

Chapter 844

WASTE COLLECTION, RESIDENTIAL PROPERTIES

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[HISTORY: Adopted by the Council of the City of Toronto 2001-04-27 by By-law No. 235-2001.¹ Amendments noted where applicable.]

GENERAL REFERENCES

Fees and charges — See Ch. 441.
Property maintenance — See Ch. 629.

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ARTICLE I
Definitions; Interpretation

§ 844-1. Definitions.

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

¹ Editor's Note: This by-law was passed under the authority of sections 208.2 and 208.6 of the *Municipal Act*, R.S.O. 1990, c. M.45. This by-law comes into force on 2001-05-01. This by-law also stated that the following by-laws shall continue to be in effect, provided that, in the event of a conflict between Chapter 844 and a by-law referred to below, Chapter 844 shall prevail: Chapter 309, City of Toronto Municipal Code, as amended; Chapter 149, Etobicoke Municipal Code, as amended; By-law No. 1-86, as amended, former Borough of East York; By-law No. 2890-78, as amended, former City of York; By-law No. 24478, as amended, former City of Scarborough; By-law No. 21732, as amended, former City of North York.

BULKY ITEM — A household item other than an item for which special collection services are provided, which is larger than 1.2 metres in any one dimension or weighs in excess of 20 kilograms, including furniture of whatever size and weight as may be determined by the General Manager. **[Amended 2008-05-27 by By-law No. 506-2008²]**

COLLECTION POINT — The part of a property eligible to receive services that has been designated by the General Manager for the setting out and collection of garbage, recyclable materials, organic materials, yard waste and items eligible for special collection services. **[Amended 2003-05-23 by By-law No. 443-2003; 2008-05-27 by By-law No. 506-2008³]**

CONTAMINATION — The mixing of an item referred to in the list below with a different item described in the list below:

- A. Recyclable materials.
- B. Garbage.
- C. Yard waste.
- D. Prohibited waste.
- E. Organic materials.⁴ **[Added 2003-05-23 by By-law No. 443-2003]**

DAYTIME COLLECTION PERIOD — A period of time during which the City provides services, which period commences at 7:00 a.m. on a specified day and concludes at 5:00 p.m. the same day.⁵

DIVISION — The City's Solid Waste Management Services Division. **[Added 2008-05-27 by By-law No. 506-2008⁶]**

DWELLING ROOM — A room used or designed for human habitation which has culinary or sanitary facilities, but does not include:

- A. A room in a dwelling unit or in a hotel, tourist or guest home;
- B. A bathroom or kitchen; or
- C. A windowless storage room that has a floor area of less than 10 square metres.

² Editor's Note: This by-law comes into force 2008-07-01.

³ Editor's Note: This by-law comes into force 2008-07-01. This by-law also repealed the former definition of "Commissioner," which immediately followed this definition.

⁴ Editor's Note: The former definition of "curbside collection," amended 2003-05-23 by By-law No. 443-2003, and which immediately followed this definition, was repealed 2008-05-27 by By-law No. 506-2008; this by-law comes into force 2008-07-01.

⁵ Editor's Note: The former definition of "Department," which immediately followed this definition, was repealed 2008-05-27 by By-law No. 506-2008; this by-law comes into force 2008-07-01.

⁶ Editor's Note: This by-law comes into force 2008-07-01.

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DWELLING UNIT — A living accommodation used or designed for habitation by one person or by two or more persons living together which consists of a room or suite of two or more rooms in which both culinary and sanitary facilities are provided for the exclusive use of the person or persons.⁷

GARBAGE — Waste other than recyclable materials, organic materials, yard waste, items for which special collection services are provided and prohibited waste. [Amended 2003-05-23 by By-law No. 443-2003]

GARBAGE BIN — A container owned by the City and made available to an owner who receives residential curbside collection as described in § 844-13.1. [Added 2008-05-27 by By-law No. 506-2008⁸]

GARBAGE COLLECTION SERVICES — The services provided by the City under this chapter for the removal of garbage from residential property within the City.

GARBAGE CONTAINER — A container for setting out garbage which meets the requirements contained in § 844-10A or B. [Amended 2008-10-30 by By-law No. 1146-2008⁹]

GARBAGE TAG — A specially marked tag designed for owners of household residences to put out garbage for collection as described in § 844-10 and available to owners in accordance with § 844-29. [Added 2008-10-30 by By-law No. 1146-2008¹⁰]

GENERAL MANAGER — The General Manager of the Division, or his or her designate. [Added 2008-05-27 by By-law No. 506-2008¹¹]

HOUSEHOLD RESIDENCE — A building containing dwelling rooms and/or fewer than nine dwelling units. [Amended 2008-05-27 by By-law No. 506-2008¹²]

MULTIPLE HOUSEHOLD RESIDENCE — A building used mainly for residential purposes which contains nine or more dwelling units. [Amended 2008-05-27 by By-law No. 506-2008¹³]

⁷ Editor's Note: The former definitions of "exemption policy," added 2003-06-26 by By-law No. 520-2003, as amended, and "exemption tag," added 2003-06-26 by By-law No. 520-2003, which immediately followed this definition, were repealed 2008-10-30 by By-law No. 1146-2008. This by-law comes into force 2008-11-01.

⁸ Editor's Note: This by-law comes into force 2008-07-01.

⁹ Editor's Note: This by-law comes into force 2008-11-01.

¹⁰ Editor's Note: This by-law comes into force 2008-11-01.

¹¹ Editor's Note: This by-law comes into force 2008-07-01.

¹² Editor's Note: This by-law comes into force 2008-07-01. The by-law also repealed the former definition of "mechanical collection," which immediately followed this definition.

¹³ Editor's Note: This by-law comes into force 2008-07-01.

NIGHT-TIME COLLECTION PERIOD — A period of time during which the City provides services, which period commences at 8:00 p.m. on a specified day and concludes at 7:00 a.m. the next day.

ORGANIC COLLECTION SERVICES — The services provided by the City for the removal of organic materials from residential properties in the City. **[Added 2003-05-23 by By-law No. 443-2003]**

ORGANIC MATERIALS — The items, other than recyclable materials and yard waste, referred to in Schedule B at the end of this chapter. **[Added 2003-05-23 by By-law No. 443-2003]**

ORGANICS CONTAINER — A container for setting out organic materials which meets the requirements set out in § 844-12C. **[Added 2003-05-23 by By-law No. 443-2003]**

OWNER — An owner, occupant, lessee, tenant or any other person in charge or in control of a residential property in the City.

