



**Authority:** Item 7, Public Works, Infrastructure and  
Environment Committee  
Report 05-011(PW04034a)  
CM: June 29,2005

**Bill No. 190**

**CITY OF HAMILTON**

**BY-LAW NO. 05-190**

**SOLID WASTE MANAGEMENT BY-LAW**

**Being a By-Law to regulate and provide for the establishment, maintenance and operation of a Waste Management System for the City of Hamilton**

**WHEREAS** Sections 9(3) and 11(1) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended (hereinafter referred to as the "Municipal Act, 2001"), provide that a single-tier municipality may pass by-laws to regulate Waste management;

**AND WHEREAS**, the City of Hamilton Act, 1999, S.O. 1999, c. 14, as amended, designates the City of Hamilton as a single-tier municipality for all purposes;

**AND WHEREAS** Section 8 of the Municipal Act, 2001, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act, 2001;

**AND WHEREAS** the handling, collection and disposal of Waste within the City of Hamilton has been regulated by by-laws enacted by the councils of the former municipalities known as The Regional Municipality of Hamilton-Wentworth, The Corporation of the Town of Ancaster, The Corporation of the Town of Dundas, The Corporation of the Town of Flamborough, The Corporation of the Township of Glanbrook, The Corporation of the City of Hamilton and The Corporation of the City of Stoney Creek;

**AND WHEREAS** the Waste Management System approved by the Council of the City of Hamilton includes the regulation and provision for the diversion, collection, processing and disposal of acceptable Waste originating within the City of Hamilton;

**AND WHEREAS** Section 391 of the Municipal Act, 2001, provides that a municipality may pass by-laws imposing fees or charges for Waste management services provided or done by or on behalf of a municipality and for the use of the municipality's property;

**AND WHEREAS** after having provided notice of such fees and charges in a form, and in the manner and at the times that the Council considers adequate, it is now desirable to consolidate and harmonize the management of Waste diversion, collection, processing and disposal in the City of Hamilton.

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

**■0 DEFINITIONS**

1.1 In this By-law:

- (a) "Acceptable Waste at Transfer Stations" means:
  - (i) Garbage;
  - (ii) Recyclable Materials;
  - (iii) Leaf and Yard Waste;
  - (iv) Bulk Waste;
  - (v) White Goods;
  - (vi) Metal; and
  - (vii) Tires and tire rims.
- (b) "Ashes" means the residue from burnt materials;
- (c) "Bin Container" means a receptacle manufactured for the collection of Waste and which is made of metal with a secure cover and is capable of being emptied by a forklift packer truck;
- (d) "Bio-medical Waste" means bandages, dressings, drugs, medicines, needles, poultices, syringes, vaccines, vials and other similar materials or substances which contain or could reasonably be expected to contain pathogenic bacteria or micro-organisms or could reasonably be expected to be infectious, hazardous or dangerous;
- (e) "Bulk Waste" means large household items, including but not limited to:
  - (i) bicycles and parts thereof;
  - (ii) carpet;
  - (iii) computers;
  - (iv) discarded plumbing, sinks, toilet bowls and seats, fittings and pipe;
  - (v) floor lamps;
  - (vi) furniture, mattresses and bed springs;
  - (vii) metal weighing less than 23 kg.;
  - (viii) pool filters;
  - (ix) pool pumps;
  - (x) pool covers and solar blankets;
  - (xi) televisions;
  - (xii) tires without rims; and
  - (xiii) wood;
- (f) "Central Composting Facility" means a Facility for the receipt, processing and marketing of Organic Waste, which is not accessible to the public;

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- (g) “Christmas Trees” means natural Christmas trees without any tinsel, decorations or ornaments;
- (h) “City” means the City of Hamilton established under the *City of Hamilton Act 1999*, S.O. 1999, c.14, Schedule C;
- (i) “City Landfill Site” means the landfill site of the City located in the former Township of Glanbrook in the Province of Ontario and being composed of part of Lots 26, 27 and 28, Concession 9, in the Geographic Township of Binbrook, and being more particularly described as Part 4 according to a Reference Plan received and deposited in the Land Registry Office for the Registry Division of Wentworth as Plan No. 62R-5286;
- (j) “Collection Crew” means staff retained to collect, remove and transport Waste, whether employed by a collection Contractor to the City or staff directly employed by the City;
- (k) “Collection Day” means the specific days of the week and/or dates for the collection of Waste, prescribed by notice duly given by the City to Owners and Occupants of Eligible Properties;
- (l) “Commercial Vehicle” means a vehicle operated for the transport of Waste by or in association with any commercial, industrial or institutional activity;
- (m) “Container” means a receptacle, as more specifically defined in section 8 of this By-law, for the purpose of collecting and disposing of the types of Waste;
- (n) “Contractor” means a private company under contract with the City to collect or transfer or process Waste, or to operate a Facility, or any combination of the foregoing;
- (o) “Council” means the Council of the City of Hamilton as elected from time to time;
- (p) “Downtown Hamilton Business Improvement Area” means the area designated by By-law No. 01-297;
- (q) “Eligible Property” means one of the following:
  - (i) single family residential dwelling, including single detached dwelling, semi-detached dwelling, duplex dwelling, freehold or private frontage townhouse, and an apartment building with a maximum of five (5) dwelling units;
  - (ii) multi-family residential dwelling, including apartment, block townhouse complex, or trailer park, with six (6) or more dwelling units;

