

[this copy is consolidated for convenience only; reference must be made to the original by-law and amendments available from the Office of the Clerk]

THE CORPORATION OF THE TOWN OF EAST GWILLIMBURY

BY-LAW 2005-46

as amended by By-law 2007-20 and By-law 2007-47

BEING A BY-LAW TO LICENSE AND REGULATE SALVAGE YARDS.

WHEREAS the Corporation of the Town of East Gwillimbury desires to enact a By-Law pursuant to the provisions of Section 131.(1) & 150 of the Municipal Act, .S.O., 2001, as amended to license and regulate salvage yards;

AND WHEREAS Council deems it advisable, having regard among other matters to the protection of consumers, and the potential for public nuisance, to enact a by-law to license and regulate salvage yards;

NOW THEREFORE, the Council of the Corporation of the Town of East Gwillimbury enacts as follows:

PART 1 DEFINITIONS

1. For the purpose of this By-Law the following definitions shall apply:
 - (a) "Council" means the Council of the Town of East Gwillimbury;
 - (b) "Operator/Owner" means any person including the tenant or occupant of the land who operates a salvage yard and includes a lessee of the salvage yard.
 - (c) "Premises" means any premises licensed or required to be licensed under this By-Law and includes any trade or calling required to be licensed;
 - (d) "Licensing Officer" means the person or persons authorized by the Council of the Town of East Gwillimbury to act on their behalf in all matters relating to this By-Law;
 - (e) "Salvage Yard" means a building or place used for the storing of motor vehicles for the purpose of wrecking or dismantling them, or salvaging parts thereof for sale or other disposal, and for the collection, purchase, keeping or selling of second hand goods and merchandise as such, but not limited to, waste paper, rags, bottles, tires, old metal, scrap material and appliances.
 - (f) "End of Life Vehicle" includes a vehicle that is acquired by a vehicle recycler for the purposes of dismantling, recycling, or baling;
 - (g) "Mercury Switch" includes each mercury-containing capsule or mercury-containing switch assembly that is part of a convenience lighting switch assembly in a vehicle.

PART 2 GENERAL PROVISIONS

2. (a) No owner or operator shall operate or permit the operation of a salvage yard unless the owner or operator holds an effective licence pursuant to this by-law.
- (b) A salvage yard shall be fenced as per the Town of East Gwillimbury Fence By-law 96-33, as amended, or any successor legislation thereto. Existing salvage yards may keep a six foot high fence until it is repaired or replaced. At such time it shall comply with By-Law 96-33, as amended, or any successor legislation thereto.
- (c) No fires shall be set within the salvage yard without obtaining a Fire Permit issued by the Town Fire Chief.
- (d) No vehicles being stored, partially dismantled vehicles or vehicle parts shall be left on the outside of the fence enclosure of the salvage yard.
- (e) Excessive noise shall not be permitted at any time.
- (f) No work of any kind in conjunction with the salvage yard shall be done on the property between the hours of 4:00 p.m. Sunday and 9:00 a.m. Monday and on statutory holidays.
- (g) No vehicle, vehicle parts or other salvage shall be placed in a position in the salvage yard so as to have a higher elevation than the top of any part of the fence surrounding the yard.
- (h) A salvage yard may, at all times when the premises are open to the public, be entered and inspected by officials from the Town, or a police officer for the purpose of enforcing this by-law, and no person shall obstruct or hinder such inspection.
- (i) No owner or operator shall permit or cause to permit a vehicle to be sent for crushing, baling, shredding, melting or processing by a steel mill without first removing, collecting, storing mercury switches and disposing of them in accordance with the guidelines set out in Schedule "C" attached to and forming part of this by-law.