PERSON WITH DISABILITY — A person who, in the opinion of his or her physician, is, by reason of permanent or temporary disability, unable to comply with the requirements of this chapter with respect to setting out regulation containers at the appropriate collection point.

PROHIBITED WASTE — The waste items referred to in Schedule C at the end of this chapter.

RECYCLABLE MATERIALS — The waste items, other than yard waste and organic materials, referred to in Schedule B at the end of this chapter. **[Amended 2003-05-23 by By-law No. 443-2003; 2008-05-27 by By-law No. 506-2008¹⁴]**

RECYCLING BIN — A container owned by the City and made available to an owner who receives residential curbside collection as described in § 844-13.1. **[Added 2008-05-27 by By-law No. 506-2008¹⁵]**

RECYCLING COLLECTION SERVICES — The services provided by the City for the removal of recyclable materials from residential property within the City.

RECYCLING CONTAINER — A container for setting out recyclable materials which meets the requirements contained in § 844-11A or B. **[Amended 2008-10-30 by By-law No. 1146-2008¹⁶]**

¹⁴ Editor's Note: This by-law comes into force 2008-07-01.

¹⁵ Editor's Note: This by-law comes into force 2008-07-01.

¹⁶ Editor's Note: This by-law comes into force 2008-11-01.

REGULATION CONTAINER — A garbage container, a recycling container, a yard waste container or an organics container. **[Amended 2003-05-23 by By-law No. 443-2003]**

REGULATION 347 — Regulation 347, R.R.O. 1990, under the *Environmental Protection Act*,¹⁷ as same may be amended or replaced from time to time.

RESIDENTIAL BULK COLLECTION — The collection of garbage and recyclable materials in the appropriate regulation containers described in §§ 844-10B and 844-11B. **[Added 2008-05-27 by By-law No. 506-2008¹⁸]**

RESIDENTIAL BULK COLLECTION FEES — The fees imposed under § 844-26 on an owner who receives residential bulk collection. **[Added 2008-05-27 by By-law No. 506-2008¹⁹]**

RESIDENTIAL CURBSIDE COLLECTION — The collection of garbage, recyclable materials, organic materials and yard waste in the appropriate regulation containers described in §§ 844-10A, 844-11A and 844-12, at a collection point that is at or near a curb. **[Added 2008-05-27 by By-law No. 506-2008²⁰]**

RESIDENTIAL CURBSIDE COLLECTION FEES — The fees imposed under § 844-25 on an owner who receives residential curbside collection. **[Added 2008-05-27 by By-law No. 506-2008²¹]**

RESIDENTIAL PROPERTY — A household residence or a multiple-household residence.

SERVICES — One or more of the services provided by the City under this chapter, including garbage collection services, recycling collection services, organics collection services, yard waste collection services and special collection services. **[Amended 2003-05-23 by By-law No. 443-2003]**

SET OUT — The placement at a collection point of an item with respect to which the City provides services.

SPECIAL COLLECTION SERVICES — The services provided by the City under this chapter for the collection of items referred to in Schedule A at the end of this chapter.

SPECIALLY EQUIPPED BUILDING — A multiple household residence which has a stationary compactor unit and garbage container(s).

¹⁷ Editor's Note: See R.S.O. 1990, c. E.19.

¹⁸ Editor's Note: This by-law comes into force 2008-07-01.

¹⁹ Editor's Note: This by-law comes into force 2008-07-01.

²⁰ Editor's Note: This by-law comes into force 2008-07-01.

²¹ Editor's Note: This by-law comes into force 2008-07-01.

STREET — Any public highway, road, street, lane, alley or square within the jurisdiction of the City.

WASTE — Garbage, recyclable materials, organic materials, yard waste and prohibited waste. **[Amended 2003-05-23 by By-law No. 443-2003]**

YARD WASTE — The waste items, other than recyclable materials and organics materials referred to in Schedule B at the end of this chapter. **[Amended 2003-05-23 by By-law No. 443-2003]**

YARD WASTE COLLECTION SERVICES — The services provided by the City under this chapter for the removal of yard waste from residential property within the City.

YARD WASTE CONTAINER — A container for setting out yard waste which meets the requirements contained in § 844-12A.

§ 844-2. Interpretation.

- A. The necessary grammatical changes required to make the provisions hereof apply to corporations, partnerships, trusts, and individuals, male or female, and to include the singular or plural meaning where the context so requires, shall in all cases be assumed as though fully expressed.
- B. The insertion of headings and the division of this chapter into sections and subsections are for convenience of reference only and shall not affect the interpretation thereof.

**ARTICLE II
Collection Services**

§ 844-3. Eligibility for services.

- A. Subject to the terms and conditions contained in this chapter and any directives issued by City Council from time to time, the City shall collect garbage, recyclable materials, organic materials, yard waste and items eligible for special collection services from residential properties. **[Amended 2003-05-23 by By-law No. 443-2003]**
- B. No owner shall be eligible to receive services unless the owner complies with all relevant requirements contained in this chapter and in the City publication entitled “Requirements for garbage and recycling collection services at Developments and Redevelopments” as same may be amended from time to time.
- C. Every owner of a multiple household residence shall ensure that specific recycling and organics instructions for residents are posted in locations at the multiple

household residence as designated by the General Manager. **[Amended 2003-05-23 by By-law No. 443-2003; 2008-05-27 by By-law No. 506-2008²²]**