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- (iii) commercial property, excluding a property with four (4) or more floors;
  - (iv) church;
  - (v) a property located within a Special Policy Area, excluding a commercial property with four (4) or more floors;
  - (vi) elementary or secondary school, for the collection of Recyclable Materials, Organic Waste and Christmas Trees only;
- (r) “Facility” means a City owned property used for the transfer, or processing or disposal of Waste, or any combination of the foregoing, including:
- (i) Dundas Transfer Station;
  - (ii) Kenora Transfer Station;
  - (iii) Mountain Transfer Station;
  - (iv) Materials Recycling Facility;
  - (v) City Landfill Site;
  - (vi) Leaf and Yard Waste depots;
  - (vii) Central Composting Facility,
- (s) “Garbage” means Waste other than Bio-medical Waste, Bulk Waste, Hazardous Waste, Household Hazardous Waste, Leaf and Yard Waste, Liquid Waste, Organic Waste (where Organic Waste is not collected by a Collection Crew), Pathological Waste, Recyclable Materials and White Goods;
- (t) “General Manager of Corporate Services” means the General Manager of Corporate Services for the City of Hamilton or his or her duly appointed designate, or successor;
- (u) “General Manager” means the General Manager of Public Works for the City of Hamilton or his or her duly appointed designate, or successor;
- (v) “Hazardous Waste” means:
- (i) a hazardous industrial waste, as defined in Regulation 347 of the Revised Regulations of Ontario, 1990;
  - (ii) an acute hazardous waste chemical, as defined in Regulation 347 of the Revised Regulations of Ontario, 1990;
  - (iii) a hazardous waste chemical, as defined in Regulation 347 of the Revised Regulations of Ontario, 1990;
  - (iv) a severely toxic waste, as defined in Regulation 347 of the Revised Regulations of Ontario, 1990;
  - (v) an ignitable waste, as defined in Regulation 347 of the Revised Regulations of Ontario, 1990;

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- (vi) a corrosive waste, as defined in Regulation 347 of the Revised Regulations of Ontario, 1990;
- (vii) an explosive waste;
- (viii) a reactive waste, as defined in Regulation 347 of the Revised Regulations of Ontario, 1990;
- (ix) a radioactive waste, except radioisotope wastes disposed of in an landfilling site in accordance with the written instructions of the Canadian Nuclear Safety Commission or the Atomic Energy Control Board, as defined in Regulation 347 of the Revised Regulations of Ontario, 1990;
- (x) a Pathological Waste ;
- (xi) a leachate toxic waste, as defined in Regulation 347 of the Revised Regulations of Ontario, 1990; or
- (xii) a PCB waste as defined in Regulation 362 of the Revised Regulations of Ontario, 1990,

and includes a mixture of acute hazardous waste chemical, hazardous waste chemical, hazardous industrial waste, Pathological Waste, radioactive waste or severely toxic waste and any other waste or material, and any other waste identified as a hazardous waste in any Provincial or Federal regulation from time to time;

- (w) “Household Pet Waste” means animal excrement generated by a domesticated animal that is not living on a farm;
- (x) “Household Hazardous Waste” means any household product, material, or item labelled as “corrosive”, “toxic”, “reactive”, “explosive” or “flammable”, and which is accepted under the City’s household hazardous waste program, if any, in effect from time to time including:
  - (i) aerosols;
  - (ii) antifreeze;
  - (iii) asbestos;
  - (iv) bulked fuel;
  - (v) car/vehicle batteries;
  - (vi) dry-cell batteries;
  - (vii) fire extinguishers;
  - (viii) flammable liquids;
  - (ix) flammable solids;
  - (x) fluorescent light bulbs;
  - (xi) halogenated pesticides;
  - (xii) ignitable gas cylinders;
  - (xiii) inorganic acids;
  - (xiv) inorganic bases;
  - (xv) inorganic cyanides;

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- (xvi) inorganic oxidizers;
  - (xvii) isocyanates;
  - (xviii) large propane tanks;
  - (xix) mercury switches;
  - (xx) non-basic fire suppressants;
  - (xxi) non-ignitable gas cylinders;
  - (xxii) non-PCB light ballasts;
  - (xxiii) non-halogenated pesticides;
  - (xxiv) oil;
  - (xxv) oil filters;
  - (xxvi) organic oxidizers;
  - (xxvii) paint;
  - (xxviii) paint sludge;
  - (xxix) PCB contaminated waste;
  - (xxx) PCB light ballasts;
  - (xxxi) pharmaceuticals;
  - (xxxii) small gas cylinders;
- (y) “Ineligible Property” means any property within the City that is not defined as an Eligible Property;
- (z) “Leaf and Yard Waste” means leaves, grass, weeds, garden hedge and tree trimmings, branches, brush, house and garden plants and pumpkins;
- (aa) “Liquid Waste” means Waste which is not solid and which exhibits evidence of free water, or other liquids, whether or not contained;
- (bb) “Materials Recycling Facility” means a Facility for the receipt, processing and marketing of Recyclable Materials, which is not accessible to the public;
- (cc) “Municipal Law Enforcement Officer” means any person appointed by Council for the enforcement of this By-law or any other by-law;
- (dd) “Occupant” means any person over the age of 18 years in possession of property which is subject to this By-law.
- (ee) “Organic Waste” means animal or vegetable Waste resulting from the preparation or consumption of food, processing facility, feedstock, Leaf and Yard Waste and Christmas Trees;
- (ff) “Owner” includes:
- (i) both the owner in trust and the beneficial owner of property which is subject to this By-law;
  - (ii) the person for the time being managing or receiving the rent of the property, which is subject to this By-law, in connection with which the word is used, whether on the person’s own account

- or as agent or trustee of any other person or who would receive the rent if the property was let; and
- (iii) a lessee or occupant of the property who manages or controls the condition of the property, which is subject to this By-law.
- (gg) “Pathological Waste” means Bio-medical 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 of the Revised Regulations of Ontario 1990;
- (hh) “Physical Constraints Exemption” means a situation on a property which results in inadequate space for the placement of Bin Containers and/or for Waste collection vehicles to enter the property and remove the Waste from the Bin Containers in a safe manner, as determined by the General Manager;
- (ii) “Private Hauler” means an individual or corporation in the business of transporting Waste to a Facility including Residential Vehicles and Commercial Vehicles, except while operating such vehicles under contract to the City;
- (jj) “Recyclable Materials” means Recyclable Containers and Recyclable Fibres, including:
- 1) Recyclable Containers
    - i) aseptic containers (drinking boxes);
    - ii) empty metal paint and aerosol cans;
    - iii) gable-top containers (juice and milk cartons);
    - iv) glass bottles and jars;
    - v) metal beverage and food containers;
    - vi) plastic bottles and jugs (high density polyethylene#1);
    - vii) plastic soft drink and water containers (polyethylene terephthalate #2);
    - viii) film plastic packaging (grocery bags, outer milk bags, dry cleaning bags, sandwich bags);
    - ix) tubs and lids (#5); and
    - x) polystyrene and Styrofoam containers (#6);
- and
- 2) Recyclable Fibres
    - i) boxboard (cereal and cracker boxes);

