

# Municipal Waste & Resource Materials Collection By-law

WM-12 – Consolidated October 2, 2018

**As Amended by:**

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**OFFICE CONSOLIDATION  
INCLUDING AMENDMENT WM-12-180015  
(October 2, 2018)**

**WASTE MANAGEMENT**

**By-law WM-12**

**A by-law to provide for the  
COLLECTION OF MUNICIPAL WASTE AND RESOURCE MATERIALS  
IN THE CITY OF LONDON**

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**SHORT TITLE**  
**MUNICIPAL WASTE AND RESOURCE MATERIALS COLLECTION BY-LAW**

**Part 1**  
**DEFINITIONS**

**1.1 Definitions**

In this by-law:

**Animal Hospital - defined**

"animal hospital" shall mean an institution for the treatment and care of sick or wounded animals and includes a veterinary clinic.

**Blue Box - defined**

"Blue Box" shall mean a rigid plastic container that can be hung on the side of a recycling collection vehicle, the design and dimensions of which is detailed specifically by drawings which are obtainable from the City Engineer.

**Brush - defined**

"brush" shall include tree limbs, branches, shrubs and twigs.

**Christmas tree(s) – defined**

"Christmas trees" shall mean natural (as opposed to artificial) coniferous trees less than 3 metres (10 feet) in height, and free of all decorations and coverings.

**City - defined**

"City" shall mean The Corporation of the City of London.

**City Engineer – defined**

"City Engineer" means the City Engineer - Environmental & Engineering Services & City Engineer for the City.

**Clinic - defined**

"clinic" shall mean any private establishment for the treatment of persons with an infirmity or illness.

**Collection - defined**

"collection" shall mean the activity of removing municipal waste or resource materials that originate from premises within the City of London by employees of the City or persons, firms or corporation under contract with the City.

**Collection point - defined**

"Collection point" shall mean a location approved by the City Engineer for municipal waste and resource materials' pick-up by the Collector.

**Collector - defined**

"Collector" shall mean any City employee or person under contract by the City to collect municipal waste and resource materials under the provisions set forth in this by-law.

**Commercial enterprise - defined**

"commercial enterprise" shall mean any establishment set up for the purposes of providing goods and/or services for profit, but does not include manufacturing or industrial enterprises.

**Commercial premises - defined**

"commercial premises" shall mean a specific property under registered ownership, including all buildings and accessory structures thereon, at which a commercial enterprise is conducted.

**Commercial waste - defined**

"commercial waste" shall mean waste incidental to a commercial enterprise, including waste produced directly from a retail activity but shall not include trade waste.

**Construction materials - defined**

"construction materials" shall include pieces of plaster, lumber, broken concrete, excavated material, wall board, siding or any other waste material resulting from the construction, alteration, repair, demolition or removal of any building or structure,

including a fence.

**Dwelling Unit – defined**

“Dwelling Unit” means a single room or a series of rooms of complementary use which is located in a building, in which food preparation, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants thereof, which has a private entrance directly from outside the building or from a common hallway inside the building, in which all occupants have access to all of the habitable areas and facilities of the unit, and which is occupied and used or capable of being occupied and used as a single and independent housekeeping establishment.

**Fall leaves - defined**

“fall leaves” shall mean leaves that are on the ground between October 1 and December 15 and are subject to a separate collection program as defined by the City Engineer.

**Garbage - defined**

"garbage" shall include all drained animal and vegetable waste material from the preparation of food, sweepings, ashes, discarded household utensils and wearing apparel, ceramics, multi-material products and packages, non-recyclable glass containers, dog, cat and other pet feces and litter placed inside a sealed and leak-free bag, diapers placed in a sealed and leak-free bag, and other materials as designated by the City Engineer from time to time.

**Garbage tag – defined**

“garbage tag” shall mean a purchased sticker, tab, tie or label approved by the City Engineer for the purpose of identifying a garbage receptacle set out for collection in accordance with Sections 4.1.3 and 5.1.3.

**Grass clippings - defined**

“Grass clippings” shall mean the clippings produced from a lawn mower or lawn trimmer used on residential curbside premises and commercial premises.

**Household special waste - defined**

“household special waste” shall include aerosol cans containing product, bleach, cleansers, drain cleaners, flashlight batteries, flea powder, medicine, nail polish and remover, oven cleaners, photographic chemicals, thermometers/thermostats, antifreeze, car batteries, brake fluid, gasoline, glues, motor oil, oil filters, paint, paint thinners, solvents, turpentine, fertilizers, herbicides, insecticides, pesticides, pool chemicals, propane tanks and propane cylinders.

**Household special waste depot - defined**

“household special waste depot” shall mean a location designated by the City Engineer at which residents may drop off identified household special waste in accordance with the posted regulations.

**Hospital - defined**

"Hospital" shall mean an institution for the treatment and care of sick, wounded persons or persons with infirmities, but does not include clinics or nursing homes.

**Lodging House Class 1 – defined**

“Lodging House, Class 1” means a residential building which is used to provide lodging units for hire or gain directly or indirectly to three or fewer persons with or without meals. A lodging house, class 1, shall not include a nursing home, hotel, motel, hostel, group home, bed and breakfast establishment, emergency care establishment, or a residence or educational institution.