- D. The General Manager may determine that owners who do not participate fully in the City's collection of recyclable materials or organic materials or who sell or otherwise transfer recyclable materials or organic materials to persons other than the City are not eligible to receive any services. **[Amended 2003-05-23 by By-law No. 443-2003; 2008-05-27 by By-law No. 506-2008²³]**
- E. No owner shall be eligible to receive or to continue to receive services unless the owner sets out for collection all waste in respect of which the City provides services to the owner. **[Added 2003-05-23 by By-law No. 446-2003]**
- F. An owner may opt out of receiving all of the services provided by the Division, if the owner provides notice to the Division, in a form satisfactory to the General Manager, setting out an effective date the services are to end. **[Added 2008-05-27 by By-law No. 506-2008²⁴]**
- G. If an owner opts out of all of the services in accordance with Subsection F, the applicable residential curbside collection fees or residential bulk collection fees in §§ 844-25 and 844-26, respectively, will be charged to the owner up to the effective date of the end of the services. **[Added 2008-05-27 by By-law No. 506-2008²⁵]**
- H. If an owner opts out of all of the services in accordance with Subsection F, the applicable annual garbage rebate in § 844-27 will be prorated to the effective date of the end of the services. **[Added 2008-05-27 by By-law No. 506-2008²⁶]**
- I. If an owner opts out of all of the services in accordance with Subsection F, the owner will not be eligible for the applicable annual garbage rebate in § 844-27 beyond the effective date of the end of the services. **[Added 2008-05-27 by By-law No. 506-2008²⁷]**

²² Editor's Note: This by-law comes into force 2008-07-01.

²³ Editor's Note: This by-law comes into force 2008-07-01.

²⁴ Editor's Note: This by-law comes into force 2008-07-01.

²⁵ Editor's Note: This by-law comes into force 2008-07-01.

²⁶ Editor's Note: This by-law comes into force 2008-07-01.

²⁷ Editor's Note: This by-law comes into force 2008-07-01.

§ 844-4. Frequency of garbage collection services.

[Amended 2003-05-23 by By-law No. 443-2003; 2008-05-27 by By-law No. 506-2008²⁸]

- A. The City shall collect garbage from household residences and multiple household residences who receive residential curbside collection:
 - (1) No more than once per week if the household or multiple household residence does not receive organics collection services; or
 - (2) No more than once every two weeks if the household or multiple household residence does receive organics collection services.
- B. Despite Subsection A, City Council may direct the General Manager to provide garbage collection services twice per week to household residences and multiple household residences who receive residential curbside collection subject to such terms and conditions as City Council deems appropriate.
- C. The City shall collect garbage no more than twice per week from multiple household residences who receive residential bulk collection.

§ 844-5. Frequency of recycling collection services.

[Amended 2008-05-27 by By-law No. 506-2008²⁹]

- A. The City shall collect recyclable materials once every two weeks from household residences and multiple household residences that receive residential curbside collection of garbage.
- B. The City shall collect recyclable materials no more than once per week from multiple household residences that receive residential bulk collection.

§ 844-6. Frequency of yard waste collection services and organics collection services.

[Amended 2003-05-23 by By-law No. 443-2003; 2008-05-27 by By-law No. 506-2008³⁰]

- A. The City shall collect yard waste from household residences and multiple household residences approved by the General Manager once every two weeks during the months of March, April, May, June, July, August, September, October, November and December on days specified by the General Manager.

²⁸ Editor's Note: This by-law comes into force 2008-07-01.

²⁹ Editor's Note: This by-law comes into force 2008-07-01.

³⁰ Editor's Note: This by-law comes into force 2008-07-01.

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- A.1. The City shall collect Christmas trees from household residences and multiple household residences approved by the General Manager during the first three weeks of January on days specified by the General Manager.
- B. Despite Subsection A, if, in the opinion of the General Manager, a multiple household residence has a suitable location for on-site composting or if a private contractor is employed for the purposes of lawn and garden maintenance at the multiple household residence, the General Manager may elect not to provide yard waste collection services to the multiple household residence.
- C. The City shall collect organic materials from household residences and multiple household residences who receive residential curbside collection, once per week, on days specified by the General Manager.

§ 844-7. Special collection services.

- A. The City shall provide special collection services to an owner with respect to the items referred to in Schedule A of this chapter, provided that: [**Amended 2008-05-27 by By-law No. 506-2008**³¹]
 - (1) The owner contacts the Division prior to setting out the item requiring special collection services; and
 - (2) The owner complies with all directions of the Division with respect to the preparation of the affected item for setting out and collection.
- B. An owner shall ensure that the doors are removed from any appliance eligible to be collected under this section before setting out the appliance for collection.³²
- C. Special collection services shall be provided by the City on a “first requested, first served” basis.
- D. The General Manager may refuse or limit the amount of special collection services provided to an owner. [**Amended 2008-05-27 by By-law No. 506-2008**³³]

§ 844-8. Collection of prohibited waste.

- A. The City shall not collect prohibited waste.
- B. No owner shall set out prohibited waste for collection by the City, either on its own or mixed with any waste with respect to which the City provides services.

³¹ Editor’s Note: This by-law comes into force 2008-07-01.

³² Editor’s Note: See also Ch. 659, Refrigerators and Other Appliances, Abandoned.

³³ Editor’s Note: This by-law comes into force 2008-07-01.

§ 844-9. (Reserved)³⁴

ARTICLE III
Requirements for Regulation Containers

§ 844-10. Garbage containers.

[Amended 2008-05-27 by By-law No. 506-2008³⁵]

- A. Owners of household residences shall use a container described below for setting out garbage: [Amended 2008-10-30 by By-law No. 1146-2008³⁶]
- (1) One or more garbage bins as provided to the owner of a household residence by the City under § 844-13.1; or
 - (2) If an owner of a household residence has excess garbage that can not fit within the City provided garbage bin(s) under Subsection A(1), an owner may use any number of plastic bags measuring approximately 66 centimetres by 90 centimetres and capable of supporting 20 kilograms when lifted, provided that a garbage tag as described in § 844-29 is affixed to each bag; or
 - (3) If the City has not provided a garbage bin to the owner under § 844-13.1, the owner shall use:
 - (a) A plastic bag measuring approximately 66 centimetres by 90 centimetres and capable of supporting 20 kilograms when lifted, provided that a garbage tag as described in § 844-29 is affixed to each bag; or
 - (b) Such other container provided by the City or designated by the General Manager as acceptable for setting out garbage.
- B. Owners of multiple household residences who receive residential bulk collection shall use a container described below for setting out garbage:
- (1) A properly covered watertight metal container, in sound and good working order, with a capacity greater than 1.76 cubic metres and less than 4.6 cubic metres which has a maximum weight of 1,500 kilograms when full and is compatible with the equipment used by the City for the provision of garbage collection services; or
 - (2) Any other container, in good working order designated by the General Manager as acceptable for setting out garbage.

