

BY-LAW NO. 2011 – ???

A by-law of the City of Ottawa to provide for solid waste management and to repeal by-law 2009-396.

The Council of the City of Ottawa enacts as follows:

DEFINITIONS

1. In this by-law:

“additional services” means services required by the building owner whereby garbage and recyclable material are collected in front-end loading containers and require collection staff to enter a building, winch or manoeuvre the containers for any distance to the collection location;

“aerosol container” means a empty aerosol container, which falls within the meaning of the definition of “empty container” in the regulations made under the *Environmental Protection Act*;

“alternating weekly collection” means collection of the same material once every two weeks but linked to collection of another material every two weeks, where collection of the second material is offset from the first material by one week. An example would be the Blue Box one week and the Black Box the following week;

“aluminum foil” means a clean aluminum containers such as pie plates, tart containers, TV dinner trays, roasters, and household aluminum foil;

“ammunition” means projectiles such as cartridges, bullets and shot shells, together with their fuses and primers, that can be fired from guns or otherwise propelled;

“apartment building” means a residential building of more than two storeys in height containing six (6) or more principal dwelling units;

“approved container” means containers described in Schedule “H”;

‘asbestos waste’ means solid or liquid waste that results from the removal of asbestos-containing construction or insulation materials or the manufacture of asbestos-containing products and contains in weight, more than 1% of asbestos fibres;

“aseptic containers” means any multi-layered beverage or soup box containers;

“ashes” means the residue from burnt materials;

"bi-weekly collection" means the collection of any material set out at curbside, one day every two weeks;

"black box" means a curbside recycling container as described in Section 4 of Schedule "H" and is used to collect recyclable materials described in Schedule "J";

"blue box" means a curbside recycling container as described in Section 4 of Schedule "H" which is used to collect recyclable materials described in Schedule "I";

"books" means all soft and hard covered books;

"boxboard" means non-corrugated cardboard packaging such as cereal and shoeboxes, and any similar rigid paper packaging with the metal or plastic portion or both removed;

"building owner" means the registered owner of multi-unit building / property, city facility and IC&I establishment or the building owner's designate (i.e. property manager);

"bulky items" means large items including, but not limited to, bicycles, floor lamps, mattresses, furniture, microwaves, sinks, dismantled toilets, barrels, pool pumps, pool covers and any other discarded materials, which items would normally accumulate at a residential dwelling or multi-unit building and can easily be lifted up and into a collection vehicle;

"cart collection" means the system of collection of recyclable material and organic material placed in approved containers as described in Schedule "H" at a collection location, which is at or near the curb;

"Christmas trees" means trees including but not limited to the pine, spruce, balsam or fir species, which are typically decorated for display during the Christmas season;

"City" means the municipal corporation of the City of Ottawa or the geographic area of the City of Ottawa, as the context requires;

"City facility" or "municipal facility" means any property leased or owned by the City;

"City designated City facility" or "City designated municipal facility" means a City or municipal facility where collection service is provided for at least one material stream by the City's Solid Waste Service;

“City designated IC&I” means any IC&I property receiving collection service of at least one material stream by the City’s Solid Waste Service, including yellow bag participants, City designated municipal facilities and City designated schools;

“clean fill” means earth, soil or crushed rock fill (less than 100 mm) or waste of a similar nature that does not contain putrescible material or soluble/decomposable chemical substances;

“collection location” means the location designated in Part VI of this by-law where garbage, special consideration items, bulky items, recyclable materials, yard waste and organic materials are placed out for collection;

“common pad collection” means the system of collection of garbage, recyclable material, bulky items, yard waste and organic material placed in approved containers as described in Schedule “H” at a shared common area location;

“containerized collection” means the system of collection of garbage, recyclable material and organic material placed in approved containers as described in Schedule “H” by means of a front-end collection vehicle;

“contract” means the agreement covering the performance for the collection of processing work, including the supply of any and all work, labour, implements and materials that could reasonably be required properly and satisfactorily to complete the Work to be performed and also includes all Contract documents, the plans, specifications, contract bond, the Pre-qualification Document and any written supplementary agreements that may be made in order to ensure the Work is completed in accordance with the standards set out in the contract;

“contractor” means any person, partnership or corporation and the employees of any such person, partnership or corporation with whom the City has entered into a contract or agreement for the collection or processing of waste, including the In-House Group;

“Council” means the Council of the City of Ottawa;

“curbside collection” means the system of collection of garbage, recyclable material, bulky items, yard waste and organic material placed in approved containers as described in Schedule “H” at a collection location, which is at or near the curb;

“customer” means any entity receiving collection service for at least one waste stream under the City’s residential waste collection system;

“Deputy City Manager” means the Deputy City Manager of the City Operations Portfolio of the City or authorized designate;

“diversion” means to direct any material away from disposal by recycling, composting, or otherwise ensuring higher end use, other than disposal, of the maximum quantity of the material stream;

“disposal” means landfilling, incinerating, gassing, or otherwise disposing of a material with no higher end-use of the material stream by-products other than energy recovery;

“Environmental Compliance Approval” means all certificates, permits and approvals required by the Province of Ontario and issued by the Ministry of the Environment, for the undertaking of activities, pursuant to Part II.1 of the Environmental Protection Act and its regulations, as amended.

“Environmental Protection Act” means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;

“E-Waste Items” means electronic items as defined by Phase 1 of the Waste Electrical Electronics Equipment (WEEE) Program and include: laptop computers, desktop computers, and peripherals such as keyboards and mice, monitors, desktop printers, disk drives, printers, fax machines and televisions;

“explosives” means any material or item that causes a sudden, almost instantaneous, release of gas, heat, and pressure, accompanied by loud noise when subjected to a certain amount of shock, pressure, or temperature including, but not limited to, road flares, dynamite, fireworks, etc.

“farm waste” means any waste which is the normal by-product of farming operations within the City and excludes construction and demolition materials from any building or structure, compostable materials other than what may result from clearing land for farm operation purposes, recyclable material that can be placed in the curbside collection program and other material deemed unacceptable for disposal at a landfill site by the Ministry of Environment or under this By-law;

“fine paper” means computer paper and all white and coloured ledger, including writing pad paper, letterhead, reports, business forms, copy paper and scratch pads, flyers and envelopes;

“firearm” means a barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon, as well as anything that can be adapted for use as a firearm;

“front-end loading container” means a two, three, four, six or eight cubic yard container emptied by a front end loading fork lift truck and used for the storage and collection of either garbage or recyclable material;

“front-end loading compacting container” means a front-end loading container used to compact garbage;

“gable top cartons” means milk and juice cartons constructed of coated paper and opened by unfolding the top;

“garbage” means all materials set out for disposal save and except those materials defined by this by-law as bulky items, recyclable material, yard waste, white goods, Christmas trees, organic material and non-collectable waste;

“glass bottles and jars” means all glass food and beverage bottles and jars;

“green bin” means an organics container which is described in Schedule “H” which is used to collect organic material as described in Schedule “L”;

“hazardous waste” means any material, which is so designated or restricted within the meaning of any Federal or Provincial statute or regulation;

“high-rise multi-unit building” means an apartment building containing six (6) or more dwelling units each of which:

- (a) has self-contained living, kitchen and sanitary facilities; and
- (b) is owned or rented on not less than a monthly basis;

“household hazardous waste” means any household product, material, or item labelled as “hazardous”, “toxic”, “explosive”, “ignitable”, “corrosive”, “reactive” or “flammable”;

“imported waste” means any waste transported into the City from outside of the City by any person;

“In-House Group” means employees’ employed by the City of Ottawa, undertaking the execution of the Work within the collection contract;

“IC&I” is the acronym for Industrial Commercial and Institutional;

“IC&I establishment” means a non-residential establishment and includes: an enterprise or activity involving warehousing, storage, industrial manufacturing, commercial processes or operations;

- a) an enterprise, activity or project involving construction, renovation or demolition;
- b) research or an experimental enterprise or activity;
- c) clinics that provide medical diagnosis or treatment;

- d) laboratories, hospitals or veterinarian or animal hospitals;
- e) any business establishment including retail stores, offices, restaurants and gas bars;
- f) any seasonal or temporary business establishment including chip wagons and vegetable stands, Christmas tree sales;
- g) malls, strip malls, plazas and markets;
- h) an enterprise, activity or project involving landscaping;
- i) hotel, motel, apartment hotel, hostel, or bed and breakfast establishment;
- j) rooming houses;
- k) campsites (excluding the permanent residence trailer parks);
- l) any residence with a centralized eating facility including but not limited to senior's home, shelters, special needs housing, nursing homes, (excluding rooming houses);
- m) child care centres;
- n) educational institutions including but not limited to schools, colleges, and universities and museums;
- o) residences of all educational institutions including but not limited to universities, colleges and hospitals;
- p) places of worship,
- q) any government facility/property including Provincial Government, Federal Government and National Capital Commission facilities as well as Consulates and Embassies and municipal facilities; or
- r) any other establishment as designated by the Deputy City Manager;

“IC&I garbage” includes all garbage, which would normally accumulate at any IC&I establishment, enterprise or activity;

“kitchen container” means the container used to temporarily store organic material within a residential dwelling;

“low-rise multi-unit building” means a group of residential dwellings of six (6) units or more per property, usually attached by a common wall such as townhouses, garden homes, stacked town homes or other similar residential complexes which is owned or rented on not less than a monthly basis;

“magazines/catalogues” means all magazines and catalogues bound with glue or stapled along the spine;

“material stream” or “stream” means a collection of similarly grouped materials to be sent to the same destination facility, specifically garbage stream to disposal, recycling stream to the recycling facility, organics stream to the organics processing facility, leaf & yard waste to composting facility, bulky waste to disposal, special consideration items to disposal as well as any additional material designated by the City for separate collection and destined to a specific facility for proper treatment, recovery or disposal;

“metal food and beverage containers” means all steel and aluminium food and beverage cans and containers;

“multi-unit building” includes high-rise multi-unit buildings and low-rise multi-unit buildings;

“newspapers” means all newspapers including the inserts that are delivered therein;

“non-collectable waste” means any item designated by Council or the Deputy City Manager which is not permitted to be collected within the City’s waste collection system;

“Notice of Violation” means a written document which indicates to an owner and / or building owner that they are not in compliance with this by-law.

