



**Authority: Item 2, Committee of the  
Whole Report 08-037  
CM: December 10, 2008**

**Bill No. 043**

**CITY OF HAMILTON**

**BY-LAW NO. 09-043**

**To Amend Solid Waste Management By-law No. 05-190,  
as amended, and Implement the 2009 Waste Management  
Fees and Charges**

**WHEREAS** on June 29, 2005, the Council of the City of Hamilton passed and enacted By-law 05-190, known and referred to as the "Solid Waste Management By-law";

**AND WHEREAS** pursuant to section 391 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, sections 9 and 10 of the said Act authorize a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

**AND WHEREAS** on December 10, 2008, the Council of the City of Hamilton did approve of Item 2 of the Committee of the Whole Report 08-037 and did authorize the 2009 waste management fees and charges, including the fees and charges set out herein;

**AND WHEREAS** notice of the 2009 waste management fees and charges set out herein has been given in accordance with the City's Public Notice Policy By-law;

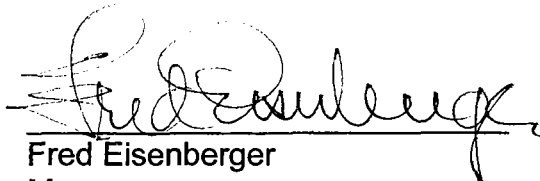
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Section 4.1 of By-law No. 05-190 is amended by adding the following subsection (g):
  - (g) Fees under this By-law, including but not limited to fees for Waste disposal, shall be as set out in this By-law and the City's User Fees and Charges By-law.

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2. Section 8.1(j) of By-law No. 05-190 is repealed.
3. Section 8.2.1.7 of By-law No. 05-190 is repealed.
4. Section 8.2.2.7 of By-law No. 05-190 is repealed.
5. Schedule "B" to By-law No. 05-190, as amended, is deleted in its entirety and replaced with Schedule "B" attached to and forming part of this by-law.
6. This by-law shall be deemed to have come into force on January 1, 2009.
7. In all other respects, the contents of By-law 05-190, as amended, are hereby confirmed as unchanged.

**PASSED AND ENACTED** this 11th day of March, 2009.

  
Fred Eisenberger  
Mayor

  
Kevin C. Christenson  
City Clerk

**SCHEDULE "B"**

**FEES**

<b>A. <u>WASTE DISPOSAL ACTIVITY</u></b>	<b><u>FEE</u></b>	
1) Residential Vehicles transporting Garbage	\$8.00 per visit for the first 100 kg or part thereof; \$0.1125 per kg in excess of 100 kg.*	
2) Residential Vehicles transporting separated Recyclable Materials, Leaf and Yard Waste and ferrous and non-ferrous bulk metals	No charge	
3) Private Waste Haulers and Commercial Vehicles transporting Waste	\$11.25 per visit per 100 kg. or part thereof *	
4) Commercial Vehicles possessing a signed affidavit transporting Waste for personal use,	\$8.00 per visit for the first 100 kg or part thereof of Garbage, and \$0.1125 per kg in excess of 100 kg *; no charge for separated Leaf and Yard Waste; no charge for separated Recyclable Materials and ferrous and non-ferrous bulk metals	
5) Application for account set-up and credit check for Private Haulers and Commercial Vehicles	\$30.00	
6) Alternate Fee for Private Haulers and Commercial Vehicles in the event that the weigh scales become inoperative	\$32.00 per cubic metre of carrying capacity of the vehicle	
7) Credit card, debit or cash deposit required based on gross weight of a Private Hauler's Vehicle or Commercial Vehicle with an account with the City	0-2500 kg	\$ 50.00
	2501-3000 kg	\$100.00
	3001-6000 kg	\$200.00
	6001-9000 kg	\$300.00
	over 9000 kg	\$400.00
8) Impacted Soil Fee.	\$30.00 per tonne	

For soil used as daily cover at the City Landfill Site that meets the certificate of approval criteria for the site. This fee does not apply to native, non-impacted soils.

\* All transactions are rounded to the nearest \$0.50

**B. CONDITIONS FOR WASTE DISPOSAL FEES**

- 1) For the purpose of this By-law, regular users of the Transfer Stations may be regarded as:
  - (a) the Private Hauler and the operator of a Commercial Vehicle depositing Waste averaging a minimum of two chargeable loads per week and/or;
  - (b) the Private Hauler and the operator of a Commercial Vehicle whose monthly invoice is not less than \$50.00.
- 2) Private Haulers and Operators of Commercial Vehicles - Regular Users
  - (a) Accounts for fees payable by Private Haulers and by operators of Commercial Vehicles who are regular users of the Facilities are to be invoiced at such regular periods as prescribed by the General Manager of Corporate Services.
  - (b) Payment of such accounts as set forth in (a) above of this subsection B(2) shall be payable within thirty (30) calendar days of the date of the invoice.
  - (c) Where an account for Waste disposal fees remains unpaid for more than thirty (30) calendar days, the Private Hauler or operator of a Commercial Vehicle will be notified in statement form including the greater of interest charges or a minimum service charge and a notice of non-payment shall be sent by the General Manager of Corporate Services advising that if payment is not received within ten (10) calendar days after the date of such notice, the Private Hauler's or operator of Commercial Vehicle's use of the City Transfer Stations shall be restricted to a cash basis. If an account remains unpaid for an additional ten (10) calendar days, admittance to the Facilities shall be refused until such time as the original invoice plus all outstanding interest and service charges to date are paid. The names of these Private Haulers and operators of Commercial Vehicles will be placed on a list and sent to the Transfer Stations instructing the weigh masters to refuse entry to those customers on the list. The General Manager of Corporate Services may require the posting of a performance bond or any other security acceptable to the General Manager of Corporate Services in the event that accounts continue from time-to-time to remain unpaid.
  - (d) Where the tare weight of a vehicle transporting Waste for disposal at the Facilities has been pre-determined and such weight issued to calculate the net weight of the Waste, the pre-determined tare weight of any vehicle may be verified at any time by either the City or the Private Hauler.