PART 3 LICENSING REQUIREMENTS

3. Every application for a license under this By-Law shall be filed with the Licensing Officer and be accompanied by;
 - (a) a statement on the form attached hereto as Schedule "B" to this by-law giving particulars as to the location of the salvage yard together with such other information as may be required to determine whether the use complies with all applicable zoning by-laws and other regulations; and

- (b) the appropriate fee as specified in Schedule "A" hereto attached to this by-law; and
- (c) if the applicant is a corporation, a certified copy of a corporate search from the records of the Ministry of Consumer and Commercial Relations, Companies Division, or if the applicant is a partnership, a certified copy of a business and partnership search from the records of the said Ministry, Registrar or Partnership, Companies Services Branch.
- (d) The owner or operator shall provide the Town's Licensing Officer with a semi-annual report that includes the number of mercury switches removed and recycled.

- 4. The licence for a salvage yard shall terminate forthwith;
 - (a) when the premises occupied by a salvage yard is vacated and/or the business of a salvage and wrecking yard ceases; or
 - (b) upon the sale of the existing business to another person/company or the like, with the intention to continue the existing business, the new owner(s) shall obtain a new licence in their name within two weeks of the transaction closing.
- 5. Licences issued under the provisions of this By-Law shall expire on the 31st day of December in the year in which they are issued, unless sooner revoked.
- 6. The Council may revoke a license where the owner or operator violates provisions of this by-law. Before revoking any license an owner or operator shall be given at least seven (7) days notice, either mailed or delivered to his/her last known address of the time and place where Council will be considering the matter. The owner or operator shall be permitted either personally or by his/her representative to appear before Council to show cause why such licence should not be revoked.
- 7. Notice of revocation of a licence may be given by the Council by registered letter signed by the Clerk, mailed or delivered to the last known address, or served personally and the licence shall then cease and terminate and be of no further effect on the date of delivery or in the case of mailing, three (3) days after notice is mailed.

PART 4 PENALTY SECTION

- 8. Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.

PART 5 REPEALING SECTION

- 9. That By-Law 2002-18, as amended, is here repealed.

PART 6 SCHEDULES

- 10. All schedules referred to in this by-law and attached to this by-law are deemed to be part of the by-law.

PART 7 TRANSITIONAL PERIOD

11. All fees will be subject to a fee amendment upon the passing of the by-law.
Payment received between January 1, 2005 and the date the by-law is passed will be credited to the new licence fee for 2005 only.

READ A FIRST, SECOND and THIRD TIME AND PASSED THIS 2nd DAY OF May, 2005.

James Young, Mayor

Lucille King, Clerk

SCHEDULE "A" TO BY-LAW NO. 2005-46

SCHEDULE OF FEES

SALVAGE YARD LICENSE	\$184.80
----------------------	----------

SCHEDULE "B" TO BY-LAW NO. 2005-46

APPLICATION FOR A LICENCE TO OPERATE A SALVAGE YARD

APPLICANT

NAME _____

ADDRESS _____

TELEPHONE # HOME _____ BUSINESS _____

IF THE OWNER IS A PARTNERSHIP OR LIMITED COMPANY,
ATTACH A LIST IN CONFORMITY WITH THE PROVISION IN
THIS BY-LAW.

LOCATION OF SALVAGE YARD _____

Personal information contained in this form is collected under the authority of By-Law No. 2005-46 and will be used to determine eligibility for a licence. Questions about this collection should be directed to:
Lucille King
Town of East Gwillimbury
19000 Leslie Street
Sharon, Ontario
L0G 1V0
Phone # (905) 478-4282 Fax (905) 478-8545

I, _____ OF THE _____

IN THE REGION OF _____

SOLEMNLY DECLARE:

THAT THE STATEMENTS MADE IN THIS APPLICATION ARE TRUE, TO THE BEST OF MY KNOWLEDGE.