**Lodging House Class 2 – defined**

“Lodging House, Class 2” means a residential building which is used to provide lodging units for hire or gain directly or indirectly to more than three persons, with or without meals. A lodging house, class 2, shall not include a nursing home, hotel, motel, hostel, group home, bed and breakfast establishment, emergency care establishment, or a residence of an educational institution.

**Lodging Unit – defined**

“Lodging Unit” means a room with sleeping facilities, either alone or in conjunction with another room or rooms, in a Lodging House, Class 1, or a Lodging House, Class 2.

**Metal bin - defined**

"metal bin" shall mean a container with or without casters, the design and dimensions of which is detailed specifically by drawings which are obtainable from the City Engineer.

**Multi-family building premises - defined**

"multi-family building premises" shall include any multi family dwelling unit in an apartment or condominium building with more than 25 units in a vertical structure greater than two storeys in height.

**Multi-family waste - defined**

"multi-family waste" shall include garbage but shall not include rubbish or non-collectable waste.

**Municipally approved organization for recyclable material collection - defined**

"Municipally approved organization for recyclable material collection" shall mean not-for-profit organizations such as Churches, day-care, which have been designated by the City Engineer to receive recyclable material collection.

**Municipal waste - defined**

"municipal waste" shall include garbage and/or rubbish collected from residential curbside premises, garbage from multi-family building premises and commercial waste collected from commercial premises.

**Non-collectable waste - defined**

"non-collectable waste" shall include but not be limited to grass clippings, washers, dryers, refrigerators, stoves, dehumidifiers, freezers and air conditioners, televisions, monitors, computers, computer peripherals, printers, copying and multi-function copying devices, telephones, answering machines, cellular devices, pagers, image devices, audio and video devices; explosives, flammable or volatile substances, liquid or gaseous wastes, caustic substances and acids, poisons, pesticides, herbicides, radioactive materials, septic tank pumpings, industrial process sludge, biohazardous waste, infected materials including dressings and bandages not placed inside a sealed and leak-free bag; hay, straw, manure and excreta from farm premises; live animals or birds, carcasses or parts thereof of any animal or bird save for food preparation and consumption wastes; stock of any wholesaler or retailer, trade waste; tree trunks and stumps; trucks, automobiles or any other vehicle, vehicle parts; tires; construction materials; scrap metals, propane tanks; sharps not packaged and labelled in rigid containers; organic material which has not been drained of all liquids; and other materials as designated by the City Engineer from time to time.

**Non-recyclable material - defined**

"non-recyclable material" shall include any material that is not a recyclable material as defined herein. From time to time the City Engineer may designate other materials as non-recyclable material.

**Nursing home - defined**

"nursing home" shall mean an institution for the long-term treatment and care of sick, wounded, infirm or aged persons.

**Occupant - defined**

"occupant" shall include any lessee, tenant, owner, agent of a lessee, tenant owner, or any person in control of a premise.

**Premises - defined**

"premises" shall include any building, dwelling place, room, apartment, condominium, townhouse, hotel, motel, restaurant, shop, store, office, shopping centre, parking lot and any place which is under separate occupation or control.

**Private contractor - defined**

"private contractor" shall mean any person, firm, or corporation who collects municipal waste or resource materials from premises within the City and includes all persons who dispose of waste from their own premises, but does not include employees of the City or persons, firms or corporation under contract with the City for the collection of municipal waste or resource materials.

**Receptacles - defined**

"receptacles" shall include recyclable material collection receptacles, waste collection receptacles and yard material collection receptacles

**Recyclable material - defined**

"recyclable material" shall mean material designated from time to time by the City Engineer as recyclable and for which alternative collection regulations apply.

**Recyclable material collection receptacles - defined**

"recyclable material collection receptacles" shall include a Blue Box, see-through blue bags, clear bags, plastic shopping bags only for paper products and other receptacles as designated by the City Engineer from time to time for residential curbside premises.

**Recyclable material depot - defined**

"recyclable material depot" shall mean a location designated by the City Engineer at which residents or their agents may drop off identified recyclable material in accordance with the posted regulations.

**Recycling Storage Cart**

"recycling storage cart" shall mean 285 or 420 litre (65 or 95 gallon) "North American" standard rollout carts with lids on rubber wheels and other receptacles as designated by the City Engineer from time to time for multi-family premises.

**Residential curbside premises - defined**

"Residential curbside premises" shall include any single family dwelling, apartment building with less than 25 units, condominium and townhouse.

**Residential waste - defined**

"residential waste" shall include garbage and rubbish collected from residential curbside premises.

**Resource materials - defined**

"resource materials" shall include recyclable material, yard material and Christmas trees collected from residential curbside premises.

**Roadway- defined**

"roadway" shall mean the part of a street that is improved, designed or ordinarily used for vehicular traffic.

**Rubbish - defined**

"rubbish" shall mean weighty or bulky materials or articles including furniture, mattresses, cloth covered box springs, small area rugs, carpets cut in 1.2 metre (4 feet) lengths and bundled, crates, barrels, non-collapsible boxes, non-metal bath tubs, and any other materials and articles which would normally accumulate at a household excluding garbage and resource materials.

**Scrap metal - defined**

"scrap metal" shall include but not be limited to water tanks, box springs, metal lawn furniture, bicycles, barbecues, propane tanks and auto parts.

**Street - defined**

"street" shall mean a highway, road, lane, avenue, court, boulevard, square, place, crescent or other public way under the jurisdiction of the City.

