES**ARTICLE 45 APPLICATION OF THE BY-LAW**

Employees of the urban planning service, the supply and environment division as well as municipal patrol officers are authorized to issue statements of offence against anyone who violates any provision of this by-law.

ARTICLE 46 POWERS AND OBLIGATIONS RELATING TO INSPECTIONS

Employees of the Town referred to in article 45, responsible for the application of this by-law, are authorized to visit and examine, at any reasonable hour, any immovable, as well as the interior or exterior of any building of the ICI category and, notwithstanding *By-law no 2012-53 respecting the inspection of immovables* to ensure that all the provisions of this by-law are respected, to assess any fact or verify any information necessary to exercise the powers conferred upon them.

CHAPTER IX – PENAL PROVISIONS AND SANCTIONS**ARTICLE 47 PENALTIES**

Anyone contravening a provision of this by-law, tolerating or permitting such a contravention, is liable to the following fine:

- a) for a first offence:* A minimum of THREE HUNDRED DOLLARS (\$300) and a maximum of ONE THOUSAND DOLLARS (\$1,000) if the offender is a natural person or a minimum of SIX HUNDRED DOLLARS (\$600) and a maximum of TWO THOUSAND DOLLARS (\$2,000) if the offender is a legal person;
- b) for a repeat offence:* A minimum of SIX HUNDRED DOLLARS (\$600) and a maximum of TWO THOUSAND DOLLARS (\$2,000) if the offender is a natural person or a minimum of TWELVE HUNDRED DOLLARS (\$1,200) and a maximum of FOUR THOUSAND DOLLARS (\$4,000) if the offender is a legal person.

CHAPTER X – REPEALING AND COMING INTO FORCE**ARTICLE 48 REPEALING PROVISION AND COMING INTO FORCE**

The present by-law repeals and replaces by-law n° 2014-53 and its amendments.

The present by-law comes into force in accordance with the law.

(Michel Gibson)

Mayor

(Annie Riendeau)

Town Clerk

APPENDIX A – RECYCLABLE MATERIAL**a) Accepted residual waste during the recyclable material collection:**

1. Cellulosic fibres:
 - Newspapers;
 - Glossy paper (flyers, magazines, etc.)
 - Fine paper (letterheads);
 - Kraft paper (brown bags, grocery bags)
 - Books and telephone books;
 - Envelopes with and without windows;
 - File folders;
 - Recipient labels;
 - Corrugated cardboard (heavy cardboard)
 - Flat carton (cereal boxes, etc.);
 - Pasteboard (egg cartons, tubes and rolls, etc.);
 - Multilayer recipients (juice boxes, milk products, frozen food boxes, etc.)

2. Plastic
 - Plastic wrappings and recipients identified by the numbers 1, 2, 3, 4, 5 and 7;
 - 20-litre maximum volume recipients for soft drinks, spring water, food products, house cleaning products, and health and beauty products;
 - Gardening pots;
 - Lids;
 - Non compostable plastic film (grocery bags, shopping bags, bread bags, food product bags, dry-cleaning bags, rinsed milk pouches and their bag, etc.)

3. Glass
 - Recipients such as pots and bottles made of glass and of any form or colour.

4. Metal
 - Recipients such as tin cans and aluminum cans;
 - Metal lids;
 - Plates;
 - Molds;
 - Steel and aluminum papers;

APPENDIX B – ORGANIC WASTE**a) Accepted residual waste during the organic waste collection:**

1. Food residue (raw, cooked or spoiled, including shells, fish bones and bones):
 - Fruits and vegetables;
 - Meat, poultry, fish and seafood;
 - Milk products;
 - Cereal products such as bread, cakes, cereals, pasta, rice, etc.;
 - Eggs;
 - Nuts and nut shells;
 - Coffee beans, coffee grounds, coffee filters
 - Tea and herbal tea bags;
 - Soiled paper and cardboard (newspapers, facial tissues, paper towels, pizza boxes, table napkins, french fry recipients, muffin cups, bags, etc.);
 - Dust;
 - Residue with oil, vegetable fat, sauces and salad dressings;
 - Dry and extinguished untreated wood ash
 - Toothpicks;
 - Pet food;
 - Hair and feathers.

2. Green residue:
 - Residue from yard cleaning, weeding and stumpling;
 - Garden residue;
 - Residue from vegetable garden and fruit trees;
 - Dead leaves;
 - Branches that are less than 1 metre in length and with a diameter of less than 5 centimetres;
 - Woodchips and twigs;
 - Sawdust and straw;
 - Grass clippings.

APPENDIX C – HOUSEHOLD GARBAGE**a) Accepted residual waste during the household garbage collection:**

- Diapers and sanitary napkins;
- Soiled animal litter and pet droppings;
- Wax paper (ex: ice cream recipients);
- Dental floss;
- Lint from the dryer;
- Porcelain, pottery and crockery;
- Water hoses;
- Mirrors;
- **Non-recoverable bulk items:** furniture whose structure or part of its structure is padded or covered with fabric, leather or any other covering material such as sofas, armchairs, chairs, mattresses, box springs and others;
- **Non-recoverable CRDs:** carpets, mineral wool, polystyrene foam and acoustic tiles.

APPENDIX D – HOUSEHOLD HAZARDOUS WASTE**a) Accepted residual waste during the household hazardous waste collection:**

- Acetone;
- Ammonia;
- Propane tanks;
- Bleach;
- Lighter fluid;
- Chlorine;
- Creosote;
- Glues and adhesives;
- Paint and paint thinners;
- Nail polish remover;
- Aerosol cans;
- Fluorescent lights and mercury lamps;
- Used oils and filters;
- Coolants;
- Oven cleaners;
- Pesticides;
- Metal cleaners;
- Wood preservatives;
- Acids for clearing drain pipes;
- Batteries; and
- Any other items considered acceptable and in conformity with laws and regulations by the Town employee.

APPENDIX E – RECOVERABLE BULK ITEMS AND CRDs**a) Accepted recoverable bulk items:**

- Appliances of all sizes
- Halocarbon-containing appliances (refrigerators, freezers, water coolers, etc.)
- Cupboards;
- Bathtubs;
- Bookcases;
- Desks;
- Chairs;
- Filing cabinets;
- Drawer chests;
- Household appliances;
- Sinks;
- Windows;
- Large cardboard boxes;
- Mirrors;
- Hard plastic and wrapping plastic;
- Doors;
- Water heaters;
- Tables;
- Toilets;
- Bicycles.

b) Accepted recoverable CRDs:

- Aggregates made up of brick, mortar, rock, soil and concrete;
- Construction wood;
- Tiles;
- Electrical wires;
- Coating materials;
- Ferrous metal (made up of steel and cast iron) and non-ferrous metals (made up of aluminum, copper, lead, nickel, zinc and others);
- Melamine;
- Gypsum boards;
- Fabrics;
- Flat glass.