APPLICANT

DATE

SCHEDULE "B" TO BY-LAW NO. 2005-46

FOR OFFICE USE ONLY

LICENSE FEE \$ _____ PAID: YES () NO ()
ZONING BY-LAW NO. _____ USE PERMITTED YES () NO ()
RECEIVED BY: _____ DATE: _____

INSPECTIONS:

BUILDING INSPECTION _____ DATE _____
BY-LAWS _____ DATE _____

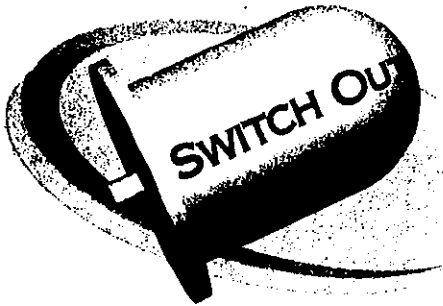
APPLICATION: APPROVED ()
DENIED ()

LICENSING OFFICER

DATE

SCHEDULE "C"

SWITCH OUT



Auto
Dismantler's
Guide
to
Mercury
Switch
Collection

Switch Out: Responsible Removal and Disposal of Mercury Switches

Mercury: Its Use and Its Impacts

Mercury switches found under the hoods and trunks of many cars, as well as those in some anti-lock brake systems, contribute 700kg per year of mercury to the Canadian environment—quite a bit considering it takes only **one gram of mercury** (a little more than the amount in one automotive switch) **to contaminate a 20-acre lake** for one year to the point where the fish cannot be eaten!

The Switch Out is working with auto recyclers across the country to collect these switches and prevent the mercury from entering the environment where it can accumulate in fish and other wildlife, posing a threat to human and environmental health. **The switches must be collected before the vehicle is crushed or shredded.** The entire process usually takes less than a minute, and can be done at the same time as the removal of other fluids and parts.

Clean Air
Foundation

Contact

Leah Hagreen, Project Manager
Phone: (416)922-9038 x 25
Fax: (416)922-1028
lhagreen@cleanairfoundation.org
www.switchout.ca

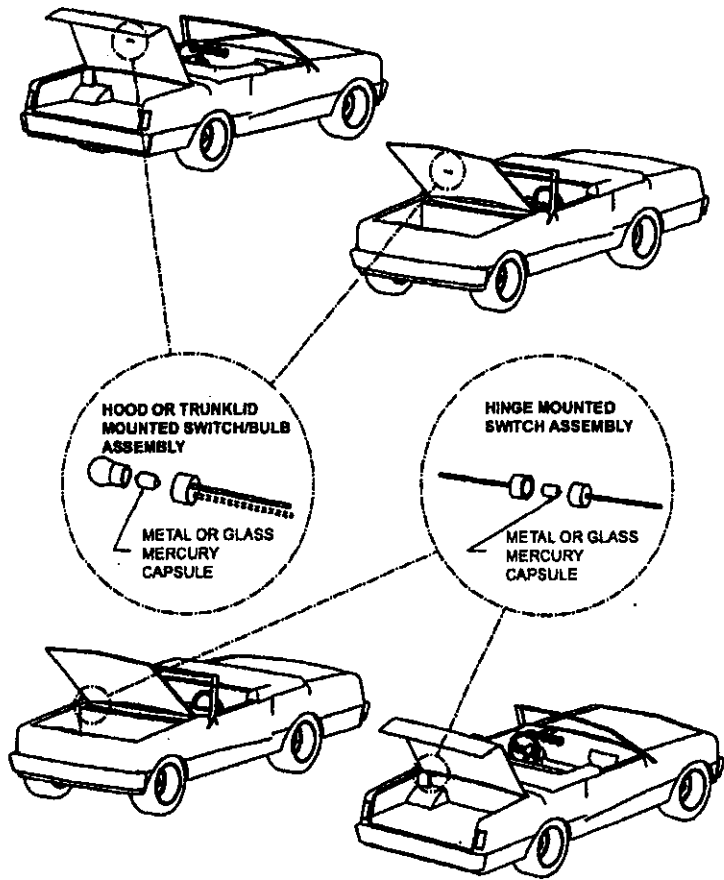
The Clean Air Foundation

Since July 2000, the Clean Air Foundation has been developing, facilitating, and funding public engagement programs and strategic initiatives that lead to measurable improvements in air quality. A not-for-profit organization, CAF recognizes that real and lasting change requires participation by all stakeholders, incentives for action and the incorporation of market principles. CAF moves from traditional information-based initiatives to sophisticated programs that achieve market transformation.