**Trade waste - defined**

"trade waste" shall mean waste produced directly from a manufacturing or industrial activity at any manufacturing or industrial enterprise and waste produced as a processing or manufacturing activity at a commercial enterprise.

**Waste - defined**

"waste" shall include garbage, and rubbish, but shall not include non-collectable waste or resource materials as defined herein.

**Waste collection receptacles - defined**

"waste collection receptacles" shall include metallic or plastic cans, polyethylene bags and metal bins.



**Waste collection receptacles enclosure - defined**

“waste collection receptacles enclosure” shall mean a designated area to store waste collection receptacles, the design, dimensions and location of which must be approved by the City Engineer.

**Yard material - defined**

"yard material" shall mean material designated from time to time by the City Engineer as compostable and for which alternative collection regulations apply. Yard material shall include garden trimmings, hedge trimmings, leaves, fall leaves, brush, Christmas trees, and vegetable and plant matter. Yard material does not include grass clippings.

**Yard material collection receptacles - defined**

“yard material collection receptacles” shall include metallic or plastic cans, paper yard waste bags, and translucent certified compostable bags, but shall not include polyethylene bags.

**Yard material depot - defined**

"yard material depot" shall mean a location designated by the City Engineer at which residents or their agents may drop off identified yard material and bagged grass clippings in accordance with the posted regulations.

**Part 2****GENERAL PROVISIONS - ADMINISTRATIVE MATTERS****2.1 Administration of by-law**

This by-law shall be administered by the City Engineer.

**2.2 Application of by-law**

This by-law shall be applicable to residential waste, multi-family waste, commercial waste and resource materials collection conducted by or on behalf of the City.

**2.3 Collection zones - as designated - by City Engineer**

For the purposes of residential waste, multi-family waste, commercial waste and resource materials collection, the City Engineer may direct that the City be divided into collection zones and he/she may fix a day or days on which residential waste, multi-family waste, commercial waste and resource materials may be collected in said collection zones.

**2.4 Owners - duty to supply garbage calendar to tenants**

All property owners of rented or leased premises, including their agents and/or property management firms, shall ensure that a copy of the applicable and current City Garbage and Recycling Calendar for residential premises or the City Garbage Calendar for commercial premises, is located on site for each tenant of the rental or leased premises.

**2.5 Boulevard – maintaining free of municipal waste**

Every owner or occupant shall maintain the boulevard that is contiguous with their lot lines, free of municipal waste, resource materials and non-collectible waste in accordance with the requirements of this by-law.

**2.6 Garbage tag form – as approved by City Engineer**

The form of the garbage tag used to identify garbage receptacles set out for collection that exceed the maximum permitted in sections 4.1.1 (a) and 5.1.1 (a) shall be approved by the City Engineer. Use of an item to identify a garbage receptacle set out for collection that exceeds the maximum permitted in sections 4.1.1 (a) and 5.1.1 (a) other than a garbage tag in the form approved by the City Engineer is prohibited. The City Engineer may change the approved form of garbage tag as required.

**Part 3**  
**RECEPTACLES REGULATIONS FOR RESIDENTIAL WASTE, YARD MATERIAL**  
**AND COMMERCIAL WASTE COLLECTION**

**3.1 Receptacles - metallic or plastic cans - requirements for residential waste and yard material**

Occupants may place residential waste and yard material in metallic or plastic cans for collection provided the cans conform to the following regulations:

- (a) Each metallic or plastic can shall be constructed of a watertight metallic or plastic material with a properly fitting lid.
- (b) Each metallic or plastic can shall be of a capacity of not less than 30 litres (7 gallons) and no more than 125 litres (28 gallons).
- (c) Each metallic or plastic can shall have handles or indentations to facilitate the lifting and emptying of the said receptacle.
- (d) Each metallic or plastic can plus any residential waste or yard material contained therein put out for collection shall not have a weight of more than 20 kilograms (44 pounds).
- (e) Occupants shall keep all metallic or plastic cans in a satisfactory and sanitary condition.

**3.2 Receptacles - polyethylene bags - requirements for residential waste and Commercial waste**

Occupants may place residential waste and commercial waste in polyethylene bags for collection provided the polyethylene bags conform to the following regulations:

- (a) Each polyethylene bag shall be 1.5 mils (0.06 inches) or greater in thickness;
- (b) Each polyethylene bag shall be not less than 65 centimetres (25 inches) x 90 centimetres (35 inches) in size when empty;
- (c) Each polyethylene bag shall not be greater than 80 centimetres (32 inches) x 125 centimetres (50 inches) in size when empty;
- (d) Each polyethylene bag plus any waste contained therein, put out for collection, shall not weigh more than 20 kilograms (44 pounds); and
- (e) Occupants shall ensure that polyethylene bags containing residential waster are securely tied or otherwise sealed when set out for collection.

**3.3 Receptacles – paper yard waste bags – requirements for yard material**

Occupants may place yard material in paper yard waste bags provided the bags conform to the following regulations:

- (a) Each paper yard waste bag shall not exceed 100 centimetres (39 inches) in height by 76 centimetres (30 inches) in diameter;
- (b) Each paper yard waste bag plus any yard material contained therein, put out for collection, shall not weigh more than 20 kilograms (44 pounds).

