

Authority: Policy and Finance Committee Report 12, Clause 1, adopted as amended, by City of Toronto Council on October 2, 3 and 4, 2001; Works Committee Report 3, Clause 3, adopted as amended, by City of Toronto Council on May 18, 19 and 20, 2004; Works Committee Report 5, Clause 10, as adopted by City of Toronto Council on July 25, 26 and 27, 2006 and Public Works and Infrastructure Committee Item 23.4, adopted as amended, by City of Toronto Council on April 29 and 30, 2009

Enacted by Council: April 30, 2009

CITY OF TORONTO

BY-LAW No. 491-2009

To amend City of Toronto Municipal Code Chapter 841, Waste Collection, Commercial Properties, Chapter 844, Waste Collection, Residential Properties, Chapter 545, Licensing and Chapter 849, Water and Sewage Services and Utility Bill to improve the readability and to reflect current solid waste management operations in the waste collection chapters.

WHEREAS subsection 8(1) of the *City of Toronto Act, 2006* bestows 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 the City provides solid waste management services to the citizens of Toronto as a necessary and desirable service; and

WHEREAS on April 29 and 30, 2009, City Council adopted Public Works and Infrastructure Committee Item 23.4, Amendments to Solid Waste Collection By-laws, in order to amend the Collections Chapters to improve the readability of the Chapters, to reflect current Solid Waste Management operations and to clarify the duties and responsibilities of owners, residents and the General Manager under the Chapters; and

WHEREAS it is necessary to make technical amendments to Chapter 545, Licensing and Chapter 849, Water and Sewage Services and Utility Bill to reflect the changes to Chapter 841 and 844; and

WHEREAS at its meeting on October 2, 3 and 4, 2001, City Council adopted the implementation plan for a three-stream waste system, which allowed for the commingling of recyclable materials, such that businesses of Toronto are not required to sort their recyclable materials set out for recycling collection; and

WHEREAS at its meeting on May 18, 19 and 20, 2004, City Council adopted the inclusion of plastic food jars, tubs and lids as additional recyclable materials that can be set out for recycling collection; and

WHEREAS at its meeting on July 25, 26 and 27, 2006, City Council adopted the inclusion of spiral wound containers as additional recyclable materials that can be set out for recycling collection; and

WHEREAS the ability to commingle recyclable materials and the inclusion of the additional recyclable materials has not yet been reflected in Chapter 841, Waste Collections, Commercial Properties;

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

1. Chapter 844, Waste Collection, Residential Properties.

- A. Chapter 844, Waste Collection, Residential Properties, of the City of Toronto Municipal Code is repealed and replaced by a new Chapter 844, Waste Collection, Residential Properties, as set out in Schedule “A” to this by-law.

2. Chapter 841, Waste Collection, Commercial Properties.

- A. By amending § 841-1 as follows:

- (1) Deleting the following definitions:

COMMISSIONER.

DEPARTMENT.

- (2) Adding the following definitions in alphabetical order:

DIVISION — The City’s Solid Waste Management Services Division.

GENERAL MANAGER — The General Manager of the Division, or his or her designate.

REGULATION 347 — Regulation 347, R.R.O. 1990, under the *Environmental Protection Act, R.S.O. 1990*, c. E.19, as same may be amended or replaced from time to time.

- (3) Deleting “Commissioner” and substituting “General Manager”, in each case, in the following definitions:

BULKY ITEM.

COLLECTION POINT.

- (4) Deleting “section 220 of the Municipal Act or a predecessor of that section” in the definition of BUSINESS IMPROVEMENT AREA and substituting “the *City of Toronto Act, 2006* or a predecessor legislation.”

- (5) Deleting “one subclause below with an item described in a different subclause” in the definition of CONTAMINATION and substituting “the list below with a different item described in the list below:”

- (6) Deleting the definition of DAYTIME COLLECTION PERIOD and substituting it with the following:

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.

- (7) Deleting the definition of DWELLING UNIT and substituting it with the following:

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.