Table of Contents

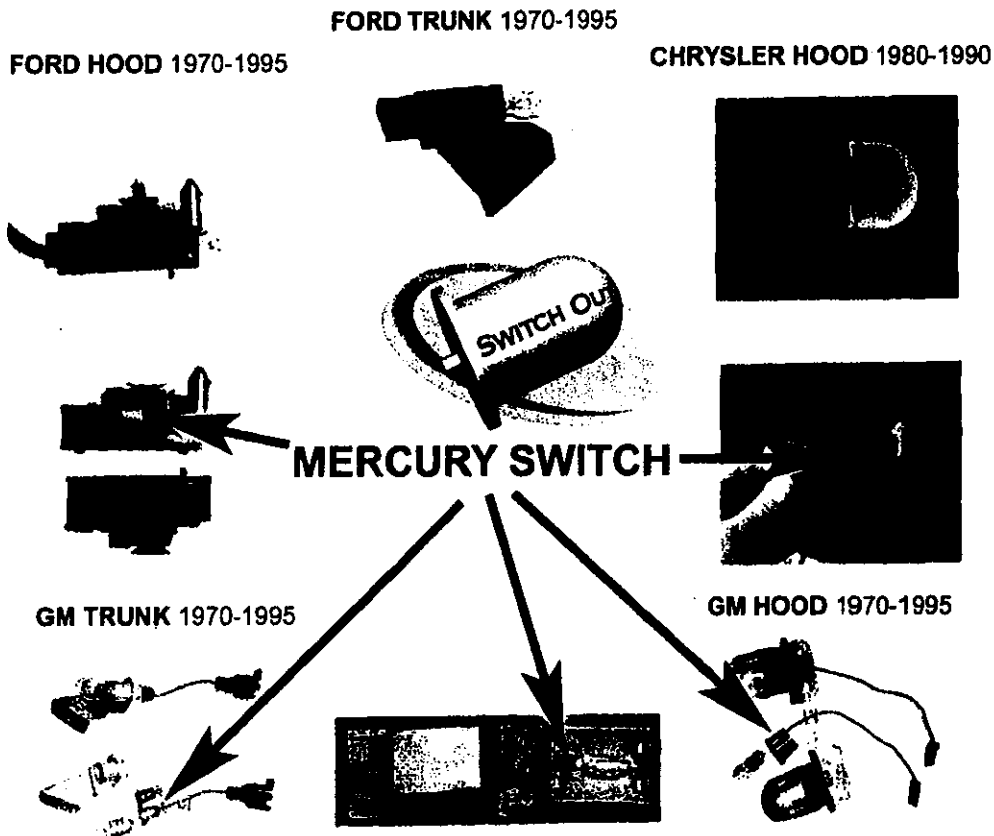
Switch Out: Responsible Removal and Disposal of Mercury Switches.....	1
Location of Convenience Lighting Mercury Switches.....	2
Convenience Lighting Assemblies Containing Mercury Switches.....	3
How to Remove a Convenience Lighting Switch.....	4
Automotive Mercury in Convenience Lighting Switches.....	5
Mercury ABS in North America.....	6
Anti-Lock Brake System—Mercury Removal and Recycling.....	7
Summary of Pertinent Hazardous Waste Regulations for Ontario.....	9
Mercury Exposure and Spill Guidelines.....	10
Ontario Ministry of the Environment's Letter of Support.....	12
Important Contacts.....	13

Location of Convenience Lighting Mercury Switches



Source: SAE J2456, May 1998,

Convenience Lighting Assemblies Containing Mercury Switches



How to Remove a Convenience Lighting Switch

Mercury switches are found in two locations in the vehicle:

- 1) convenience lighting, and
- 2) anti-lock brakes.

