

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2019-62 FOR THE CONTROL AND MANAGEMENT OF

WASTE AND RECYCLING

Contents

| | |
|---|----|
| 1. Definitions | 2 |
| 2. Overview of Service Types | 6 |
| 3. Waste Collection Service by Service Type..... | 7 |
| 4. Collection, Storage and Maintenance of Curbside Roll-out carts | 10 |
| 5. Collection, Storage and Maintenance of Waste Containers – Non-Curbside | 12 |
| 6. General Provisions for Waste Collection | 13 |
| 7. Recycling Collection Service | 14 |
| 8. General Provision of Recycling Service..... | 15 |
| 9. Collection Routes – Waste and Recycling | 15 |
| 10. Collection Times – Waste and Recycling | 15 |
| 11. General Provisions for Private Collection | 16 |
| 12. Fees | 16 |
| 13. Enforcement Agency..... | 16 |
| 14. Application and Enforcement..... | 17 |
| 15. Offences and Penalties | 17 |
| 16. Validity | 17 |
| 19. By-Laws Repealed | 18 |
| 20. Enactment..... | 18 |

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2019-62

BY-LAW FOR THE CONTROL AND MANAGEMENT OF
WASTE AND RECYCLING

REGULATIONS: (R1.17) A By-Law for the management of waste and recycling in the City of Sault Ste. Marie.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to Sections 11(1) and 74 – 76 of the Municipal Act, S.O. 2001, c. 25, and amendments thereto ENACTS as follows:

1. **Definitions**

In this By-Law,

1. **"Ashes"** means the residue including soot of any kind of fuel or waste after consumption by fire.
2. **"Automated cart collection"** refers to a type of collection truck that allows the operator to control a mechanical arm that can pick up and empty a Roll-out cart without manually moving the refuse.
3. **"Bag Tag"** means purchasable municipal identification tag that labels refuse that is in excess of the curbside limit. A bag tag must be clearly visible for collectors. A tagged bag may be placed within a residential waste container.
4. **"City"** means The Corporation of the City of Sault Ste. Marie.
5. **"Collector"** means a City employee or person under contract to the City to collect waste or recyclables under the provisions set forth in this By-Law.
6. **"Commercial Waste Container"** means a waste container with or without casters that conforms to the specifications described in Section 3.3 of this By-law.
7. **"Compacted Waste"** means garbage that has been compressed by mechanical or other means.

8. **“Compostable Material”** means organic material which through the process of decomposition becomes dark earthy material that can be returned to the soil and includes the following:
 - a) leaf and yard waste including grass clippings, leaves and garden waste; and
 - b) vegetable waste material.
9. **“Curbside Recyclables”** means recyclable material that is accepted in the City's curbside recycling program and includes:
 - a) **Containers (Blue Lid):** steel cans, aluminum cans, glass bottles and jars, polyethylene plastic commonly referred to as #1 PETE plastic containers, high density polyethylene commonly known as #2 HDPE plastic containers, aluminum food and drink containers and all other containers when accepted in the recycling program.
 - b) **Paper and Fibre (Grey Lid):** fibre, including newspapers, flyers, magazines, catalogues, boxboard, cardboard boxes, paper cartons, milk cartons, all paper products, and hard and soft cover books, and all other products when included in the program.
10. **“Deputy CAO”** means Deputy Chief Administrative Officer of Public Works and Engineering Services or his/her designate.
11. **“Director”** means the Director of Public Works or his/her designate.
12. **“Dwelling”** means a place of residence with its own sleeping, cooking, eating and sanitary facilities for persons, and includes a single family home and apartment units, tenement or other multiple dwellings.
13. **“Household Hazardous Waste or HHW”** means any and all residential hazardous waste originating from a place of residence; including but not limited to; caustics, acids, aerosols, used motor oil, household batteries, automotive batteries, poisons, pesticides, paint, reactive waste and sharps (needles), fluorescent lights, propane tanks, foam insulation tanks, helium tanks.
14. **“ICI Sector”** means industrial, commercial or institutional premises.
15. **“ICI Recyclables”** means any recyclables resulting from the operation and maintenance of any industrial, commercial or institutional premises.