**3.4 Receptacles – translucent certified compostable bags – requirements for yard material**

Occupants may place yard material in translucent certified compostable bags provided the bags conform to the following regulations:

- (a) Each translucent certified compostable bag shall not be less than 65 centimetres (25 inches) x 90 centimetres (35 inches) in size when empty.
- (b) Each translucent certified compostable bag shall not be greater than 80 centimetres (32 inches) x 125 centimetres (50 inches) in size when empty;
- (b) Each translucent certified compostable bag plus any yard material contained therein, put out for collection, shall not weigh more than 20 kilograms (44 pounds).

- (c) The translucent certified compostable bags are to be certified by Biodegradable Products Institute (BPI) US Composting Council or Bureau de normalisation du Québec (BNQ).

### **3.5 Receptacles - metal bins - requirements for multi-family waste**

Occupants of multi-family building premises may place multi-family waste for collection provided the metal bins conform to the following regulations:

- (a) Multi-family waste at multi-family premises may be set out for collection in a metal bin that has been constructed to the standards specified by the City Engineer.
- (b) Occupants shall keep all metal bins in a clean and sanitary condition.
- (c) Occupants setting out multi-family waste in metal bins for collection shall ensure that the bin's casters are lubricated to allow the bins to be easily maneuvered by one person.

### **3.6 Receptacles - Blue Box - requirements for recyclable material**

Occupants may place recyclable material in a Blue Box for collection provided the Blue Box conforms to the following regulations:

- (a) All Blue Boxes shall be constructed of blue plastic material and have indentations under the lip of the Blue Box to facilitate lifting and hanging on the recycling collection vehicle.
- (b) Each Blue Box shall be of a capacity of not less than 45 litres (10 gallons) and no more than 95 litres (21 gallons).
- (c) Each Blue Box plus any recyclable material contained therein put out for collection shall not have a combined weight of more than 18 kilograms (40 pounds).
- (d) Occupants shall keep all Blue Boxes in a satisfactory and sanitary condition.
- (e) Each see-through Blue Box shall contain only recyclable paper products or recyclable containers.

### **3.7 Receptacles - see-through Blue Bags and clear polyethylene bags - requirements for recyclable material**

Occupants may place recyclable material in see-through Blue Bags or clear polyethylene bags for collection provided the polyethylene bags conform to the following regulations:

- (a) Each see-through Blue Bag or clear polyethylene bag shall be 1.5 mils (0.06 inches) or greater in thickness;
- (b) Each see-through Blue Bag or clear polyethylene bag shall be not less than 60 centimetres (24 inches) x 75 centimetres (30 inches) in size when empty;
- (c) Each see-through Blue Bag or clear polyethylene bag shall not be greater than 80 centimetres (32 inches) x 125 centimetres (50 inches) in size when empty; and
- (d) Each see-through Blue Bag or clear polyethylene bag plus recyclable material contained therein, put out for collection, shall not weigh more than 18 kilograms (40 pounds).
- (e) Each see-through Blue Bag or clear polyethylene bag shall contain only recyclable paper products or recyclable containers.

### **3.8 Receptacles - polyethylene grocery or retail bags - recyclable paper products only**

Occupants may place recyclable paper products only into polyethylene grocery or retail bags for recyclable material collection, as designated by the City Engineer.

### **3.9 Receptacles - recycling storage carts - requirements for recyclable material**

Occupants of multi-family building premises may place recyclable material for collection provided the recycling storage carts conform to the following regulations:

- (a) Only recyclable material from multi-family premises may be set out for collection in a recycling storage cart that has been constructed to the standards specified by the City Engineer.
- (b) Occupants shall keep all recycling storage carts in a clean and sanitary condition.
- (c) Recycling storage carts containing materials other than recyclable material will not be collected.

## **Part 4**

### **COLLECTION REGULATIONS FOR RESIDENTIAL WASTE AND RESOURCE MATERIALS - PUBLIC PROPERTY**

#### **4.1 Collection – rubbish – garbage - maximum permitted – per residential premise**

- (a) Effective January 1, 2017 and subject to sections 4.1.2, 4.1.3 and 4.1.4, the total amount of garbage that will be collected from any residential curbside premises shall be limited to:
  - (i) three receptacles of garbage per Dwelling Unit per collection; or
  - (ii) one receptacle of garbage per Lodging Unit per collection.
- (b) The total amount of rubbish that will be collected from any residential curbside premises is limited to two cubic metres per collection.

#### **4.1.1 Collection – maximum permitted – per residential curbside premises**

- (a) Effective January 1, 2017 and subject to sections 4.1.2, 4.1.3 and 4.1.4 no occupant of residential curbside premises shall set out more than:
  - (i) three receptacles of garbage per Dwelling Unit per collection; or
  - (ii) one receptacle of garbage per Lodging Unit per collection.
- (b) Every occupant shall ensure that receptacles (metallic cans, plastic cans or polyethylene bags) conform to the regulations in sections 3.1 and 3.2 of this By-law.

#### **4.1.2 Collection – maximum permitted – exemption period**

Subsections 4.1(a) and 4.1.1(a) shall not apply:

- (1) during the first scheduled collection following Easter Monday, April 29, Labour Day, and December 25 each year; or
- (2) if the City Engineer exempts the occupant in writing based on compelling medical grounds.