“Officer” means a person duly appointed by a by-law of the City to administer and enforce the provisions of this by-law;

“old corrugated cardboard” or “OCC” means any paper board product which is composed of a rippled, flute or wave-shaped paper insert with paper liners bonded to the outside of the product and which does not have contaminants;

“Ontario Electronic Stewardship” or “OES” is a not-for-profit organization formed by retail, information technology and consumer electronic companies to implement the Waste Electrical and Electronic Equipment (WEEE) Program Plan under the Waste Diversion Act. The plan requires brand owners, first importers, franchisors, and assemblers to pay fees for electrical and electronic equipment (EEE) supplied to Ontario. Collected fees will be used by OES to operate the WEEE program;

“organic material” means those items described in Schedule “L” or as designated by the Deputy City Manager to be collected separately for the purpose of organics collection;

“owner” means any registered owner, occupant, resident, lessee, tenant or any person managing any property receiving service under the City’s residential collection service contracts, but does not include a building owner;

“paint can” means any empty and dry paint can that falls within the meaning of an “empty container” as defined in regulation 347, made under the *Environmental Protection Act*, as amended;

“paper cores” means the cardboard paper roll used for toilet paper or paper towels;

“pathological waste” means waste that is:

- a) any part of the human body, including tissues and bodily fluids, but excluding extracted teeth, hair, nail clippings and the like,
- b) any animal carcass or part of,
- c) non-anatomical waste infected with a communicable disease,
- d) medicines, drugs or syringes, and
- e) bandages, dressings or other infected materials;

“plastic film” refers to all plastic grocery, retail store, milk bags and pouches, frozen food, bulk food, breads, meat and cheese bags and wrap, over wrap from boxed products, stretch wrap, cereal wrap, snack food bags and the like;

“private property” means property, which is privately owned and is not the City’s property, or property of a local board, or property of the Crown in Right of Ontario, the Crown in Right of Canada or any emanations thereof;

“public property” means property, which is the City’s property, or property of a local board, or property of the Crown in Right of Ontario, the Crown in Right of Canada or any emanations thereof;

“recycling cart” or “organic cart” means a 240L or 360L plastic wheeled cart designed to store and collect recyclable materials or organic material;

“recyclable material” means those items described in Schedules “I” and “J” or as designated by the Deputy City Manager to be collected separately for the purpose of recycling;

“residential dwelling” means one (1) or more rooms connected together as a self contained, separate unit in the same structure and constituting an independent housekeeping unit for residential occupancy by persons with facilities for persons to sleep, cook and eat including its own sanitary facilities, but does not include a multi-unit building;

“residential garbage” includes all garbage which would normally accumulate at a residential dwelling or multi-unit building, but shall not include non- collectable waste;

“residential waste collection system” means the City’s municipal waste collection system for all material streams from residential and City designated IC&I establishments;

“rigid plastic food container” means any plastic container composed of plastic (#1 to #7) that holds its own shape when empty and is designed to contain residential consumer quantities of food or beverage items;

"rooming house" means a principal dwelling within the whole of a residential use building that contains at least four rooming units available to be occupied for compensation and which may also contain dwelling units and an administration office accessory to the operation of the house and includes a rooming house, converted;

"rooming unit" means a room, or a suite of rooms, that constitute a separate, independent residential occupancy, but which is not self-contained and which requires access to other parts of the principal dwelling or building intended to serve the residents, including shower or bath facilities, eating areas, kitchens or bedrooms;

"scavenge" means the unauthorized removal of garbage, recyclable material, yard waste and organic material that have either been placed out for collection or in the case of some containerized waste, the location where the container is stored and filled before being moved to the collection location;

"sharp items" includes windows, drinking glasses, dishes, ceramics, mirrors, light bulbs, sheet metal and other objects capable of cutting or puncturing but does not include sharps;

"sharps" includes used and unused hypodermic needles, insulin pen tips, lancets and glass pipe stems;

"special consideration items" are non reusable material used to absorb a person's urine and fecal material only. These include incontinence products including, but not limited to pads and diapers;

"special needs housing" means a residential complex that contains a centralized kitchen, shared sanitary facilities and common living areas for residents, like shelters, rehabilitation homes, housing for the physically or mentally challenged, group homes and half-way houses;

"special waste" means solid non-hazardous waste otherwise acceptable for disposal at the Trail Waste Facility but requires additional handling for proper disposal, e.g. asbestos;

"spiral-wound container" means a cardboard type canister with metal ends at both ends (used for juice concentrate cans or chip containers);

"Take It Back Product Stewardship Program" is a City waste diversion program, where local retailers accept or take back materials that they sell;

"Treasurer" means the person appointed as the City Treasurer within the meaning of the *Municipal Act*, or authorized designate;

“tub and lids” means plastic extrusion-moulded, wide-mouth food and hardware containers such as margarine, yogurt, sour cream, drywall compound, or hand cleaner containers;

“urban” means the more densely populated and contiguous developments of housing;

“waste” means anything discarded for City collection from any source;

“weapon” means anything used, designed to be used for use in causing death or serious injury to any person, or for the purpose of threatening or intimidating any person;

“weekly collection” means the collection of a material stream one day every week;

“wet organic waste” means liquid waste or material that has attained a fluid consistency and has not been drained (examples: sour milk, cooking oil);

“white goods” includes refrigerators, freezers, stoves, dishwashers, dryers, washers, air conditioners, hot water tanks, oil tanks and furnaces;

“yard waste material” means those items described in Schedule “K” or as designated by the Deputy City Manager to be collected separately for the purpose of yard waste collection;

“Yellow Bag Program” is a curbside collection program for small eligible IC&I establishments that use specific yellow garbage bags approved by the Deputy City Manager.

INTERPRETATION

2. (1) This by-law includes Schedules “A”, “B”, “C”, “D”, “E”, “F”, “G”, “H”, “I”, “J”, “K”, and “L” and these Schedules are hereby declared to form part of this by-law.
- (2) All legislation and regulations referenced herein are Ontario provincial laws, as amended, unless noted otherwise.
- (3) In this by-law, the word “metre” shall be represented by the abbreviation “m”, the word “kilogram” shall be represented by the abbreviation “kg”, the word “litre” shall be represented by the abbreviation “L”, the word “centimetre” shall be represented by the abbreviation “cm”, the words “cubic metre” shall be represented by the abbreviation “m³”.

- (4) In this by-law, a word interpreted in the singular number has a corresponding meaning when used in the plural.
- (5) The headings inserted in the by-law are for convenience of reference only and shall not affect the construction or interpretation of this by-law.
- (6) The provisions of the by-law are severable. If any provision, Section or word is held to be invalid or illegal, such invalidity or illegality shall not affect or impair any of the remaining provisions, Sections or words.

PART I
ADMINISTRATION

MUNICIPAL WASTE COLLECTION REMOVAL AND DISPOSAL

3. (1) The City shall operate a system for the collection, removal and disposal of garbage, bulky items and special consideration items from residential dwellings and City designated IC&I establishments, in accordance with the provisions of this by-law.
- (2) The City shall also operate a system for the collection and processing of recyclable material, yard waste, Christmas trees and organic material for residential dwellings and City designated IC&I establishments in accordance with the provisions of this by-law.
- (3) The City shall not collect waste of any kind from any residential property until a final occupancy permit is issued for said property.

