

PROPOSED

UCS2020-0052
ATTACHMENT 1

BYLAW NUMBER 4M2020

BEING A BYLAW OF THE CITY OF CALGARY TO REGULATE AND MANAGE WASTE

WHEREAS the *Municipal Government Act*, R.S.A. 2000, c. M-26, empowers Council to pass bylaws for municipal purposes respecting the safety, health and welfare of people, the protection of people and property, nuisances, services provided by or on behalf of the municipality, and the enforcement of bylaws; and

WHEREAS it is desirable to regulate and control the storage, collection and disposal of waste within the City of Calgary;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

PART 1 – INTERPRETATION

SHORT TITLE

1. This *Bylaw* may be referred to as the “Waste Bylaw”.

DEFINITIONS AND INTERPRETATION

2. (1) In this *Bylaw*, the term:

- (a) “*alley*” means a lane intended primarily for access to the rear yard of adjacent premises;
- (b) “*animal waste*” means all forms of *waste* from animals or the treatment of animals except animal carcasses or parts;
- (c) “*automated collection*” means the *collection* of *waste* by means of a mechanical system into vehicles specially designed for such purposes;
- (d) “*automated collection container*” means a container approved and provided by the *City* for *automated collection* of *waste* and includes a *black cart, blue cart, and green cart*;
- (e) “*biomedical waste*” means *medical waste* that requires proper handling and disposal because of environmental, aesthetic, or health and safety concerns and includes:
 - (i) human anatomical *waste*;
 - (ii) infectious human *waste*;
 - (iii) infectious *animal waste*;

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- (iv) microbiological waste;
- (v) blood and body fluid waste; and
- (vi) *medical sharps*;
- (f) “*black cart*” means a black *automated collection container* provided for the *collection of garbage*;
- (g) “*blue cart*” means a blue *automated collection container* provided for the *collection of residential recyclable material*;
- (h) “*Bylaw*” means this Bylaw as it may be amended from time to time and includes all Schedules attached to this Bylaw;
- (i) “*City*” means the municipal corporation of The City of Calgary or the area located within the boundaries of the city of Calgary, as the context requires;
- (j) “*City Manager*” means the person appointed by the Council of the *City* as its Chief Administrative Officer, or that person’s designate;
- (k) “*collection*” means picking up and gathering *waste*, including transport of the *waste* to a *disposal site, material recovery facility, or a food and yard waste material recovery facility*, as applicable;
- (l) “*collector*” means a *person* employed to collect *waste*;
- (m) “*commercial hauler*” means a *person* engaged in the business of collecting *waste* from premises for transport to a *disposal site or material recovery facility*;
- (n) “*community recycling depot*” means an area maintained by the *City* and accessible to the public that contains bins set aside for the *collection of recyclable material* by the *City*;
- (o) “*compostable bag*” means:
 - (i) a plastic bag, independently certified as compostable based on standards established by the American Society for Testing and Materials Standard Specification for Compostable Plastics (ASTM D6400);
 - (ii) a compostable paper bag; or
 - (iii) another acceptable bag as designated by the *Director, Waste & Recycling Services*;
- (p) “*construction and demolition waste*” means materials generated in the course of construction, demolition or renovation on a parcel;

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- (q) “*Director, Waste & Recycling Services*” means the *City Manager* or that person’s designate;
- (r) “*disposal site*” means any premises designated by the *Director, Waste & Recycling Services* for the disposal of *waste* or any other premises which is approved by Alberta Environment for the disposal of *waste*;
- (s) “*dwelling unit*” means a residence of one or more persons that contains kitchen, living, sleeping and sanitary facilities;
- (t) “*food and yard waste material*” means the materials designated in Schedule E;
- (u) “*food and yard waste material recovery facility*” means one of the following:
 - (i) a facility that receives edible food donation;
 - (ii) a facility that receives agricultural food donation;
 - (iii) a composting facility;
 - (iv) an aerobic digestion facility;
 - (v) an anaerobic digestion facility;
 - (vi) a rendering plant facility;
 - (vii) a mulching facility;
 - (viii) a drying/pelletizing facility; or
 - (ix) any other facility that reuses, repurposes or processes *food and yard waste material* and is approved by the *Director, Waste & Recycling Services*;
- (v) “*garbage*” means material set out for *collection*, but does not include *recyclable material* or *food and yard waste material*;
- (w) “*garbage tag*” means a tag issued by the *City* to mark *plastic garbage bags* containing extra *garbage*;
- (x) “*general medical waste*” means non-hazardous medical *waste* and includes soiled dressings, sponges, surgery drapes, lavage tubes, casts, catheters, disposable pads, disposable gloves, specimen containers, lab coats and aprons, tubings, filters, towels and disposable sheets, but excludes *biomedical waste*;
- (y) “*green cart*” means a green *automated collection container* provided for the *collection* of *food and yard waste material*;