16. **"ICI Waste"** means any waste resulting from the operation and maintenance of any industrial, commercial or institutional premises.
17. **"Medical Waste Exemption Tag"** means tags that may be applied for by residents due to extra refuse generated due to a medical reason. Application must include approval from a caregiver or doctor.
18. **"Multi-Family Dwelling"** means any dwelling having five (5) units or more.
19. **"Non-collectible Recyclables"** means recyclable material that is not collected curbside and includes the following:
- a) metal including shelving, automotive parts, cable, and all clean metal products and large appliances;
 - b) old corrugated cardboard ('OCC') in quantities above the allowable curbside limits as set out in this By-law in Section 8.3;
 - c) wood products, including all clean wood products, wood building materials, tree branches and trees;
 - d) **WEE products**; electronics, computer equipment, all Household Hazardous Waste, including batteries.
20. **"Non-collectible Waste"** means waste that is not collected curbside and includes the following:
- a) explosives, dynamite caps, ammunition, fire arms, and any other highly flammable or volatile substances of any nature whatsoever;
 - b) liquid or gaseous wastes;
 - c) biomedical waste including waste generated by human health and residential materials such as: needles or syringes with needles, scalpels, blades, disposable scissors, suture equipment, stylets, and trocars, broken test tubes, and glass that may contain human blood, fluids and tissues with pathogens that could cause harm to personnel handling them;
 - d) organic material, including wet waste and animal feces which has not been drained of all liquids and wrapped;
 - e) carcasses or parts thereof of any animal or other creature, except kitchen and table waste from a household;

- f) any materials which have become frozen to a waste container and cannot be removed therefrom by shaking at the time of collection;
 - g) construction materials, including broken plaster, lumber, broken concrete, excavated material or other waste resulting from the construction, alteration, repair, demolition or removal of any building or structure;
 - h) discarded trucks, automobiles and other vehicles and the parts thereof, or accessories thereto, including tires and rims;
 - i) septic tank pumpings, raw sewage sludge and industrial sludge;
 - j) trees and stumps, including tree branches, creosote treated timbers or poles;
 - k) asbestos;
 - l) sawdust or wood shavings in quantities of more than .1 cubic metre;
 - m) petroleum soaked rags;
 - n) industrial and hazardous waste as described in the Regulations to the Environmental Protection Act, R.R.O. 1990, Reg. 347;
 - o) radioactive waste;
 - p) PCB waste as defined in the Regulations to the Environmental Protection Act, R.R.O. 1990, Reg. 362;
 - q) ashes;
 - r) household special waste;
 - s) sharps;
 - t) household or office furniture;
 - u) mattresses; or
 - v) road salt and sand.
21. **"Occupant"** means any lessee, tenant, householder, owner or any person in charge of any "premises" as hereunder defined in Section 1.23 of this By-law.
22. **"Premises"** means any building, place, dwelling place, room or rooming-house, apartment, hotel, motel, restaurant, shop, store, office, shopping centre, parking lot, and any other property which is under separate occupation or control.

23. **“Reject Tag”** means a public education tag placed on refuse identifying refuse that cannot be collected due to various reasons including: refuse in excess of allowable limits, oversized bags, overweight containers, oversized containers, improper container use or non-conformance to the management of waste and recycling by-law.
24. **“Residential Dwelling”** means any dwelling having four (4) units or less.
25. **“Residential Waste Container”** means a container used for curbside collection that can easily be emptied by the collector and conforms to the specifications described in Section 3.1 of this By-law.
26. **“Roll-out cart”** means city approved and supplied (approximately) 240 litre or 360 litre wheeled refuse containers complete with a lid and nestable catch bar required for proper automated dumping function. Roll-out carts are identified to a civic address.
27. **“Sharps”** means infection control sharp objects (eg. needles or syringes with needles).
28. **“Street”** means any public highway, road, street, lane, alley, square, thoroughfare, walk or way within the City of Sault Ste. Marie and maintained as a thoroughfare by the City.
29. **“Unit”** means any self-contained apartment, residence or business existing in a premises.
30. **“Waste”** means all non-recyclable and non-compostable material resulting from the operation and maintenance of any premises.
31. **“WEE”** means all electronic products including; televisions, radios, stereo equipment, computers, monitors, printers, and anything that contains electronic components.
32. **“Wet Waste”** means the undrained refuse resulting from the operation of any premises.