DUTIES OF THE DEPUTY CITY MANAGER

4. (1) The Deputy City Manager shall supervise and administer a collection system for garbage, special consideration items, bulky items, recyclable material, yard waste, Christmas Trees and organic material and shall be responsible for its operation.
- (2) The Deputy City Manager shall establish waste reduction, recycling and recovery programs such as the Take It Back Product Stewardship Program and other programs as deemed appropriate.
- (3) The Deputy City Manager shall administer the by-law with the power to determine:
 - (a) the level and type of collection service provided to residential dwellings, multi-unit buildings and City designated IC&I establishments;
 - (b) the type of properties that shall be eligible for any collection services under the solid waste collection contracts;
 - (c) the location where garbage, special consideration items, bulky items, recyclable materials, yard waste and organic materials are placed out for collection at residential dwellings, multi-unit buildings and City designated IC&I establishments;
 - (d) the type of approved container, potentially unique to the property, used for the collection of garbage, recyclable material, yard waste and organic material from residential dwellings, multi-unit buildings and City designated IC&I establishments;
 - (e) the scheduling of collection services, including collection day or the changes to collection schedules or services;

- (f) whether a building, collection location or property is safe for entry by any employees of the City or its contractor having regard to the physical condition and layout, loading facilities, method of handling collectible waste at the building, collection location or property;
 - (g) designate new types of non-collectable waste and new types of recyclable and organic materials;
 - (h) discontinuation of service , for any waste stream and for any property serviced under the City solid waste collection contracts;
 - (i) through inspection, the contents of any container/item set out for collection by any customers provided service under solid waste collection services;
 - (j) whether to re-institute service upon the owner or building owner demonstrating to the satisfaction of the Deputy City Manager that the owner or building owner will be in compliance with the provisions of the recommended schedule or by-law; and
 - (k) any other matter necessary for the administration of this by-law.
- (4) Should emergency conditions arise that, in the opinion of the Deputy City Manager, imperil municipal landfill sites, recycling, yard waste or organic facilities, the Deputy City Manager shall:
- (a) take all remedial measures as may be necessary to protect public health, which may include limiting or stopping the collection of any material stream in any area and restricting collection for any specific purpose;
 - (b) expend money and employ workers as needed to restore the City's solid waste system; and
 - (c) report to Council as soon as practical after such measures have been taken.

LIABILITY

5. No action or other proceeding for damages shall be instituted against the Deputy City Manager, or any city employee, or city contracted employee for any act done in good faith, in execution of any power or duty under this bylaw.

DUTIES OF THE TREASURER

6. The Treasurer shall perform the following duties:
- (a) invoice and collect the solid waste fees or charges related to waste diversion, collection and disposal as outlined in Schedule "A"; and
 - (b) implement enforcement provisions for outstanding fees or charges.
7. The City may contract with any person or company for the performance of the whole of any part of the work described in this by-law.

PART II LEVELS OF SERVICE

SERVICE LEVELS

8. The City shall provide curbside collection service as set out in Schedule "B".
9. The City shall provide containerized and cart collection service as set out in Schedule "C" and Schedule "D".
10. The City shall provide collection service for City designated IC&I establishments as set out in Schedule "E".
11. Despite Sections 8 to 10, if a place of worship can meet the residential garbage limits as set out in Schedule "F" for residential curbside dwellings, the City shall provide collection service to the place of worship as set out in Schedule "B". Any place of worship exceeding the limits for residential curbside dwellings, as indicated in Schedule "F" must register for service under the Yellow Bag program, providing the place of worship is able to meet the requirements for the yellow bag program, or seek private waste collection.
12. No owner or building owner shall fail to comply with all necessary and applicable requirements set out in Schedules "A", "B", "C" and "D" to ensure provision of the City's collection service.

COLLECTION SCHEDULE FOR CURBSIDE COLLECTION

13. (1) Residential garbage and bulky items shall be collected curbside once every fourteen (14) days from properties entitled to such service in accordance with the provisions of this by-law, except when a normal collection day falls on a holiday as provided herein.
- (2) One approved garbage bag of special consideration items shall be collected curbside once every fourteen (14) days from properties entitled to such service, as determined by the city and in accordance with the provisions of this by-law, except when a normal collection day falls on a holiday as provided herein. This collection will occur on the opposite week of regular bi-weekly garbage collection.
- (3) Leaf & yard waste and organic material shall be collected curbside on a weekly basis, from properties entitled to such service in accordance with the provisions of this by-law, except when a normal collection day falls on a holiday as provided herein.

- (4) Recyclables shall be collected on an alternating weekly schedule where paper fibre materials are collected one week and glass, metal and plastic recyclables are collected the opposite week.
- (5) No curbside collection shall be made on the following holidays which fall on normal collection days: New Year's Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day or Christmas Day, unless an emergency or exceptional situation, as deemed by the City, arises and collection must occur on a holiday.
- (6) When a normal curbside collection day falls on a holiday, the collection shall be made one (1) day later for the remainder of the week.

COLLECTION SCHEDULE FOR CONTAINERIZED COLLECTION

- 14. (1) Containerized garbage, shall be collected once every seven (7) days from multi-unit properties entitled to such service in accordance with the provisions of this by-law, except when a normal collection day falls on New Year's Day or Christmas Day.
- (2) When a normal containerized garbage collection day falls on New Year's Day or Christmas Day, the collection shall be made one (1) day later for the remainder of the week, unless an emergency or exceptional situation, as deemed by the City, arises and collection must occur on a holiday.
- (3) Containerized recyclable materials shall be collected once every seven (7) days from multi-unit properties entitled to such service in accordance with the provisions of this by-law, except when a normal collection day falls on the following holidays: New Year's Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day or Christmas Day.
- (4) When a normal collection day for containerized recyclable materials falls on a holiday, the collection shall be made one (1) day later for the remainder of the week, unless an emergency or exceptional situation, as deemed by the City, arises and collection must occur on a holiday.

COLLECTION SCHEDULE: GENERAL

- 15. No curbside or containerized collection shall be made on a Sunday unless an emergency or exceptional situation, as deemed by the City, arises and collection must occur on a Sunday.

GARBAGE LIMITS

16. No owner or building owner shall exceed the garbage limits established in Schedule "F".

NO COLLECTION BY CITY

17. (1) The City's residential waste collection system shall not include the collection and removal of any prohibited materials as set out in Schedule "G", unless permitted by the Deputy City Manager.
- (2) No owner or building owner shall fail to properly dispose of the waste described in Schedule "G" or to arrange for disposal of such waste at the expense of the owner or building owner. Such disposal shall be in compliance with all applicable federal, provincial and municipal regulations for the waste described in Schedule "G".
- (3) No owner or building owner shall place waste, described in Schedule "G", at the curb or other designated point of collection unless otherwise permitted by the Deputy City Manager.

PART III FEES ASSOCIATED WITH WASTE COLLECTION

FEES FOR RESIDENTIAL COLLECTION

18. (1) The owner or occupant of each separately assessed parcel of land that uses the City's residential waste collection system shall pay a waste collection fee as set out in Schedule "A".
- (2) All fees and charges levied under this Section and which are in arrears shall be subject to a monthly interest charge.

FEES FOR YELLOW BAG COLLECTION

- (3) The owner or occupant of each separately assessed parcel of land, used as a IC&I establishment that has been registered and participates in the Yellow Bag Program, shall pay a waste collection rate per bag, as set out in Schedule "A", to the City's retailers supplying the yellow garbage bags.

FEES FOR ADDITIONAL RECYCLING BOXES

- (4) Every person who requires an additional approved blue box, black box, green Bin or kitchen container shall pay the fee as set out in Schedule "A".

PART IV CONTAINERS

APPROVED CONTAINER TYPES

19. Approved containers for the collection of garbage, recyclable material, yard waste and organic material, from residential dwellings, multi-unit buildings and City designated IC&I properties, are those containers set out in Schedule "H".
20. City approved containers shall be supplied by the owner or building owner in accordance with this by-law.

CONTAINER STANDARDS

21. No owner or building owner, shall set out a receptacle or container for collection that:
 - (a) is not an approved container;
 - (b) is unsightly to the neighbouring environment;
 - (c) emits a foul or offensive odour;
 - (d) harbours or attracts rats, other vermin or insects;
 - (e) contains waste that falls out of or protrudes from it;
 - (f) is unclean or unsanitary;
 - (g) has graffiti; or
 - (h) is damaged to the extent that it is unsafe to manoeuvre.
22. No owner, or building owner shall fail to maintain, repair or replace the approved container at the owner or building owner's expense.

PART V PREPARATION OF WASTE

GARBAGE COLLECTION OBLIGATIONS

23. No owner or building owner shall fail to ensure that all garbage is separated from recyclable material, yard waste and organic material and when placed out for collection, is placed out on the prescribed day at the prescribed collection location.

ANIMAL WASTE PREPARATION

24. (1) No owner or building owner shall dispose of faeces of a domestic animal in the waste collection system and such faeces shall be flushed in wastewater collection systems, whenever possible.
- (2) Despite the foregoing, an owner or building owner may dispose of faeces of a domestic animal in the garbage collection system, provided that the faeces:

- (a) is wrapped in absorbent paper;
- (b) is placed in a sealed leak proof bag; and
- (c) is put out in small quantities and does not compromise more than 10% of the garbage.

SPECIAL CONSIDERATION ITEM PREPARATION

25. (1) During weeks without scheduled garbage collection, special consideration items must be sealed in a disposable plastic garbage bag that meets the requirements of Schedule "H".
- (2) Only one (1) sealed disposable plastic garbage bag of special consideration items will be collected when set out by eligible and registered users only.
- (3) Any additional items destined for disposal are prohibited from set-out during the weeks scheduled for special consideration items collection and will not be collected by the City. The City reserves the right to inspect the contents of plastic garbage bags/containers set out for collection on weeks scheduled for special consideration items.