- (8) Deleting “public or private property” in the definition of RECYCLING COLLECTION SERVICES and substituting “an eligible commercial property”.

- B. By deleting § 841-2 and substituting it with the following:

§ 841-2. Interpretation.

Any term referred to in Subsections A to J and Subsection L(13) of Schedule C at the end of this chapter shall have the same meaning as set out in Chapter 681, Sewers.

- C. By deleting § 841-7B and substituting it with the following:

- B. A properly covered watertight container, in sound and good working order with a capacity greater than 0.75 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;

- D. By amending § 841-8 as follows:

- (1) Deleting § 841-8C and substituting it with the following:

C. A fully covered, watertight container with a capacity greater than 0.75 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

- (2) Adding “, in good working order,” after the phrase “Such other container” in § 841-8D.

- E. By deleting § 841-9A and substituting it with the following:

- A. A 120 litre plastic bin which is compatible with the equipment used by the City for the provision of organics collection services.

F. By deleting § 841-10 and substituting it with the following:

§ 841-10. Residential/commercial mixed use properties.

Owners of mixed residential/commercial properties shall provide, for the use by residents, sufficient separate regulation containers for garbage, recyclable materials and organic materials, if the mixed residential/commercial properties receives organic collection services.

G. By amending § 841-11 as follows:

(1) Adding “Subject to Subsection C,” before the phrase “no owner shall set out” in § 841-11B.

(2) Deleting § 841-11C and substituting it with the following:

Subsection B does not apply to regulation containers described in §§ 841-7B, C and D and 841-8B and C and 841-9A.

(3) Deleting § 841-11D and substituting it with the following:

Owners shall ensure that the space on a sidewalk or street occupied by garbage, recyclable materials or organic materials set out for collection does not exceed the frontage of the property.

H. By amending § 841-12 as follows:

(1) Adding the phrase “and uncollected garbage, recyclable materials and organic materials” in § 841-12A(2) after the phrase “Empty regulation containers”.

(2) Deleting the phrase “8:00 p.m. and no later than 11:00 p.m.” in § 841-12B(1) and substituting “6:00 p.m and no later than 9:00 p.m.”.

(3) Deleting § 841-12B(3) and substituting it with the following:

(3) Empty regulation containers and uncollected garbage, recyclable materials and organic materials are removed from the collection point no later than 5:00 a.m. on the second day of the night-time collection period.

(4) Deleting the word “An” at the beginning of § 841-12D and substituting “Every”.

I. By deleting § 841-13 and substituting it with the following:

§ 841-13. Preparation of recyclable materials for collection.

- A. Owners who receive recycling collection services shall set out the recyclable materials listed in Schedule A to this Chapter, loose and free of plastic bags or any other wrapping in the appropriate recycling container.
- B. Despite subsection A, owners who receive curbside collection shall set out for collection flattened clean, unwaxed corrugated cardboard, in bundles no larger than 75 X 75 X 30 centimetres and not exceeding 20 kilograms in weight, tied with string and free of any wrapping or containers.

J. By amending § 841-15C by adding “access,” before the phrase “storage facilities”.

K. By amending § 841-16 as follows:

- (1) Adding “other” before the phrase “public property” in § 841-16B.
- (2) Adding “street” before “receptacles” in § 841-16F.

L. By amending § 841-17 by adding the phrase “within a specified period of time from the delivery of a written notice of non-compliance,” before the phrase “in default of its being done”.

M. By amending the title of Article VI by deleting “Commissioner” and substituting “General Manager”.

N. By amending § 841-21 by deleting the word “May” at the beginning of § 841-21J.

O. By amending Schedule A, Recyclable Materials as follows:

- (1) Delete “P. Any other item designated as a recyclable material by the Commissioner.” and substitute the following:
 - “P. Plastic food jars, tubs and lids;
 - Q. Spiral Wound Containers (for example, Orange Juice, dough and potato chip containers);
 - R. Paper gift wrap and cards; and
 - S. Any other item designated as a recyclable material by the General Manager.”