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- (z) “*hazardous waste*” means *waste* that is generated from any premises and has one or more hazardous properties as described in the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, and *Waste Control Regulation*, AR 192/1996, Schedule 1;
- (aa) “*household hazardous waste depot*” means an area maintained by the *City* and accessible to the public that contains bins set aside for the *collection of hazardous waste*;
- (bb) “*industrial waste*” means *waste* generated by commercial or industrial activities that presents health, safety or environmental concerns, and includes, but is not limited to, lime, sulfur, asbestos, contaminated soils, empty chemical containers and drums, carbon, acids, caustics, sludge, and industrial sump water, but excludes *hazardous waste* and *biomedical waste*;
- (cc) “*material recovery facility*” means a facility that receives and prepares *recyclable material* for marketing;
- (dd) “*medical sharp*” means a needle device or any non-needle sharp used for withdrawing body fluids, accessing an artery or vein, administering medications or other fluids, or any other device that can reasonably be expected to penetrate the skin or any other part of the body;
- (ee) “*multi-residential development*” means a group of five or more *dwelling units* that:
 - (i) share a common parcel of land, whether or not any premises on the parcel are used for commercial purposes; or
 - (ii) share a private roadway that provides access to the *dwelling units*, notwithstanding that some of the *dwelling units* may be located adjacent to a public street; or
 - (iii) both (i) and (ii);
- (ff) “*non-residential parcel*” means a parcel of land that does not contain a *dwelling unit*;
- (gg) “*non-residential recyclable material*” means the material designated in Schedule D, but does not include *construction and demolition waste*;
- (hh) “*owner*” includes the *person* shown as the owner on the land title for a property, the occupant of a premises, the lessee or tenant of a premises, the condominium board of a condominium property, or the property management company that holds itself out as responsible for the maintenance of a premises, as applicable;

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- (ii) “*person*” means an individual or a body corporate and includes a partnership, a group of *persons* acting in concert or an association unless the context explicitly or by necessary implication otherwise requires;
 - (jj) “*plastic garbage bag*” means a plastic bag specifically marketed to store *garbage* for *collection*, and excludes plastic bags that are intended for other purposes;
 - (kk) “*recyclable material*” means *residential recyclable material* and *non-residential recyclable material*;
 - (ll) “*residential dwelling*” means any building containing four or fewer *dwelling units*;
 - (mm) “*residential recyclable material*” means the materials designated in Schedule C;
 - (nn) “*waste*” means anything that is set out for *collection* and includes *garbage*, *recyclable material*, and *food and yard waste material*.
- (2) All schedules attached to this *Bylaw* form part of this *Bylaw*.
 - (3) Headings or sub-headings are inserted for ease of reference and guidance purposes only and do not form part of this *Bylaw*.
 - (4) Where this *Bylaw* cites or refers to any act, regulation, code or other *Bylaw*, the citation or reference is to the act, regulation, code or other *Bylaw* as amended, whether amended before or after the commencement of this *Bylaw*, and includes reference to any act, regulation, code or other *Bylaw* that may be substituted in its place.
 - (5) Each provision of this *Bylaw* is independent of all other provisions and if any provision is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this *Bylaw* remain valid and enforceable.
 - (6) Nothing in this *Bylaw* relieves a *person* from complying with any provision of any federal, provincial or municipal law or regulation or any requirement of any lawful permit, order or licence.

PART 2 – GENERAL

AUTHORITY OF THE DIRECTOR, WASTE & RECYCLING SERVICES

- 3. The *Director, Waste & Recycling Services* is authorized to:
 - (a) approve or set specifications for *automated collection containers*, *compostable bags* and *plastic garbage bags*;

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- (b) specify the types of *waste* accepted at a *City disposal site*, *City material recovery facility*, *City composting facility*, *community recycling depot* or *household hazardous waste depot*;
- (c) specify the quantities and types of *waste* eligible for *collection*;
- (d) designate *City* premises to be used as *City disposal sites* and establish rules and procedures to be followed at these sites;
- (e) determine the time and frequency of the *collection of waste*;
- (f) make and execute agreements on behalf of the *City* for the *collection of waste* and disposal services, including *collection* at a *multi-residential development* or *non-residential parcel*;
- (g) issue *industrial waste* permits for the disposal of *industrial waste*;
- (h) grant approvals and permissions as set out in this *Bylaw*;
- (i) establish systems for billing and collecting rates and fees; and
- (j) establish guidelines regarding:
 - (i) clear signage for the purposes of subsections 14(7), 14(8)(d) and 15(6)(a); and
 - (ii) adequate containers for the purposes of subsections 14(2), 14(3), 14(8)(a), 15(1) and 15(2).