#### **4.1.3 Collection – maximum permitted – use of garbage tag**

Effective January 16, 2017, garbage receptacles set out for collection above the limits outlined in subsection 4.1.1 (a) shall be collected if a purchased garbage tag, of a form approved by the City Engineer, is used for each garbage receptacle set out for collection above the limits described in subsections 4.1.1 (a) and in the following way:

- (1) Where receptacles as defined in section 3.1 are used, the garbage tag shall be affixed in a visible location to the top item in the receptacle;
- (2) Where receptacles as defined in Section 3.2 are used, the garbage tag shall be affixed in a visible location on the receptacle.

#### **4.1.4 Collection – maximum permitted – phased-in compliance period**

Subject to section 4.1.2, the phased-in compliance period shall end January 16, 2017. During the phased-in compliance period one additional garbage receptacle set out for collection above the limits outlined in subsection 4.1.1 (a) shall be collected.

#### **4.2 Placement for collection - residential waste and recyclable material - times - restrictions**

Occupants shall ensure that all residential waste collection receptacles and recyclable material collection receptacles except for metal bins, containing residential waste for removal by the collector, shall be placed to the edge of the roadway for day collection before 7:00 a.m. local time on the date fixed for collection, and for night collection before 7:00 p.m. local time on the day of the date fixed for collection, but in no case shall they be so placed before 6:00 p.m. local time on the day prior to the date fixed for collection.

#### **4.3 City Engineer - designate - recyclable material - yard material**

From time to time the City Engineer may designate specific types of items as recyclable material or yard material and whether recyclable material is considered a paper product or container and may direct those items so designated be set out for collection in a separate receptacle provided for such purpose or as otherwise directed.

#### **4.4 Placement for collection - yard material including fall leaves - times - restrictions**

Occupants shall ensure that all yard material collection receptacles containing yard material including fall leaves for removal by the collector, shall be placed to the edge of the roadway for collection before 7:00 a.m. local time on the Monday of the designated collection weeks for yard material and fall leaves as identified by the City Engineer.

#### **4.5 Yard material - brush - bundled - securely tied**

During the weeks designated for yard material collection, occupants shall securely tie all branches, limbs and brush in compact bundles not exceeding 1 metre (39 inches) in length, nor 20 kilograms (44 pounds) in weight. No single limb shall exceed 10 centimetres (4 inches) in diameter. The bundles shall be placed at the edge of the roadway or at designated collection points.

#### **4.6 Receptacles - emptied - removal from roadway**

Occupants shall ensure that all emptied receptacles are removed from the edge of the roadway and returned to private property on the same day as is fixed for collection.

#### **4.7 Placement for collection - residential waste and recyclable material - late - City not responsible**

The City is not responsible for the collection of residential waste and recyclable material placed at the edge of the roadway after 7:00 a.m. local time on the day fixed for day collection, or after 7:00 p.m. local time on the day of the date fixed for night collection.

#### **4.8 Placement for collection - yard material - fall leaves - late - City not responsible**

The City is not responsible for the collection of yard material including fall leaves placed at the edge of the roadway after 7:00 a.m. local time on the Monday of the designated collection weeks for yard material and fall leaves as identified by the City Engineer.

#### **4.9 Placement for collection – Christmas trees – times – restrictions**

Occupants shall ensure that Christmas trees for removal by the collector, shall be placed to the edge of the roadway for collection before 7:00 a.m. local time on the Monday of the designated collection week for Christmas trees and other yard material as identified by the City Engineer.

#### **4.10 Placement for collection – Christmas trees – late – City not responsible**

The City is not responsible for the collection of Christmas trees placed at the edge of the roadway after 7:00 a.m. local time on the Monday of the designated collection week for Christmas trees and other yard material as identified by the City Engineer.

**Part 5**  
**COLLECTION REGULATIONS FOR RESIDENTIAL WASTE AND RESOURCE MATERIALS - PRIVATE PROPERTY**

**5.1 Private property - collection from - authorized**

The City Engineer may authorize the collection of residential waste and resource materials from private property at townhouse complexes, condominium complexes, commercial, and institutional buildings.

**5.1.1 Collection – maximum permitted – private property**

- (a) Subject to sections 5.1.2, 5.1.3 and 5.1.4, no occupant of a townhouse complex or condominium complex shall set out more than three receptacles of garbage per Dwelling Unit per collection.
- (b) The occupant shall ensure that receptacles (metallic cans, plastic cans or polyethylene bags) conform to the regulations in sections 3.1 and 3.2 of this By-law.

**5.1.2 Collection – maximum permitted – exemption period**

Section 5.1.1(a) shall not apply;

- (1) during the first scheduled collection following Easter Monday, April 29, Labour Day and December 25 each year; o
- (2) if the City Engineer exempts the occupant in writing based on compelling medical grounds.

**5.1.3 Collection – maximum permitted – use of garbage tag**

Effective January 16, 2017, garbage receptacles set out for collection above the limits outlined in subsection 5.1.1 (a) shall be collected if a purchased garbage tag in a form approved by the City Engineer is used for each garbage receptacle set out for collection above the limits described in subsection 5.1.1 (a) and in the following way:

- (1) Where Receptacles as defined in section 3.1 are used, the garbage tag shall be affixed in a visible location to the top item in the receptacle;
- (2) Where Receptacles as defined in Section 3.2 are used, the garbage tag shall be affixed in a visible location on the receptacle.

**5.1.4 Collection – maximum permitted – phased-in compliance period**

Subject to section 5.1.2, the phased-in compliance period shall end January 16, 2017. During the phased-in compliance period one additional garbage receptacle set out for collection above the limits outlined in subsection 5.1.1 (a) shall be collected.