The procedure for removal varies between these. This section outlines how to remove a convenience lighting switch, and the following section outlines how to remove an anti-lock brake assembly.

Removal of the lighting apparatus takes only a few seconds, and can be done at the same time as the removal of other fluids and parts. The mercury is contained in a sealed metal switch, so there is little danger of switch breakage during removal procedures. NOTE: Old Volvo's may use glass switches-extra care must be taken when removing these lighting assemblies.



Step 1—Remove Convenience Lighting Assembly from Vehicle

- Locate the lighting fixture under the vehicle trunk or hood and cut the power supply.
- Remove any fasteners, separate the entire fixture from the vehicle and place in a large bin of heavy plastic with a lid, for temporary storage.
- Repeat for each mercury containing lighting fixture in the vehicle. If in doubt, assume the fixture contains a mercury switch.

Time: Approximately 30 seconds.

Note: At this stage the lighting assembly can be stored in a heavy plastic container with a lid until several hundred are accumulated. Proceed then to step 2.

Step 2—Breakdown Assemblies to Recover Switch

- Break open the lighting assembly to expose the mercury switch. Small, flathead screwdrivers and small wire cutters are all that are often required.
- Remove the mercury switch (can use a small screw driver) and place into the Switch Out container. The remaining plastic/metal can be disposed of with regular waste.

Recycling of 1500 vehicles / year will require approximately 3 hours of labour time per year to remove switches from housings. A 1L container will hold approximately 800 mercury switches.

Automotive Mercury in Convenience Lighting Switches

Pre-1995 Models

Audi 1984

Make Not Available

Buick 1977-1990

LeSabre

Regal

Park Avenue

Celebrity

Skyhawk

Skylark

Century

Firenza

Cadillac 1979

DeVille

Cimarron

Chevrolet 1981-1990

Beretta

Caprice

Lumina

Chrysler 1975-1994

New Yorker

Le Baron

Shadow

Cordoba

Laser

Reliant

Sundance

Ades

Ford 1974-1994

Tempo

Escort

LTD

F250

Ranger

Taurus

Crown Victoria

Thunderbird

Ford (cont.)

Topaz

Bronco II

Cougar

Pontiac 1984-1990

Sunbird

Bonneville

Grand Am

Oldsmobile 1977-1990

Cutlass Ciera

Cutlass Supreme

Calais

Toronado

Regency

Delta

2000-2001 Models

Ford

2000 F-series Truck
(150-550)

2000 Crown Victoria

2000 & 2001 Expedition

2000 & 2001 Navigator

2000 Excursion

2000 Explorer

2000 Mountaineer

2000 Ranger

2001 F150 Supercrew

General Motors

Cadillac Escalade

Chevrolet Cavalier

Chevrolet Corvette

Chevrolet Blazer

GMC Denali

GMC Envoy

GMC Jimmy

GMC Savanna

Pontiac Sunfire

Oldsmobile Bravada

Manufacturers with no Mercury Switches

American Honda

Jaguar

Mercedes Benz

Mitsubishi Motors
Corporation

Nissan

Porsche Cars

Rover Group

Saab Cars USA

Subaru of America

Toyota

Volvo

Volkswagen of America

Mercury ABS in North America

Daimler-Chrysler (formerly Chrysler)

1990-2001 4-Wheel Drive Jeeps
(Wrangler, Cherokee,
Grand Cherokee)

Ford

(1990)-2001 Explorer (4 wheel drive) 4
wheel ABS introduced in
1993

1996-2001 Mountanier (4 wheel
drive)

(1995)-2001 Ranger (4 wheel drive)