CARPET AND SIMILAR MATERIAL PREPARATION

26. No owner or building owner shall place carpets, lengths of wood and material of a like nature at a collection location unless the carpets, lengths of wood, eaves trough and material of like nature are tied into compact bundles or parcels not exceeding one point two (1.2) m in length, not exceeding point seven six (0.76) m in width and height, and not exceeding fifteen (15) kg in weight.

SHARP ITEMS PREPARATION

27. No owner or building owner shall place sharp items, for collection, unless:
- (a) the sharp items are securely placed in a cardboard box; and,
 - (b) the box is labelled accurately to ensure that the operator is aware of the contents.

RECYCLING COLLECTION OBLIGATIONS

28. (1) No owner or building owner shall fail to ensure that the recyclable materials set out in Schedule "I" are separated from all garbage, special consideration items, bulky items, recyclable material, yard waste and organic material and when placed out for collection, are placed out on the prescribed day at the prescribed collection location.
- (2) No owner or building owner shall fail to ensure that the recyclable materials set out in Schedule "J" are separated from all garbage, special

consideration items, bulky items, recyclable material, yard waste and organic material and when placed out for collection, are placed out on the prescribed day at the prescribed collection location.

- (3) No owner or building owner shall place or permit the set out of items for recycling collection other than those items described in Schedule "I" and "J".

BLUE BOX PREPARATION

29. (1) No owner or building owner shall place or permit the set out of recyclable material, as listed in Schedule "I", in a blue box at a collection location, unless all containers are emptied, rinsed and residue dry.
- (2) No owner or building owner shall place or permit the set out of a paint can in a blue box at a collection location, unless the paint can is emptied, residue dry and the lid is removed.
- (3) No owner or building owner shall place or permit the set out of an aerosol can in a blue box at a collection location, unless the aerosol can is emptied.

BLACK BOX PREPARATION

30. No owner or building owner shall place or permit the set out of recyclable material, as listed in Schedule "J", in a black box at a collection location, unless the recyclable material is clean and residue free.

YARD WASTE COLLECTION OBLIGATIONS

31. (1) No owner or building owner shall fail to ensure that the yard waste materials set out in Schedule "K" are separated from all garbage, special consideration items, bulky items and recyclable material and when placed out for collection, are placed out on the prescribed day at the prescribed collection location.
- (2) No owner or building owner shall place or permit the set out of items for yard waste collection other than those items described in Schedule "K".

LOOSE YARD WASTE PREPARATION

32. No owner or building owner shall fail to ensure that loose yard waste is
 - a) placed in a returnable approved container,
 - b) fastened securely in compostable paper bags as specified in Schedule "H",

- c) placed in a corrugated cardboard box, or for smaller quantities, fastened securely in up to five (5) bags kraft paper grocery bags provided they meet the requirements of Schedule “H”

TREE & SHRUB CUTTING PREPARATION

33. No owner or building owner shall fail to ensure that cuttings from trees and shrubs:
- a) do not exceed ten (10) cm in diameter or one point two (1.2) m in length
 - b) are tied in bundles that do not exceed fifteen (15) kg in weight and zero point six one (0.61) m in width.

CHRISTMAS TREE PREPARATION

34. No owner or building owner shall fail to ensure that Christmas Trees are free of decorations and plastic bags.

ORGANICS COLLECTION OBLIGATIONS

35. (1) No owner or building owner shall fail to ensure that the organic materials set out in Schedule “L” are separated from all garbage, special consideration items, bulky items and recyclable material and when placed out for collection, are placed out on the prescribed day at the prescribed collection location.
- (2) No owner or building owner shall place or permit the set out of items for organics collection other than those described in Schedule “L”.

ASH PREPARATION

36. No owner or building owner shall place ashes, for organics collection, unless the ashes are:
- (a) cold;
 - (b) placed in a sealed non-returnable paper bag that meets the specifications in Schedule “H”; and
 - (c) separated from flammable waste.

SAWDUST AND SIMILAR MATERIAL PREPARATION

37. No owner or building owner shall place sawdust, floor sweepings, contents of vacuums and similar material, for organics collection, unless the material is in a compostable bag that meets the specifications of section 8 or 9 in Schedule “H”.

WET ORGANIC WASTE PREPARATION

38. No owner or building owner shall place wet waste at a collection location unless it has been drained and wrapped in absorbent material such as dry paper or placed in a cardboard box prior to placement in the approved container.

PART VI COLLECTION

TIME OF COLLECTION

39. No owner or building owner shall place or permit the set out of any garbage, special consideration items, bulky items, recyclable material, yard waste and organic material at the collection location;
- (a) earlier than 6:00 p.m. on the previous evening of the prescribed day of collection;
 - (b) later than 7:00 a.m. on the prescribed day of collection.

CURBSIDE COLLECTION STANDARDS

40. (1) Where residential dwellings, multi-unit buildings or City designated IC&I establishments, front onto a public street, all items to be collected other than items from front-end loading containers, pursuant to this by-law, shall be put out at one (1) City approved collection location at the laneway or parking entrance, at ground level as close as possible to the curb or travelled roadway and where the curb forms part of the sidewalk, as close as possible to the owner's or building owner's side of the sidewalk, so as not to impede or obstruct pedestrian or vehicular traffic or maintenance operations.
- (2) No owner or building owner of a property that receives containerized garbage collection shall place garbage at the collection location described in subsection (1), unless otherwise permitted by the Deputy City Manager.
- (3) No owner or building owner of a property that receives containerized recycling collection shall place recycling at the collection location described in subsection (1), unless otherwise permitted by the Deputy City Manager.

LANE COLLECTION STANDARDS

41. (1) Where collection cannot be made under Section 40 and where a public lane of at least four (4) meters in width and a height allowance of thirteen (13) feet and six (6) inches is not available for the purposes of collection, all items to be collected may be put out at one (1) collection location, at ground level as close as possible to the edge of the public lane, so as not to impede or obstruct pedestrian or vehicular traffic or maintenance operations.

- (2) No owner or building owner of a property that receives containerized garbage collection shall place garbage at the collection location described in subsection (1), unless otherwise permitted by the Deputy City Manager.
- (3) No owner or building owner of a property that receives containerized recycling collection shall place recycling at the collection location described in subsection (1), unless otherwise permitted by the Deputy City Manager.

COMMON PAD COLLECTION STANDARDS

42. (1) Where collection cannot be made under Section 40 and where a multi-unit building is served by a properly designed, constructed and maintained road system whereby, in the opinion of the Deputy City Manager, the City or its contractor can safely drive onto the private property to an exterior ground level common pad, located adjacent to the road system, collect the waste, and return to public property, the City shall provide for collection from a common pad in accordance with Schedule "B" even though the total number of units in a development may exceed five units.
- (2) No owner or building owner of a property that receives containerized garbage collection shall place garbage at the collection location described in subsection (1), unless otherwise permitted by the Deputy City Manager.
- (3) No owner or building owner of a property that receives containerized recycling collection shall place recycling at the collection location described in subsection (1), unless otherwise permitted by the Deputy City Manager.

WASTE STORAGE SHEDS COLLECTION STANDARDS

43. (1) Where a multi-unit building is served by a properly designed, constructed and maintained road system whereby, in the opinion of the Deputy City Manager, the City or its contractor can safely drive onto the private property to an exterior ground level waste storage area located adjacent to the road system, collect the waste, and return to public property, the City shall provide for collection from a storage shed in accordance with Schedule "B", provided that:
 - (a) sheds are constructed in a manner that permits access no less than two (2) m high and one point five (1.5) m wide with access through an entrance of two (2) zero point seven six (0.76) m "barn-style" doors or a single roll-up door;
 - (b) the property owner ensures that the door(s) is opened and secured by 7:00 a.m. on collection day;

- (c) the interior ceiling is at least two (2) m in height in all parts of the shed that are accessible by collection staff;
 - (d) appropriate ventilation is installed in the shed to permit reasonable air exchange in a manner that would not permit access to animals;
 - (e) hornet, wasp and bee nests are removed promptly at the expense of the building owner;
 - (f) the interior of the shed is maintained in a sanitary condition to eliminate slipping or tripping hazards, reduce odour and reduce the existence of rodents.
- (2) No owner or building owner of a property that receives containerized garbage collection shall place garbage at the collection location described in subsection (1), unless otherwise permitted by the Deputy City Manager.
 - (3) No owner or building owner of a property that receives containerized recycling collection shall place recycling at the collection location described in subsection (1), unless otherwise permitted by the Deputy City Manager.

CONTAINERIZED COLLECTION STANDARDS

- 44. Where a property is served by a properly designed, constructed and maintained road system whereby, in the opinion of the Deputy City Manager, the City or its contractor can safely drive onto the private property to an exterior ground level refuse storage area located adjacent to the road system, collect the waste, and return to public property, the City shall provide for collection, in accordance with Schedule "C", provided that:
 - (a) the front-end loading containers are placed in such a manner that the City's or its contractor's front end vehicle can reach, lift and empty the container where the containers are used at an exterior ground refuse storage area.

