

Authority: Public Works and Infrastructure Committee Item 34.3,
as adopted by City of Toronto Council on July 6, 7 and 8, 2010
Enacted by Council: July 8, 2010

CITY OF TORONTO

BY-LAW No. 799-2010

To amend City of Toronto Municipal Code Chapter 844, Waste Collections, Residential Properties, and Chapter 441, Fees and Charges, with respect to the implementation of a revised volume-based solid waste rate fee for bulk collection customers.

WHEREAS subsection 8(1) of the *City of Toronto Act, 2006* provides the City with broad authority to provide any service or thing the City considers necessary or desirable for the public; and

WHEREAS City Council has the authority to pass by-laws respecting matters related to services and things that the City considers necessary or desirable to provide to the public under subsection 8(2) of the *City of Toronto Act, 2006*; and

WHEREAS section 259 of the *City of Toronto Act, 2006* provides that the City may pass by-laws imposing fees and charges on persons for services or activities provided or done by or on behalf of it; and

WHEREAS under section 83 of the Act, the City may make grants to any person for any purpose that Council considers to be in the interests of the City; and

WHEREAS the City provides solid waste management services to the citizens of Toronto as a necessary and desirable service; and

WHEREAS on July 6, 7 and 8, 2010, Council adopted a revised multi-residential billing system and rate structure for bulk collection customers; and

WHEREAS this revised billing system and rate structure is designed to be simpler and more easily understood by bulk collection customers; and

WHEREAS this revised billing system and rate structure will provide immediate environmental and financial incentives for bulk collection customers to undertake waste diversion strategies; and

WHEREAS it is necessary to amend Chapter 441, Fees and Charges and Chapter 844, Waste Collection, Residential Properties, of the Toronto Municipal Code to implement the revised billing system and rate structure; and

WHEREAS under § 169-26 of Municipal Code Chapter 169, Officials, City, the City Solicitor, in consultation with the City Clerk, may submit bills directly to Council to make technical amendments to the Municipal Code and other by-laws to correct technical errors; and

WHEREAS a minor technical amendment must be made to Chapter 844, Waste Collection, Residential Properties, of the Toronto Municipal Code to correct a cross-reference to another Municipal Code Chapter;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Chapter 441, Fees and Charges.

Appendix A, Waste Collection and Disposal Fees and Water and Sewer Usage Rate, Schedule 1, Solid Waste Management Services, of Municipal Code Chapter 441, Fees and Charges, is amended as follows:

A. Columns I, II, III, IV and V of Line 81 is deleted and replaced with the following:

	I	II	III	IV	V
	Category	Activity	Fee Basis	Fee	Annual Adjustment
81	Collections	Residential Bulk collection	Annual Base Collection Fee (per dwelling unit per year) – up to base of 1.704 cubic yards (per dwelling unit per year) of un-compacted garbage or base of 0.852 cubic yards (per dwelling unit per year) of compacted garbage	\$175.00	No

B. Lines 82 to 84 are deleted.

C. Columns I, II, III, IV and V of Line 85 and 86 are deleted and replaced with the following:

	I	II	III	IV	V
	Category	Activity	Fee Basis	Fee	Annual Adjustment
85	Collections	Residential Bulk collection	Excess Collection Fee (per cubic yard) of un-compacted garbage over base 1.704 cubic yards (per dwelling unit per year)	\$12.81	No
86	Collections	Residential Bulk collection	Excess Collection Fee (per cubic yard) of compacted garbage over base 0.852 cubic yards (per dwelling unit per year)	\$25.63	No

2. Chapter 844, Waste Collections, Residential Properties.

Chapter 844, Waste Collections, Residential Properties, of The City of Toronto Municipal Code is amended as follows:

A. By deleting § 844-29 in its entirety and substituting it with the following:

§ 844-29. Residential bulk collection fees.

A. An owner of a residential property who receives residential bulk collection shall pay the annual base collection fee for residential bulk collection per dwelling unit

per year as set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges, up to 1.704 cubic yards of un-compacted garbage per unit per year or up to 0.852 cubic yards of compacted garbage per unit per year.

- B. An owner of a residential property who receives residential bulk collection who sets out more than 1.704 cubic yards per unit per year of un-compacted garbage shall pay the excess collection fee for un-compacted garbage as set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges, for each additional cubic yard of un-compacted garbage set out.
 - C. An owner of a residential property who receives residential bulk collection who sets out more than 0.852 cubic yards per unit per year of compacted garbage shall pay the excess collection fee for compacted garbage as set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges, for each additional cubic yard of compacted garbage set out.
 - D. For the first year during which this section is in force, the residential bulk collection fees will be prorated on a daily basis.
 - E. When a change in ownership of a residential property occurs, the residential bulk collection fees will be prorated on a daily basis.
 - F. Despite Subsection A, if a residential property who receives residential bulk collection garbage is more densely compacted than a 2:1 compaction ratio and, as a result, uses smaller or fewer garbage containers, the General Manager reserves the right to increase the residential bulk collection fees for the building to compensate for the compaction.
 - G. The City will bill each owner of a residential property who receives residential bulk collection the residential bulk collection fee on the utility bill issued pursuant to Article III of Chapter 849, Water and Sewage Services and Utility Bill.
- B. By deleting "\$157" in § 844-30B and substituting it with "\$175.00".
- C. By deleting "Article VIII" in § 844-30D and substituting it with "Article III".

2. In force date.

This by-law comes into force on July 1, 2010.

ENACTED AND PASSED this 8th day of July, A.D. 2010.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)