³⁴ Editor's Note: Former § 844-9, Collection limits, as amended, was repealed 2008-10-30 by By-law No. 1146-2008. This by-law comes into force 2008-11-01.

³⁵ Editor's Note: This by-law comes into force 2008-07-01.

³⁶ Editor's Note: This by-law comes into force 2008-11-01.

§ 844-11. Recycling containers.

[Amended 2008-05-27 by By-law No. 506-2008³⁷]

- A. Owners of household residences shall use a container described below for setting out recyclable materials: **[Amended 2008-10-30 by By-law No. 1146-2008³⁸]**
- (1) One or more recycling bins provided to the owner of a household residence by the City under § 844-13.1; or
 - (2) If the City has not provided a recycling bin to the owner under § 844-13.1, the owner shall use:
 - (a) A translucent plastic bag measuring approximately 66 centimetres by 90 centimetres and capable of supporting 20 kilograms when lifted; or
 - (b) Such other container provided by the City or designated by the General Manager as acceptable for setting out recyclable materials.
- B. Owners of multiple household residences who receive residential bulk collection shall use a container described below for setting out recyclable materials:
- (1) A 340 litre plastic bin equipped with wheels which is compatible with the equipment used by the City for the provision of recycling collection services;
 - (2) A fully covered, watertight metal container with a capacity greater than 2.3 cubic metres and less than 4.6 cubic metres which is compatible with the equipment used by the City for the provision of recycling collection services; or
 - (3) Such other container, in good working order, provided by the City or designated by the General Manager as acceptable for setting out recyclable materials.

§ 844-12. Yard waste containers and organics containers.

[Amended 2001-12-06 by By-law No. 1109-2001; 2003-05-23 by By-law No. 443-2003; 2008-05-27 by By-law No. 506-2008³⁹]

- A. Unless otherwise required under this chapter, owners of household residences and multiple household residences approved by the General Manager shall use a container described below for setting out yard waste:
- (1) A rigid open container in good working order:

³⁷ Editor's Note: This by-law comes into force 2008-07-01.

³⁸ Editor's Note: This by-law comes into force 2008-11-01.

³⁹ Editor's Note: This by-law comes into force 2008-07-01.

- (a) With a capacity of not less than 20 litres nor more than 125 litres;
 - (b) With an external height no greater than 95 centimetres;
 - (c) With an internal width or diameter no greater than 60 centimetres;
 - (d) That is capable of supporting 20 kilograms when lifted; and
 - (e) With handles set above the midpoint of the container; or
- (2) A kraft paper bag constructed of wet strength kraft paper specifically designed for leaf and yard waste material and:
- (a) With a height no greater than 90 centimetres and no less than 85 centimetres;
 - (b) With a width of no greater than 41 centimetres and no less than 37 centimetres;
 - (c) With a depth of no greater than 31 centimetres and no less than 27 centimetres;
 - (d) That has the capability to be securely closed when filled; and
 - (e) That is capable of supporting 20 kilograms when lifted; or
- B. (Reserved)
- C. Unless otherwise required in this chapter, owners of household residences and multiple household residences who receive residential curbside collection shall use a container described below for setting out organic materials:
- (1) An organics container which is provided by the City; or
 - (2) Such other container designated by the General Manager as acceptable for setting out organic materials.

§ 844-13. Multiple household residences.

[Amended 2003-05-23 by By-law No. 443-2003]

Owners of multiple household residences shall provide, for the use by residents, sufficient separate regulation containers for garbage, recyclable materials and yard waste or organic materials, if the multiple household residence receives yard waste collection services or organic collection services.

§ 844-13.1. Garbage and recycling bins.**[Added 2008-05-27 by By-law No. 506-2008⁴⁰]**

- A. The City will provide owners of household residences who receive residential curbside collection with garbage and recycling bins as set out in this section.
- B. Owners of household residences may choose the size and quantity of garbage bins for the property, but if no choice is made, the General Manager will select a default size and quantity of garbage bins.
- C. Owners of household residences, with one or two dwelling units, will be given only one recycling bin.
- D. Owners of household residences, with one or two dwelling units, may choose the size of the recycling bin, but if no choice is made, the General Manager will select a default size of recycling bin.
- E. Owners of household residences with three to eight dwelling units may choose the size and quantity of recycling bins for the property, but if no choice is made, the General Manager will select a default size and quantity of recycling bins.
- F. Owners of household residences may request additional recycling bins from the Division.
- G. The General Manager may, in his or her discretion, determine whether to provide additional recycling bins as requested by an owner under Subsection F.
- H. The size of garbage and recycling bins available to choose from are:
 - (1) Small – approximately 75 litres capacity;
 - (2) Medium – approximately 120 litres capacity;
 - (3) Large – approximately 240 litres capacity; and
 - (4) Extra-large – approximately 360 litres capacity.
- I. The garbage and recycling bins remain the property of the City at all times.
- J. Each owner to whom a garbage and a recycling bin is issued shall keep the garbage and recycling bins in good condition, and not in a condition that is noxious, offensive or dangerous to public health.
- K. Each owner shall return either the garbage bin or the recycling bin or both to the City upon request.

⁴⁰ Editor's Note: This by-law comes into force 2008-07-01.

- L. If either a garbage bin or a recycling bin is damaged, the owner to whom the bin is issued may make a request to the Division to repair the bin at no cost to the owner.
- M. If either a garbage bin or a recycling bin is lost or stolen, the owner shall contact the Division to issue a new garbage bin or recycling bin as appropriate.
- N. The owner shall pay the fee set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges, for the replacement of the lost or stolen bin.
- O. Each owner to whom a garbage bin or a recycling bin is provided may exchange the bin for a different size by making a request to the Division and paying the applicable bin exchange fee set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges.⁴¹

ARTICLE IV

Setting Out Garbage, Recyclable Materials, Special Collection Services Items and Yard Waste⁴²

§ 844-14. General requirements.

