

Authority: Executive Committee 33.30,  
as adopted by City of Toronto Council on August 5 and 6, 2009  
Enacted by Council: August 6, 2009

## CITY OF TORONTO

### BY-LAW No. 703-2009

**To amend City of Toronto Municipal Code, Chapter 441, Fees and Charges, Chapter 442, Fees and Charges, Administration of, Chapter 443, Fees and Charges, Delegated Authority and Chapter 846, Waste Transfer Stations to implement new waste loading and leaf and yard waste fees and revised axle weight fees, provide financial procedures for transfer station and waste disposal fees, and correct outdated terminology, all related to waste management services.**

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 disposal services at Green Lane Landfill; and

WHEREAS the City provides waste transfer services at its transfer stations; and

WHEREAS at its meeting on April 29 and 30, 2009, City Council authorized the General Manager, Solid Waste Management Services to provide, at the City's transfer stations, waste loading services to the private sector for waste generated within City boundaries and within the Region of Peel, York and Durham at a rate of \$13.00 per tonne, exclusive of G.S.T. beginning May 1, 2009; and

WHEREAS at the same meeting, City Council adopted the transfer station fee of \$100.00 for a new category of recyclable leaf and yard waste greater than 7.5cm (3") in diameter; and

WHEREAS at the same meeting, City Council confirmed revised transfer station fees based on axle weights; and

WHEREAS at the same meeting, City Council approved the financial procedures to be applied to all customers wishing to utilize the City's waste loading services; and

WHEREAS City Council has authorized the General Manager, Solid Waste Management Services to apply the above noted financial procedures to all transfer stations and Green Lane Landfill Customers; and

WHEREAS it is necessary to amend Chapters 441, 442, 443 and 846 of the Municipal Code to implement City Council's decisions; and

WHEREAS by the adoption of Policy and Finance Committee Report 4, Clause 40, at its meeting held on April 12, 13 and 14, 2005, Council has authorized the City Solicitor to submit bills directly to Council to make technical amendments to the Municipal Code;

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

- Appendix A, Waste Collection and Disposal Fees and Water and Sewer Usage Rates, Schedule 1, Solid Waste Management, of Municipal Code Chapter 441, Fees and Charges, is amended by deleting lines 57 to 84 and replacing them with the following:

	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>V</b>
	<b>Category</b>	<b>Activity</b>	<b>Fee Basis</b>	<b>Fee</b>	<b>Annual Adjustment</b>
57	Transfer & Disposal Operations	Waste Loads – Transfer Stations	Tip Fee Per load Single Axle up 7500 kg GVW – Estimated Weight Based on 1,000 kg	\$100.00	No
58	Transfer & Disposal Operations	Waste Loads – Transfer Stations	Tip Fee Per load Single Axle up 7500 kg GVW – Estimated Weight Based on 3,000 kg	\$300.00	No
59	Transfer & Disposal Operations	Waste Loads – Transfer Stations	Tip Fee Per load Single Axle Dump Truck – Estimated Weight Based on 3,000 kg	\$300.00	No
60	Transfer & Disposal Operations	Waste Loads – Transfer Stations	Tip Fee Per load Single Axle Roll-off – Estimated Weight Based on 4,000 kg	\$400.00	No
61	Transfer & Disposal Operations	Waste Loads – Transfer Stations	Tip Fee Per load Single Axle Compactor - Estimated Weight Based on 4,000 kg	\$400.00	No
62	Transfer & Disposal Operations	Waste Loads – Transfer Stations	Tip Fee Per load – Double Axle Roll-off - Estimated Weight Based on 5,000 kg	\$500.00	No
63	Transfer & Disposal Operations	Waste Loads – Transfer Stations	Tip Fee Per load - Double Axle Compactor - Estimated Weight Based on 8,000 kg	\$800.00	No
64	Transfer & Disposal Operations	Waste Loads – Transfer Stations	Tip Fee Per load – Double Axle Dump Truck - Estimated Weight Based on 12,000 kg	\$1,200.00	No
65	Transfer & Disposal Operations	Waste Loads – Transfer Stations	Tip Fee Per load – Double Axle Tractor Trailer – Estimated Weight Based on 15,000 kg	\$1,500.00	No
66	Transfer & Disposal Operations	Waste Loads – Transfer Stations	Tip Fee Per load – Triple Axle Roll-off - Estimated Weight Based on 8,000 kg	\$800.00	No
67	Transfer & Disposal Operations	Waste Loads – Transfer Stations	Tip Fee Per load – Triple Axle & 75 Cubic Yard – Estimated Weight Based on 8,000 kg	\$800.00	No
68	Transfer & Disposal Operations	Waste Loads – Transfer Stations	Tip Fee Per load – Tractor Trailer - Estimated Weight Based on 10,000 kg	\$1,000.00	No