**5.2 Receptacles - location - requirements**

Occupants shall ensure that all receptacles are set on a smooth hard surface, in a location that is easily and safely accessible to the collection vehicle.

**5.3 Receptacles - area - maintained - accessible - safe**

Occupants shall ensure that the area surrounding the receptacles is kept clear of snow, ice, or any other obstructions including vehicles so that collection vehicles have proper access to the bins and carts.

**5.4 Private property - collection point - designated - factors**

The City Engineer may designate or authorize a specific location on a private property as a collection point. The City Engineer may consider the following factors in deciding to residential waste or resource materials' collection from private property and/or designating a collection point:

- (a) the availability of a collection point that is freely accessible for collection vehicles;
- (b) the configuration of the private streets and roadways in a townhouse or condominium complex and the ability of collection vehicles to manoeuvre on such streets and roadways;

- (c) the desirability of an enclosure for the storage of waste collection receptacles or polyethylene bags as well as the availability of a freely accessible site for such an enclosure;
- (d) requirements under the Site Plan Control Area By-law.

#### **5.5 Private property - collection point - maintenance**

Occupants shall ensure that a designated or authorized collection point is maintained free from snow, ice and any other obstructions which may impede access to the residential waste or resource materials by collection vehicles and crew.

#### **5.6 City property - collection point - as appropriate**

The City Engineer may authorize a collection point on City property should such a location be deemed appropriate.

#### **5.7 City Engineer's decision - final**

The City Engineer's decision to authorize collection from private property, as well as any decision made about the location and/or accessibility of a collection point and the necessity of a waste collection receptacle enclosure, shall be final and conclusive.

#### **5.8 Collection point - approved - placement at - only**

Occupants shall ensure that residential waste or resource materials for collection is placed at a collection point after such location receives the approval of the City Engineer and that residential waste or resource materials are not placed at any other location for collection.

#### **5.9 Collection point - maintained - clean**

Occupants shall ensure that all collection points are maintained free of residential waste or resource materials of any kind except during the period of time for setting out residential waste or recyclable material as authorized by this by-law.

#### **5.10 Storage - at collection point - enclosure - required**

Occupants shall not store residential waste at a collection point, unless a waste collection receptacle enclosure for such storage has been constructed as approved by the City Engineer.

#### **5.11 Storage - enclosure - maintained - clean - sanitary**

Occupants shall ensure that waste collection receptacle enclosures are constructed as approved by the City Engineer and maintained in a clean and sanitary manner, free from loose waste, rats, vermin and scavenging animals.

#### **5.12 Storage - enclosure - fully accessible**

Occupants shall ensure that waste collection receptacle enclosures are fully accessible to collection vehicles and crew.

#### **5.13 Placement of residential waste or recyclable material at collection point - times - restrictions**

Occupants for whom a collection point has been approved or designated shall ensure that all waste collection receptacles containing residential waste for removal by the collector or recyclable material collection receptacles containing recyclable material, shall be placed at the collection point for day collection before 7:00 a.m. local time, on the day fixed for collection, and for night collection, before 7:00 p.m. local time, on the day of the date fixed for collection, but in no case shall they be so placed before 6:00 p.m. local time on the day prior to the date fixed for collection.

#### **5.14 Placement of yard material including fall leaves at collection point - times - restrictions**

Occupants shall ensure that all yard material collection receptacles containing yard material including fall leaves for removal by the collector, shall be placed at the collection point before 7:00 a.m. local time on the Monday of the designated collection weeks for yard material and fall leaves as identified by the City Engineer.

### **5.15 Placement of Christmas trees at collection point – times – restrictions**

Occupants shall ensure that Christmas trees for removal by the collector, shall be placed at the collection point for collection before 7:00 a.m. local time on the Monday of the designated collection week for Christmas trees and other yard material as identified by the City Engineer.

## **Part 6**

### **COLLECTION REGULATIONS FOR MULTI-FAMILY WASTE AND RECYCLABLE MATERIAL - PRIVATE PROPERTY**

#### **6.1 Private property - collection from - authorized**

The City Engineer may authorize the collection of multi-family waste and recyclable material from private property at multi-family building premises.

#### **6.2 Metal bins and recycling storage carts - location - requirements**

Occupants shall ensure that all metal bins and recycling storage carts are set on a level, smooth hard surface containing a mechanism to ensure that the metal bins do not roll away, in a location that is easily and safely accessible to the collection vehicle.

#### **6.3 Metal bins and recycling storage carts - area - maintained - accessible - safe**

Occupants shall ensure that the area surrounding the metal bins and recycling storage carts is kept clear of snow, ice, or any other obstructions including vehicles so that collection vehicles have proper access to the bins and carts.

#### **6.4 Private property - collection point - designated - factors**

The City Engineer may designate or authorize a specific location on a private property as a collection point. The City Engineer may consider the following factors in deciding to authorize multi-family waste or recyclable material collection from private property and/or designating a collection point:

- (a) the availability of a collection point that is freely accessible for collection vehicles;
- (b) the configuration of the private streets and roadways in a multi-family building premise and the ability of collection vehicles to manoeuvre on such streets and roadways;
- (c) the desirability of an enclosure for the storage of waste collection receptacles or polyethylene bags as well as the availability of a freely accessible site for such an enclosure;
- (d) requirements under the Site Plan Control Area By-law.