- P. By amending Schedule B, Organic Materials as follows:
- (1) Delete “J. Any other item designated as organic waste by the Commissioner” and substitute the following:
- “J. All food materials, including fresh, frozen, dried, cooked and prepared foods and leftovers;
- K. Diapers and sanitary products;
- L. Animal waste, litter or bedding; and
- M. Any other item designated as organic waste by the General Manager.”
- Q. By amending §§ 841-3D, 841-3H, 841-3I, 841-4C, 841-7E, 841-8D, 841-9B, 841-12B(2), 841-15C, 841-15D, 841-16C, 841-16E, 841-19A, 841-19B, 841-20A, 841-20B, 841-20C, 841-21, 841-21E, §§O, V and X of Schedule C by deleting “Commissioner” and substituting “General Manager”, in each case.

3. Chapter 545, Licensing.

- A. By amending Appendix K, Schedule B of Chapter 545 as follows:
- (1) Deleting the following entry from Schedule B of Appendix K:

Commercial Waste	Exceeds Projection	841-11(D)	1
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And substituting the following:

Commercial Waste	Exceeds Frontage	841-11(D)	1
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- (2) Deleting the following entry from Schedule B of Appendix K:

Commercial Waste	Empty Container out (10:00 am)	841-12B(3)	1
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And substituting the following:

Commercial Waste	Empty Container out (5:00 am)	841-12B(3)	1
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4. Chapter 849, Water and Sewage Services and Utility Bill.

- A. By amending § 849-30C(5) by deleting “§ 844-13.1N” and substitute “§ 844-15N”.

5. In force date.

- A. This by-law comes into force on the 30th day after the date on which the application for the set fines of Chapter 841, Waste Collection, Commercial Properties and Chapter 844, Waste Collection, Residential Properties is approved under the *Provincial Offences Act*.

ENACTED AND PASSED this 30th day of April, A.D. 2009.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE “A” TO BY-LAW No. 491-2009

Chapter 844

WASTE COLLECTION, RESIDENTIAL PROPERTIES

ARTICLE I

Definitions; Interpretation

§ 844-1. Definitions.

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

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.

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.

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.

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.

DIVISION — The City’s Solid Waste Management Services Division.

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.

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.

GARBAGE — Waste other than recyclable materials, organic materials, yard waste, items for which special collection services are provided and prohibited waste.

GARBAGE BIN — A container owned by the City and made available to an owner who receives residential curbside collection as described in § 844-15.

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

GARBAGE CONTAINER — A container for setting out garbage which meets the requirements contained in § 844-10A or B.

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 § 844-32.

GENERAL MANAGER — The General Manager of the Division, or his or her designate.

HOUSEHOLD RESIDENCE — A building containing dwelling rooms and/or fewer than nine dwelling units.

MULTIPLE HOUSEHOLD RESIDENCE — A building used mainly for residential purposes which contains nine or more dwelling units.

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.

ORGANIC MATERIALS — The items, other than recyclable materials and yard waste, referred to in Schedule B at the end of this chapter.

ORGANICS CONTAINER — A container for setting out organic materials which meets the requirements set out in § 844-13.

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.

RECYCLING BIN — A container owned by the City and made available to an owner who receives residential curbside collection as described in § 844-15.

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

RECYCLING CONTAINER — A container for setting out recyclable materials which meets the requirements contained in § 844-11A or B.

REGULATION CONTAINER — A garbage container, a recycling container, a yard waste container or an organics container.

REGULATION 347 — Regulation 347, R.R.O. 1990, under the *Environmental Protection Act*, 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.

RESIDENTIAL BULK COLLECTION FEES — The fees imposed under § 844-29 on an owner who receives residential bulk collection.

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, 844-12 and 844-13, at a collection point that is at or near a curb.

RESIDENTIAL CURBSIDE COLLECTION FEES — The fees imposed under § 844-28 on an owner who receives residential curbside collection.

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.

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).

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.

YARD WASTE — The waste items, other than recyclable materials and organics materials referred to in Schedule B at the end of this chapter.

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

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

§ 844-2. Interpretation.