2. Overview of Service Types

The provision of waste management services occurs by various means:

1. Residential Curbside Collection – for ‘single’ family residential dwellings;

2. Multi-family Curbside Collection – for multi-family dwellings consisting of 4 units or less;
3. Multi-family Contract Collection (Not curbside) – for residential dwellings greater than 4 units; and
4. ICI Curbside Collection – those in the ICI sector adequately serviced by the limits established for the multi-family curbside collection program.

3. Waste Collection Service by Service Type

1. Residential Curbside Collection

Residential dwellings shall be provided with one (1) roll-out cart with a capacity of 240 litres. The following rules shall apply:

- a) Any dwelling served by curbside collection shall use Roll-out carts(s) and shall only use tagged bags for “extra” waste.
- b) The gross weight limit of the cart and any waste shall be 200 lbs for the 240 litre Roll-out carts.
- c) Owners are responsible for identifying the property address on the Roll-out cart by using a permanent marker. Roll-out carts are registered to a property by a serial number and must remain at that address if you move.
- d) Collected material shall meet the definition of waste and shall not contain any of the “non-collectible waste” items.
- e) Roll-out carts will not be collected if the lid is open due to overfilling and/or extra bags that prevent the lid from closing or it is filled with water or liquid or ice that impedes automated collection or waste is piled on top of the Roll-out cart lid.
- f) Bag tags shall be placed on any waste bags beyond the capacity of the Roll-out cart. Tagged waste bags shall be placed adjacent to the Roll-out cart in an accessible manner to identify that they are for collection. Tagged bags should not be placed on top of the Roll-out cart. All plastic bags used for extra waste shall be a minimum of 1.5 mils in thickness and no less than 66X90 centimetres, nor greater than 76X98 centimetres when empty. When filled each bag shall not exceed 20 kilograms in weight.

- g) The use of plastic bags within the Roll-out cart is acceptable providing they are a minimum of 1.5 mils in thickness.
- h) Owners and occupants are responsible for any waste left at the curbside of the dwelling and shall clean up any waste that has been spread by wind, birds or other vermin or animals.
- i) To prevent wind-blown waste, residents shall ensure that all plastic bags containing waste are securely tied or otherwise sealed when set out for collection.
- j) Cardboard boxes are not acceptable waste containers.
- k) Molded Styrofoam / polystyrene and loose "popcorn" Styrofoam / polystyrene packing must be broken up and placed in plastic bags to prevent material from becoming wind-blown, and material from getting trapped within Roll-out cart.
- l) Leaf and yard special waste collection as noted in Subsection 11(3) must be placed in an approved paper biodegradable bag and when filled shall not exceed 20 kilograms in weight.
- m) Leaf and yard waste bags shall not contain: flower pots, hanging flower pots, rocks, gravel, sand, bricks, clothes lines, and gardening tools.

2. *Multi-family Curbside Collection*

Multifamily dwellings with less than 4 units shall use approved (240 litre or 360 litre) Roll-out carts as supplied by the City for curbside waste collection. The determination of the size of Roll-out carts provided to each dwelling shall be the Director of Public Works or their designate and shall consider the needs of the dwelling, available space and recycling program participation.

Allowable gross weight of the Roll-out cart shall be 200 lbs. for the 240 litre carts 300 lbs. for the 360 litre Roll-out carts).

- a) Paragraphs 3(1) (a) through (m) are applicable to the multi-family dwellings served by curbside collection.

3. *Multi-family Contract Collection (Not Curbside)*

All Multi-family dwellings with 5 units or greater shall receive waste collection services weekly via a City contract.