#### **6.5 Private property - collection point - maintenance**

Occupants shall ensure that a designated or authorized collection point is maintained free from snow, ice and any other obstructions which may impede access to the multi-family waste or recyclable material by collection vehicles and crew.

#### **6.6 City property - collection point - as appropriate**

The City Engineer may authorize a collection point on City property should such a location be deemed appropriate.

#### **6.7 City Engineer's decision - final**

The City Engineer's decision to authorize collection from private property, as well as any decision made about the location and/or accessibility of a collection point and the necessity of a waste collection receptacle enclosure, shall be final and conclusive.

#### **6.8 Collection point - approved - placement at - only**

Occupants shall ensure that multi-family waste or recyclable material for collection is placed at a collection point after such location receives the approval of the City Engineer and that multi-family waste or recyclable material is not placed at any other location for collection.



**6.9 Collection point - maintained - clean**

Occupants shall ensure that all collection points are maintained free of multi-family waste or recyclable material of any kind except during the period of time for setting out multi-family waste or recyclable material as authorized by this by-law.

**6.10 Storage - at collection point - enclosure - required**

Occupants shall not store multi-family waste at a collection point, unless a waste collection receptacle enclosure for such storage has been constructed as approved by the City Engineer.

**6.11 Storage - enclosure - maintained - clean - sanitary**

Occupants shall ensure that waste collection receptacle enclosures are constructed as approved by the City Engineer and maintained in a clean and sanitary manner, free from loose waste, rats, vermin and scavenging animals.

**6.12 Storage - enclosure - fully accessible**

Occupants shall ensure that waste collection receptacle enclosures are fully accessible to collection vehicles and crew.

**6.13 Placement of multi-family waste or recyclable material at collection point**

Occupants for whom a collection point has been approved or designated shall ensure that all waste collection receptacles containing residential waste or multi-family waste for removal by the collector or recyclable material collection receptacles containing recyclable material, shall be placed at the collection point on the day determined by the City Engineer.

**Part 7  
DROP-OFF DEPOTS**

**7.1 Yard material depots - City Engineer - designate**

The City Engineer may designate a location or locations in the City at which occupants of residential properties or their agents may drop off yard material in accordance with the regulations posted at the site.

**7.2 Recyclable material depots - City Engineer - designate**

The City Engineer may designate a location or locations in the City at which occupants of residential properties or their agents may drop off recyclable material in accordance with the regulations posted at the site.

**7.3 Household special waste depots - City Engineer - designate**

The City Engineer may designate a location or locations in the City at which occupants of residential properties or their agents may drop off household special waste in accordance with the regulations posted at the site.

**Part 8  
NON-COLLECTIBLE WASTE AND NON-RECYCLABLE MATERIAL**

**8.1 Non-collectible waste -Non-recyclable material - duty to remove**

Occupants shall forthwith remove all non-collectible waste and non-recyclable material from the edge of a roadway or a collection point, that the collector refuses to collect under the terms of this by-law.

**8.2 Non-collectible waste and non-recyclable material - failure to remove - notice**

Occupants, who fail to remove non-collectible waste and non-recyclable material waste from the edge of the roadway or a collection point, shall be notified in writing by the City Engineer that the City may remove the non-collectible waste and non-recyclable material at the occupant's expense.

### **8.3 Collector may not collect - municipal waste and/or resource materials**

The collector may not collect the following municipal waste and/or resource materials from any premises:

- (a) non-collectable waste and non-recyclable material as defined by this by-law;
- (b) municipal waste contained in a waste collection receptacle that does not conform to the regulations of this by-law;
- (c) municipal waste contained in a metal bin or waste receptacle enclosure that is deemed to be inaccessible or for which the access is deemed to be hazardous to the collector;
- (d) municipal waste that is placed at a collection point that is deemed to be inaccessible to the collector;
- (e) animal or vegetable waste resulting from the preparation or consumption of food that is not thoroughly drained and packaged;
- (f) dog, cat and pet faeces and litter that is not placed inside a sealed and leak-free bag;
- (g) sharps not packaged and labelled in rigid containers;
- (h) broken glass and other sharp objects that are not properly packaged inside cardboard and tape;
- (i) yard material that is placed for collection on a date other than the week designated by the City Engineer for yard material collection;
- (j) residential waste, multi-family waste or resource materials that are not placed at either the edge of the roadway or at a designated collection point;
- (k) municipal waste that is packaged in a manner that presents a hazard to persons involved in any part of the collection process on behalf of the City.
- (l) Recyclable that has not been sorted into paper products and containers.

## **Part 9**

### **COLLECTION FROM COMMERCIAL ENTERPRISES REGULATIONS**

#### **9.1 Collection - maximum permitted - per commercial premise**

The total amount of commercial waste that will be collected from any commercial premises is 12 polyethylene bags per collection.

#### **9.2 Commercial waste**

Commercial waste shall be set out for collection in accordance with the regulations in sections 3.2, 4.2, 4.6, 4.7, 5.1 through 5.12 inclusive of this by-law.

#### **9.3 Collector may not collect - recyclable material - yard material**

The collector may not collect the following recyclable material and yard material from commercial premises:

- (a) newsprint;
- (b) recyclable cardboard;
- (c) office/fine paper;
- (d) glass food and beverage containers;
- (e) metal food and beverage containers;
- (f) yard material as defined in this by-law

and such other recyclable material or yard material as designated by the City Engineer.

