

## **Amendments to Solid Waste Collection By-laws**

<b>Date:</b>	March 20, 2009
<b>To:</b>	Public Works and Infrastructure Committee
<b>From:</b>	General Manager, Solid Waste Management Services
<b>Wards:</b>	All
<b>Reference Number:</b>	p:/2009/swms/April/006PW

### **SUMMARY**

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This report requests Council's authority for amendments to Chapters 841, Waste Collection, Commercial Properties and 844, Waste Collection, Residential Properties of the Municipal Code. These amendments are designed to reflect current Solid Waste Operations, help improve the readability of the Chapters, ensure consistent use of terminology between the Chapters and to clarify the duties and responsibilities of owners, residents and the General Manager under the Chapters.

### **RECOMMENDATIONS**

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**The General Manager, Solid Waste Management Services recommends that:**

1. Council adopt the proposed revisions to Chapter 844, Waste Collection, Residential Properties as found in Appendix "A";
2. Council adopt the proposed revisions to Chapter 841, Waste Collection, Commercial Properties as found in Appendix "B"; and
3. Council direct the City Solicitor to submit the necessary bills to Council to implement the above recommendations.

## **Financial Impact**

There are no financial implications resulting from this report.

## **ISSUE BACKGROUND**

In the process of implementing the *Proposed Initiatives and Financing Model to Get to 70% Solid Waste Diversion by 2010* report (Executive Committee Report EX9.1, adopted, as amended by Council at its meeting of June 19, 20 and 22, 2007), Solid Waste Management Services staff, in consultation with the City Solicitor determined that Chapters 841 and Chapters 844 of the Municipal Code required various amendments to improve the readability of the Chapters and to reflect current Solid Waste Management operations.

## **COMMENTS**

### **Chapter 844, Waste Collection, Residential Properties**

In the review of Chapter 844, a number of changes were identified. The changes can be broken down into two groups: minor changes and substantive changes.

#### Table 1 - Recommended Minor Changes

Appendix A - Table 1 consists of minor proposed changes to Chapter 844 and the reason behind the change. The table is broken down into 4 columns: 1. the original section; 2. the proposed change to that section; 3. the amended section; and 4. the reason behind the change.

The majority of the recommended changes in Table 1 are to help improve the readability of the Chapters, ensure consistent use of terminology between the Chapters and to clarify the duties and responsibilities of owners, residents and the General Manager under the Chapters. In addition, within Table 1 are changes related to collection services which are summarized below:

- adding a minimum height requirement for yard waste containers at 55 centimetres;
- specifying the size of organic containers to be used by multiple household residences that receive bulk collection as the Division rolls out organics collection to this customer base;

- requiring owners of household residences or multiple household residences to provide sufficient containers to all tenants/residents;
- changing the ‘no earlier’ and ‘no later’ set out times for night time collection customers from 8 p.m. and 11 p.m. to 6 p.m. and 9 p.m., respectively;
- changing the time for night time collection customers to take in their empty containers from 10 a.m. to 7 a.m.;
- adding a new section which allows residents to leave their yard waste out past regular set out times if notified by the General Manager; and
- deleting section 844-18C thereby prohibiting buildings from using private collection services if they are receiving city collection services. This is consistent with the ‘all or nothing’ collection policy.

As a result of some of the proposed changes in Table 1, a number of existing sections will be renumbered. As a result of the necessary renumbering of the sections in Chapter 844, the City Solicitor, under her standing authority pursuant to Strategic Policies and Priorities Committee Report 5, Clause 9, as adopted by Council at its meeting held on March 2, 3 and 4, 1999, will submit an application to the Chief Judge of the Provincial Courts to update the existing set fines in consultation with Municipal Licensing and Standards and Solid Waste Management Services.

#### Table 2 – Redefining City Collection Customers

Currently, under Chapter 844 a household residence (defined as 1 to 8 units) receives residential curbside collection and is required to pay the residential curbside collection fees based on the size and quantity of garbage bins a household chose. Multiple household residences (nine or more dwelling units) that receive residential bulk collection services and pay the residential bulk collection fees based on the volume set out for collection.

While the vast majority of household residences receive curbside collection and the vast majority of multiple household residences receive bulk collection, there are some properties that do not fall under either category. An example of such exception may include a 7 unit household residence with a communal garbage container that receives bulk collection services. In addition, Council has directed the conversion of town house complexes from bulk or pile collection to curbside collection. These conversions would fall outside of the current definitions of household and multiple household definitions.

Table 2 sets out the proposed change that redefines customers based on the type of collection services they receive. The Table is broken down into three columns: 1. proposed change; 2. original section change applies to; and 3. reason behind the change.

The proposed changes in Table 2 allow the City to:

- provide the most appropriate type of residential collection to each of its residential collection customers;
- charge the approved residential curbside collection fees to residential properties receiving residential curbside collection; and
- charge the approved residential bulk collection fees to residential properties receiving residential bulk collection.

#### Table 3 – Renumbering Sections

Table 3 is a table of concordance showing the old section numbers and the corresponding new section numbers.

### **CHAPTER 841, WASTE COLLECTIONS, COMMERCIAL PROPERTIES**

In the review of Chapter 841, a number of minor changes were identified that could help improve readability, ensure consistent use of terminology and clarify commercial owners' and the General Manager's duties under the Chapter.

Appendix B contains a table for minor proposed changes to Chapter 841 and the reason behind the change. The table is broken down into 4 columns: 1. the original section; 2. the proposed change to that section; 3. the amended section; and 4. the reason behind the change.

Although minor in nature, the changes related to collection services are summarized below:

- amending the minimum size of garbage and recycling containers to .75 cubic metres;
- specifying the size of organics container to be used by commercial customers;
- clarifying the weight restrictions of no more than 20 kg when setting out an organics container;
- changing the 'no earlier' and 'no later' set out times for night time collection customers from 8 p.m. and 11 p.m. to 6 p.m. and 9 p.m., respectively;
- changing the time for night time collection commercial customers to take in their empty containers from 10 a.m. to 5 a.m.; and

- updating Schedule B – Organic materials to provide a consistent list in both Chapters.

## **CONTACTS**

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## **SIGNATURE**

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Geoff Rathbone, General Manager  
Solid Waste Management Services

## **ATTACHMENTS**

Appendix A – Proposed Changes to Chapter 844, Waste Collection, Residential  
Properties

Appendix B – Proposed Minor Changes to Chapter 841, Waste Collection, Commercial  
Properties