- A. No owner shall set out garbage, recyclable materials, organic materials, items for which special collection services are provided or yard waste for collection unless the garbage, recyclable materials, organic materials, items for which special collection services are provided or yard waste is: **[Amended 2003-05-23 by By-law No. 443-2003]**
 - (1) Generated on the public or private portion of the property abutting the approved collection point;
 - (2) Placed as close as possible to the edge of the roadway without obstructing the roadway or sidewalk;
 - (3) Free from contamination; and
 - (4) In appropriate regulation containers which are clean, well maintained, in good working order and filled to a height no greater than their sides.
- B. Subject to Subsection C, no owner shall set out, nor shall the City be obliged to collect, any item, other than a bulky item or an item for which special collection services are provided, which weighs in excess of 20 kilograms, whether such item

⁴¹ Editor's Note: By-law No. 506-2008 provided that this § 844-13.10 comes into effect 2008-11-01.

⁴² Editor's Note: The title of this article was changed from "Setting Out Garbage and Recyclable Materials" to "Setting Out Garbage, Recyclable Materials, Special Collection Services Items and Yard Waste" 2008-05-27 by By-law No. 506-2008. This by-law also provided that it comes into effect 2008-07-01.

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be a bundle, in a regulation container or loose. [**Amended 2003-05-23 by By-law No. 443-2003; 2008-05-27 by By-law No. 506-2008⁴³**]

- C. Subsection B does not apply to a regulation container described in §§ 844-10B and 844-11B.
- D. Owners shall ensure that the space on a sidewalk or street occupied by garbage, recyclable materials, organic materials, items for which special collection services are provided or yard waste set out for collection does not exceed the frontage of the property. [**Amended 2003-05-23 by By-law No. 443-2003**]
- E. An owner shall not fill a garbage bin or recycling bin: [**Added 2008-05-27 by By-law No. 506-2008⁴⁴**]
 - (1) To a gross weight that exceeds the weight limit for the bin in the following table:

Garbage Bin/Recycling Bin Size	Weight Limit
Small (approx. 75 litres)	30 kg
Medium (approx. 120 litres)	50 kg
Large (approx. 240 litres)	100 kg
Extra-large (approx. 360 litres)	150 kg

- (2) To the extent that the lid does not close.

§ 844-15. Times for setting out garbage and recyclable materials.

- A. An owner who receives services during a daytime collection period shall ensure that: [**Amended 2003-05-23 by By-law No. 443-2003**]
 - (1) Garbage, recyclable materials, organic materials and yard waste are set out at the collection point no earlier than 8:00 p.m. on the day before collection and no later than 7:00 a.m. on the day of collection; and
 - (2) Empty regulation containers and uncollected garbage, recyclable materials, organic materials and yard waste are removed from the collection point no later than 10:00 p.m. on the day of collection.

⁴³ Editor's Note: This by-law comes into force 2008-07-01.

⁴⁴ Editor's Note: This by-law comes into force 2008-07-01.

- B. An owner who receives services during a night-time collection period shall ensure that: **[Amended 2003-05-23 by By-law No. 443-2003]**
- (1) Garbage, recyclable materials, organic materials and yard waste are set out at the collection point no earlier than 8:00 p.m., and no later than 11:00 p.m. on the first day of the night-time collection period; and
 - (2) Empty regulation containers and uncollected garbage, recyclable materials, organic materials and yard waste are removed from the collection point no later than 10:00 a.m. on the second day of the night-time collection period.
- C. During the period November 1 to April 31, any reference in Subsections A(1) and B(1) to “8:00 p.m.” shall be deemed to be a reference to “6:00 p.m.”
- D. At any time other than a time described in Subsections A and B, owners shall ensure that garbage, recyclable materials, organic materials and yard waste are stored on their premises and contained in a manner that protects same from rodents, vermin, pests and other disturbances. **[Amended 2003-05-23 by By-law No. 443-2003]**
- E. Every owner shall make his or her best efforts to set out garbage, recyclable materials, organic materials and yard waste on each day that the City provides garbage collection services, recycling collection services, organics collection services and yard waste collection services, as the case may be, and in no case shall an owner fail to set out an item eligible for collection under this chapter for more than one collection period. **[Amended 2003-05-23 by By-law No. 443-2003]**

§ 844-16. Preparation of recyclable materials for collection.

[Amended 2008-05-27 by By-law No. 506-2008⁴⁵]

Owners of household residences and multiple household residences who receive recycling collection services shall set out the recyclable materials listed in Schedule B to this chapter, loose and free of plastic bags or any other wrapping in the appropriate recycling container.

§ 844-17. Preparation of yard waste and organic materials for collection.

[Amended 2003-05-23 by By-law No. 443-2003]

Owners of household residences and multiple household residences who receive yard waste collection services and organics collection services shall sort and set out yard waste and organic materials as follows:

- A. Plant cuttings, roots, weeds and leaves shall be set out in a yard waste container;

⁴⁵ Editor’s Note: This by-law comes into force 2008-07-01.

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- B. Hedge and shrub trimmings, brush cuttings, twigs and branches under 7.5 centimetres in diameter shall be tied in bundles no greater than 1.2 metres in length and 0.6 metre in diameter;
- C. Christmas trees shall be set out free of all tinsel, nails, ornaments and plastic bags; and
- D. Organic material shall be set out in an organics container, free of plastic containers, twist ties and other contaminants.

§ 844-18. Specially equipped buildings.

- A. Owners of specially equipped buildings shall ensure that garbage is packed by means of a stationary compactor unit.
- B. The General Manager may require the owner of a specially equipped building to provide appropriate access, storage facilities, compactor equipment, collection locations and facilities for the implementation and/or continued receipt of services. **[Amended 2008-05-27 by By-law No. 506-2008⁴⁶]**
- C. Garbage containers shall be collected from specially equipped buildings as often as may be considered necessary by the General Manager, and in the event that the General Manager determines that collection is required more than twice per week, the owner shall arrange and pay for the extra collections. **[Amended 2008-05-27 by By-law No. 506-2008⁴⁷]**

§ 844-19. Exemptions.

[Amended 2003-05-23 by By-law No. 443-2003; 2008-05-27 by By-law No. 506-2008⁴⁸]

Notwithstanding anything in this chapter, the General Manager may exempt a person with disability who occupies a dwelling unit with an independent exterior entrance and who does not reside with an able-bodied person from the requirement to set out garbage, recyclable materials, organic materials and yard waste at the designated collection point, provided that the person with disability completes all forms required by the General Manager.

