

Authority: Item 1, Committee of the Whole
Report; 06-023 (FCS060114/PW06137)
CM: December 13, 2006

Bill No. 347

CITY OF HAMILTON

BY-LAW NO. 06-347

**To Amend the Solid Waste Management By-law 05-190
and Implement the 2006 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, a municipality may pass by-laws imposing fees or charges on any class of persons 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 the 14th day of December, 2005, the Council of the City of Hamilton did approve of Item 1 of Committee of the Whole Report 05-025 and did authorize the 2006 tax supported fees and charges, including the waste management fees and charges set out herein effective January 1, 2006;

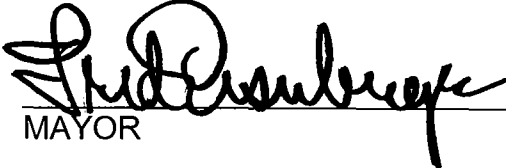
AND WHEREAS notice of the waste management fees and charges set out herein has been given in a form and in the manner and at the times that the Council considers adequate and otherwise in accordance with the provisions of the said *Municipal Act, 2001*.

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

1. That Schedule "B" to By-law No. 05-190 be repealed and that Schedule "B" attached to this by-law be substituted therefor.
2. That this by-law shall be deemed to have come into force and effect as of January 1, 2006.

3. In all other respects, the contents of By-law 05-190, as amended, including but not limited to all other fees and charges therein, are hereby confirmed as unchanged.

PASSED AND ENACTED this 13th day of December, 2006.


MAYOR


CLERK

SCHEDULE 'B'

WASTE DISPOSAL FEES

A. <u>WASTE DISPOSAL ACTIVITY</u>	<u>FEE</u>										
1) Residential Vehicles transporting Garbage	\$7.50 per visit for the first 100 kg or part thereof; \$0.1015 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	\$10.15 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 \$0.1015 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	<table border="0"> <tr> <td>0-2500 kg</td> <td>\$20.00</td> </tr> <tr> <td>2501-3000 kg</td> <td>\$40.00</td> </tr> <tr> <td>3001-6000 kg</td> <td>\$65.00</td> </tr> <tr> <td>6001-9000 kg</td> <td>\$85.00</td> </tr> <tr> <td>over 9000 kg</td> <td>\$150.00</td> </tr> </table>	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
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8) White Goods disposal fee (payable in advance of collection for each White Good containing CFC's)	\$21.00 per White Good. No charge if White Good is delivered to the Transfer Station (except Kenora Transfer Station) by the Owner or Occupant.
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* 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.