**9.4 Collector may not to collect - non-collectible waste**

The collector may not collect the following from commercial premises:

- (a) non-collectible waste;
- (b) rubbish

**9.5 Placement for collection - commercial waste - times - restrictions**

Occupants of a commercial premises shall ensure that all commercial waste for removal by the collector shall be placed to the edge of the roadway for day collection before 7:00 a.m. local time on the date fixed for collection, but in no case shall it be so placed before 5:00 p.m. local time on the day prior to the date fixed for collection.

## **Part 10 PROHIBITIONS**

**10.1 Municipal waste and resource materials - placement for collection - on roadway**

No person shall place or cause to be placed municipal waste or resource materials for collection by the collector upon any roadway.

**10.2 Municipal waste and recyclable material - placement for collection - in advance**

No person shall place or cause to be placed municipal waste or recyclable material for collection by the collector at a collection point or at the edge of the roadway before 6:00 p.m. local time on the day prior to the day fixed for collection of such waste by the City Engineer.

**10.3 Yard material - placement for collection - in advance**

No person shall place or cause to be placed yard material for collection by the collector at a collection point or at the edge of the roadway before 7:00 a.m. local time prior to the week fixed for collection of such yard material by the City Engineer.

**10.4 Receptacle - non-complying**

No person shall place or cause to be placed municipal waste or resource materials for collection by the collector in a receptacle that does not comply with the regulations of this by-law.

**10.5 Non-collectable waste - placement for collection**

No person shall place or cause to be placed non-collectable waste at a collection point or at the edge of the roadway for collection by the collector.

**10.6 Non-collectable waste - placed in garbage**

No person shall place or cause to be placed non-collectable waste in the same receptacle as brush, yard material, recyclables materials, commercial waste, garbage or rubbish.

**10.7 Metal bin - non-complying**

No person shall use a metal bin that does not conform to the required by-law standards.

**10.8 Metal bin - private - failure to maintain**

No person shall fail to maintain a privately owned metal bin in accordance with regulations of this by-law.

**10.9 Collection point - failure to maintain**

No person shall fail to maintain a collection point free of municipal waste, resource materials and non-collectible waste in accordance with bylaw regulations.

**10.9.1 Boulevard – failure to maintain**

No owner or occupant shall fail to maintain, or permit to fail to maintain, the boulevard that is contiguous with their lot lines, free of municipal waste, resource materials and

non-collectible waste in accordance with the requirements of this by-law.

**10.10 Receptacle enclosure - failure to maintain**

No person shall fail to maintain a waste collection receptacle enclosure in accordance with the requirements of this by-law.

**10.11 Waste - packaging - presenting hazard**

No person shall package waste in a manner that presents a hazard to persons involved in any part of the collection process on behalf of the City.

**10.12 Recyclable material - no removal except by collector**

No person, other than the collector, shall remove recyclable material that has been placed in or beside a recyclable material collection receptacle, after such materials have been placed at the edge of the roadway or at a collection point for collection by the collector.

**10.13 Exception - retrieval**

Despite section 6.12, an occupant of the premise where the recyclable material originated may retrieve recyclable material that they have set out for collection, prior to its collection by the collector.

**10.14 Yard material depots - only authorized removal**

No person, other than the collector, shall remove any item of yard material from a receptacle, pile, or container located at a yard material depot, unless authorized to do so.

**10.15 Recyclable material depots - only authorized removal**

No person, other than the collector, shall remove any item of recyclable material from a receptacle, pile, or container located at a recyclable material depot, unless authorized to do so.

**Part 11**

**HOSPITALS, CLINICS, NURSING HOMES, ANIMAL HOSPITALS**

**11.1 Collector not to collect - Hospitals**

The City shall not provide municipal waste or resource materials' collection services to hospital facilities.

**11.2 Collection - Clinics, Nursing Homes, Animal Hospitals**

The City shall provide collection services to Clinics, Nursing Homes and Animal Hospitals, as herein defined, in accordance with this By-law.

**Part 12**

**ENFORCEMENT**

**12.1 Fine - for contravention**

(1) Any person who contravenes any provision of this bylaw is guilty of an offence and is liable:

- (a) on the first conviction, to a fine of not more than \$10,000; and
- (b) on any subsequent conviction, to a fine of not more than \$25,000.

(2) Despite subsection 12.1(1), where the person convicted is a corporation, the maximum fines in subsection 12.1(1) (a) and (b) are \$50,000 and \$100,000 respectively.

**12.2 Continuation - repetition - prohibited - by order**

The court in which the conviction has been entered and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

**12.3 Failure to comply - done by City - occupant's expense**

Where any thing required to be done in accordance with this by-law is not done, the City Engineer may, upon such notice as he/she deems suitable, do such thing at the expense of the person required to do it and such expense may be recovered by action or in like manner as municipal taxes.

**Part 13  
REPEAL - ENACTMENT**

**13.1 By-law- previous**

By-law WM-1 passed on November 15, 1993 and all amendments thereto, are hereby repealed.

**13.2 Effective date**

This by-law comes into force on the day it is passed.

PASSED in Open Council on July 4, 2000.

Diane Haskett  
Mayor

R. J. Tolmie  
Deputy City Clerk

First reading - July 4, 2000  
Second reading - July 4, 2000  
Third reading - July 4, 2000