⁴⁶ Editor's Note: This by-law comes into force 2008-07-01.

⁴⁷ Editor's Note: This by-law comes into force 2008-07-01.

⁴⁸ Editor's Note: This by-law comes into force 2008-07-01.

ARTICLE V
Prohibited Acts; Charging Expenses Against Property; Penalties

§ 844-20. Prohibited acts.

No person shall:

- A. Place, permit to be placed or permit to remain on or in any street abutting the property which they own or occupy any waste, except as expressly authorized by this chapter;
- B. Throw, cast or otherwise deposit or permit any contractor, agent or employee to throw, cast or otherwise deposit any waste whatsoever on or in any street or other public property, except as expressly authorized by this chapter;
- C. Pick over, interfere with, disturb, remove or scatter any waste set out for collection unless authorized to do so by the General Manager; [**Amended 2008-05-27 by By-law No. 506-2008⁴⁹**]
- D. Permit any animal owned by him or her or under his or her care or control to pick over, interfere with, disturb, remove or scatter any waste set out for collection;
- E. Place waste on public property for collection by a private agency, unless otherwise approved by the General Manager; [**Amended 2008-05-27 by By-law No. 506-2008⁵⁰**]
- F. Deposit waste generated on private property in public street receptacles;
- G. Set out any waste for collection unless it is in an appropriate regulation container as specified in this chapter; or [**Amended 2003-06-26 by By-law No. 520-2003**]
- H. Set out any waste in a regulation container that is not in good working order.⁵¹

§ 844-21. Charging expenses against property.

In this chapter, where any person is directed or required to do any matter or thing within a specified period of time from the delivery of a written notice of non-compliance, in default of its being done by the person directed or required to do it, such matter or thing shall be done at his or her expense, and such expense may be recovered in like manner as municipal taxes.

⁴⁹ Editor's Note: This by-law comes into force 2008-07-01.

⁵⁰ Editor's Note: This by-law comes into force 2008-07-01.

⁵¹ Editor's Note: Former § 844-20I and J, added 2003-06-26 by By-law No. 520-2003, which prohibited the sale or transfer of exemption tags and the setting out of garbage bags in excess of the limit set out in § 844-9A without exemption tags, were repealed 2008-10-30 by By-law No. 1146-2008. This by-law comes into force 2008-11-01.

§ 844-22. Offences; discontinuance of service.

- A. Any person who commits an act prohibited under § 844-20 or contravenes any other provision of this chapter is guilty of an offence and upon conviction therefor:
- (1) Is liable to a fine of not more than \$10,000 for a first offence and \$25,000 for any subsequent offence, except that where a corporation is convicted of an offence the maximum penalties shall be \$50,000 for the first offence and \$100,000 for any subsequent offence; and
 - (2) Is subject to the discontinuance of any or all services provided for in this chapter until the person demonstrates to the General Manager that he or she is in compliance with this chapter. [Amended 2008-05-27 by By-law No. 506-2008⁵²]
- B. In the event the General Manager discontinues services in accordance with Subsection A(2), the affected owner shall obtain private collection services during the period in which the services are discontinued, at the same or greater frequency at which the services were provided prior to their discontinuance. [Amended 2008-05-27 by By-law No. 506-2008⁵³]

ARTICLE VI

Restrictions on City Collection; Powers and Duties of General Manager
[Amended 2003-05-23 by By-law No. 443-2003; 2003-06-23 by By-law No. 520-2003;
2008-05-27 by By-law No. 506-2008⁵⁴]

§ 844-23. Restrictions on City collection.

- A. The City shall not make collections from, nor return regulation containers to, any location which the General Manager deems unreasonable, inefficient or dangerous to City employees.
- B. No City employee shall enter any building, property or part of any building or property for the purpose of removing or returning any regulation container unless otherwise approved by the General Manager.
- C. Before any City employee enters a building, property or part of a building or property which the General Manager has approved under Subsection B, the owner shall enter into an agreement with the City to:
- (1) Indemnify and keep indemnified the City against all actions, suits, claims and demands which may be brought against or made upon the City and its officers, employees and agents and against all loss, costs, charges, damages or

⁵² Editor's Note: This by-law comes into force 2008-07-01.

⁵³ Editor's Note: This by-law comes into force 2008-07-01.

⁵⁴ Editor's Note: This by-law comes into force 2008-07-01.

expenses whatsoever which may be incurred, sustained or paid by the City in consequence of any employee of the City entering the building or part of it;

- (2) Grant to the City full power and authority to settle any such actions, suits, claims and demands on such terms as the City may consider advisable; and
- (3) Covenant and agree with the City to pay to the City on demand all monies paid by the City pursuant to any such settlement and also such sum as shall represent the reasonable costs of the City or its Solicitor in defending or settling any such actions, suits, claims or demands.

§ 844-24. Powers and duties of General Manager.

The General Manager shall:

- A. Determine the frequency and scheduling of the services to be provided under this chapter, including the schedule for phasing in organic collection services to all areas of the City;
- B. Designate collection points for waste which is eligible for collection;
- C. Discontinue or refuse services to an owner whose property is, in the opinion of the General Manager, unsafe for entry or egress by persons providing services with respect to the physical layout, loading facilities and the method of handling garbage and other waste on the property;
- D. Where appropriate, require that the owner of a multiple household residence distribute information relating to the services to all individual dwelling units within the property;
- E. Provide information to the public with respect to the handling and disposal of prohibited waste;
- F. Provide information and services with respect to the diversion of recyclable materials and organic materials from garbage;
- G. Designate items to be included in garbage, recyclable materials, organic materials, items for which special collection services are provided or yard waste materials, as the case may be, and determine how same shall be collected;
- H. In the event of inclement weather or other condition which renders the provision of the services unsafe, suspend collection services in all or part of the City for a specified period of time; and
- I. (Reserved);⁵⁵

⁵⁵ Editor's Note: Former § 844-24I, which contained requirements for the General Manager with respect to the exemption policy, was repealed 2008-10-30 by By-law No. 1146-2008. This by-law comes into force 2008-11-01.

- J. Establish such other things as are necessary for the proper administration of this chapter.