- a) The allowable container sizes for the multi-family dwellings is outlined in the table below. The City shall supply one (1) pick-up weekly of the containers at the dwelling provided they are within the allowable container size noted below. Should additional pick-ups be required they are at the expense of the Owner.

| Waste Limits for Multi-Family Dwellings | |
|---|---|
| Number of Units In Dwelling | Cubic Meters of Waste Allowed (Container Size) |
| 5 to 12 | 1.50 (2 yd³) |
| 13 to 25 | 3.00 (4 yd³) |
| 26 to 50 | 4.50 (6 yd³) |
| 51 to 56 | 6.75 (9 yd³) |
| 57+ | 9.00 (12 yd³) |
| Note: if waste is compacted, a commercial waste container no larger than 2.25 cubic meters and weighing no more than 750kg may be used. | |

- b) Any premise consisting of dwelling units abutting one another and sharing a common building wall and arranged in a linear manner along a municipally owned right-of-way will be allowed those quantities stated in Subsection 3(2) of this By-law;
- c) Any premises consisting of dwelling units abutting one another and sharing a common building wall and arranged in a linear manner along a privately owned right-of-way will be allowed those quantities stated in Paragraph 3(3) (a) of this By-law if the waste and recycling is readily and safely accessible to the City's multi-family waste collection contractor. If safe access to waste and recycling is not provided, then waste and recycling collection must be arranged and paid for privately by the property owner or manager. The determination of safe access shall be made by the Director of Public Works or their designate.
- d) At the sole discretion of the Director of Public Works or their designate approval may be given to a multi-family premise of five (5) units or more to be served by curbside collection with the number of Roll-out carts agreed upon mutually by the building owner and the Director considering waste volumes and space allotment. The maximum number of carts shall not exceed four (4) regardless of the number of building units. Any waste in excess of the Roll-out carts would require bag tags for collection.

4. *ICI Sector Curbside Collection*

Any ICI Sector premise with four (4) units or less will be provided standard curbside waste and recycling collection and supplied rollout carts of a size determined by the Director of Public Works or their designate to be appropriate to serve the premises' needs and shall consider space and recycling program participation.

- a) All curbside collection rules as per Paragraphs 3(1) a) to m) shall apply to the ICI sector using curbside collection service.
- b) ICI Sector premises with five (5) units or greater require their own private waste collection services. All costs and fees associated with private waste collection shall be the responsibility of the ICI owner.

4. **Collection, Storage and Maintenance of Curbside Roll-out carts**

1. Roll-out carts shall be closed to prevent the scattering of loose waste, the ingress and egress of flies, and shall be kept clean, sanitary and free from rodents, rats, vermin, insects, scavenging animals, maggots and odors at all times.
2. Roll-out carts shall be placed with the wheels and handle facing the dwelling for automated collection arm to work properly.
3. Owners or occupants are responsible for the placement of carts and shall place them at curbside, not on the street, or obstructing sidewalks or laneways. The following is the location for placement depending on the noted street design:
 - a) **for roads with concrete curbs** – waste and recyclables shall be placed directly behind the curb; and
 - b) **for roads with concrete sidewalks tightly abutting the curb (curb face sidewalks)** – waste and recyclables shall be placed directly behind the sidewalk on the property owners side; and
 - c) **for roads with boulevards between sidewalks and curbs** - waste and recyclables shall be placed directly on the boulevard behind the curb; and
 - d) **for roads with asphalt or gravel shoulder** - waste and recyclables shall be placed directly on edge of the road shoulder.