ACCESS

- 45. (1) No owner or building owner shall fail to ensure that at all times:
 - (a) the collection location is maintained in a safe, sanitary and clean manner; and,
 - (b) the traveled portion of the road or sidewalk is not obstructed in any way;
- (2) No owner or building owner shall fail to maintain an access to the collection location on the day of collection that is,
 - (a) convenient and unimpeded by vehicles or obstacles;
 - (b) unobstructed by ice and snow/snow banks; and,
 - (c) of sufficient dimensions to enable the City or its Contractor to collect items pursuant to this by-law within the collection vehicle.

- (3) No owner or building owner shall fail to ensure that all material type classes (garbage, special consideration items, recyclables, yard waste, organic material and bulky items) are clearly separated and not placed on top on one another on collection day.

ALTERNATE COLLECTION LOCATION

46. Where collection cannot be made from the prescribed collection location, garbage, special consideration items, recyclable material, yard waste and organic material to be collected shall be placed at a collection location mutually agreed upon between the City, the City's contractor and the owner or building owner, at an extra charge to be paid by the owner or building owner under an agreement to be entered into by the owner or building owner and the City's contractor.

TEMPORARY COLLECTION LOCATION

47. (1) When curbside collection is disrupted due to development construction or when access to the collection location is blocked, it is the responsibility of the developer at the developer's sole expense to:
 - (a) move the residential waste or waste from City designated IC&I establishments to a temporary collection location, approved by the Deputy City Manager, where collection staff can safely collect the waste.
 - (b) return all empty containers and recycling boxes to the appropriate residential dwelling or City designated IC&I establishment by the end of the collection day.
- (2) Despite subsection (1), where waste cannot be moved to a temporary collection location, the developer or developer's contractor is responsible for an alternate collection of waste to the satisfaction of the Deputy City Manager.

CONTAINMENT OF WASTE AND RECYCLABLES

48. No owner or building owner shall permit any waste to be scattered from the collection location or the storage location.

FAILURE TO MAINTAIN STORAGE

49. No owner or building owner shall fail to ensure that all structures or buildings provided for the storage of containers are maintained in a safe, clean and sanitary condition, and are constructed so as to prevent entry of rodents, other vermin or insects.

FAILURE TO REMOVE CONTAINERS

50. No owner or building owner shall fail to remove or return any empty reusable containers to the owner's private property prior to 10:00 p.m. on the day of collection.

FAILURE TO REMOVE NON-COMPLIANT UNCOLLECTED WASTE

51. No owner or building owner shall fail to remove non-compliant and uncollected waste from public property before 10:00 p.m. on the day of collection, unless otherwise directed by the Deputy City Manager.

REMOVAL OF FROZEN WASTE

52. No owner or building owner shall fail to remove waste set out for collection which has become frozen, stuck to the container or the ground and cannot be removed by shaking at the time of collection.

PART VII TRAIL WASTE FACILITY

WASTE PROCESSING FACILITY

53. (1) The City shall operate a solid waste disposal site and a composting facility, named as the Trail Waste Facility at 4475 Trail Road, in accordance with its Environmental Compliance Approval as amended from time to time and in accordance with the provisions of this Part.

DEPUTY CITY MANAGER

54. (2) The Trail Waste Facility shall be maintained and operated under the direction and the responsibility of the Deputy City Manager and shall be operated in conformity, with all applicable regulations of the *Environmental Protection Act* and of any other applicable laws or regulations of Ontario and of Canada.
- (3) The provisions of this Part shall be administered and enforced by the Deputy City Manager.

FEES

55. The City may from time to time prescribe fees and charges for the use of the Trail Waste Facility and waste diversion programs provided at the Trail Waste Facility and provide for terms of payment thereof and the City prescribes the fees and charges set forth in Schedule "A".

HOURS OF OPERATION

56. The Trail Waste Facility shall be open to the public at times determined by the Council, which times may be adjusted temporarily by the Deputy City Manager.

SPEED LIMIT

57. (1) The speed limit for vehicles traveling within the limits of the Trail Waste Facility shall be thirty- five (35) kilometres per hour.
- (2) No person shall exceed the speed limit set out in subsection (1) within the limits of the Trail Waste Facility.

PRINCIPLES OF ENGINEERING

58. The Deputy City Manager shall utilize the principles of engineering in the landfill site to confine the waste to the smallest practical area and to cover the waste with a layer of suitable material as frequently as may be necessary in order to ensure that nuisances or dangers to human health, public safety or the environment are not created by the unloading or disposing of waste.

USE OF THE FACILITY AND LIABILITY EXCLUSION

59. (1) A person operating a vehicle carrying waste intending to deliver said waste to the Trail Waste Facility shall ensure that the vehicle load is properly secured and covered with a tarp so as to prevent littering along the haul roads to such Facility and at such Facility prior to unloading, depositing or disposing of said waste.
- (2) No person unloading, depositing or disposing of waste at the Trail Waste Facility shall fail to unload, deposit, or dispose of the waste so as to confine the waste to the smallest possible area.
- (3) Any person entering upon the Trail Waste Facility does so at his/her own risk and he/she and the owner of any vehicle brought upon such facility shall save the City harmless from any damages or claims whatsoever to themselves or their property or to any other person or property whatsoever arising from such person's negligence or otherwise.

PROHIBITION AND OFFENCES

60. No person shall at the Trail Waste Facility:
- (a) drive a packer vehicle with a load or partial load of waste unless the rear end is closed and the open hopper is empty;

- (b) unload any vehicle that is carrying waste in any area of the Trail Waste Facility without the prior approval of the Deputy City Manager whose decision shall be final and binding;
- (c) unload any waste in an area not designated by the Deputy City Manager as being suitable for the reception of such waste, and in particular shall not deposit waste at the gate or entrance to the Trail Waste Facility;
- (d) deposit or abandon any derelict or inoperative motor vehicle in any area of the Trail Waste Facility;
- (e) unload or dispose of waste in any part other than in the designated landfill;
- (f) neglect or refuse to provide proof of the origin of waste tendered for disposal when such is demanded, provided that in lieu of providing such proof the person tendering the waste may remove it without unloading it;
- (g) unless authorized by the Deputy City Manager, pick over, scavenge, salvage, incinerate, remove, burn or scatter any waste in any area of the Trail Waste Facility;
- (h) enter by vehicle or on foot during those hours when the Trail Waste Facility is not open to the public; and
- (i) enter for the purpose of unloading or disposing of any materials without first having the vehicle weighed on the weigh scales of the Trail Waste Facility, as directed by the scale attendant, and paying the required fee as in Schedule "A".

PROHIBITED MATERIALS

61. (1) No person shall deposit at the Trail Waste Facility:
- (a) sludge from septic tanks or septage;
 - (b) highly flammable or volatile substances;
 - (c) the carcass of any dog, cat, fowl or other creature or part thereof save bona fide kitchen waste;
 - (d) hauled sewage (excluding dewatered sludge, dried incinerated sludge and grits and screenings);
 - (e) sewage, human or animal excrement, with the exception of animal excrement which has been properly packaged in a closed container such as a plastic bag with the open end tied off;
 - (f) explosive material;
 - (g) ammunition, firearms and explosives
 - (g) drugs or dangerous chemical waste;
 - (h) pathological waste unless said waste has been decontaminated;
 - (i) liquid waste;
 - (j) any dangerous and hazardous material such as poisons, hot live ashes, caustics, acids, pesticides, herbicides, radioactive material, industrial process sludge, biomedical waste which has not been decontaminated, substances which may cause personal or environmental problems;

- (k) recyclable material;
 - (l) yard waste unless deposited at the composting facility; or
 - (m) live animals or birds.
- (2) No person shall unload or dispose of waste at the Trail Waste Facility during the hours when the facility is closed.

CLEAN FILL

62. Clean earth or fill suitable for covering garbage will be accepted in accordance with the charges set out in Schedule "A", if required by the Deputy City Manager.

ASBESTOS PREPARATION

63. No person shall transport, unload or dispose of asbestos, unless such transporting, unloading or disposal is in accordance with the following conditions:
- (a) Said person is fully in compliance with Regulation 347 (Environmental Protection Act) section 17, including required training and certification necessary to deal with transportation and handling of asbestos waste.
 - b) All asbestos must be contained in a rigid, impermeable, sealed container of sufficient strength to accommodate the weight and nature of the waste. If the container is a cardboard box, the waste must be placed in a polyethylene bag placed within the box. The container must be free from punctures, tears or leaks. The external surface of the container and the vehicle used for the transport of the asbestos waste must be free from asbestos waste;
 - (c) During unloading, the packaged asbestos waste materials shall be handled individually and care taken to place the package in the designated area to avoid spillage. This unloading shall be the responsibility of the contractor and shall not be done by a landfill facility operator;
 - (d) The unloading shall only be done in the presence of a landfill facility operator to ensure that no loose asbestos or broken containers are unloaded and that no airborne particulate is generated;
 - (e) In the event that loose asbestos or broken containers are found, the haulage vehicle operator shall repackage the material with additional containers or bags provided on his vehicle;
 - (f) The containers shall be placed directly in the designated area which has been prepared by the landfill facility operator and immediately after unloading, the containers shall be covered by the operator; and
 - (g) The Trail West Facility shall be contacted twenty-four (24) hours prior to delivery to allow for preparation of the location.