General Motors

No Known Mercury ABS Applications

Mazda

1991-1992 Navajo

1988-1992 MX6

1992 626

1996-2001 B Series Pickups (4 wheel
drive)

Mercedes

(1985)-1992 All Models Including 190,
260, 300SD, SE/SL,
SEC/SL, 300 E, 420 SEL,
560 SL, 560 SEL, 300
SDL, 560 SEC, S-Class

Mitsubishi

1989-1993 Gallant 4 WD

1991-1994 3000 GT

1992-1994 Expo4WD

Nissan

1996 Pathfinder 4WD

Subaru

1990-1995 Legacy AWD (manual
transmission)

1993-1996 All Impreza Models

Based on published data and informal discussion with automakers and recyclers. This list should not be assumed to be complete and applications have not been verified for most models. ()-indicates dates are uncertain.

Storage of ABS Switches

Mercury switches **cannot be removed from the ABS assembly**. Place the entire assembly into a plastic container with a lid. Storage and transportation requirements are the same for ABS as convenience lighting switches.

Information for the storage and transportation of mercury switches is on page 9 in this manual.

Anti-Lock Brake System—Mercury Removal and Recycling

Acceleration Sensors on Ford and Daimler Chrysler Vehicles

The Ecology Center with the assistance of the Automotive Recyclers of Michigan and Scrapbusters (Wayne, Michigan) examined and removed ABS switches from vehicles produced in the highest volume which contain mercury acceleration sensors, Daimler-Chrysler Grand Cherokee and Ford Explorer. The purpose of the removal was to clarify the process and estimate time needed to recover these sensors.

Information regarding component locations was originally developed through the use of two commercial online repair guides, All-Data and Mitchell. The ability of these systems to verify the presence and location of mercury containing ABS sensors for other models is unknown.

Sample Vehicles

1996 Grand Cherokee

Three 4-wheel drive Jeep models (Wrangler, Cherokee, Grand Cherokee) were produced with mercury acceleration sensors from 1990 to 2001 model years. The sensor contains two - 1 gram mercury switch capsules embedded in a solid plastic component. The entire component weighs 3 ounces (85 grams).



Removal Procedure

1. Remove rear seat.
2. Locate sensor on center drive tunnel. Cut carpet and roll back to access sensor.
3. Release clips to disconnect wiring harness. Remove two bolts to release the sensor.



Estimated Average Removal Time: 30 Minutes (assuming need to remove rear seat); 7 minutes (rear seat already removed)

Note: A variety of factors could complicate the removal process. Vehicles which have been involved in accidents which prevent easy access to interiors would require additional time. However, for vehicles with rear seats already removed removal times would be similar to those for Ford products.

1999 Ford Explorer

Three 4-wheel drive Ford models (Explorer, Navigator & Ranger) which are sold in the U.S. were produced for varying periods of time in the 1990s. The sensor contains three one gram mercury switch capsules embedded in a solid plastic component. The entire component (with mounting bolts) weighs 4.25 ounces (120 grams).

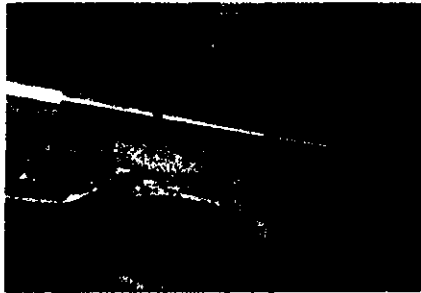
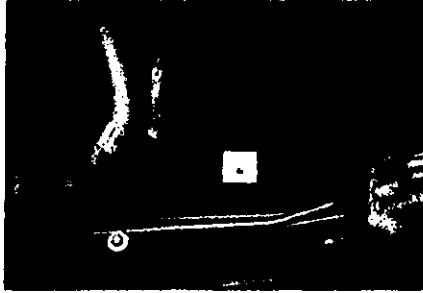
Removal Procedure

1. Place vehicle on lift.
2. Locate sensor on left frame rail under the drivers seat.
3. Release clips to disconnect wiring harness. Remove two bolts to release the sensor.