RATES AND FEES

- 4. (1) Council shall set the following:
 - (a) the basic sanitary *waste* rate and the rate charged to Waste Management Facility account customers for *waste* disposed of at a *City disposal site*;
 - (b) the minimum charge for loads less than 250 kg disposed of at a *City disposal site*;
 - (c) the *black cart* program rate;
 - (d) the *blue cart* program rate;
 - (e) the *green cart* program rate; and
 - (f) the *garbage tag* fee.
- (2) Where *black cart* program services, *blue cart* program services and *green cart* program services are supplied by the *City* or its agent, the *owner* of a *residential dwelling* must pay to the *City* a monthly charge as set out in Schedule "B". *Black*

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cart program services, *blue cart* program services and *green cart* program services supplied by the *City* cannot be suspended at the request of an *owner*.

- (3) Rates for residential *black cart* program, the residential *blue cart* program and the residential *green cart* program will apply even where no material is set out for *collection*.
- (4) The *Director, Waste & Recycling Services*, may:
 - (a) establish fees for products and services provided with respect to the *collection* and disposal of *waste* including the provision, delivery, maintenance, and replacement of *City-owned automated collection containers*;
 - (b) except for the basic sanitary *waste* rate and the minimum charge for loads less than 250 kg as set by Council pursuant to subsection (1), set different rates for different types of *waste* disposed of at a *City disposal site*;
 - (c) set temporary rates for basic sanitary *waste* and other types of *waste* that are generated in connection with an emergency or natural disaster and that are disposed of at a *City disposal site*; and
 - (d) despite subsection (1)(a), enter into agreements with customers specifying rates and discounted rates for *waste* disposed of at a *City disposal site*;
 - (e) despite subsection (1)(f), enter into agreements with *persons* for the consignment of *garbage tags* for re-sale to the public and may set a commission to be paid to such *persons*.

GENERAL RULES

5. A *person* must not scavenge *waste* from an *automated collection container*, *waste container*, *plastic garbage bag*, *compostable bag*, *community recycling depot* or *household hazardous waste depot*.
6. The *owner* of any premises must store *waste* on the premises from which it is generated, unless it is stored on other premises with the consent of the *owner* and occupant of those other premises.
7. (1) A *person* must not deposit *waste* in or next to an *automated collection container* or *waste container* without the consent of:
 - (a) the *owner* of the container;
 - (b) the *owner* of the property where the container is located; or
 - (c) the occupant of the property where the container is located.

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- (2) A *person* may consent to the deposit of *waste* that has been generated off-site in an *automated collection container* only where it does not cause extra *waste* to be deposited outside the *automated collection container*.
8. An *owner* must ensure that *waste* stored or set out for *collection* on or adjacent to that *owner's* premises does not:
 - (a) create offensive odours; or
 - (b) become untidy.

PART 3 – RESIDENTIAL COLLECTION

WASTE COLLECTION

9. (1) *Waste collection* service is provided by the *City* to all *residential dwellings*.
- (2) Despite subsection (1), the *Director, Waste & Recycling Services* may direct that *collection* services not be provided to any *residential dwelling* if it is operationally impractical to do so.

AUTOMATED COLLECTION CONTAINERS

10. (1) *Residential dwellings* will be assigned and delivered *automated collection containers*.
- (2) The number and size of the *automated collection containers* required at a residential dwelling will be determined by the *Director, Waste & Recycling Services*.
- (3) The *Director, Waste & Recycling Services* is authorized to determine where *automated collection containers* are to be placed for *collection*.
- (4) Where an *automated collection container* has been assigned to a *residential dwelling*, a *person* must not remove the container or allow the container to be removed from the *residential dwelling*.
- (5) *Automated collection containers* remain the property of the *City* and may be removed by the *City*, its contractors or agents at the direction of the *Director, Waste & Recycling Services*.
- (6) *Owners of residential dwellings* are responsible for all *automated collection containers* assigned to the *residential dwelling* and must ensure that the containers are:
 - (a) kept clean;
 - (b) secured against loss or theft;
 - (c) maintained in good condition;

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- (d) not altered in any way, including any alteration of the exterior; and
 - (e) available to the *City*, its contractors or agents within a reasonable time frame for the purposes of inspection or maintenance.
- (7) An *owner* of a *residential dwelling* is responsible for all fees related to *automated collection containers* issued for the *owner's* premises including fees for the provision, delivery, maintenance or replacement of the *automated collection container*.

COLLECTION OF WASTE IN AUTOMATED COLLECTION CONTAINERS

11. (1) *Waste* set out for *collection* must be sorted as follows:
- (a) all *garbage* must be placed in a *black cart* with the lid closed;
 - (b) all *residential recyclable material* must be placed in a *blue cart* with the lid closed; and
 - (c) all *food and yard waste material* must be placed in a *green cart* with the lid closed.
- (2) An *owner* must ensure that any *automated collection containers* for *waste* used at the *owner's* premises are filled so that the total weight of the container and its contents does not exceed 60 kilograms.
- (3) Unless an *owner* has written approval from the *Director, Waste & Recycling Services* to set an *automated collection container* for *waste* out for *collection* at a specific location, the *owner* must ensure that an *automated collection container* filled with *waste*:
- (a) is located at least 1 metre from any object on either side of the container;
 - (b) is located at least 50 centimetres from any object behind the container;
 - (c) has an overhead clearance above the top of the *automated collection container* of 3 metres;
 - (d) for front street *collection*, is:
 - (i) located in front of the *residential dwelling* that generated the *waste* materials;
 - (ii) located on the street at the curb; or on the driveway at the street; and
 - (iii) placed in an upright position and the front of the container facing the street;
 - (e) for *alley collection*, is:

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- (i) located behind the *residential dwelling* that generated the *waste materials*;
 - (ii) located adjacent to the *alley* on level ground and not on a step or raised platform of any kind;
 - (iii) placed in an upright position and the front of the container facing the *alley*;
- (f) is not obstructing traffic in the street or *alley*.
- (4) Where more than one *automated collection container* is set out for *automated collection*, the minimum amount of space between individual *automated collection containers* or extra *waste* must be 50 centimetres.
- (5) Despite section 18 and section 18.1 of the Street Bylaw 20M88, as amended, an *owner* may set out one or more *automated collection containers* for *waste* on the street or *alley* for *automated collection* in accordance with the requirements of subsections (3) and (4) of this section.
- (6) An *owner* must ensure that *waste* from the *owner's* premises is set out for *collection* no later than 7:00 a.m. on the day of *collection*.
- (7) An *owner* with front street *collection* must:
- (a) set *waste* out for *collection* no earlier than 7:00 p.m. on the day before *collection*; and
 - (b) remove *automated collection containers* from the *collection* location before 7:00 p.m. on *collection* day.

EXTRA WASTE

12. (1) Despite subsection 11(1), extra *waste* may be set out in accordance with this section.
- (2) If a *black cart* is full, extra *garbage* may be set out for *collection* if it is contained in one or more *plastic garbage bags*:
- (a) which measure no more than 66 centimetres wide and 90 centimetres long;
 - (b) which contain no more than 20 kilograms of *garbage* per bag;
 - (c) which are securely closed or tied at the top of the bag;
 - (d) which are placed adjacent to the *black cart* no closer than 50 centimetres from the *black cart*; and
 - (e) to which a *garbage tag* is attached in plain sight.

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- (3) Extra *garbage* not set out in accordance with subsection (2) will not be collected.
- (4) *Recyclable material* and *food and yard waste material* must not be placed in a *plastic garbage bag* to which a *garbage tag* is attached.
- (5) *Residential recyclable material* not placed in a *blue cart* will not be collected.
- (6) If the *green cart* is full, extra *food and yard waste material* may be set out for *collection* if it is contained in one or more *compostable bags*:
 - (a) which contain no more than 20 kilograms of *food and yard waste material* per bag;
 - (b) which are securely closed or tied at the top of the bag; and
 - (c) which are placed adjacent to the *green cart* no closer than 50 centimetres from the *green cart*.
- (7) Extra *food and yard waste* not set out in accordance with subsection (6) will not be collected.

RESTRICTIONS ON WASTE

- 13. (1) Except as otherwise provided in this section, an *owner* must ensure that the following types of *waste* are not set out for *collection* by the *City* from the *owner's* premises:
 - (a) industrial or *hazardous waste*;
 - (b) *biomedical waste*;
 - (c) *general medical waste*;
 - (d) sharp objects such as glass, nails, knives, or metal;
 - (e) *animal waste*, dead animals or animal parts;
 - (f) sawdust and powdered materials;
 - (g) automobile *waste* including automobile parts, tires, and batteries;
 - (h) individual items that are larger than 1 metre in any dimension or items that weigh more than 20 kilograms;
 - (i) liquids; and
 - (j) *waste* that is unsafe for the *collector* to access or handle.

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- (2) An *owner* may set *medical sharps* out for *collection* if the *medical sharps* are contained in a puncture resistant, non-breakable container with a tight fitting lid before they are set out for *collection*.
- (3) An *owner* may set sharp objects out for *collection* if the sharp objects are contained in a puncture resistant, non-breakable container with a tight fitting lid before they are set out for *collection*.
- (4) An *owner* may set *general medical waste, animal waste* and powdered materials out for *collection* if it is packaged in securely tied, double *plastic garbage bags*.
- (5) An *owner* may set out *animal waste* for *collection* in a *green cart* if the *animal waste* is secured in a *compostable bag* so as to ensure that the *animal waste* cannot be exposed when being collected.
- (6) An *owner* may set out sawdust for *collection* in:
 - (a) a *black cart*, if the sawdust is from finished or treated wood and secured in a suitable container or packaging so as to ensure that the sawdust cannot be exposed when being collected; or
 - (b) a *green cart*, if the sawdust is from unfinished or untreated wood and secured in a *compostable bag* so as to ensure that the sawdust cannot be exposed when being collected.
- (7) A *person* may set out liquid food *waste* for *collection* in a *green cart*, as long as it is sufficiently contained or absorbed so as not to spill when being collected.