- (h) Asbestos is only accepted by appointment booked 24 hours in advance. The Deputy City Manager reserves the right to limit or refuse the acceptance of asbestos at the Trail Waste Facility.

WASTE REQUIRING SPECIAL HANDLING

64. (1) No person shall fail to contact the landfill operator 24 hours prior to delivery of any waste requiring special handling to the Trail Waste Facility to ensure that the material will be properly handled, packaged and allow for preparation of the disposal location.
- (2) The unloading of the waste requiring special handling shall be the responsibility of the contractor and shall not be done by landfill facility operators.
- (3) The waste shall be placed directly in the designated area, which has been prepared by the landfill operator.
- (4) Waste requiring special handling is only accepted by appointment only. These materials must be pre-approved for disposal prior to arriving at the Trail Waste Facility.
- (5) The Deputy City Manager reserves the right to limit or refuse the acceptance of special waste at the Trail Waste Facility.

REFUSAL RIGHTS

65. (1) The City reserves the right to refuse to accept for disposal any material of a questionable nature or origin.
- (2) Despite subsection (1), under special or emergency conditions, the Deputy City Manager may accept wastes which have been approved by the Ministry of the Environment.

COMPOSTING FACILITY

66. The composting facility at Trail Waste Facility is licensed to receive residential, institutional and commercial yard waste.

PART VIII ADDITIONAL PROHIBITIONS

GENERAL

67. (1) No person shall collect waste unless authorized by the City.
- (2) No person shall break, damage or remove any approved container or the cover thereof.
- (3) No person shall deposit waste in an approved container not belonging to that person.

SCAVENGING

68. (1) No person, unless authorized by the City, shall scavenge any waste that has been placed out for collection.
- (2) Subsection (1) does not apply to the removal of loose, uncontained items such as bulky items, furniture and similar items.
69. (1) No person shall interfere or scatter any waste that has been placed out for collection.
- (2) Subsection (1) does not apply to officers administering or enforcing the provisions of this by-law.

MOVING WASTE ONTO OTHER PROPERTIES

70. No person shall place waste on any property other than the property upon which it is generated.

PART VIII ENFORCEMENT

ENFORCEMENT

71. The administration and enforcement of this by-law shall be pursuant to the provisions of this by-law.

RIGHT OF ENTRY

72. For the purposes of section (70), the municipality may enter upon land at any reasonable time in accordance with the Ontario Municipal Act

CITY ACTION

73. Where an owner or building owner sets out waste for collection which is not in compliance with this by-law or fails to remove non-compliant or uncollected waste from public property or the collection location in accordance with this by-law, the City may, after having notified the owner or building owner in writing, collect such waste at the owner's or building owner's expense, suspend waste collection or take other enforcement action.

RECOVERY OF CITY COSTS

74. All costs incurred, including expenses of the City for the removal of the waste, shall be paid by the owner or building owner by the due date set on the written invoice setting out the costs incurred by the City, otherwise the debt will be deemed to be in arrears, and the city can collect all payment in arrears by adding the costs to the tax roll and collecting them in the same manner as property taxes.

DISPOSAL OF UNACCEPTABLE MATERIAL

75. A person who disposes of or deposits unacceptable material at the Trail Waste Facility, shall be responsible for its immediate removal and clean up as well as the payment of any and all associated fines imposed by the Ministry of the Environment.

PENALTY

76. Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction thereof is liable to a fine of not more than \$10,000.00 for a first offence and \$25,000.00 for any subsequent offence, except that where a corporation is convicted of an offence the maximum penalties shall be \$50,000.00 for the first offence and \$100,000 for any subsequent offence.

PROHIBITION ORDER

77. When a person has been convicted of an offence under this by-law, the Ontario Court of Justice (Superior Court) of the City of Ottawa, or any court of competent jurisdiction thereafter, may, in addition to any penalty imposed on the person convicted, issue an Order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence.

NOTICE OF VIOLATION

78. (1) An officer who finds that any person does not comply with this by-law may, where the officer considers it appropriate in the circumstances to seek

compliance, issue a notice of violation which provides the following information:

- (a) the name of the owner/ and/or building owner of the property;
 - (b) the municipal address or the legal description of the property;
 - (c) the reasonable particulars of the corrections to be made;
 - (d) the time for complying with the terms and conditions of the notice;
- (2) The notice of violation shall be served on the owner and / or building owner and such other persons affected by it as the officer determines.
- (3) Service of a notice of violation shall be made by way of:
- (a) personal delivery by hand to the owner and / or building owner; or
 - (b) registered mail; or
 - (c) posting such notice at the non-conforming property.

REPEAL

79. By-law 2009-396, and any amendments thereto, are repealed as of the in force date of this by-law

SHORT TITLE

80. This by-law may be referred to as the Solid Waste Management By-law.

EFFECTIVE DATE

81. This by-law shall come into force and take effect on October 29, 2012.

ENACTED AND PASSED this DATE TO BE INSERTED.

CITY CLERK

MAYOR

SCHEDULE "A"
FEES AND CHARGES

WASTE COLLECTION FEES

1. The annual fees for residential garbage collection, levied on the municipal tax bill, are payable at the time of payment of municipal taxes as follows:
 - (a) Ninety three dollars (\$93.00) per separate municipal tax assessed property receiving residential curbside collection; and
 - (b) thirty-eight dollars (\$38.00) per separate municipal tax assessed property receiving multi-unit bin tipping collection.
2. In the case of payments received by mail, the date the payment is received by the City shall be taken as the day of payment.
3. The fee per garbage bag, payable at the time of purchase from a City retailer, for waste to be collected through the Yellow Bag program is three dollars and forty five cents (\$3.45) per bag.

WASTE DIVERSION FEE

4. The fee for purchasing an additional blue or black box container from the City or one of the City's retailers is nine dollars and ninety-nine cents (\$9.99) per box. The fee for purchasing a 46 litre green bin is twenty-nine dollars and ninety-nine cents (\$29.99), for an 80 litre green bin is thirty-nine dollars and ninety-nine cents (\$39.99) and the kitchen organics container is eight dollars and ninety-nine cents (\$8.99)

FEES AT THE TRAIL WASTE FACILITY

5. The fee for unloading or disposing of any material at the Trail Waste Facility is subject to the following charges:

<u>Load Type</u>	<u>Current Rate</u>
Small load (245 kg or less) Private or Commercial Motor Vehicles	\$ 24.00 per load
Special consideration items, hauled by generating residential household.	Free
Larger loads (greater than 245 kg)	\$ 98.00 per tonne
Yard Waste and Garbage, Tree Stumps, Cardboard, Contaminated Soils (245 Kg or less)	\$48.00 per load
Yard Waste and Garbage, Tree	\$ 196.00 per tonne

Stumps, Cardboard, Contaminated Soils (greater than 245 Kg)	
Mixed Garbage and recyclable material (fibre, metal, glass, plastic) greater than 10% by volume (245 Kg or less)	\$48.00 per load
Mixed Garbage and recyclable material (fibre, metal, glass, plastic) greater than 10% by volume (greater than 245 Kg)	\$196.00 per tonne
Mattresses (245 Kg or less)	\$ 196.00 per load
Mattresses (greater than 245 Kg)	\$ 196.00 per tonne
Commercial Leaf and Yard Waste (clean loads)	\$ 47.00 per tonne
Clean Fill (required) (245 Kg or less) residential loads	\$ 6.00 per load
Clean Fill (required) (greater than 245 Kg)	\$ 24.00 per tonne
Clean Fill (not required)	\$ 98.00 per tonne
Alternative Daily Cover	\$ 12.60 per tonne
Asbestos (250 Kg or less)	\$105.00 per load
Asbestos (greater than 250 Kg)	\$ 430.00 per tonne
Asphalt (250 Kg or less)	\$ 24.00 per load
Asphalt (greater than 250 Kg)	\$ 98.00 per tonne
Masonry (250 Kg or less)	\$ 24.00 per load
Masonry (greater than 250 Kg)	\$98.00 per tonne

6. The fees related to the Solid Waste Diversion Program at the Trail Waste Facility are as follows:

<u>Load Type</u>	<u>Current Rate</u>
Bulk Compost (\$25.00 minimum)	\$ 15.80 per tone
Compost, Flat Rate (pick up truck or trailer legal load)	\$ 26.30
Compost, Flat Rate (car load under 250 kg)	\$ 10.50

SCHEDULE "B"
CURB SIDE COLLECTION SERVICE

1. The City will designate the properties that are to receive curb side collection of garbage and diversion material.
2. For all buildings receiving curbside service, the collection shall be:
 - (a) once bi-weekly collection of garbage;
 - (b) once bi-weekly collection of bulky items;
 - (c) once bi-weekly collection of special consideration items (during opposite week of garbage collection for qualifying, registered households)
 - (d) alternating weekly collection of recyclable materials;
 - (e) once yearly collection of Christmas trees; and
 - (f) weekly collection of yard waste and organic material.