- 3) Private Haulers - Occasional Users
- (a) The amount of fees payable by Private Haulers and by operators of Commercial Vehicles who are occasional users at the Facilities are payable upon entering the Facilities.
  - (b) Where the Private Hauler or operator of a Commercial Vehicle transporting Waste for disposal at the Facilities is required to be tare weighed before the fees can be calculated, the Private Hauler or operator of a Commercial Vehicle shall be required to place a deposit as set forth in Section A of this Schedule. When the tare weight has been determined, the deposit shall be refunded and an immediate payment shall be made via a City approved credit card, debit, or cash for the Waste disposal fee by the Private Hauler or by the operator of a Commercial Vehicle in accordance with Section A of this Schedule.
  - (c) Where the tare weight of a vehicle transporting Waste for disposal at the Facilities has been pre-determined, and such weight issued to calculate the net weight of the Waste, the pre-determined tare weight of any vehicle may be verified at any time by either the City or the Private Hauler.

**C. OTHER WASTE MANAGEMENT FEES**

<u>WASTE MANAGEMENT SERVICE</u>	<u>FEE</u>
1) Backyard Composters	\$38.75 per composter
2) Green Cart Replacement  To be charged for each broken green rigid reusable Container for Organic Waste, issued by the City under its Organic Waste program, where the broken Container cannot be presented for exchange.	\$25.00 per Container
3) Festival and Event Waste Management Services Security Deposit  This security deposit applies to all festivals and events and is fully refundable provided that:	\$1,000.00

<p>a) the Recyclable Materials and Organic Waste collected are sufficiently uncontaminated so that they may be processed; and</p> <p>b) all containers and signage are returned to the City without any damage.</p> <p>Where these criteria are not met, the City will deduct from the security deposit the costs incurred by the City for the landfilling of the collected unacceptable materials and the costs incurred by the City for the replacement and repair of any containers and signage. The balance of the security deposit will be refunded.</p>	
<p>4) Waste Management Services per Event Fee for Non-Funded Festivals and Events at City-owned facilities.</p> <p>Where events are held at City-owned facilities which are not eligible for funding for the provision of waste management services, the applicable fees are for the following services:</p> <p>Recycling. Fee is for the drop-off, use and pick-up of up to 25 recycling barrels, and disposal of materials at the appropriate Facility.</p> <p>Garbage. Fee is for the drop-off, use and pick-up of each roll-off bin, plus the cost of disposal.</p> <p>Organic Waste. Fee is for the drop-off, use and pick-up of up to 25 green rigid reusable containers for Organic Waste, and the disposal of the materials at the appropriate Facility.</p> <p>Administrative Fee. Fee is for City staff time, operating expenses and cleaning</p>	<p>\$1,200.00</p> <p>\$150.00 per roll-off bin plus the Waste disposal fee for Garbage set out in section A 1) of this Schedule.</p> <p>\$535.00</p> <p>\$115.00 per event</p>

<p>of containers.</p>	
<p><b>5) Waste Management Services per Event Fee for Non-Funded Festivals and Events at non City-owned facilities.</b></p> <p>Where events are held at non City-owned facilities, waste management services are requested to be provided, and sufficient City resources are available to accommodate the request, the applicable fees are for the following services:</p> <p><b>Recycling.</b> Fee is for the drop-off, use and pick-up of up to 25 recycling barrels, and disposal of materials at the appropriate Facility.</p> <p><b>Garbage.</b> Fee is for the drop-off, use and pick-up of each roll-off bin, plus the cost of disposal.</p> <p><b>Organic Waste.</b> Fee is for the drop-off, use and pick-up of up to 25 green rigid reusable containers for Organic Waste, and the disposal of the materials at the appropriate Facility.</p> <p><b>Administrative Fee.</b> Fee is for City staff time, operating expenses and cleaning of containers.</p>	<p style="text-align: right;"><b>\$1,200.00</b></p> <p style="text-align: right;"><b>\$150.00 per roll-off bin plus the Waste disposal fee for Garbage set out in section A 1) of this Schedule.</b></p> <p style="text-align: right;"><b>\$535.00</b></p> <p style="text-align: right;"><b>\$115.00 per event</b></p>