

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 62-2010

A BY-LAW TO AMEND BY-LAW 95-2008, AS AMENDED,  
BEING A BY-LAW TO REGULATE THE USE OF THE  
SOLID WASTE MANAGEMENT SYSTEM  
FOR THE REGIONAL MUNICIPALITY OF NIAGARA

WHEREAS the Regional Council of The Regional Municipality of Niagara has passed By-law No. 95-2008, as amended, to regulated the use of the Solid Waste Management System for the Regional Municipality of Niagara; and

WHEREAS it is deemed necessary to amend By-law 95-2008, as amended, to provide for clarity regarding the responsibility of property owners within designated areas to adhere to the published collection times and schedules and to provide for improved ability to enforce, if required, alternate collection schedules in designated areas.

THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF NIAGARA ENACTS AS FOLLOWS:

1. That new Section 17.4 be included in the Solid Waste Management By-law 95-2008, as amended, as follows:

From time to time, the Region may define specific collection times other than as shown in Section 17.1 and 17.2 for As Designated areas. The Owner of a Premises in an As Designated area shall set out Collectible Material for collection at the prescribed times and schedule As Designated which will be published or communicated by the Region for the As Designated areas. Publication for purposes of this section and s. 40.3 means notice placed on the Region's website at least thirty (30) days prior to any As Designated changes to collection schedule or area being implemented. Communication by the Region for purposes of this section and s. 40.3 means notices given to Owner of affected Premises either mailed by ordinary mail (where receipt is deemed to be three days after mailing) or collection schedule or area being implemented. Information posters and media releases may be used in addition to the above publication or communication methods. The only exception to the thirty (30) day publication or communication requirement is in the event of an emergency situation as determined by the Region where emergency involves a situation of public safety or legal or regulatory requirement which requires As Designated changes to be implemented faster than on thirty (30) days notice.

2. That new Section 40.3 be included in the Solid Waste Management By-law 95-2008, as amended, as follows:

Notwithstanding any other provision of this By-law, no person or Owner shall be charged with an offense for setting out, or permitting to be set out contrary to this By-law (included specific As Designated areas or collection times or schedules), any Collectible Material for Curbside collection where the As Designated provisions have not been published or communicated as set out in s. 17.4 of this By-law.

In addition to the publication and communication of As Designated changes set out in Section 17.4, the Region will communication to the Owner of a Premises in an As Designated area verbally and issue a minimum of one (1) written notification to inform the Owner of the As Designated alternate schedule for the As Designated area before any such Owner is charged with an offense as set out above.

3. That in all other respects the said By-law 95-2008, as amended, shall remain in full force and effect.
4. That this by-law shall come into force and take effect on the date upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

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(Peter Partington, Regional Chairman)

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(Kevin Bain, Regional Clerk)

Passed: June 3, 2010