## City of Toronto By-law No. 703-2009

69	Transfer & Disposal Operations	Waste Loads – Transfer Stations	Tip Fee Per load – Triple Axle Compactor - Estimated Weight Based on 10,000 kg	\$1,000.00	No
70	Transfer & Disposal Operations	Waste Loads – Transfer Stations	Tip Fee Per load - Triple Axle Dump Truck - Estimated Weight Based on 16,000 kg	\$1,600.00	No
71	Transfer & Disposal Operations	Recyclable Material Loads – Transfer Stations	Tip Fee Per load – Single Axle up to 7500 kg GVW - Estimated Weight Based on 1,000 kg	\$75.00	No
72	Transfer & Disposal Operations	Recyclable Material Loads – Transfer Stations	Tip Fee Per load – Single Axle up to 7500 kg GVW - Estimated Weight Based on 3,000 kg	\$225.00	No
73	Transfer & Disposal Operations	Recyclable Material Loads – Transfer Stations	Tip Fee Per load – Single Axle Dump Truck – Estimated Weight Based on 3,000 kg	\$225.00	No
74	Transfer & Disposal Operations	Recyclable Material Loads – Transfer Stations	Tip Fee Per load – Single Axle Roll-off – Estimated Weight Based on 4,000 kg	\$ 300.00	No
75	Transfer & Disposal Operations	Recyclable Material Loads – Transfer Stations	Tip Fee Per load – Single Axle Compactor - Estimated Weight Based on 4,000 kg	\$300.00	No
76	Transfer & Disposal Operations	Recyclable Material Loads – Transfer Stations	Tip Fee Per load – Double Axle Roll-off - Estimated Weight Based on 5,000 kg	\$375.00	No
77	Transfer & Disposal Operations	Recyclable Material Loads – Transfer Stations	Tip Fee Per load – Double Axle Compactor - Estimated Weight Based on 8,000 kg	\$ 600.00	No
78	Transfer & Disposal Operations	Recyclable Material Loads – Transfer Stations	Tip Fee Per load – Double Axle Dump Truck - Estimated Weight Based on 12,000 kg	\$900.00	No
79	Transfer & Disposal Operations	Recyclable Material Loads – Transfer Stations	Tip Fee Per load – Double Axle Tractor Trailer - Estimated Weight Based on 15,000 kg	\$1,125.00	No
80	Transfer & Disposal Operations	Recyclable Material Loads – Transfer Stations	Tip Fee Per load – Triple Axle Roll-off - Estimated Weight Based on 8,000 kg	\$ 600.00	No
81	Transfer & Disposal Operations	Recyclable Material Loads – Transfer Stations	Tip Fee Per load - Triple Axle & 75 Cubic Yard – Estimated Weight Based on 8,000 kg	\$600.00	No
82	Transfer & Disposal Operations	Recyclable Material Loads – Transfer Stations	Tip Fee Per load - Tractor Trailer - Estimated Weight Based on 10,000 kg	\$750.00	No
83	Transfer & Disposal Operations	Recyclable Material Loads – Transfer Stations	Tip Fee Per load - Triple Axle Compactor - Estimated Weight Based on 10,000 kg	\$750.00	No
84	Transfer & Disposal Operations	Recyclable Material Loads – Transfer Stations	Tip Fee Per load – Triple Axle Dump Truck – Estimated Weight Based on 16,000 kg	\$1,200.00	No

2. Appendix A, Waste Collection and Disposal Fees and Water and Sewer Usage Rates, Schedule 1, Solid Waste Management, of Municipal Code Chapter 441, Fees and Charges, is amended by renumbering lines 85 to 93 to lines 87 to 95 and inserting new lines 85 and 86 as follows:

	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>V</b>
	<b>Category</b>	<b>Activity</b>	<b>Fee Basis</b>	<b>Fee</b>	<b>Annual Adjustment</b>
85	Transfer & Disposal Operations	Recyclable Material Loads – Transfer Stations designated by the General Manager	Dedicated loads of Yard Waste material 7.5 cm (3”) or greater in diameter – per tonne	\$100.00	No
86	Transfer & Disposal Operations	Waste Loading Service – Transfer Stations	Loading fee per tonne	\$13.00	No

3. Chapter 442, Fees and Charges, Administration of, is amended as follows:

- A. by adding the following definitions in § 442-1 in alphabetical order:

**ACCOUNT CUSTOMERS** — Transfer station, waste loading and waste disposal customers who provide financial security to the City rather than paying in advance for the services provided by the City.

**DIRECTOR** — The Director of Transfer and Disposal Operations, Solid Waste Management Services.

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

- B. by inserting the following as § 442-13.1:

**§ 442-13.1. Financial procedures for waste disposal and transfer station customers.**

- A. A credit check may be done for any potential waste loading, transfer station or waste disposal customer following the City’s credit check procedure.
- B. Waste loading customers shall be account customers.
- C. The Director may allow transfer station and landfill customers to be account customers.
- D. The security for account customers will be in the form of an irrevocable letter of credit or certified cheque.
- E. Where security is in the form of an irrevocable letter of credit, the letter of credit shall be from a chartered bank, be valid for a period of not less than 12 months, and contain an automatic renewal clause.

- F. The security for account customers will be calculated on the value of the customer's potential disposal costs transacted over an average ten-week period utilizing the average weekly volumes brought to Solid Waste sites over the most recent 52 week period, where applicable, multiplied by a cost factor of 48%.
- G. For the purposes of waste loading account customers, the potential disposal costs will be based on the tip fee per tonne for waste loads at transfer stations.
- H. In the event that a credit check is unsatisfactory to the Director, the Director will determine appropriate security, based on a cost factor of up to 100% and/or a longer period of estimated business to ensure risk to the City is minimized.
- I. For waste loading services at transfer stations, the account customer will provide security along with verification of contracts with a licensed hauler(s) and licensed landfill(s) prior to the City receiving the waste.
- J. Account customers will be invoiced monthly.
- K. Before any fees are deducted from the account customer's security, an invoice will be sent to the customer by personal service, regular letter mail, e-mail or fax.
- L. Invoices shall be deemed to have been received on:
- (1) The third day after the day of mailing by regular letter mail; or
  - (2) The first day after the day of transmission by e-mail or by fax.
- M. An invoice shall describe:
- (1) The type of waste disposed at the landfill or delivered to the transfer station;
  - (2) The number of tonnes disposed or delivered;
  - (3) The disposal fee, interim disposal fee, loading fee or transfer station fee payable;
  - (4) The total amount owing; and
  - (5) The date on which payment is due.
- N. Customers will have 21 days from the invoice date to notify the City in writing of any billing errors or omissions, otherwise payment will be due within 30 days from the invoice date.

- O. If payment is not made within 30 days from the due date, unless otherwise determined by the Director, all charge account privileges will be removed from the account holder and services may be withheld until payment is made.
  - P. If payment is not made within 60 days from the due date, the total amount owing may be deducted from the account holder's security.
  - Q. In the period after the due date and before any deduction is made from the account holder's security, a late payment charge will apply as provided in § 441-5 of Chapter 441, Fees and Charges.
4. Chapter 443, Fees and Charges, Delegation of Authority, is amended by deleting § 443-6C and replacing it with the following:
- C. Section 442-13.1 of Chapter 442, Fees and Charges, Administration of, shall apply with any necessary modifications.
5. Chapter 846, Waste Transfer Stations, is amended as follows:
- A. by deleting the following definition in § 846-1:  
  
COMMISSIONER
  - B. by adding the following definition in § 846-1:  
  
GENERAL MANAGER — The General Manager, or his or her designate, of the City of Toronto's Solid Waste Management Services Division.
  - C. by amending §§ 846-2A, 846-4A, 846-7, §§ A(20), B(4) and C(12) of Schedule A and § KK of Schedule B by deleting "Commissioner" and substituting "General Manager", in each case.

ENACTED AND PASSED this 6th day of August, A.D. 2009.

GLORIA LINDSAY LUBY,  
Deputy Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)