Estimated Average Removal Time: 15 Minutes (assuming vehicle is not already on lift for fluid drains) This time would be halved (7 minutes) if done in conjunction with these operations.



Daimler-Chrysler ABS Sensor (Actual Size) Ford ABS Sensor is similar in size



Summary of Pertinent Harzardous Waste Regulations for Ontario

Storage

Store mercury switches in a well-sealed, leak-proof, heavy plastic container in an area where there is little risk of fire or breakage. Do not use tin or aluminum containers, do not store the switches on the bare ground, and do not dispose of the switches with the regular waste. An accumulation of 5kg or more of mercury switches, including packaging, is considered hazardous waste. The 1L plastic containers provided in the Switch Out program will hold approximately 800 switches and when full can weigh up to 3kg. Provided only one full container is held on site at any one time (total weight is less than 5kg) and transferred off site in a single shipment, the collecting facility is classified as a "small quantity generator (SQG)" and is exempt from many federal and provincial regulations.

Transportation

Mercury switches collected by participants in the Switch Out program will be transported free of charge. To obtain a Switch Out collection container and box for shipment, contact the Clean Air Foundation at 416.922.9038x25.

As a small quantity generator and a Switch Out participant, the collecting facility will not be required to register with the Ministry of the Environment as a generator of hazardous waste. The facility is not required to manifest shipments of mercury switches, so long as 1) the switches are transported by an approved hazardous waste hauler; 2) the switches are sent to an approved location; and, 3) the shipment is under 5kg. The haulers and disposal facility used in the Switch Out program are approved by the Ontario Ministry of Environment.

For volumes of mercury in excess of 5kg, including packaging, or if more than 5kg of switches are generated in a one-month period, the mercury switches are classified as a "Hazardous Waste Chemical", under Schedule 2(B) of Ontario's Regulation 347 (General-Waste Management), of the Ontario Environmental Protection Act (EPA). The generation, transportation and disposal of more than 5kg of mercury switches would be subject to the following general requirements:

- Facilities must register as a "hazardous waste generator" with the Regional Director of the Ontario Ministry of Environment prior to transferring the waste off-site and if an excess of 5kg of waste mercury is retained at the generating site for more than three months, unless the site has a Certificate of Approval. (Reg.347, Section 18).
- Generators must use hazardous waste haulers approved under Part V of the Act, and that operate under a Certificate of Approval issued by the Ministry of Environment. A manifest, indicating the origin and destination of the mercury, must accompany a shipment over 5kg. (Reg.347.19.1.(a)).
- The onus is on both the originator and transporter of the material to ensure that the mercury is transported to a registered hazardous waste landfill site or a mercury recycler/refiner operating under a Certificate of Approval.

It is the responsibility of each site to ensure they are in compliance with provincial and federal regulations.

Mercury Exposure and Spill Guidelines

In wetlands, mercury is converted to **methylmercury**, the highly toxic form of mercury which builds up in the bodies of fish, ends up on our dinner plate and is a concern for mercury exposure in humans.

Elemental mercury—the form in a mercury switch—is less toxic.

Mercury switches are sealed and should not leak. The potential for mercury exposure during switch removal is small; however, precautions should be taken to limit exposure. Do not use undo force to pry switches free of the casings, and do not try to remove the switches from anti-lock brake assemblies. If switch removal from the casing is not possible, place the entire casing into the container for

recycling. (This adds significant time and cost to the recycling, so please use this option sparingly!) Keeping the switches in a sealed container in a well ventilated area will prevent build-up of mercury vapour in case of switch leakage.

Mercury spills or drips should be cleaned up immediately. While the following guidelines and first aid measures were developed for large mercury spills, they can be used as precautions for cleaning up small leaks from mercury switches.