- ii) corrugated cardboard;
  - iii) envelopes, direct mail advertising, paper egg cartons, greeting cards and all remaining paper and paper products generated by households (currently referred to as the “paper box concept”);
  - iv) fine paper;
  - v) magazines;
  - vi) newsprint; and
  - vii) telephone books;
- (kk) “Residential Vehicle” means a private vehicle not normally used for purposes of Waste haulage associated with a commercial, industrial or institutional activity;
- (ll) “Special Policy Area” means a downtown core area and/or a designated Business Improvement Area, including:
- (i) Hamilton District - Queen Street to Wellington Street and Cannon Street to King Street, and along the spine of James Street from Aberdeen Avenue to Guise Street;
  - (ii) Stoney Creek District - King Street from New Mountain Road to Battlefield Drive; Lake Avenue South;
  - (iii) Ancaster District - Wilson Street from Rosseaux/Mohawk Road to Todd Street;
  - (iv) Dundas District - King Street from York Street to Bond Street;
  - (v) Flamborough District - Dundas Street East from Perrelli Street to Pamela Street and Hamilton Street North from Dundas Street to Parkside Drive;
- (mm) “Street” means any public or private road, lane, alley, square, place, thoroughfare or way as located in the City;
- (nn) “Transfer Station” means a Facility for the receipt and transfer of Waste, and may include one or more areas accessible to the public;
- (oo) “Unacceptable Bulk Waste” means:
- (i) all pieces of metal weighing more than 23 kilograms;
  - (ii) steel barrels;
  - (iii) tires with rims;
  - (iv) wheel rims;
  - (v) car parts;
  - (vi) White Goods;
  - (vii) brush;
  - (viii) wood in excess of four feet in length;
  - (ix) home renovation materials;
  - (x) earth, brick and stone;



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- (xi) Recyclable Materials;
  - (xii) Organic Waste;
  - (xiii) Household Hazardous Waste;
  - (xiv) any item weighing more than 90 kilograms;
  - (xv) pipes and swing sets exceeding 1.2 metres in length;
  - (xvi) loose carpets;
  - (xvii) rolled and tied carpets longer than 1.2 metres in length; or
  - (xviii) metal, weighing 23kg. or more.
- (pp) “Unacceptable Garbage” means:
- (i) all pieces of metal weighing more than 2.3 kilograms or greater than 1.2 metres in length;
  - (ii) Bio-medical Waste;
  - (iii) Bulk Waste;
  - (iv) carcasses of dogs, cats, fowl and other creatures or part thereof which are not Organic Waste as defined in this By-law;
  - (v) earth, brick and stone;
  - (vi) hay and straw;
  - (vii) Hazardous Waste;
  - (viii) Household Hazardous Waste;
  - (ix) human and animal excrement, except for Household Pet Waste and diapers;
  - (x) industrial, commercial and trade Waste from Ineligible Properties;
  - (xi) Leaf and Yard Waste;
  - (xii) Liquid Waste;
  - (xiii) Organic Waste, where Organic Waste is collected by a Collection Crew;
  - (xiv) Pathological Waste;
  - (xv) Recyclable Materials;
  - (xvi) sawdust, shavings, excelsior and vermiculite;
  - (xvii) steel barrels;
  - (xviii) car parts;
  - (xix) wood in excess of 1.2 metres in length, wooden boxes and barrels;
  - (xx) wire, wire mesh and fencing; or
  - (xxi) White Goods;
- (qq) “Waste” means Bio-medical Waste, Bulk Waste, Garbage, Hazardous Waste, Household Hazardous Waste, Leaf and Yard Waste, Liquid Waste, Organic Waste, Pathological Waste, Recyclable Materials and White Goods;
- (rr) “Waste Management System” means Facilities and equipment used in and operations carried out for the management of Waste including

but not limited to the planning, collection, handling, transportation, storage, processing, marketing and/or disposal; and may also include Waste diversion programs;

(ss) "White Goods" means:

- (i) air conditioners, window mounted and central air systems;
- (ii) clothes dryers;
- (iii) dehumidifiers;
- (iv) dishwashers;
- (v) freezers;
- (vi) hot water tanks, drained;
- (vii) microwave ovens;
- (viii) metal, weighing 23kg or more;
- (ix) ovens;
- (x) pool heaters;
- (xi) refrigerators;
- (xii) stoves;
- (xiii) water pressure tanks; or
- (xiv) water coolers.

## **2.0 APPLICATION AND INTERPRETATION OF THIS BY-LAW**

- 2.1 The provisions of this By-law shall apply to all properties within the boundaries of the City.
- 2.2 The City shall provide for Waste collection and disposal services to all Eligible Properties within the City of Hamilton, as described in this By-law.
- 2.3 If a property is an Ineligible Property for Waste collection and disposal services from the City under this By-law, the Owner or Occupant shall be fully responsible for the provision of private Waste collection and disposal services, in accordance with good practice and in accordance with all applicable statutes, by-laws and regulations respecting health and safety.
- 2.4 In the event of any conflict between the provisions of this By-law and the provisions of any other statute, regulation or by-law, the provisions that are the most restrictive prevail.
- 2.5 The necessary grammatical changes required to make the provisions of this By-law applicable 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.
- 2.6 Measurements are stated in the metric system. For convenience, the imperial conversions are included in **Schedule "A"** to this By-law.

- 2.7 The insertion of headings and the division of this By-law into sections and subsections are for convenience of reference only and shall not affect the interpretation thereof.
- 2.8 An index of schedules is attached.
- 2.9 Any references in this By-law to any statutes, regulations or by-laws shall be deemed to be a reference to such statutes, regulations or by-laws, as amended, restated or replaced from time to time.

