

Authority: Executive Committee Item 36.18, adopted as amended,
by City of Toronto Council on December 16, 17 and 18, 2013

CITY OF TORONTO

BY-LAW No. 1721-2013

**To amend City of Toronto Municipal Code Chapter 443, Fees and Charges,
Delegation of Authority.**

Whereas in 2008 Council authorized the Director of Transfer and Disposal Operations, Solid Waste Management Services, to establish fees for various types of wastes within fee ranges in accordance with certain conditions, complying with Appendix "A" to Municipal Code Chapter 443;

Whereas it is no longer deemed necessary to set fees in this way;

The Council of the City of Toronto enacts:

1. Schedule "A" to this by-law is enacted to replace Municipal Code Chapter 443, Fees and Charges, Delegation of Authority.

Enacted and passed on December 18, 2013.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

SCHEDULE "A"

Chapter 443

FEEES AND CHARGES, DELEGATION OF AUTHORITY

ARTICLE 1

Landfill Disposal Fees

§ 443-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ASBESTOS WASTE - Solid waste that results from the removal of asbestos-containing construction or insulation materials or the manufacture of asbestos-containing products and contains asbestos in more than a trivial amount or proportion.

BENEFICIAL MATERIALS - Materials useful to the City in certain quantities for uses including daily or interim cover material, top dressing, road building, or slope stabilization, including but not limited to wood chips, topsoil, concrete brick and rubble, contaminated soil and granular material, and a waste included in the material delivered by Private/Commercial Customers.

BIOSOLIDS - Nutrient-rich organic materials resulting from the treatment of domestic sewage in a municipal sewage treatment facility.

CUSTOMER - A person delivering waste, that has not been collected through Toronto's waste collection system or delivered under a formal agreement, to the landfill for disposal.

DIRECTOR - The Director of Processing and Resource Management, Solid Waste Management Services.

DISPOSAL FEE - The set fee for waste disposal expressed in dollars per tonne.

ENVIRONMENTAL MANAGER - The Environmental Manager, Solid Waste Management Services, employed at the Green Lane Landfill Site.

IC&I WASTE - Industrial, commercial and institutional waste, and a waste included in the material delivered by Private/Commercial Customers.

LANDFILL - The City-owned Green Lane Landfill located in the Township of Southwold, County of Elgin, licensed by the Ministry of the Environment under Certificate of Approval No. A051601.

MOE-ORDERED IC&I WASTE - Waste from a commercial, industrial or institutional source disposed at the landfill as required by an order from the Ministry of the Environment or by Order-in-Council.

MOE-ORDERED MUNICIPAL WASTE - Waste from a municipal source disposed at the landfill as required by an order from the Ministry of the Environment or by Order-in-Council.

MUNICIPAL SOLID WASTE - Municipal Waste as defined in Regulation 347, and a waste included in the material delivered by Private/Commercial Customers.

PRIVATE/COMMERCIAL CUSTOMER - A customer type that delivers, in addition to the types of waste listed, Beneficial Materials, IC&I Waste, and Municipal Solid Waste.

REGULATION 347 - Regulation 347, R.R.O. 1990, under the *Environmental Protection Act*, as same may be amended or replaced from time to time.

SPECIAL WASTE - Asbestos Waste, waste delivered pursuant to the requirements of the Canadian Food Inspection Agency ("CFIA"), certain contaminated soils and any other waste by its type or characteristics requiring special handling.

SET FEE - The fees established for types of waste shown in Appendix A.

SECURITY - A certified cheque or irrevocable letter of credit.

TREATED BIOMEDICAL WASTE - Waste resulting from the provision of human or animal health care, related medical research and teaching, the operation of laboratories, morgues and funeral establishments, the use of biotechnology (such as the production of testing of vaccines) and from mobile health care activities, which have been treated by autoclaving and/or hydroclaving, chemical or thermal means or alternative technologies as more completely described in Guideline C-4, The Management of Biomedical Waste in Ontario, issued by the Ministry of the Environment under the authority of the *Environmental Protection Act*, and generated by a Ministry of the Environment-approved treatment facility.

WASTE - Municipal solid waste, beneficial materials, biosolids, IC&I waste, special waste, treated biomedical waste, water treatment residue, and MOE-ordered municipal and IC&I waste and such other materials as are designated in Regulation 347.

WATER TREATMENT RESIDUE - The solid waste by-product from the production of potable water.

§ 443-2. Disposal Fees.

A customer of the landfill shall pay the disposal fee in Appendix A.

§ 443-3. Taxes.

The fees set out in Column III of Appendix A to this chapter do not include provincial sales tax and goods and services tax.

§ 443-4. Payment of Disposal Fees.

- A. Subject to § 443-4C, no customer shall deposit waste at the landfill until the customer has paid the applicable disposal fee or interim disposal fee under § 443-2.
- B. Cash, credit card or debit card will be accepted as methods of payment for customers paying in person.
- C.
 - (1) The Director may allow a customer to provide security instead of paying a disposal fee or interim disposal fee prior to disposal of the customer's waste at the landfill.
 - (2) If the security is in the form of an irrevocable letter of credit, the letter of credit shall be from a chartered bank, be valid for a period of not less than 12 months, and contain an automatic renewal clause.
 - (3) Security shall be calculated on the value of business transacted over an average ten-week period utilizing the average weekly volumes experienced over the most recent 52 week period, where applicable, multiplied by a cost factor of 48% or shall be \$5,000.00, whichever is greater.
 - (4) Before the disposal fee or interim disposal fee is deducted from the security, an invoice will be sent to the customer by personal service, regular letter mail, e-mail or fax.
 - (5) Invoices shall be deemed to have been received on:
 - (a) The third day after the day of mailing by regular letter mail; or
 - (b) The first day after the day of transmission by e-mail or by fax.
 - (6) An invoice shall describe:
 - (a) The type of waste disposed at the landfill;
 - (b) The number of tonnes disposed;
 - (c) The total amount owing; and
 - (d) The date on which the payment is due.
 - (7) Account holders will have 21 days from the invoice date to notify the City in writing of any billing errors or omissions, otherwise the information stated on the invoice is considered final.
 - (8) If payment is not made within 30 days from the due date, unless otherwise determined by the City, all charge account privileges will be removed from the account holder until payment is made.

- (9) If payment is not made within 60 days from the due date, the total amount owing may be deducted from the account holder's security.
- (10) In the period after the due date and before any deduction is made from the account holder's security, a late payment charge will apply.

§ 443-5. Late payment charges.

Section 441-5 of Chapter 441, Fees and Charges, shall apply with any necessary modifications.

§ 443-6. Dishonoured cheque processing fee.

Section 441-6 of Chapter 441, Fees and Charges, shall apply with any necessary modifications.

**APPENDIX A
LANDFILL DISPOSAL FEES**

	I	II	III
	Category	Fee Basis	Rates per Tonne 2014
1	Private Commercial	Per tonne	\$103.00
2	Biosolids	Per tonne	\$66.95
3	Waste Treatment Residue	Per tonne	\$66.95
4	Treated Biomedical Waste	Per tonne	\$103.00
5	Asbestos	Per tonne	\$309.00
6	CFIA Waste	Per tonne	\$309.00
7	Special Handling	Per tonne	\$309.00
8	MOE Ordered Municipal Waste	Per tonne	\$309.00
9	MOE Ordered IC&I Waste	Per tonne	\$309.00