Any term referred to in Subsections A to J of Schedule C at the end of this chapter shall have the same meaning as set out in Regulation 347.

**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 or the General Manager from time to time, the City shall collect garbage, recyclable materials, organic waste, yard waste and items eligible for special collection services from residential properties.
- B. No owner shall be eligible to receive or continue 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.

- 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.
- 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 and the owner complies with all relevant requirements contained in this chapter.
- 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.
- 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 §§ 844-28 and 844-29, respectively, will be charged to the owner up to the effective date of the end of the services.
- H. If an owner opts out of all of the services in accordance with Subsection F, the applicable annual garbage rebate in § 844-30 will be prorated to the effective date of the end of the services.
- 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 § 844-30 beyond the effective date of the end of the services.

§ 844-4. Frequency of garbage collection services.

- A. The City shall collect garbage from residential properties who receive residential curbside collection:
 - (1) No more than once per week if the residential property does not receive organics collection services; or
 - (2) No more than once every two weeks if the residential property 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 residential properties 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 residential properties who receive residential bulk collection.

§ 844-5. Frequency of recycling collection services.

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

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

- 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.
- B. The City shall collect Christmas trees from household residences and multiple household residences approved by the General Manager during the month of January on scheduled garbage days specified by the General Manager.
- C. 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.

§ 844-7. Frequency of organics collection services.

- A. The City shall collect organic materials from residential properties who receive residential curbside collection, once per week, on days specified by the General Manager.
- B. The City shall collect organic materials from residential properties who receive residential bulk collection, once per week, on days specified by the General Manager.

§ 844-8. 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:
 - (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.

- 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.

§ 844-9. 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.

ARTICLE III

Requirements for Regulation Containers

§ 844-10. Garbage containers.

- A. Owners of residential properties who receive residential curbside collection shall use a container described below for setting out garbage:
 - (1) One or more garbage bins as provided to the owner by the City under § 844-15; or
 - (2) If an owner 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 § 844-32 is affixed to each bag; or
 - (3) If the City has not provided a garbage bin to the owner under § 844-15, 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 § 844-32 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 residential properties who receive residential bulk collection shall use a container described below for setting out garbage:
 - (1) A properly covered watertight container, in sound and good working order, with a capacity greater than 0.75 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.

§ 844-11. Recycling containers.

- A. Owners of residential properties who receive residential curbside collection shall use a container described below for setting out recyclable materials:
 - (1) One or more recycling bins provided to the owner by the City under § 844-15; or
 - (2) If the City has not provided a recycling bin to the owner under § 844-15, 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 residential properties 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 container with a capacity greater than 0.75 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.

- 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:
 - (a) With a capacity of not less than 20 litres nor more than 125 litres;
 - (b) With an external height no less than 55 centimetres and no greater than 95 centimetres, with the exception of blue and grey boxes previously used for recycling;
 - (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.

§ 844-13. Organics containers.

- A. Unless otherwise required in this chapter, owners of residential properties 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.
- B. Owners of residential properties who receive residential bulk collection shall use a container described below for setting out organic materials:
- (1) A 132 litre plastic bin equipped with wheels which is compatible with the equipment used by the City for the provision of organic collection services;
 - (2) A fully covered, watertight container with a capacity greater than 0.75 cubic metres and less than 2.3 cubic metres which is compatible with the equipment used by the City in the provision of organic collection services; or
 - (3) Such other container, in good working order, designated by the General Manager as acceptable for setting out organic materials.

§ 844-14. Sufficient regulation containers.

Owners of residential properties shall provide, for the use by the residents, sufficient separate regulation containers for garbage, recyclable materials, yard waste and organic materials.

§ 844-15. Garbage and recycling bins.

- A. The City will provide owners of residential properties who receive residential curbside collection with garbage and recycling bins as set out in this section.
- B. Owners of residential properties 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 residential properties, with one or two dwelling units, will be given only one recycling bin.
- D. Owners of residential properties, 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 residential properties 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 residential properties 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.
- 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.