4. Owners or occupants are responsible to ensure waste containers are accessible and without any obstructions including but not limited to, parked vehicles, snow banks, portable basketball nets, utility poles, lamp posts, gas meters, bollards, utility transformers, cable TV enclosures, guard rails and sign posts.
5. The pick-up area shall be kept clear of any or any other obstruction so that convenient access is provided for the collector, including but not limited to: ice, snowbanks and parked motor vehicles. Roll-out carts must be placed at ground level with a minimum accessible distance of 1 metre between the carts. This distance is necessary to allow adequate room for automated collection arms to function properly. Both Roll-out carts shall not be picked up if not accessible or placed with adequate space.
6. Roll-out carts shall not be placed on elevated platforms or steep slopes, including snow banks greater than one foot. Owners or occupants are responsible to shovel an opening in the snow bank where the cart can be properly placed. **It is recommended to place recycling and waste carts on opposite sides of the driveway opening.**
7. Tagged bags, waste containers and Roll-out carts shall not be placed or piled in such a way as to exceed 1.50 metres in height measured from the highest point of any waste bag or cart to the ground surface at a location as set out in Subsection 4(3) of this By-law. Ground surface shall be considered to mean any surface normally experienced during the summer season.
8. Roll-out carts must not be placed under low hanging utility, phone, or cable TV wires.
9. During snow events, it is the responsibility of the owner or occupant to clear a path to the curb to set out the Roll-out carts for collection.
10. All waste placed at curbside in front of a civic address is the responsibility of the Owner or Occupant of the building. It is not acceptable to take extra refuse from one civic address and place it at another civic address to circumvent purchasing and using a bag tag.
11. No curbside waste bag or Roll-out cart shall have bleach or other hazardous chemicals on its surface.
12. All waste from the preparation of food shall be drained and thoroughly wrapped before being placed in the container.

13. Waste bags shall be stored in a manner which protects them from domestic and other scavenging animals, and when set out for collection shall be securely tied or otherwise sealed to prevent the contents from being scattered.
14. When not set out for collection, Roll-out carts shall be stored in the garage, backyard, outdoor storage unit, covered porch, balcony, side of the premise or front yard until the designated collection day arrives.
15. If a Roll-out cart is not collected, a "Reject or Oops Tag" shall be affixed to the cart explaining the problem. Residents must resolve the problem for the cart to be collected on the next scheduled collection day. Any excess waste due to rejection, must be tagged or brought to the city landfill by the owner or occupant at their expense.
16. Roll-out carts that are damaged as the result of normal wear and tear, including but not limited to, broken lid, broken wheel or axle will be replaced or repaired at no charge to the owner or occupant. Roll-out carts damaged by City snow removal equipment will be replaced or repaired at no charge to the owner or occupant. If at the discretion of Director of Public Works or its designate, the damage is determined to be the result of abuse there will be a charge to the owner or occupant for the cost of the repair or replacement of the Roll-out cart, if unreparable.

5. Collection, Storage and Maintenance of Waste Containers – Non-Curbside

1. ICI Sector and multi-family premises using commercial waste containers shall place waste in the containers as described in Paragraph 3(3) (a) of this By-law unless otherwise approved.
2. The pick-up area shall be kept clear of ice, snow, motor vehicles, bollards, utility poles and transformers, cable TV enclosures, or any other obstruction so that convenient access is provided for the collector. Collection areas must not be under low hanging utility, phone, or cable TV wires.
3. Commercial waste containers shall meet the requirements of the City Zoning By-law 2015-150, as amended, and any site plan agreements that apply.
4. Commercial waste containers as described in Subsection 2(4) of this By-law shall be covered as to prevent the scattering of loose waste, the ingress and egress of flies, and shall be kept clean, sanitary and free from rodents, rats, vermin, insects, scavenging animals, maggots and odours at all times.

