

Authority: Executive Committee Item 9.1, adopted as amended, by City of Toronto Council on June 19, 20 and 22, 2007 and Executive Committee Item 18.1, adopted as amended, by City of Toronto Council at its Special meeting on March 31, 2008
Enacted by Council: October 30, 2008

CITY OF TORONTO

BY-LAW No. 1146-2008

To amend City of Toronto Municipal Code Chapter 844, Waste Collection, Residential Properties, with respect to the implementation of the garbage bag tag program and to make a minor consequential technical amendment to Chapter 849, Water and Sewage Services and Utility Bill.

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

WHEREAS on June 19, 20 and 22, 2007, City Council adopted the goal of achieving a 70% solid waste diversion rate by 2010; and

WHEREAS the City's current diversion rate of solid waste is about 42% and in order to help achieve a goal of 70% solid waste diversion rate by 2010, City Council, at the same meeting, adopted a volume-based rate system and grant system; and

WHEREAS at the same meeting, City Council adopted the use of garbage and recycling bins, which will be provided to residents of single household residences in four possible sizes which will be used to determine payment rates; and

WHEREAS at the same meeting, City Council adopted the use of garbage bag tags which will be purchased by residents when they have excess garbage to put out; and

WHEREAS a volume-based rate system is designed to encourage residential waste generators with a financial incentive to reduce the amount of waste they dispose of; and

WHEREAS at its special meeting on March 31, 2008, City Council adopted the fees for the garbage tag program; and

WHEREAS it is necessary to amend Chapter 844, Waste Collection, Residential Properties, of the Toronto Municipal Code to complete the implementation of the volume-based rate structure with respect to the garbage tag program; and

WHEREAS it is necessary to make a minor technical amendment to Chapter 849, Water and Sewage Services and Utility Bill, as a result of implementing the utility bill; and

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

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

1. Chapter 844, Waste Collection, Residential Properties.

A. By amending § 844-1 as follows:

(1) by adding the following definition in alphabetical order:

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.

(2) by deleting the following definitions:

EXEMPTION POLICY

EXEMPTION TAG

(3) By deleting “and” and substituting “or”, in each case, in the following definitions:

GARBAGE CONTAINER

RECYCLING CONTAINER

B. By deleting § 844-9.

C. By deleting § 844-10A and substituting it with the following:

A. Owners of household residences shall use a container described below for setting out garbage:

(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 paragraph (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.

D. By deleting § 844-11A and substituting it with the following:

A. Owners of household residences shall use a container described below for setting out recyclable materials:

- (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.

E. By deleting §§ 844-20I and 844-20J.

F. By deleting § 844-24I.

G. By inserting the following as § 844-29:

§ 844-29. Garbage tags.

A. Owners receiving residential curbside collection who are required to use garbage tags pursuant to § 844-10(A)(2) or § 844-10(A)(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.

2. Chapter 849, Water and Sewage Services and Utility Bill.

A. By amending § 849-22 by deleting “water bills” and substituting “utility bills”.

3. In force date.

A. This by-law comes into force on November 1, 2008.

ENACTED AND PASSED this 30th day of October, A.D. 2008.

GLORIA LINDSAY LUBY,
Deputy Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)