PART 4 – MULTI-RESIDENTIAL DEVELOPMENTS

GARBAGE, RECYCLING AND DIVERSION OF FOOD AND YARD WASTE MATERIAL AT MULTI-RESIDENTIAL DEVELOPMENTS

14. (1) In this section, “*owner*” means:
 - (a) the *person* shown as the *owner* on a land title for *multi-residential development*;
 - (b) the condominium corporation, in the case of a *multi-residential development* registered under the *Condominium Property Act*, RSA 2000, c C-22; or
 - (c) the housing association, in the case of a *multi-residential development* operated by a housing association registered under the *Cooperatives Act*, SA 2001, c C-28.1.
- (2) The *owner* of a *multi-residential development* must ensure adequate containers are available for the separate storage of:
 - (a) *garbage*;

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(b) *residential recyclable material;*

(c) *food and yard waste material;*

generated on-site.

(3) For the purposes of subsections (2) and (8)(a), “adequate containers” means one or more containers which are:

(a) maintained in good condition; and

(b) provided in:

(i) sufficient numbers and locations; and

(ii) of sufficient capacity;

to contain the volume of *garbage, residential recyclable material and food and yard waste material* generated at the *multi-residential development*.

(4) The occupants of a *multi-residential development* must deposit *garbage, residential recyclable material and food and yard waste material* generated at their *dwelling unit* in the containers provided pursuant to subsection (2).

(5) The *owner* of a *multi-residential development* must ensure that the containers provided pursuant to subsection (2) are emptied as necessary and that:

(a) *garbage* on the parcel is taken to a *waste disposal site*;

(b) *residential recyclable material* generated on the parcel is taken to and deposited at a *material recovery facility*; and

(c) *food and yard waste material* generated on the parcel is taken to a *food and yard waste material recovery facility*.

(6) Despite subsections (5)(a) and (8)(c)(ii), occupants of a *multi-residential development* may conduct their own on-site composting of *food and yard waste material* generated at the parcel.

(7) The *owner* of a *multi-residential development* must:

(a) ensure clear signage is posted on all *waste collection* containers, indicating what type of *waste materials* can be disposed of in each *collection* container; and

(b) on an annual basis, and on commencement of a new tenancy, provide information as prescribed by the *Director, Waste & Recycling Services*, to all occupants detailing what *waste materials* can be collected and the proper method for preparing and sorting *waste materials* for *collection*.

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- (8) The occupant of a premises, within a *multi-residential development*, that is used for commercial purposes must:
- (a) provide adequate containers for the separate storage of:
 - (i) *garbage*;
 - (ii) *non-residential recyclable material*; and
 - (iii) *food and yard waste material*;generated on-site.
 - (b) deposit *non-residential recyclable material* and *food and yard waste material* in the containers provided pursuant to subsection (a);
 - (c) ensure that the containers provided pursuant to subsection (a) are emptied as necessary and that:
 - (i) *garbage* on the parcel is taken to a *waste disposal site*;
 - (ii) *non-residential recyclable material* generated on the parcel is taken to and deposited at a *material recovery facility*; and
 - (iii) *food and yard waste material* generated on the parcel is taken to and deposited at a *food and yard waste material recovery facility*;and
 - (d) ensure clear signage is posted on all *waste collection* containers, indicating what type of *waste* materials can be disposed of in each *collection* container.

PART 5 – NON-RESIDENTIAL PROPERTIES

GARBAGE, RECYCLING AND DIVERSION OF FOOD AND YARD WASTE MATERIAL AT NON-RESIDENTIAL PARCELS

15. (1) The *owner* of a *non-residential parcel* must ensure adequate containers are available for the separate storage of:
- (a) *garbage*;
 - (b) *non-residential recyclable material*;
 - (c) *food and yard waste material*;
- generated on-site.

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- (2) For the purposes of subsection (1), “adequate containers” means one or more containers which are:
- (a) maintained in good condition; and
 - (b) provided in:
 - (i) sufficient number and locations; and
 - (ii) of sufficient capacity;
- to contain the volume of garbage, non-residential recyclable material and food and yard waste material generated at the non-residential parcel.*
- (3) The occupants of a *non-residential parcel* must deposit *non-residential recyclable material* and *food and yard waste material* generated on-site in the containers provided pursuant to subsection (1).
- (4) The *owner* of a *non-residential parcel* must ensure that the containers provided pursuant to subsection (1) are emptied as necessary and that:
- (a) *garbage* on the parcel is taken to a *waste disposal site*;
 - (b) *non-residential recyclable material* generated on the parcel is taken to and deposited at a *material recovery facility*; and
 - (c) *food and yard waste material* generated on the parcel is taken to and deposited at a *food and yard waste material recovery facility*.
- (5) Despite subsection 4(b), occupants of a *non-residential parcel* may conduct their own on-site composting of *food and yard waste material* generated at the parcel.
- (6) The *owner* of a *non-residential parcel* must:
- (a) ensure clear signage is posted on all *waste collection* containers, indicating what type of *waste* materials can be disposed of in each *collection* container; and
 - (b) on an annual basis, and on commencement of a new tenancy, provide information as prescribed by the *Director, Waste & Recycling Services*, to all occupants detailing what *waste* materials can be collected and the proper method for preparing and sorting *waste* materials for *collection*.
16. (1) An *owner* or occupant of a *non-residential parcel* may apply to the *Director, Waste & Recycling Services* to be exempted from the requirements of section 15 with respect to *non-residential recyclable material, food and yard waste material, or both*.
- (2) The *Director* may grant an exemption pursuant to subsection (1) if the *Director* is satisfied that the parcel does not routinely generate:

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- (a) *non-residential recyclable material;*
 - (b) *food and yard waste material;*
- or both.

PART 6 – WASTE DISPOSAL AT CITY DISPOSAL SITES

17. A *person* must not:
- (a) dispose of any *waste* at a *City disposal site* other than the types of *waste* specified by the Director, *Waste & Recycling Services*;
 - (b) dispose of *waste* at a *City disposal site* unless it is packaged to prevent litter once deposited; or
 - (c) scavenge at a *City disposal site*.
18. A *person* must not dispose of *industrial waste* at a *City disposal site* without an *industrial waste* permit issued by the Director, *Waste & Recycling Services*.
19. A *person* to whom an *industrial waste* permit has been issued must comply with all conditions of that permit.

PART 7 – OTHER

COMMUNITY RECYCLING DEPOTS

20. (1) A *person* must not deposit or dispose of materials at a *community recycling depot* other than those materials described as permitted materials by signage located at the depot.
- (2) A *person* must not deposit materials of any kind at a *community recycling depot* except in the receptacles or bins provided.
- (3) A *person* must not deposit permitted materials in a receptacle or bin at a *community recycling depot* except via the openings provided for that purpose.
- (4) A *person* must not tamper with, interfere with or damage a receptacle or bin at a *community recycling depot*.
- (5) A *commercial hauler* must not deposit at a *community recycling depot*:
- (a) *garbage;*
 - (b) *recyclable material;* or
 - (c) *food and yard waste material;*

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that were collected in the course of the *commercial hauler's* business.

HOUSEHOLD HAZARDOUS WASTE DEPOTS

21. (1) A *person* must not deposit materials at a *household hazardous waste depot* other than those materials described as permitted materials by signage located at a depot.
- (2) A *person* must not deposit at a *household hazardous waste depot* any *hazardous waste* that was generated from a commercial business.

PART 8 – ENFORCEMENT

ENFORCEMENT

22. The *Director, Waste & Recycling Services*, may suspend the *collection of waste* if the *owner of a residential dwelling*:
 - (a) contravenes a provision of this *Bylaw*; or
 - (b) engages in harassing, abusive or threatening conduct towards a *City collector*.
23. The owner of a vehicle involved in an offence set out in this *Bylaw* is guilty of the offence, unless that vehicle *owner* satisfies the Court that the vehicle was:
 - (a) not being operated by the owner; and
 - (b) that the *person* operating the vehicle at the time of the offence did so without the vehicle owner's express or implied consent.
24. Where a Bylaw Enforcement Officer, believes a *person* has contravened any provision of this *Bylaw*, the Bylaw Enforcement Officer may:
 - (a) issue to the *person* an order in accordance with section 545 of the *Municipal Government Act* to remedy the contravention;
 - (b) issue to the *person* a violation ticket in accordance with the *Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34; or
 - (c) do both (a) and (b) above.
25. If the *person* to whom an order has been issued pursuant to section 24 fails to comply with the order within the time specified in the order:
 - (a) that *person* commits an offence under this section and a Bylaw Enforcement Officer may issue a violation ticket pursuant to the *Provincial Offences Procedures Act*; and

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- (b) the *City* may take whatever steps are necessary to remedy the breach of this *Bylaw* and the cost of doing so becomes a debt owing to the *City* by the *person* to whom the order was issued in accordance with the *Municipal Government Act*.
26. Any *person* who contravenes a provision of this *Bylaw* is guilty of an offence and is liable on conviction:
- (a) for a first offence, to the specified penalty shown in Schedule “A” of this *Bylaw* in respect of that provision; and
 - (b) for a second offence of the same provision within a twenty-four month period, to a fine of twice the amount of the specified penalty shown in Schedule “A” of this *Bylaw* in respect of that provision.
27. Where, on a prosecution of an offence pursuant to this *Bylaw*, a *person* believes a written approval or permission of the *Director, Waste & Recycling Services* provides that *person* with a defence, the onus of proving that approval or permission was given rests with the *person* relying on the permission or approval.
28. The levying and payment of any fine or the imprisonment for any period provided in the *Bylaw* does not relieve a *person* from the necessity of paying any fees, charges or costs for which he or she is liable under the provisions of this *Bylaw*.