6. General Provisions for Waste Collection

1. The City shall not be required to collect waste:
 - a) that is defined as non-collectible waste in Subsection 1(20) of this By-law;
 - b) that is generated from any multi-family dwelling where quantities are more than the allotment set out in Subsections 3(2) and 3(3) of this By-Law. The City reserves the right to make changes as deemed necessary;
 - c) that is generated from the ICI Sector with five (5) units and over unless otherwise approved;
 - d) where, in the opinion of the Director of Public Works, the premises is unsafe or the Roll-out carts or waste containers are in a difficult location for collection; or
 - e) where the Roll-out carts at curbside are in excess of the limits set out in Subsection 3(2) and 3(3) of this By-law and the extra bags do not bear a "bag tag";
2. The Director of Public Works or their designate has the authority to make a final determination at its discretion as to the proper type of waste container or collection method to be used by the occupant of the premises.
3. All non-collectible waste must be disposed of in accordance with all provincial and municipal legislation.
4. Waste shall be drained of all liquids and securely wrapped and deposited in the city approved Roll-out cart as supplied by the City. Any sharp objects, broken glass, and cutlery shall be securely wrapped with materials, so that no sharp object or broken glass can pierce the plastic.
5. Where multi-family waste container collection has been approved on private property, the owner must grant the municipality or its agents permission to enter upon private property for the purpose of waste collection and further, save harmless the municipality or its agents from any damages that may occur while conducting refuse collection operations. The property owner must sign an appropriate waiver form provided by the City from time to time. Owners of the premises must provide contact information including: owner's address, phone number, email address, property manager information, and size of container required. Absence of a waiver and consent will result in the a stoppage of waste collection and further waste removal will need to occur at the owners sole expense.

6. The City shall collect only sawdust that has been securely wrapped in small bundles. The small bundles shall be placed in the waste receptacle so that the material is completely surrounded by other refuse.
7. The City shall collect branches only in bundles not exceeding 100 centimetres in length, 60 centimetres in diameter and weighing 20 kg or less. Each bundle shall be securely bound using light rope or twine.

7. Recycling Collection Service

1. Curbside Collection Program:

All residential, IC&I and multi-family buildings that receive standard curbside waste collection must actively recycle using the curbside program. Those not actively recycling shall not receive waste collection.

- a) Those dwellings served by curbside waste collection shall be provided one (1) recycling Roll-out cart by the contractor.
- b) Should additional Roll-out carts be required by a dwelling, the Owner/Occupant must purchase additional carts, however, the material shall be collected by the Contractor.
- c) Three (3) bundles of cardboard per dwelling shall also be allowed for collection. Any cardboard set out for collection shall be securely tied in bundles not exceeding 60 centimetres long X 60 centimetres wide X 30 centimetres high and tied with heavy cord or twine.
- d) Curbside recycling Roll-out carts need only to be placed out for collection when full or at least half full.
- e) Curbside recycling Roll-out carts will be rejected if they contain refuse or contaminants, only specified recycling material will be accepted.

2. Non-curbside Collection Program - ICI

Any of the ICI sector that is not served by curbside waste collection must also arrange for private collection of recyclable materials. All costs and fees associated with private collection shall be the responsibility of the ICI premise.

3. Non-curbside Collection Program – Multi-family

Multi-family owners and/or landlords of buildings that are not served by curbside waste collection must also arrange for private collection of recyclable materials. All costs and fees associated with private collection shall be the responsibility of the multi-family premise.

8. General Provision of Recycling Service

1. The City shall collect recyclables:
 - a) from premises that set out waste for curbside collection in accordance with this By-Law; and
 - b) that are a collectible product as determined in this By-Law.
2. The City shall require that all recyclable materials:
 - a) be clean; and
 - b) have caps removed from all bottles.
3. The City shall require that other recyclable items such as wood products, brush and metal be brought to the landfill for recycling.
4. Recycling collection for the (non-curbside) multi-family sector and the non-curbside ICI sector shall be privately arranged and the sole responsibility of the private sector.

9. Collection Routes – Waste and Recycling

The Director of Public Works or their designate shall direct that the city be divided into as many collection routes as necessary for the convenient, efficient collection of waste and recyclables.

10. Collection Times – Waste and Recycling

1. Curbside waste and recycling Roll-out carts that are ready for removal by the collector shall not be placed curbside, as outlined in Section 4(1) of By-law before 7:00 a.m. local time the day determined for collection and shall not be left out later than 7:00 p.m. local time on the day of collection.
2. Multi-family recycling containers (non-curbside) shall not be collected prior to 7:00 a.m. of the day determined for collection and shall comply with all Municipal by-laws including the Noise By-law.
3. The City will determine and announce the time for placing items for special collection, such as the annual determination of the leaf and yard waste collection program.
4. The City reserves the right to delay or suspend waste collection due to inclement weather. All efforts will be made to reschedule collection or adjust allowable limits to accommodate delayed collection.