### **3.0 SHORT TITLE**

This By-law may be referred to as the “Solid Waste Management By-law”.

## **4.0 ADMINISTRATION, ENFORCEMENT AND PENALTIES**

### **4.1 Administration and Enforcement**

- (a) The General Manager shall be responsible for the administration of this By-law.
- (b) All Municipal Law Enforcement Officers are authorized to enforce this By-law.
- (c) The General Manager is authorized to delegate the responsibility for the administration of this By-law to any employee or agent of the Waste Management Division of the Public Works Department of the City.
- (d) **Schedules “A” and “B”** to this By-law form part of this By-law.
- (e) In the event of any contravention of this By-law by an Owner or Occupant, the City shall have the right to take remedial action in accordance with and subject to section 427 of the Municipal Act, 2001. In the event that the City exercises the right to take remedial action, a Municipal Law Enforcement Officer shall serve a written notice upon the Owner or Occupant of the property stating the contravention of the By-law and setting out the requirements for compliance. If the Owner or Occupant fails to comply with a written notice of the Municipal Law Enforcement Officer served in accordance with this section, the City, its employees or agents may enter upon the property, but not into any buildings or structures on the property, at any reasonable time, to effect the compliance at the expense of the Owner or Occupant who has failed to comply. The City may recover all costs associated with actions taken by the City to effect compliance, whether by action or as otherwise provided plus interest at a rate of fifteen per cent per annum from the day the City incurs such costs and ending on the day the costs, including the interest, are paid in full.

- (f) The City may retain a Contractor to fulfill any of the City's responsibilities under this By-law, however if due to breakdown of equipment, strike, inclement weather, or any other cause, Waste collection is not provided to a property, the City shall not be liable to any person for any damages, costs or expenses due to the failure of such Waste collection to take place. If the City changes a Waste Collection Day, the City shall endeavour to advise all affected persons by notice in the local newspapers published at least three (3) times prior to the change or by such other method approved by the General Manager.

#### 4.2 **Prohibition Order**

Pursuant to the provisions of Section 442 of the Municipal Act, 2001, when a person has been convicted of an offence under this By-law, the Ontario Court (Provincial Division) of the City of Hamilton, or any court of competent jurisdiction thereafter may, in addition to any other penalty or other remedy imposed, make an order prohibiting the continuation or repetition of the offence.

#### 4.3 **Penalty**

- (a) Pursuant to section 77 of the Municipal Act, 2001, and subject to subsection 4.3 (b) of this By-law, every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is subject to a fine of not more than \$10,000 for a first offence, and \$25,000 for any subsequent offence of this By-law.
- (b) Where a corporation is convicted of an offence under the provisions of this By-law, the maximum fines that may be imposed on the corporation is \$50,000 for a first offence and \$100,000 for any subsequent offence of this By-law.

#### 5.0 **SEVERABILITY**

Where a court of competent jurisdiction declares any section or part of a section of this By-law invalid, the remainder of this By-law shall continue in force unless the court makes an order to the contrary.

#### 6.0 **PROHIBITIONS**

In addition to the prohibitions on specific types of Waste, as defined in this By-law, the following general provisions shall apply:

- 6.1 No person shall set out for collection, or allow, acquiesce in or cause to be set out for collection, by a Collection Crew, any Unacceptable Garbage.

- 6.2 No Owner whose property is vacant shall set out for collection, or allow, acquiesce in or cause to be set out for collection, by a Collection Crew, any Waste on said vacant property.
- 6.3 No person shall deposit, or allow, acquiesce in or cause any other person to deposit, any Waste on or onto any Street or public property. For the purpose of this section 6.3, "deposit" shall include place, drop, sweep, throw, or cast.
- 6.4 No Owner or Occupant shall set out Waste for collection, or allow, acquiesce in or cause Waste to be set out for collection, by a Collection Crew, prior to 7:00 p.m. of the day prior to the scheduled Collection Day and after 7:00 a.m. of the scheduled Collection Day.
- 6.5 No Owner or Occupant shall fail to remove any Container, whether empty or not, from the Street by 7:00 p.m. on the scheduled Collection Day.
- 6.6 No Owner or Occupant shall allow, acquiesce in or cause the accumulation or storage of Waste on his property so that it becomes a public nuisance or emits offensive odours or is likely to attract birds, rats or other vermin or insects.
- 6.7 No Owner or Occupant shall allow, acquiesce in or cause any Container to emit offensive odours or attract birds, rats or other vermin and insects.
- 6.8 No person shall pick over, interfere with, disturb, remove or scatter, or allow, acquiesce in or cause any Waste set out for collection to be picked over, interfered with, disturbed, removed or scattered unless authorized to do so by the General Manager.
- 6.9 No person shall allow any animal owned or under his care or control to pick over, interfere with, disturb, remove or scatter any Waste set out for collection.
- 6.10 No person shall set out, or allow, acquiesce in or cause Waste to be set out on the Street or public property for collection by a private agency, unless authorized to do so by the General Manager.
- 6.11 No person shall deposit, or allow, acquiesce in or cause to be deposited Waste generated on private property in Waste receptacles located on public property.
- 6.12 No Owner or Occupant shall set out for collection, or allow, acquiesce in or cause to be set out for collection, Waste generated on his property onto any other person's property, or onto the Street abutting any other person's property, without the prior consent of that other person.
- 6.13 No Owner or Occupant shall set out for collection, or allow, acquiesce in or cause to be set out for collection, any Waste unless it is in an acceptable Container, as prescribed in section 8 of this By-law.

- 6.14 No person shall collect Waste unless he has the necessary licenses and complies with all relevant Federal, Provincial and municipal legislation, regulations and by-laws.
- 6.15 No person shall smoke at a Facility or hold a lighted tobacco product, including a cigarette, cigar or pipe, at a Facility.