SCHEDULE "C"
FRONT END CONTAINERIZED COLLECTION SERVICE

1. The City will designate the properties that are to receive containerized collection service of garbage and diversion material.
2. For properties receiving containerized collection, the collection shall be:
 - (a) once-per-week collection of garbage and recyclable material where the contractor's vehicle arrives at the building and the contractor can affect garbage or recyclable material collection without winching/pulling/retrieving any container from inside or outside of the building;
 - (b) bi-weekly collection of bulky items;
 - (c) yearly Christmas tree collection;
 - (d) weekly curbside collection of yard waste on the regular curbside collection day; and
 - (e) weekly curbside collection of organic material.

ADDITIONAL SERVICES AND EXTRA COLLECTIONS

3. The building owner shall be responsible for the cost of any additional services and extra garbage collections above the limits prescribed in this by-law in accordance with the schedule of prices set out within the current multi-unit collection contract.
4. The building owner must give written permission to the contractor for additional services.

BULKY ITEMS

5. Bulky items shall not be placed in the front end loading containers, but put out at the curb for collection.
6. No building owner shall fail to make a specific request to the contractor for the collection of bulky items at least forty-eight (48) hours prior to the regularly scheduled curbside day of collection.

LOCKS

7. No building owner shall fail to ensure that all locks on the garbage or recycling containers or both are unlocked on the day of collection.

CARPET

8. A building owner shall make private arrangements for the collection of carpet.

COMPACTING CONTAINERS

9. No building owner shall fail to unhook and reconnect all front end loading compacting containers.

SCHEDULE "D"
RECYLING AND ORGANIC CART COLLECTION SERVICE
(Larger than 200 litre carts)

1. The City will designate the properties that are to receive cart collection service of diversion material.
2. For properties receiving cart collection, the collection shall be:
 - (a) once-per-week collection of organics and recyclable material where the contractor's vehicle arrives at the building and the contractor can affect organics or recyclable material collection without winching/pulling/retrieving any cart from inside or outside of the building;
 - (b) yearly Christmas tree collection;
 - (c) weekly curbside collection of yard waste on the regular curbside collection day.

SCHEDULE "E"
SERVICE LEVEL CONDITIONS BY PROPERTY TYPE

RESIDENTIAL PROPERTIES OF 5 OR LESS UNITS PER BUILDING

1. For residential properties with five (5) units or less the collection schedule shall be curbside collection as outlined in "B".
2. Notwithstanding 1 of this section, the City may, at its sole discretion, deem that Schedule "C" or Schedule "D" may be applied to one or more material streams.

RESIDENTIAL PROPERTIES OF SIX (6) OR MORE UNITS PER BUILDING

1. For residential properties with six (6) units or more the collection Schedule shall be containerized collection as outlined in Schedule "C".
2. Notwithstanding 1 of this section, the City may, at its sole discretion, deem that Schedule "D" may be applied to one or more material streams.

YELLOW BAG PROPERTIES

1. For participants of the yellow bag program the collection schedule shall be curbside collection as outlined in Schedule "B".
2. Not withstanding 1 of this section, the City may, at it's sole discretion, determine the container type to used for any material stream.

ELIGIBILITY REQUIREMENTS

3. In order to be eligible to participate in the Yellow Bag program, the following requirements must be met:
 - (a) Must be a City designated IC&I property
 - (b) separate assessment for the purpose of property taxes;
 - (c) sum total of garbage generated per building does not exceed the non-residential waste, recyclable material and yard waste limits as set out in Schedule "F";
 - (d) registration with the Yellow Bag program
 - (e) placement of garbage in specially designed yellow garbage bags, and
 - (f) all businesses, partnerships or commercial interests located in a City designated IC&I establishment building must participate in the Yellow Bag program.

NON-COMPETITION

- (1) No owner, manager or operator of the IC&I establishment shall contract with any other waste or recyclable materials collection service or system while participating in the Yellow Bag program.
- (2) Despite subsection 1, IC&I establishments participating in the Yellow Bag Program can have a separate collection contract for items that the City does not collect under its service contracts, such as metal car parts/accessories, tires, appliances and hazardous waste.

CITY FACILITIES

1. For City Facilities the collection may be for one or more material streams, and may be curbside (Schedule “B”), containerized (Schedule “C”), cart collection (Schedule “D”) or a combination at the sole discretion of the solid waste staff of the City.

ELIGIBILITY REQUIREMENTS

2. In order to be eligible for service under the City’s residential contracts, the following requirements must be met:
 - (a) Must be a City facility that solid waste staff deem is feasible and beneficial to the City to provide service to.
 - (b) sum total of curb side garbage generated per building does not exceed the residential waste, recyclable material and yard waste limits as set out in Schedule “F” for curbside collection .

Schools

1. For schools the collection will be for organics only, and will be curb side (Schedule “B”) in an approved container (Schedule “H”) at the sole discretion of the City.

SCHEDULE "F" GARBAGE LIMITS

CURBSIDE RESIDENTIAL DWELLINGS AND CURBSIDE CITY FACILITIES

1. For residential dwellings receiving curbside collection the waste limits are as follows:
 - (a) up to six (6) approved containers of garbage or six (6) bulky items or any combination, which does not exceed six (6) in number every fourteen (14) days; and
 - (b) the amount of recyclable materials, yard waste and organic material shall be unlimited in number per week.
 - (c) despite subsection 1(a), if there is a death or change of occupancy within the residential dwelling, the City shall provide collection service for the additional waste once for each death or change of occupancy on the prescribed collection day.

YELLOW BAG PROGRAM

2. For City designated IC&I establishments and City designated municipal properties participating in the Yellow Bag program, the waste limits per building are as follows:
 - (a) sixteen (16) approved containers of garbage or sixteen (16) bulky items or any combination, which does not exceed sixteen (16) in number every fourteen (14) days;
 - (b) fifteen (15) approved containers of Recyclable Material;
 - (c) fifteen (15) approved containers of Yard Waste; and
 - (d) three (3) approved containers of organics.

SCHOOL PROGRAM

3. For schools designated for residential organics collection services the waste limits per school are as follows:
 - (a) twenty (20) approved containers of organics per week;

CONTAINERIZED MULTI UNIT RESIDENTIAL PROPERTIES

4. For multi-unit buildings receiving containerized/cart garbage and recycling service as set out in Schedule “C” and “D” the garbage and recycling limits shall be determined by multiplying the number of units by the relevant, allocated cubic yards in accordance with *Table 1*, below.

TABLE 1 – *Garbage and Recycling Limits for Multi-Unit Residential Buildings*

CONTAINER/CART DESCRIPTION	BUILDING DESCRIPTION	ALLOCATIONS IN CUBIC YARDS/UNIT
FIBRE BINS (Paper & Cardboard)	High Rise Capacity	0.038 (minimum)
	Low Rise Capacity	0.062 (minimum)
GMP BINS (Glass/Metal/Plastic)	High Rise Capacity	0.018 (minimum)
	Low Rise Capacity	0.018 (minimum)
ORGANICS	All Multi-Unit Residential	0.062 (minimum)
GARBAGE	High Rise Compacted Bin Capacity	0.053 (maximum)
	High Rise Loose Capacity	0.110 (maximum)
	Low Rise Loose/Semi-Compacted Capacity	0.231 (maximum)

SCHEDULE "G"
PROHIBITED MATERIAL

1. Ammunition, explosives and weapons;
2. Automobile parts;
3. Batteries;
4. Carcasses or parts thereof of any animal with the exception of normal and bone fide kitchen waste;
5. Caustics and acids;
6. Compacted fluorescent lights;
7. Concrete, cinder blocks, paving stones, asphalt;
8. Contents of cesspools and outdoor latrines;
9. Contents of grease traps;
10. E-Waste items, Phase 1 of the Ontario Electronic Stewardship (OES);
11. Explosive or highly combustible materials such as oil-soaked or gasoline-soaked rags, ignited ashes, or other waste capable of starting fires;
12. Faeces of any dog, cat or fowl unless packaged in accordance with Section 24;
13. Fluorescent light bulbs & tubes;
14. Hay, straw, manure or excrement;
15. Hazardous waste;
16. Household hazardous waste materials, except where permitted under this by-law;
17. Imported waste;
18. Items over ninety (90) kilograms two hundred (200) pounds;
19. Liquids including motor oils and gases;

20. Material which may be classed as a “designated substance” pursuant to the *Occupational Health and Safety Act*;
21. Pathological waste;
22. Photocopier machines;
23. Pianos/organs;
24. Radioactive material;
25. Railway ties;
26. Safes;
27. Septic tank pumpings, raw sewage and sludge;
28. Sharps (needles, syringes, glass stem pipes, lancets, insulin tips);
29. Soil, earth, stone, boulders, trees, tree stumps, tree trunks, firewood and tree cuttings over 10 cm in diameter;
30. Stock and by-products of wholesale or retail or of any industrial or commercial process;
31. Swill, liquid waste or organic matter, which has not been drained;
32. Tires;
33. Toilets, not dismantled;
34. (a) Waste generated as a result of construction, demolition or renovation operations, including but not limited to plaster, wood, drywall, masonry and tile, bricks, windows, shingles, insulation, with the exception of those materials which, in the opinion of the City, would normally accumulate at a dwelling;

(b) Despite 33 (a), small quantities of renovation waste is accepted as long as the material is properly packaged, free of any protruding nails or screws, and within the waste limits as set out in Schedule “F”.
35. Waste generated from any IC&I establishment that is not designated as eligible for collection service under the residential contracts or are participating in the Yellow Bag program;
36. Waste that does not originate from its place of collection;

37. White goods;

38. Wooden pallets; and

39. Any material deemed prohibited by the City.

SCHEDULE "H"
APPROVED CONTAINERS

1. A curbside plastic or metal rigid container for garbage or yard waste shall have the following characteristics:
 - (a) has a watertight lid which does not interfere with the collection and emptying of the container in the City's sole opinion
 - (b) has two (2) handles and the bottom must be smaller in diameter than the top;
 - (c) the volumetric capacity shall not be more than 125 litres and not less than 75 litres;
 - (d) does not weigh more than fifteen (15) kg when full;
 - (e) the height shall not be more than zero point nine (0.9) m and not less than zero point five (0.50) m;
 - (f) the diameter shall not be more than zero point four six (0.46) m;
 - (g) it shall be constructed of materials, which have an equivalent durability to number 28 gauge metal; and
 - (h) shall be free of any ropes or bungee cords.