Mercury Exposure and Spill Guidelines (cont.)

Spill Guidelines

1. **Small mercury spills** on a hard, non-porous surface can be contained by wiping up the mercury and sealing the cloth or towel in a double plastic bag. Dispose of the bag properly, or have it removed by a hazardous waste handler.
2. **Never use a vacuum** to clean up a mercury spill. Mercury readily becomes a vapour, and a vacuum will disperse mercury into the air where it can be inhaled.
3. **Never use a broom** to sweep up mercury. This will create even smaller beads of mercury, which will be more difficult to collect.
4. **Mercury spill kits** are available at laboratory safety supply stores.

First Aid Measures

Should a mercury spill occur and individuals be exposed to the mercury, there are a few simple procedures that should be followed.

1. **Skin contact**—remove clothing that has absorbed the mercury, seal in a plastic bag and dispose of properly. Wash the area with soap and water. For large amounts seek medical attention promptly.
2. **Eye contact**—flush eyes with room temperature water for at least 15 minutes. Lift upper and lower lids to rinse beneath them as well. Seek medical attention promptly.
3. **Inhalation**—move the person to an area where they can get fresh air. Seek medical attention as soon as possible.
4. **Ingestion**—Seek medical attention immediately.

Ministry
of the
Environment
135 St. Clair Avenue West
Toronto ON M4V 1P5

Ministere
de
l'Environnement
135, avenue St. Clair ouest
Toronto ON M4V 1P5

April 23, 2001

Pollution Probe
625 Church Street
Suite 402
Toronto, Ontario
M4Y 201

Dear Ms. L. Hagreen:

Re: Collection and Recycling System for Mercury Vehicle Switches
"Switch the Switch" Project

The Ministry of the Environment supports the efforts of Pollution Probe and partners in developing a program to collect mercury switches from end-of-life vehicles in Ontario. Such a program recognizes the importance of curtailing the emissions of mercury to the environment.

The automobile recyclers that are participating in this program by removing mercury switches from the end-of-life vehicles will be required to comply with the generator registration and manifesting requirements of Regulation 347. The waste generated from these activities would need to be released to a hazardous waste management company approved under Part V of the EPA to haul such waste off-site.

Small quantity exemptions (SQE) are included in Regulation 347 for some waste types under hazardous waste. The SQE would apply to the waste collected through this program provided the generators do not generate more than 5 kg. of this waste in a one month period or accumulate more than 5 kg. over any period. It is the responsibility of the generator to determine if the waste meets the SQE. The 5 kg. quantity applies to the entire unit (mercury switch) and not just the contaminants within the switch. If the SQE does not apply, registration and manifesting may not be required provided Fluorescent Lamp Recyclers (FLR) has as part of the conditions of their Certificate of Approval, a condition that would override these requirements.

Should you have any further questions or comments regarding the above, please do not hesitate to contact me at (416) 314-4186.

Sincerely,

Debra Hurst
Senior Environmental Policy/Program Officer
Hazardous Waste Policy Section
Waste Management Policy Branch

cc: G. Rocoski, Manager, WMPB
I. Smith, Technology Standards Branch
R. McKenzie, Partnerships and Outreach Section, MOE

Clean Air
Foundation

Important Contacts

**For questions related to the SWITCH OUT Program
and to arrange pick up of mercury switches:**

Clean Air Foundation
Leah Hagreen, SWITCH OUT Manager
416-922-9038 ext 25
lhagreen@cleanairfoundation.org
www.switchout.ca

For questions related to transportation regulations:

Ontario Ministry of the Environment
Debra Hurst, Waste Management Policy Branch
416-314-4186

**For information on Anti Lock Brake System
Mercury Removal and Recycling:**

Clean Car Campaign
www.cleancarcampaign.org/pdfs/abs_removal.pdf

For general information on mercury:

Pollution Probe
www.pollutionprobe.org/mercury.htm