## **7.0 AUTHORITY OF THE GENERAL MANAGER OF PUBLIC WORKS**

7.1 The General Manager shall have the authority to:

- (a) operate and administer the Facilities in accordance with the provisions of this By-law;
- (b) determine frequency and scheduling of Waste collection services, in accordance with the provisions of this By-law;
- (c) designate Waste collection points;
- (d) discontinue or refuse Waste collection services to any Owner or Occupant whose property in the opinion of the General Manager is unsafe for entry or egress by Collection Crews for any reason, including but not limited to, the physical layout, loading facilities or the methods of handling Waste on the property;
- (e) suspend Waste collection services in all or part of the City, in the event of inclement weather or other condition that in the opinion of the General Manager renders the provision of Waste collection services unsafe or otherwise undeliverable;
- (f) establish site specific Waste collection conditions for properties which have Physical Constraint Exemptions; and
- (g) establish such other measures required for the proper administration of the Waste Management System.

7.2 With regard to operations at a Facility, the General Manager may:

- (a) refuse entry to any person violating any of the terms of this By-law;
- (b) evaluate and certify the acceptability for disposal of any Waste not specifically dealt with in this By-law, but consistent with this By-law, upon receiving a written request by any person proposing to deposit Waste at a Facility;
- (c) specify an acceptable time schedule, and pre-disposal conditions for the delivery of Waste which might otherwise cause undue operational difficulties at a Facility; and
- (d) refuse entry to all vehicles which exceed their licensed weight capacity.

## **8.0 COLLECTION SERVICES**

### **8.1 General Conditions for Waste Collection**

- (a) Subject to the terms and conditions of this By-law, the City shall only collect Waste from Eligible Properties.
- (b) No Owner or Occupant shall be eligible to receive Waste collection services from a Collection Crew unless that Owner or Occupant complies with all relevant requirements of this By-law.
- (c) No person shall set out for collection, by a Collection Crew, any reusable Container which is not maintained in a manner that allows for the safe collection of Waste.
- (d) No Owner or Occupant shall permit any Waste that has been set out for collection to blow away or otherwise escape in any manner prior to collection.
- (e) Where Waste that has been set out for collection has blown away or otherwise escaped in any manner, the Owner or Occupant of the property from which the Waste originated, shall clean up the Waste.
- (f) No Owner or Occupant shall set out for collection, or, allow, acquiesce in or cause to be set out for collection, any Garbage unless:
  - (i) all wet Garbage is drained and placed in a leak-proof container or bag prior to placement in a Container;
  - (ii) Ashes are cold and placed in a self-contained container separate from other types of Waste; and
  - (iii) all non-returnable Garbage bags are tied securely.
- (g) No Owner or Occupant of an Eligible Property shall set out for collection, or allow, acquiesce in or cause to be set out for collection, by a Collection Crew, any Recyclable Materials unless:
  - (i) all Recyclable Containers are empty. All lids must be removed. Metal lids are to be placed in the Container for Recyclable Materials and all plastic lids are to be disposed of as Garbage;
  - (ii) plastic shopping bags shall be accumulated and placed in an empty plastic shopping bag, securely tied and placed in the Container for Recyclable Materials with the Recyclable Containers;
  - (iii) corrugated cardboard, boxboard and paper egg cartons are flattened and bundled securely and in a size not to exceed 0.75 metres by 0.75 metres by 0.2 metres, and placed beside the Container for Recyclable Materials, or placed

- loosely in a Recyclable Materials Container with the Recyclable Fibres;
- (iv) newsprint, magazines, telephone books, fine paper and flyers are placed loosely in a Container for Recyclable Materials with the Recyclable Fibres;
  - (v) non-returnable clear or see-through plastic bags used as Containers for Recyclable Materials are tied securely;
  - (vi) each Container for Recyclable Materials is in a safe condition for handling by the Collection Crew;
  - (vii) it is in a Container for Recyclable Materials or bundle whose combined weight and contents does not exceed 13 kilograms; and
  - (viii) no Recyclable Materials are frozen to or in any way attached to or in a condition in which they cannot discharge freely from any reusable Container for Recyclable Materials.
- (h) No Owner or Occupant of an Eligible Property shall set out for collection, or allow, acquiesce in or cause to be set out for collection, by a Collection Crew, any Leaf and Yard Waste unless:
- (i) where it is brush and woody material, it is tied in bundles of not more than 1.2 metres in length and 0.75 metres in diameter and each bundle weighs no more than 23 kilograms;
  - (ii) individual branches do not exceed 0.7 metres in diameter; and
  - (iii) where paper Leaf and Yard Waste bags are used, the tops are folded over.
- (i) No Owner or Occupant of an Eligible Property shall set out for collection, or allow, acquiesce in or cause to be set out for collection, by a Collection Crew, any Bulk Waste unless:
- (i) each Bulk Waste item weighs no more than 90 kilograms;
  - (ii) all Bulk Waste items are broken down or dismantled so that the parts or pieces do not exceed 1.2 metres in length;
  - (iii) all moveable parts within the Bulk Waste item are shall be secured (for example, sofa beds);
  - (iv) all carpets are rolled and securely tied; and
  - (v) all batteries and light bulbs are removed.
- (j) No Owner or Occupant shall set out for collection, or allow, acquiesce in or cause to be set out for collection, any White Goods unless;
- (i) the doors have been removed, and set beside the unit; and
  - (ii) all contents have been removed.



- (k) No person shall set out Waste for collection by a Collection Crew, except in a location as close as practicable to the travelled portion of the Street.
- (l) No person shall set out Waste for collection in such a manner so as to obstruct vehicular or pedestrian traffic.

## 8.2 Containers, Quantity, Frequency and Preparation of Waste for Collection

No Owner or Occupant shall set out for collection, or allow, acquiesce in, or cause to be set out for collection, by a Collection Crew, any Waste except in accordance with the following provisions for the respective properties and Wastes described below.

### 8.2.1 Single Family Residential Dwellings

#### 8.2.1.1 Garbage

- (a) The only acceptable Containers for Garbage are:
  - (i) a rigid reusable Container having:
    - (1) a lid which is readily separable from the Container, which, when covered, is watertight;
    - (2) handles that are attached or molded to the exterior of the Container;
    - (3) a volume of less than 135 litres; and
    - (4) a diameter which is smaller at the bottom than at the top;
  - (ii) non-returnable plastic Garbage bags capable of being closed or tied and containing not more than 23 kilograms of Garbage; and
  - (iii) a sealed cardboard box containing only broken glass and marked "GLASS" so that is visible to the Collection Crew.
- (b) Subject to clause 8.2.1.1(c) below, no more than six (6) Containers for Garbage may be set out for collection on the scheduled Collection Day.
- (c) Effective April 1, 2006, no more than three (3) Containers for Garbage may be set out for collection on the scheduled Collection Day.
- (d) Garbage may be set out for collection not more than once per week on the scheduled Collection Day.