2. Curbside plastic garbage bags shall have the following characteristics:
 - (a) have a capacity of not more than zero point one five (0.15) m³ and not less than zero point zero eight (0.08) m³;
 - (b) not weigh in excess of fifteen (15) kg when put out for collection;
 - (c) be in compliance with the standards for plastic garbage published by the Canadian General Standards Board in November of 1995 as CAN/CGSB-156.1;
 - (d) be non returnable;
 - (e) be securely tied when set out for collection;
 - (f) not be more than zero point eighty three (0.83) m in height and zero point sixty six (0.66) m in width; and,
 - (g) not include plastic shopping bags or garbage bags that are smaller than the approved size set out in subsections 2 (a) and 2(f).

3.
 - (a) Special consideration items containment shall be in compliance with clauses 1 and 2 of this Schedule "H".
 - (b) A rigid garbage container may be used to contain the one single, sealed, plastic garbage bag of special consideration items, provided that the container meets the specifications outlined in subsection 1 of the approved containers in Schedule "H".

4. A front end loading garbage container shall be:
 - (a) a 2, 3, 4, 6, or 8 cubic yard front end loading container designed to store waste and constructed to the standards specified by the City; and

- (b) any other container determined by the City to be acceptable for the storing and setting out of waste.
- 5. A curbside recycling container shall be:
 - (a) a curbside recycling plastic container, ranging in size from forty-five (45) L to sixty (60) L, which is blue or black in colour, which is compatible with the City's collection system for recyclable material; and
 - (b) free of any ropes, nets or bungee cords and any lid must be completely separate from the recycling container;
 - (c) no more than fifteen (15) kg when full; or
 - (d) any other container determined by the City to be acceptable for the storing and setting out of materials.
- 6. A recycling cart shall be:
 - (a) a 240 L or 360 L plastic wheeled recycling cart designed to store and collect recyclable materials at multi-unit buildings;
 - (b) any other container determined by the City to be acceptable for the storing and setting out of recyclable materials.
- 7. A front end loading recycling container shall be:
 - (a) a 2, 3, 4, 6 or 8 cubic yard front-end loading container designed to store and collect recyclable materials at multi-unit buildings;
 - (b) any other container determined by the City to be acceptable for the storing and setting out of recyclable materials.
- 8. A curbside yard waste and organics compostable paper bag shall:
 - (a) not be more than zero point nine (0.9) m and not less than zero point eight five (0.85) m in height;
 - (b) not be more than zero point four one (0.41) m and not less than zero point three seven (0.37) m in width;
 - (c) not be more than zero point three one (0.31) m and not less than zero point two seven (0.27) m in depth;
 - (d) be securely closed and weigh no more than fifteen (15) kg when full; and
 - (e) be non returnable.
 - (f) shall breakdown completely (physically and chemically) during the normal processing period, not resulting in processing problems or contamination issues of the final compost products at the City utilized facilities
- 9. Kitchen compostable paper bags or paper based liners shall:
 - (a) breakdown completely (physically and chemically) during the normal processing period, not resulting in processing problems or contamination issues of the final compost products at the City utilized facilities

10. A curbside organic container (Green Bin) shall:
 - (a) be equipped and maintained with handles, wheels and an attached lid that can be securely closed;
 - (b) be set up for fully or semi-automated collection and meets the American National Standards Institute (ANSI) Z245.60-1999 type B and G containers;
 - (c) weigh not more than fifteen (15) kg when full if designed for manual collection, otherwise weight will be limited to the design limit of the container if designed for semi-automated or fully automated collection for City specified containers; and
 - (d) be any container issued by the City to be acceptable for the storing and setting out of organic material for curbside collection.
 - (e) be 46, 80, or 240 litres in volume.

11. An IC&I establishment curbside garbage bag shall be:
 - (a) specially designed "official" City of Ottawa yellow garbage bag;
 - (b) securely closed and weigh no more than fifteen (15) kg when full;and
 - (c) non returnable.

12. Notwithstanding clauses 1 to 10 of Schedule "H", the Deputy City Manager reserves the right to deem a container, or enclosure to be acceptable or unacceptable for use in the set-out of any material stream.

SCHEDULE "I"
RECYCLABLE MATERIAL
BLUE BOX, FRONT END LOADING RECYCLING CONTAINER AND
RECYCLING CART

1. Clear and colored glass jars and bottles;
2. Steel/aluminum food and beverage cans;
3. Aluminum foil;
4. Gable top cartons;
5. Aseptic drinking boxes;
6. Empty paint cans;
7. All rigid plastic food and beverage containers with recycling symbols numbered 1 through 7;
8. Metal lids;
9. Spiral-wound containers with metal ends;
10. Empty aerosol containers; and
11. Any other recyclable material as deemed appropriate by the City.

SCHEDULE "J"
RECYCLABLE MATERIAL
BLACK BOX, FRONT END LOADING RECYCLING CONTAINER AND
RECYCLING CART

1. Newspapers and flyers;
2. Corrugated cardboard;
3. Boxboard;
4. Telephone books and directories;
5. Magazines/catalogues;
6. Fine paper;
7. Advertising mail;
8. Egg cartons (paper);
9. Paper cores;
10. Kraft/paper bags;
11. Hard and soft cover books;
12. Paper gift-wrap and greeting cards;
13. Other clean paper packaging; and
14. Any other recyclable material as deemed appropriate by the City.

SCHEDULE "K"
YARD WASTE MATERIAL

1. Leaves;
2. Cedar clippings;
3. Grass clippings;
4. Garden waste;
5. Shrub cuttings;
6. Twigs, tree branches and brush not exceeding ten (10) cm in diameter or one point two (1.2) m in length;
7. Christmas trees;
8. Pumpkins;
9. Wind fallen fruit:
10. Weeds; and
11. Any other yard waste material as deemed appropriate by the City.

SCHEDULE "L"
ORGANIC MATERIAL

1. All leftover food scraps;
2. Animal bedding (e.g. from bird/hamster cages)
3. Ashes (COLD – fireplace, barbeque, cigarettes);
4. Baking ingredients/herbs/spices;
5. Bird food;
6. Bread/bagels;
7. Butcher's paper meat wrap;
8. Candies;
9. Cereals/grains/oatmeal;
10. Chips/popcorn;
11. Coffee cups (paper based);
12. Coffee grounds/filters;
13. Cookies/cakes/muffins/pastries;
14. Cotton balls;
15. Crackers;
16. Dairy products;
17. Dough;
18. Dryer lint;
19. Eggs & egg shells;
20. Feathers;
21. Floor sweepings;

22. Fruit scraps;
23. Grass/sod (free of soil)
24. Household plants, including soil;
25. Jam/jelly/marmelades/chutney;
26. Kitty litter (including urine & faecal material);
27. Leftover cooking oils, lard, shortening, fat, butter, margarine;
28. Meat/fish/shellfish/poultry/pork bones and scraps;
29. Microwave popcorn bags;
30. Muffin paper;
31. Natural Cork
32. Nuts/shells;
33. Paper cups & plates;
34. Pasta/beans/rice/couscous;
35. Peanut butter;
36. Pet food;
37. Pet fur/hair;
38. Pits (olives, cherries, peaches);
39. Popsicle sticks (wooden);
40. Salad dressing, mayonnaise, vinegar, sauces, marinades, dips, syrup, gravy;
41. Seeds;
42. Soiled napkins/paper towels;
43. Soiled paper, soiled boxboard and soiled cardboard;
44. Soiled tissues;

45. Sugar/potato/flour/pet food paper bags;
46. Tea/tea bags;
47. Toothpicks (wooden);
48. Untreated wood scraps (less than 4 inches in any dimension);
49. Vacuum bag contents & bag;
50. Vegetable scraps;
51. Wax paper/parchment paper;
52. Waxed cardboard;
53. Waxed cold drink cups;
54. Woodchips/sawdust;
55. Yard waste material;
56. Any other organic material as deemed appropriate by the City.

BY-LAW NO. 2012-???

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A by-law of the City of Ottawa to provide for solid waste management.

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Enacted by City Council at its meeting of

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LEGAL SERVICES
HNM:

COUNCIL AUTHORITY:
City Council
EC REPORT