ARTICLE VII
Rates and Rebates
[Added 2008-05-27 by By-law No. 506-2008⁵⁶]

§ 844-25. Residential curbside collection fees.⁵⁷

- A. An owner of a household residence shall pay the applicable residential curbside collection fees based on the quantity and size of garbage bins used by the household residence as set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges.
- B. For the first year during which this section is in force, the residential curbside collection fees will be prorated on a daily basis.
- C. When the owner of a household residence requests a garbage bin exchange under § 844-13.1N, requests an additional garbage bin, or when there is a change in ownership of a household residence, the residential curbside collection fees under Subsection A will be prorated on a daily basis.
- D. Despite Subsection A, if an owner of a household residence uses a specialized in-home compactor to reduce its garbage volume and, as a result, uses a smaller-sized garbage bin, the General Manager reserves the right to increase the residential curbside collection fees for the household residence to a larger-sized garbage bin to compensate for the compaction, as the residential curbside collection fees are based on the collection of un-compacted garbage.
- E. The City will bill each owner of a household residence, who receives residential curbside collection, the residential curbside collection fee on the utility bill issued pursuant to Article III of Chapter 849, Water and Sewage Services and Utility Bill.

§ 844-26. Residential bulk collection fees.

- A. An owner of a multiple household residence who receives residential bulk collection shall pay the applicable residential bulk collection fees per dwelling unit set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges, which is based on the garbage container size calculated in accordance with Subsection D.
- B. For the first year during which this section is in force, the residential bulk collection fees will be prorated on a daily basis.
- C. When a change in ownership of a multiple household residence occurs, the residential bulk collection fees will be prorated on a daily basis.

⁵⁶ Editor's Note: This by-law comes into force 2008-07-01.

⁵⁷ Editor's Note: By-law No. 506-2008 provided that § 844-25 comes into force 2008-11-01.

- D. The residential bulk collection fees are based on garbage being un-compacted or compacted to a 3:1 compaction ratio and the equivalent garbage container size between un-compacted garbage and compacted garbage is as set out in the following table:

Equivalent Garbage Container Size	Un-Compacted Garbage Set Out Per Month (yd ³ /dwelling unit/month)	Compacted Garbage Set Out Per Month (yd ³ /dwelling unit/month)
Small	0.000 – 0.142	0.000 – 0.047
Medium	0.143 – 0.227	0.048 – 0.076
Large	0.228 – 0.453	0.077 – 0.151
Extra-large	0.454 – 0.680	0.152 – 0.227

- E. Multiple household residences that set out garbage in excess of 0.680 cubic yards per dwelling unit per month for un-compacted garbage, or 0.227 cubic yards per dwelling unit per month for compacted waste, shall pay the “extra-large bin” fee per dwelling unit plus the additional per cubic yard charge set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges.
- F. Despite Subsection A, if a multiple household residence’s garbage is more densely compacted than a 3:1 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 multiple household residence 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.

§ 844-27. Annual garbage rebates.

- A. The City shall rebate to an owner of a household residence the annual amount of \$209 in the form of a credit on the utility bill issued under Article III of Chapter 849, Water and Sewage Services and Utility Bill.⁵⁸
- B. The City shall rebate to an owner of a multiple household residence which receives residential bulk collection the annual amount of \$157 per dwelling unit in the form of a credit on the utility bill issued under Article III of Chapter 849, Water and Sewage Services and Utility Bill.

⁵⁸ Editor’s Note: By-law No. 506-2008 provided that § 844-27A comes into force 2008-11-01.

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- C. The rebate amount in Subsections A and B will be prorated based on the appropriate billing frequency as set out in § 849-30 of Chapter 849, Water and Sewage Services and Utility Bill, to reflect the appropriate portion of a full-year rebate amount.
- D. If the rebate in Subsections A and B represents a credit on the utility bill as set out in Article VIII of Chapter 849, Water and Sewer Services and Utility Bill, the credit will be applied to any applicable fees related to water and sewage services that appear on the utility bill in accordance with Chapter 849, Water and Sewage Services and Utility Bill.

§ 844-28. Due date.

- A. The Deputy City Manager and Chief Financial Officer shall include a due date on the utility bill sent to an owner under Article III of Chapter 849, Water and Sewage Services and Utility Bill, and his or her agent, if applicable, which will designate the date on or before which the amounts in respect of either the residential curbside collection fees or the residential bulk collection fees required to be paid by the owner shall be paid to the City.
- B. In the event that the owner or his or her agent, if applicable, fails to pay the amount due on or before the due date, a late payment charge will be applied on either the outstanding residential curbside collection fees or the outstanding residential bulk collection fees, as applicable, to the utility bill as more specifically set out in § 441-5 of Chapter 441, Fees and Charges.
- C. The due date shall be set at the discretion of the Deputy City Manager and Chief Financial Officer, but in no event shall it be any sooner than 21 calendar days from the date the bill is issued.

§ 844-29. Garbage tags.

[Added 2008-10-30 by By-law No. 1146-2008⁵⁹]

- A. Owners receiving residential curbside collection who are required to use garbage tags pursuant to § 844-10A(2) or § 844-10A(3)(a) shall purchase garbage tags from designated City-run facilities or other authorized distributors of garbage tags, as determined by the General Manager, and at the rate set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges.

⁵⁹ Editor's Note: This by-law comes into force 2008-11-01.

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**SCHEDULE A TO CH. 844
SPECIAL COLLECTION SERVICES**

- A. The City shall provide special collection services to owners with respect to the following items:
- (1) Refrigerators;
 - (2) Stoves;
 - (3) Freezers;
 - (4) Air conditioners;
 - (5) Dehumidifiers;
 - (6) Washing machines;
 - (7) Clothes dryers;
 - (8) Dishwashers;
 - (9) Barbecues;
 - (10) Large metal objects (e.g. aluminium door);
 - (11) (Reserved); and⁶⁰
 - (12) Any other item designated by the General Manager as eligible for special collection services. [**Amended 2008-05-27 by By-law No. 506-2008⁶¹**]
- B. Every owner shall remove all doors from the appliances referred to above before they are set out for collection.

⁶⁰ Editor's Note: Former Subsection A(11) of this schedule, regarding tires, was repealed 2004-09-30 by By-law No. 745-2004. See now Subsection Q.1 of Schedule C of this chapter.