#### 8.2.1.2 Recyclable Materials

- (a) The only acceptable Containers for Recyclable Materials are:

- (i) a container for Recyclable Materials issued by the City under the City's recycling program;
  - (ii) any coloured plastic container, comparable in size and dimension to the container for Recyclable Materials issued by the City under its recycling program; and
  - (iii) non-returnable clear or translucent plastic bags for each type of Recyclable Material.
- (b) The weight of a Container for Recyclable Materials and its contents shall not exceed 13 kilograms.
  - (c) There is no limit on the number of Containers for Recyclable Materials or the quantity of Recyclable Materials that may be set out for collection.
  - (d) Recyclable Materials may be set out for collection not more than once per week on the scheduled Collection Day(s).

8.2.1.3 Leaf and Yard Waste, where collection is provided:

- (a) The only acceptable Containers for Leaf and Yard Waste are:
  - (i) a rigid reusable Container for Leaf and Yard Waste, provided that the lid is removed when the Container is set out for collection;
  - (ii) kraft paper bags with the tops folded to prevent precipitation from entering; and
  - (iii) bushel baskets.
- (b) Branches, brush and woody material must be tied in bundles not more than 1.2 metres in length and 0.75 metres in diameter, without a Container.
- (c) Individual branches shall not exceed 0.7 metres in diameter.
- (d) The maximum combined weight of each Container for Leaf and Yard Waste and its contents, or a bundle, shall not exceed 23 kilograms.
- (e) There is no limit on the number of Containers for Leaf and Yard Waste or bundles that may be set out for collection.
- (f) Leaf and Yard Waste may be set out for collection not more than once every two weeks during the designated collection season on the scheduled Collection Day, except where it is set out in a Container for Organic Waste.

8.2.1.4 Organic Waste, where collection is provided

- (a) The only acceptable Container for Organic Waste is a green rigid reusable container for Organic Waste with a capacity between 46

litres and 240 litres issued by the City under its Organic Waste program.

- (b) Every Container for Organic Waste must be equipped and maintained with handles, wheels and an attached lid with a spring to prevent invasion by animals.
- (c) There is no limit on the number of Containers for Organic Waste that may be set out for collection.
- (d) Organic Waste may be set out for collection not more than once per week on the scheduled Collection Day.

#### 8.2.1.5 Christmas Trees

- (a) Only natural Christmas Trees will be collected.
- (b) Christmas Trees will not be collected if they are in plastic bags or any other container.
- (c) Christmas Trees will not be collected if all tinsel, decorations and ornaments have not been removed.
- (d) There is no limit on the number of Christmas Trees that may be set out for collection.
- (e) Christmas Trees may only be set out for collection during a *two* (2) week period in January on the scheduled Collection Day.

#### 8.2.1.6 Bulk Waste

- (a) Not more than eight (8) Bulk Waste items shall be set out for collection.
- (b) The weight of each Bulk Waste item shall not exceed 90 kilograms.
- (c) Bulk Waste may only be set out for collection on the scheduled Collection Day.

#### 8.2.1.7 White Goods

- (a) Not more than four (4) White Goods shall be set out for collection on the scheduled Collection Day.
- (b) White Goods may be set out for collection on the scheduled Collection Day on a call-in basis, provided that the call is made to the City prior to noon on the Friday prior to the scheduled collection.
- (c) The Owner or Occupant shall pay, in advance, the White Goods disposal fee as set out in **Schedule "B"** to this By-law, for each White Good which contains chlorofluorocarbons (CFC's).

- (d) A sticker acquired from the City must be applied to a White Good containing CFC's, prior to the White Good being set out for collection.

## 8.2.2 Multi-family Residential Dwellings, Eligible Commercial Properties, Churches, Properties in Special Policy Areas

### 8.2.2.1 Garbage

- (a) Multi-family residential dwellings, eligible commercial properties, churches and properties in Special Policy Areas may only receive Garbage collection by a Collection Crew if they also participate in the City's recycling program and Organic Waste program, where those programs are provided by the City.
- (b) The only acceptable Containers for Garbage are:
  - (i) a Bin Container not exceeding 6.12 cubic metres in size for loose Garbage; and
  - (ii) a Bin Container not exceeding 2.293 cubic metres for compacted Garbage.
- (c) Not more than three (3) Bin Containers may be set out for collection on the scheduled Collection Day.
- (d) Bin Containers may be set out for collection not more than three (3) times per week on the scheduled Collection Day.

### 8.2.2.2 Recyclable Materials

- (a) The only acceptable Containers for Recyclable Materials are:
  - (i) a rigid reusable container for Recyclable Materials having a hinged lid, wheels and a volume not exceeding 364 litres, issued by the City under the City's recycling program;
  - (ii) a rigid reusable container, comparable in all respects to the container for Recyclable Materials issued by the City under its recycling program; and
  - (iii) non-returnable clear or translucent plastic bags.
- (b) There is no limit on the number of Containers for Recyclable Materials that may be set out for collection.
- (c) Recyclable Fibres and Recyclable Containers shall not be placed in the same Container for Recyclable Materials.
- (d) Recyclable Materials may be set out for collection once per week on the scheduled Collection Day.