ARTICLE IV
**Setting out Garbage, Recyclable Materials, Special Collection Services Items and
Yard Waste**

§ 844-16. 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:
 - (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 be a bundle, in a regulation container or loose.
- 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.

E. An owner shall not fill a garbage bin or recycling bin:

(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.

§ 844-17. Times for setting out garbage, recyclable materials, yard waste and organic materials.

A. An owner who receives services during a daytime collection period shall ensure that

- (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.

B. An owner who receives services during a night-time collection period shall ensure that:

- (1) Garbage, recyclable materials, organic materials and yard waste are set out at the collection point no earlier than 6:00 p.m., and no later than 9:00 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 7:00 a.m. on the second day of the night-time collection period.

C. 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.

D. 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.

- E. Notwithstanding subsections A(2) and B(2), owners may keep uncollected yard waste at the collection point, when the General Manager notifies owners that yard waste collection services are continuing past the respective collection period.

§ 844-18. Preparation of recyclable materials for collection.

Owners of residential properties 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.

§ 844-19. Preparation of yard waste for collection.

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

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

§ 844-20. Preparation of organic materials for collection.

Owners of residential properties who receive organic collection services shall set out organic materials in an organics container, free of plastic containers, twist ties and other contaminants.

§ 844-21. 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.
- C. Garbage containers shall be collected from specially equipped buildings as often as may be considered necessary by the General Manager.

§ 844-22. Exemptions.

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.

ARTICLE V
Prohibited Acts; Charging Expenses Against Property; Penalties

§ 844-23. 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;
- 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;
- 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
- H. Set out any waste in a regulation container that is not in good working order.

§ 844-24. 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.

§ 844-25. Offences; discontinuance of service.

- A. Any person who commits an act prohibited under § 844-23 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.
- 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.

ARTICLE VI**Restrictions on City Collection; Powers and Duties of General Manager****§ 844-26. 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 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.

§ 844-27. Powers and duties of the 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. Establish such other things as are necessary for the proper administration of this chapter.

**ARTICLE VII
Rates and Rebates**

§ 844-28. Residential curbside collection fees.

- A. An owner of a residential property who receives residential curbside collection shall pay the applicable residential curbside collection fees based on the quantity and size of garbage bins used by the residential property 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 residential property who receives residential curbside collection requests a garbage bin exchange under § 844-15N, requests an additional garbage bin, or when there is a change in ownership of a residential property, the residential curbside collection fees under Subsection A will be prorated on a daily basis.
- D. Despite Subsection A, if an owner of a residential property who receives residential curbside collection 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 residential property 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 residential property, 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.

§ 844-29. Residential bulk collection fees.

- A. An owner of a residential property 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 residential property occurs, the residential bulk collection fees will be prorated on a daily basis.
- 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 (yd³/dwelling unit/month)	Compacted Garbage Set Out Per Month (yd³/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. Residential properties who receive residential bulk collection 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 residential property who receives residential bulk collection 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 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.

§ 844-30. Annual garbage rebates.

- A. The City shall rebate to an owner of a residential property who receives residential curbside collection 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.
- B. The City shall rebate to an owner of a residential property 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.
- 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.

§ 844-31. 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.

§ 844-32. Garbage tags.

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.

**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); and
 - (11) Any other item designated by the General Manager as eligible for special collection services.
- B. Every owner shall remove all doors from the appliances referred to above before they are set out for collection.

SCHEDULE B TO CH. 844
RECYCLABLE MATERIALS, YARD WASTE AND ORGANIC MATERIALS

- 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 polyethyleneterephthalate (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.

- 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.

**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;
 - (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;
 - (21) Fire extinguishers; and
 - (22) Fuels.
- 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;
- 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;

- R. Tires;
- S. Waste produced by a person or organization involved in the processing or fabrication of products;
- T. Waste produced by a person or organization as a result of commercial or retail activity;
- U. Any material which has become frozen to or otherwise attached to its regulation container which cannot be removed by shaking;
- V. Broken glass, crockery and other sharp objects not packaged in a manner to prevent injury to any person;
- W. 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
- X. Any other item or thing designated as prohibited waste by the General Manager.