⁶¹ Editor's Note: This by-law comes into force 2008-07-01.

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SCHEDULE B TO CH. 844
RECYCLABLE MATERIALS, YARD WASTE AND ORGANIC MATERIALS
[Amended 2003-05-23 by By-law No. 443-2003; 2008-05-27 by By-law No. 506-2008⁶²]

- A. The following items shall be deemed to be recyclable materials for the purposes of this chapter:
- (1) Glass bottles and jars;
 - (2) Metal food and beverage cans;
 - (3) Plastic bottles and jugs made of high density polyethylene (HDPE #2) or polyethyleneteraphthalate (PET #1);
 - (4) Household paper (including junk mail, writing and computer paper and envelopes);
 - (5) Paper egg cartons, rolls and bags;
 - (6) Boxboard;
 - (7) Newspapers;
 - (8) Telephone directories;
 - (9) Magazines and catalogues;
 - (10) Clean, unwaxed corrugated cardboard;
 - (11) Aluminium foil trays;
 - (12) Polycoat milk and juice cartons;
 - (13) Aseptic drink boxes;
 - (14) Empty paint cans;
 - (15) Empty aerosol cans;
 - (16) Plastic food jars, tubs and lids;
 - (17) Spiral-wound containers (for example, orange juice, dough and potato chip containers);
 - (18) Paper gift wrap and cards; and
 - (19) Any other item designated as a recyclable material by the General Manager.

⁶² Editor's Note: This by-law comes into force 2008-07-01.

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- B. The following items shall be deemed to be yard waste for the purposes of this chapter:
- (1) Plant cuttings, roots, weeds and leaves;
 - (2) Hedge and shrub trimmings, brush cuttings, twigs and branches under 7.5 centimetres in diameter;
 - (3) Christmas trees; and
 - (4) Any other item designated as yard waste by the General Manager.
- C. The following items shall be deemed to be organic materials for the purposes of this chapter:
- (1) All food materials, including fresh, frozen, dried, cooked and prepared foods and leftovers;
 - (2) Fruit and vegetable scraps;
 - (3) Pasta, bread and cereal;
 - (4) Meat and fish products;
 - (5) Egg shells;
 - (6) Coffee grinds and filters;
 - (7) Tea bags;
 - (8) Houseplants (no pots or baskets);
 - (9) Soiled paper towels, tissues and wet paper;
 - (10) Diapers and sanitary products;
 - (11) Animal waste, litter or bedding; and
 - (12) Any other item designated as organic materials by the General Manager.

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**SCHEDULE C TO CH. 844
PROHIBITED WASTE**

The following items shall be deemed to be prohibited waste for the purposes of this chapter:

- A. Acute hazardous waste chemical;
- B. Hazardous waste chemical;
- C. Corrosive waste;
- D. Hazardous industrial waste;
- E. Ignitable waste;
- F. PCB waste;
- G. Radioactive waste;
- H. Reactive waste;
- I. Severely toxic waste;
- J. Leachate toxic waste;
- K. Pathological waste, including biomedical waste, whether solid or liquid, including but not limited to any animal or human organ or part thereof; bone, muscle or other animal or human tissue or part thereof; used bandages, poultices, dressings, medicines, vitamins, drugs, vaccines, needles, syringes, vials or any other similar material or substance which contains or may contain pathogenic micro-organisms or which may be hazardous or dangerous and anything designated as pathological waste by Regulation 347;
- L. Any household product, material or item labelled as “corrosive,” “toxic,” “reactive,” “explosive,” “oxidizing,” “poisonous infectious” or “flammable,” including but not limited to the following:
 - (1) Pool or photographic chemicals;
 - (2) Laundry bleach;
 - (3) Drain, oven, toilet and carpet cleaning solutions;
 - (4) Paint thinner and paint remover;
 - (5) Rat and mouse poison;
 - (6) Flea collars and powders;
 - (7) Insect killers;

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- (8) Moth balls;
 - (9) Weed killers;
 - (10) Fungicides;
 - (11) Wood preservatives;
 - (12) Oil-based and latex paints;
 - (13) Engine oil;
 - (14) Brake and transmission fluid;
 - (15) Antifreeze;
 - (16) Automotive batteries;
 - (17) Ni-cad rechargeable batteries;
 - (18) Propane tanks;
 - (19) Other gas tanks, including lighters;
 - (20) Aerosol containers; and
 - (21) Fire extinguishers.
- M. Waste generated as a result of construction, demolition or renovation, including but not limited to soil, plaster, drywall, masonry and tile, bricks, concrete, concrete or cinder blocks, paving stones, asphalt, wood, windows and window glass, shingles, scrap metal, insulation (such as fibreglass or styrofoam), asbestos, urea formaldehyde;
- N. Scrap wood or carpeting, unless it is cut, broken or securely tied into bundles or pieces less than 120 centimetres by 80 centimetres by 80 centimetres and free of all nails and staples, or as may otherwise be designated by the General Manager; **[Amended 2008-05-27 by By-law No. 506-2008⁶³]**
- O. Hay, straw, manure or animal excrement;
- P. Any waste in liquid form including but not limited to swill or other organic matter not properly drained and securely wrapped;
- Q. Sod, grass, grass clippings;
- Q.1. Tires; **[Added 2004-09-30 by By-law No. 745-2004]**
- R. Waste produced by a person or organization involved in the processing or fabrication of products;

⁶³ Editor's Note: This by-law comes into force 2008-07-01.

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- S. Waste produced by a person or organization as a result of commercial or retail activity;
- T. Any material which has become frozen to or otherwise attached to its regulation container which cannot be removed by shaking;
- U. Broken glass, crockery and other sharp objects not packaged in a manner to prevent injury to any person; **[Amended 2001-12-06 by By-law No. 1109-2001]**
- V. Designated materials and other items which have been banned from landfill or for which reasonable alternative disposal methods are available, as determined by the General Manager; and **[Amended 2008-05-27 by By-law No. 506-2008⁶⁴]**
- W. Any other item or thing designated as prohibited waste by the General Manager. **[Amended 2008-05-27 by By-law No. 506-2008⁶⁵]**

⁶⁴ Editor's Note: This by-law comes into force 2008-07-01.

⁶⁵ Editor's Note: This by-law comes into force 2008-07-01.