### 8.2.2.3 Leaf and Yard Waste, where collection is provided

- (a) The only acceptable Containers for Leaf and Yard Waste are:

- (i) a rigid reusable Container for Leaf and Yard Waste, provided that the lid is removed when the Container for Leaf and Yard Waste is set out for collection;
  - (ii) kraft paper bags with the tops folded to prevent precipitation from entering; and
  - (iii) bushel baskets.
- (b) Branches, brush and woody material must be tied in bundles not more than 1.2 metres in length and 0.75 metres in diameter, without a Container for Leaf and Yard Waste.
  - (c) Individual branches shall not exceed 0.7 metres in diameter.
  - (d) The maximum combined weight of each Container for Leaf and Yard Waste and its contents, or a bundle, shall not exceed 23 kilograms.
  - (e) There is no limit on the number of Containers for Leaf and Yard Waste, or bundles that may be set out for collection.
  - (f) Leaf and Yard Waste may be set out for collection not more than once every two weeks during the designated collection season on the scheduled Collection Day, except where it is set out in a Container for Organic Waste.

#### 8.2.2.4 Organic Waste, where collection is provided

- (a) The only acceptable Container for Organic Waste is a green rigid reusable container for Organic Waste with a capacity between 46 litres and 240 litres issued by the City under its Organic Waste program.
- (b) Every Container for Organic Waste must be equipped and maintained with handles, wheels and an attached lid with a spring to prevent invasion by animals.
- (c) There is no limit on the number of Containers for Organic Waste that may be set out for collection.
- (d) Organic Waste may be set out for collection not more than once per week on the scheduled Collection Day.

#### 8.2.2.5 Christmas Trees

- (a) Only natural Christmas Trees will be collected.
- (b) Christmas Trees will not be collected if they are in plastic bags or any other Container.
- (c) Christmas Trees will not be collected if all tinsel, decorations and ornaments have not been removed.

- (d) There is no limit on the number of Christmas Trees that may be set out for collection.
- (e) Christmas Trees may only be set out for collection during the first two (2) full weeks of January on the scheduled Collection Day.
- (f) Christmas Trees will not be collected from Christmas Tree vendors.

#### 8.2.2.6 Bulk Waste

- (a) Not more than eight (8) Bulk Waste items may be set out for collection.
- (b) The weight of each Bulk Waste item shall not exceed 90 kilograms.
- (c) Bulk Waste may only be set out for collection on the scheduled Collection Day, except that vertical multi-family residential dwellings with six (6) or more dwelling units may receive Bulk Waste collection on a weekly call-in basis provided that the call is made to the City prior to noon on the Friday prior to the week in which it is to be collected.

#### 8.2.2.7 White Goods

- (a) Not more than four (4) White Goods may be set out for collection.
- (b) White Goods may be set out for collection on a call-in basis on the scheduled Collection Day, provided that the call is made to the City prior to noon on the Friday prior to the scheduled Collection Day.
- (c) The Owner or Occupant shall pay, in advance, the White Goods disposal fee as set out in **Schedule "B"** to this By-law, for each White Good which contains chlorofluorocarbons (CFC's).
- (d) A sticker acquired from the City must be applied to a White Good containing CFC's, prior to the White Good being set out for collection.

### 8.2.3 Elementary and Secondary Schools

#### 8.2.3.1 Recyclable Materials

- (a) The only acceptable Containers for Recyclable Materials are:
  - (i) a rigid reusable container for Recyclable Materials having a hinged lid, wheels and a volume not exceeding 364 litres, issued by the City under the City's recycling program;
  - (ii) a rigid reusable container, comparable in all respects to the container for Recyclable Materials issued by the City under its recycling program;

- (iii) a Bin Container not less than 2.293 cubic metres in size and not more than 6.12 cubic metres in size, for Recyclable Fibres only; and
- (iv) non-returnable clear or translucent plastic bags.
- (b) There is no limit on the number of Containers for Recyclable Materials that may be set out for collection.
- (c) Recyclable Fibres and Recyclable Containers shall not be placed in the same Container for Recyclable Materials.
- (d) Recyclable Materials may be set out for collection not more than once per week on the scheduled Collection Day.

#### 8.2.3.2 Organic Waste, where collection is provided

- (a) The only acceptable Container for Organic Waste is a green rigid reusable container for Organic Waste with a capacity between 46 litres and 240 litres issued by the City under its Organic Waste program.
- (b) Every Container for Organic Waste must be equipped and maintained with handles, wheels and an attached lid with a spring to prevent invasion by animals.
- (c) There is no limit on the number of Containers for Organic Waste that may be set out for collection.
- (d) Organic Waste may be set out for collection not more than once per week on the scheduled Collection Day.

#### 8.2.3.3 Christmas Trees

- (a) Only natural Christmas Trees will be collected.
- (b) Christmas Trees will not be collected if they are in plastic bags or any other Container.
- (c) Christmas Trees will not be collected if all tinsel, decorations and ornaments have not been removed.
- (d) There is no limit on the number of Christmas Trees that may be set out for collection.
- (e) Christmas Trees may only be set out for collection during the first two (2) full weeks of January on the scheduled Collection Day.

## 9.0 WASTE MANAGEMENT FACILITIES

### 9.1 Transfer Stations

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- (a) No person shall deliver or dispose of or allow or cause to be delivered or disposed of any Waste at the Transfer Stations other than Acceptable Waste at Transfer Stations.
- (b) Private Haulers, operators of Commercial Vehicles and operators of Residential Vehicles who transport Waste to the Transfer Stations for disposal, shall pay fees as set out in **Schedule "B"** to this By-law.
- (c) Collection Crews who transport Acceptable Waste at Transfer Stations to the Transfer Stations for disposal shall not be liable to pay the fees set out in **Schedule "B"** to this By-law.
- (d) No Garbage originating from outside the City shall be accepted at a Transfer Station.
- (e) All Waste deposited at a Transfer Station shall become the property of the City and no person shall scavenge or remove any Waste from a Transfer Station.
- (f) All Waste deposited at a Transfer Station shall be the property of the City and may be salvaged, recycled, reclaimed, disposed of and otherwise dealt with as the City may deem fit.
- (g) No person, while at a Transfer Station, shall operate a vehicle or do any other thing without exercising due care and attention or in a manner that causes or is likely to cause injury or harm to any person or damage to any property.
- (h) No person, while at a Transfer Station, shall:
  - (i) indulge in any riotous, violent, threatening or illegal conduct, or use profane or abusive language; or
  - (ii) create a nuisance or in any way interfere with the use of the Transfer Station by any other person.
- (i) No person operating a vehicle at a Transfer Station shall allow any child, who is under the age of fourteen (14) years, and is under the person's care, custody or control, to be outside of any vehicle at a Transfer Station.
- (j) No person shall deposit or allow or cause to be deposited any Waste except in the disposal areas of a Transfer Station so designated for such purposes.
- (k) Any person using a Transfer Station shall at all times obey all signs and directions of all City staff and Contractor(s) at any Transfer Station.
- (l) All persons shall enter or exit a Transfer Station by the designated access and exit routes.