11. General Provisions for Private Collection

1. Where private collection of waste and recyclables is utilized, the containers must:
 - a) be emptied at least once weekly regardless of the volume of the contents unless otherwise approved and in all cases, not allowed to overflow; and
 - b) be placed on private property in a location satisfactory to the City; and
 - c) not be placed on any street, or public property except with the express written permission of the Director of Public Works or their designate; and
 - d) be of acceptable appearance and functionality.
2. Any commercial waste container must be placed at a point freely accessible by the collector, free from hazards or obstructions such as: parked vehicles, snow banks, portable basketball nets, utility poles, lamp posts, gas meters, bollards, utility transformers, cable TV enclosures, guard rails and sign posts. The container shall be set out in the same location at all times.

12. Fees

Where a violation of this By-law is not remedied by the Owner and the Owner is known, they shall be held liable for all fees and expenses incurred as a result of the remedy.

Any fee required by or described in this By-law shall be as set out in the Annual User Fee By-law, as updated from time to time.

Where waste or recyclables are not collected for any reason and are left to cause an untidy or unsanitary condition, the Deputy CAO shall make a written demand to the Owner/Occupant requesting removal. Should the Occupant fail to perform the work necessary to remove the waste, it will be performed by the City, and failing payment by the Owner/Occupant within ten (10) days after notice in writing of the cost of such work, the cost will be recovered in the same manner as Municipal taxes.

13. Enforcement Agency

The Sault Ste. Marie Police Service, the City's Municipal By-law Enforcement Officer(s), a special duty officer, or a designate, shall be responsible for the enforcement of this by-law.

14. Application and Enforcement

This by-law shall apply to any and all property within the geographical limits of the City of Sault Ste. Marie.

An Officer may issue a written order or direction requiring that a person comply with the provisions of this By-Law.

An Officer may enter upon any land or structures at any reasonable time for the purposes of carrying out an inspection for purposes of determining whether or not:

- (1) the provisions of this By-Law are being complied with; or
- (2) an order under this By-Law is being or has been complied with.

No person shall refuse to produce any documents or things required by an Officer in the exercise of a power or performance of a duty under this By-Law, and every person shall assist any entry, inspection, examination, or inquiry by an Officer.

No person shall knowingly furnish false information to an Officer.

15. Offences and Penalties

Every person who contravenes a provision of this By-Law is guilty of an offence and is liable upon conviction to a penalty in accordance with the provisions of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.

16. Validity

Should a court of competent jurisdiction declare a part or whole of any provision of this By-law to be invalid or of no force and effect, the provision or part is deemed severable from this By-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under the law so as to provide a minimum standard for the care and control of animals.

17. Interpretation

In this by-law, unless the context otherwise requires, words importing the singular member shall include the plural and words importing the masculine shall include the feminine.

18. Conflict

Where a provision of this By-law conflicts with the provision of another By-law, Act, or Regulation in force within the City of Sault Ste. Marie, the provisions that establishes the higher standards shall prevail.

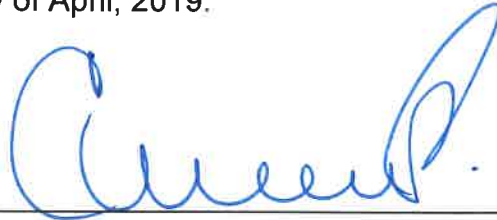
19. By-Laws Repealed

By-Laws 2003-140 and 2004-68 of the Corporation of the City of Sault Ste. Marie and any amendments made thereto are hereby repealed.

20. Enactment

This By-law shall come into force and effect on the day that it is passed.

PASSED in open Council this 1st day of April, 2019.



MAYOR - CHRISTIAN PROVENZANO



CITY CLERK - MALCOLM WHITE