REPEAL

29. Bylaw 20M2001 is hereby repealed.

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EFFECTIVE DATE

30. (1) This *Bylaw* comes into force on the day it is passed.
- (2) Despite subsection (1), section 12 comes into force on June 1, 2020.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

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SCHEDULE "A"

SPECIFIED PENALTIES

<u>Section</u>	<u>Offence</u>	<u>Specified Penalty</u>
5	Scavenge <i>waste</i>	\$125.00
6	Store <i>waste</i> on other's premises	\$250.00
7(1)	Deposit <i>waste</i> without consent	\$250.00
8	Allow offensive odours or untidy <i>waste</i>	\$125.00
10(4)	Remove <i>automated collection containers</i> from <i>residential dwelling</i>	\$125.00
11(1)	Fail to appropriately sort <i>waste materials</i> set out for <i>collection</i>	\$125.00
11(2)	Filled <i>automated collection container</i> exceeds 60 kilograms	\$125.00
11(3)	Fail to properly place <i>automated collection containers</i> for <i>collection</i>	\$125.00
11(4)	Fail to properly separate <i>automated collection containers</i> for <i>collection</i>	\$125.00
11(7)(a)	Set <i>automated collection containers</i> out before 7:00 p.m. on the day before <i>collection</i>	\$125.00
11(7)(b)	Fail to remove <i>automated collection containers</i> from front street by 7:00 p.m. on <i>collection day</i>	\$125.00
13(1)	Set out restricted <i>waste</i> for <i>collection</i>	\$250.00
14(2)	Fail to provide adequate containers at a <i>multi-residential development</i>	\$250.00
14(4)	Fail to deposit <i>residential recyclable material</i> and <i>food and yard waste material</i> in containers at <i>multi-residential development</i>	\$250.00

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14(5)	Fail to empty containers at <i>multi-residential development</i>	\$250.00
14(7)(a)	Fail to ensure clear signage posted on <i>waste collection</i> containers	\$250.00
14(7)(b)	Fail to provide information to residents and occupants on proper preparation and storage of <i>waste</i>	\$250.00
14(8)(a)	Occupant of commercial premises fail to provide adequate containers at a <i>multi-residential development</i>	\$250.00
14(8)(b)	Occupant of commercial premises fail to deposit <i>non-residential recyclable material</i> and <i>food and yard waste material</i> in containers at <i>multi-residential development</i>	\$250.00
14(8)(c)	Occupant of commercial premises fail to empty containers at <i>multi-residential development</i> or to ensure <i>recyclable material</i> and <i>food and yard waste material</i> taken to and deposited at designated facility	\$250.00
14(8)(d)	Occupant of commercial premises fail to ensure clear signage posted on <i>waste collection</i> containers	\$250.00
15(1)	Fail to provide adequate containers at a <i>non-residential parcel</i>	\$250.00
15(3)	Fail to deposit <i>non-residential recyclable material</i> and <i>food and yard waste material</i> in containers at <i>non-residential parcel</i>	\$250.00
15(4)	Fail to empty containers at <i>non-residential parcel</i> or fail to ensure <i>non-residential recyclable material</i> and <i>food and yard waste material</i> taken to and deposited at designated facility	\$250.00

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15(6)(a)	Fail to ensure clear signage posted on <i>waste collection</i> containers	\$250.00
15(6)(b)	Fail to provide information to occupants on proper preparation and storage of <i>waste</i>	\$250.00
17(a)	Dispose of improper <i>waste</i> at <i>City disposal site</i>	\$250.00
17(b)	Dispose of improperly packaged <i>waste</i> at <i>City disposal site</i>	\$125.00
17(c)	Scavenge <i>waste</i> at <i>City disposal site</i>	\$125.00
18	Dispose of <i>industrial waste</i> without a permit	\$400.00
19	Fail to comply with permit	\$400.00
20(1)	Deposit improper materials at <i>community recycling depot</i>	\$250.00
20(2)	Deposit material beside or around bins at <i>community recycling depot</i>	\$250.00
20(3)	Improperly deposit permitted material at <i>community recycling depot</i>	\$250.00
20(4)	Tamper with, interfere with or damage receptacle or bin at <i>community recycling depot</i>	\$250.00
20(5)	<i>Commercial hauler</i> deposit <i>waste</i> at <i>community recycling depot</i>	\$250.00
21(1)	Deposit improper materials at <i>household hazardous waste depot</i>	\$250.00
21(2)	Deposit <i>hazardous waste</i> generated from a commercial business at <i>household hazardous waste depot</i>	\$1000.00
25	Fail to comply with order	\$1000.00

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SCHEDULE "B"

WASTE RATES

The rates and charges described in this Schedule are shown for the years 2020, 2021 and 2022, and shall apply in the calendar year indicated (from January 1 to December 31, inclusive).