- (m) No person shall convey, or allow or cause to be conveyed, any Waste for disposal to a Transfer Station which is not contained in fully enclosed vehicle bodies, or totally enclosed or covered in canvas, tarpaulins or nets, and leak-proof so as to prevent any of the contents from falling upon the ground.
- (n) No person shall dispose of, or allow or cause to be disposed of, any Waste at a Transfer Station that is not properly drained or dried so that it does not contain any visible evidence of free water, or other liquids.

## 9.2 **City Landfill Site**

No person shall deliver Waste to the City Landfill Site, except for the following:

- (a) Contractors operating transfer vehicles and delivering Waste for disposal;
- (b) City staff or Contractors operating vehicles and delivering catch basin sludge or Street sweepings;
- (c) City staff or Contractors operating vehicles and delivering grit and scum sludge from the City's Woodward Avenue Wastewater Treatment Plant; and
- (d) City staff or Contractors operating vehicles and delivering Leaf and Yard Waste.

## 9.3 **Materials Recycling Facility**

- (a) No Contractor shall deliver, dispose of, or allow or cause to be delivered or disposed of any Waste at the Materials Recycling Facility other than Recyclable Materials.
- (b) All Recyclable Materials at the Materials Recycling Facility shall become the property of the City and no person shall scavenge or remove any Recyclable Materials from the Materials Recycling Facility.
- (c) All Recyclable Materials deposited at the Materials Recycling Facility shall be the property of the City and may be salvaged, recycled, reclaimed, disposed of and otherwise dealt with as the City may deem fit.
- (d) Any Contractor using the Materials Recycling Facility shall at all times obey all signs and directions of all City staff and the Contractor(s) operating the Materials Recycling Facility.
- (e) All Contractors shall enter or exit the Materials Recycling Facility by the designated access and exit routes only.

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- (f) No Contractor shall convey, or allow or cause to be conveyed, any Recyclable Materials to the Materials Recycling Facility which are not contained in fully enclosed vehicle bodies, or totally enclosed or covered in canvas, tarpaulins or nets, and leak-proof so as to prevent any of the contents from falling upon the ground.

## 10.0 REPEAL

By-law R80-098, as amended, By-law 96-23 as amended by By-law 96-80, By-law 3501-84, By-law 96-14-G, By-law 85-159, and By-law 5095-00, and all other amendments thereto, are hereby repealed.

## 11.0 EFFECTIVE DATE

This By-law shall come into force and effect on the day it is passed and enacted, except for the following:

- (a) clause 8.2.1.1(c) which shall come into force and effect on April 1, 2006; and
- (b) Sections A(1), A(3) and A(4) of **Schedule "B"** which shall be deemed to have come into force and effect on May 16, 2005.

**PASSED and ENACTED** this 29<sup>th</sup> day of June, 2005.

MAYOR

CLERK

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**INDEX OF SCHEDULES**

**A METRIC CONVERSION**

**B WASTE DISPOSAL FEES**

**SCHEDULE "A"**

**METRIC CONVERSION**

0.2 METRES	=	.66 FEET	
0.3 METRES	=	.98 FEET	
0.6 METRES	=	1.97 FEET	
0.7 METRES	=	2.3 FEET	
0.75 METRES	=	2.5 FEET	
1.2 METRES	=	3.94 FEET	
2 METRES	=	6.56 FEET	
2.293 CUBIC METRES	=	3 CUBIC YARDS	
6.12 CUBIC METRES	=	8 CUBIC YARDS	
135 LITRES	=	29.7 GALLONS	
140 LITRES	=	37 GALLONS	
240 LITRES	=	63.4 GALLONS	
364 LITRES	=	96.1 GALLONS	
2.3 KILOGRAMS	=	5.07 POUNDS	
13 KILOGRAMS	=	28.66 POUNDS	
23 KILOGRAMS	=	50.7 POUNDS	
90 KILOGRAMS	=	198.5 POUNDS	
100 KILOGRAMS	=	220 POUNDS	
150 KILOGRAMS	=	330 POUNDS	
1000 KILOGRAMS	=	1 TONNE	= 2200 POUNDS
1001 KILOGRAMS	=	1.003 TONNES	= 2206.6 POUNDS
3000 KILOGRAMS	=	3 TONNES	= 6600 POUNDS
3001 KILOGRAMS	=	3.007 TONNES	= 6615.4 POUNDS
6000 KILOGRAMS	=	6 TONNES	= 13,200 POUNDS
6001 KILOGRAMS	=	6.01 TONNES	= 13,222 POUNDS
9000 KILOGRAMS	=	9 TONNES	= 19,800 POUNDS

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**SCHEDULE 'B'**

**WASTE DISPOSAL FEES**

<b>A.</b>	<b><u>WASTE DISPOSAL ACTIVITY</u></b>	<b><u>FEE**</u></b>
1)	Residential Vehicles transporting Garbage	\$7.50 per visit for the first 100 kg or part thereof; \$0.075 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	\$9.00 per visit per 100 kg. or part thereof *
4)	Commercial Vehicles possessing a signed affidavit transporting Waste for personal use,	\$7.50 per visit for the first 100 kg or part thereof of Garbage, and \$0.075 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                      \$20.00
		2501-3000 kg                    \$40.00
		3001-6000 kg                   \$65.00
		6001-9000 kg                   \$85.00
		over 9000 kg                    \$150.00
8)	White Goods disposal fee (payable in advance for each White Good containing CFC's)	\$20.00 per White Good

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

\*\* GST included

**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.