TABLE 1 DISPOSAL RATES AND CHARGES
(Sections 4(1)(a) and (b))

For waste disposed at a <i>City disposal site</i>	2020	2021	2022
Basic Sanitary <i>Waste</i>	\$113/tonne	\$115/tonne	\$115/tonne
Minimum charge for loads less than 250 kilograms	\$25/load	\$25/load	\$25/load

TABLE 2 DISPOSAL RATES FOR WASTE MANAGEMENT FACILITY ACCOUNT CUSTOMERS
(Section 4(1)(a))

For waste disposed at a <i>City Disposal site (Waste Management Facility)</i>	2020	2021	2022
For less than 1,000 tonnes per month	\$108/tonne	\$108/tonne	\$108/tonne
For 1,000 tonnes or more per month	\$100/tonne	\$100/tonne	\$100/tonne
For 2,000 tonnes or more per month	\$90/tonne	\$90/tonne	\$90/tonne
For 3,500 tonnes or more per month	\$80/tonne	\$80/tonne	\$80/tonne

TABLE 3 BLACK CART PROGRAM RATE
(Section 4(1)(c))

Monthly rates described in Table 3 are based on a thirty (30) day period. The amount billed shall be established by dividing the applicable monthly rate by thirty (30) to derive a daily rate and multiplying the daily rate by the actual number of days in the billing period.

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Monthly Rate	2020	2021	2022
Residential <i>Black Cart</i> Program (\$ per 30 days)	\$6.85	\$7.05	\$7.15

TABLE 4 BLUE CART PROGRAM RATE
(Section 4(1)(d))

Monthly rates described in Table 4 are based on a thirty (30) day period. The amount billed shall be established by dividing the applicable monthly rate by thirty (30) to derive a daily rate and multiplying the daily rate by the actual number of days in the billing period.

Monthly Rate	2020	2021	2022
Residential <i>Blue Cart</i> Program (\$ per 30 days)	\$8.80	\$9.10	\$9.25

TABLE 5 GREEN CART PROGRAM RATE
(Section 4(1)(e))

Monthly rates described in Table 5 are based on a thirty (30) day period. The amount billed shall be established by dividing the applicable monthly rate by thirty (30) to derive a daily rate and multiplying the daily rate by the actual number of days in the billing period.

Monthly Rate	2020	2021	2022
Residential <i>Green Cart</i> Program (\$ per 30 days)	\$8.65	\$8.95	\$9.10

TABLE 6 GARBAGE TAG FEE
(Section 4(1)(d))

	2020	2021	2022
<i>Garbage Tag fee</i>	\$3.00	\$3.00	\$3.00

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SCHEDULE "C"

RESIDENTIAL RECYCLABLE MATERIAL

The following materials are designated as *residential recyclable material*:

1. Newspaper
2. Catalogues and magazines
3. Mixed paper
4. Shredded paper
5. Telephone books
6. Boxboard and corrugated cardboard
7. Glass food and beverage containers
8. Metal food and beverage containers
9. Aluminum cans, aluminum foil and aluminum foil plates
10. Refundable beverage containers
11. Plastic containers with the recycling symbols from 1-7, except polystyrene foam (including Styrofoam™)
12. Plastic bags
13. Polycoat and aseptic containers (including Tetra Pak®).

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SCHEDULE "D"

NON-RESIDENTIAL RECYCLABLE MATERIAL

The following materials are designated as *non-residential recyclable material*:

1. Newspaper
2. Catalogues and magazines
3. Mixed paper
4. Shredded paper
5. Telephone books
6. Boxboard and corrugated cardboard
7. Glass food and beverage containers
8. Metal food and beverage containers
9. Aluminum cans, aluminum foil and aluminum foil plates
10. Refundable beverage containers
11. Plastic containers with the recycling symbols from 1-7, except polystyrene foam (including Styrofoam™)
12. Plastic bags
13. Polycoat and aseptic containers (including Tetra Pak®)
14. Ferrous and non-ferrous scrap metals
15. Clear polyethylene film
16. Dimensional lumber, wooden pallets and other items made of raw and unprocessed wood

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SCHEDULE "E"

FOOD AND YARD WASTE MATERIAL

The following materials are designated as *food and yard waste material*:

FOOD WASTE

1. Fruits and vegetables
2. Meat, fish, shellfish, poultry, bones
3. Dairy products (cheese, sour cream)
4. Eggs and egg shells
5. Bread, cereal, crackers and grains
6. Pasta, beans, rice, couscous
7. Cookies, cakes, muffins and pastries
8. Salad dressing, mayonnaise, sauces, dips, gravy
9. Jams, marmalades, chutneys and peanut butter
10. Cooking oils, lard, shortening, butter
11. Coffee grounds, filters and tea bags
12. Chips, popcorn and candy
13. Seeds, pits, nuts and shells

FOOD SOILED PAPER

1. Food-soiled paper towels, napkins and tissues
2. Paper plates

YARD WASTE

1. Plants, flowers and weeds
2. Leaves
3. Grass clippings
4. Branches (up to 15 cm in diameter), twigs and hedge trimmings

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5. Sod
6. Household plants, including soil