

## Waste Bylaw Rewrite

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### EXECUTIVE SUMMARY

Waste & Recycling Services (WRS) is bringing forward Waste and Recycling Bylaw 20M2001 for repeal and replacement with the proposed, updated Waste Bylaw. Council approval is required to bring the new Waste Bylaw into effect.

Since its approval almost 20 years ago, Bylaw 20M2001 has been amended 13 times to allow for policy, program, and service changes, including automated cart collection, blue cart recycling, green cart food and yard waste collection, and requirements for multi-family and industrial, commercial and institutional (ICI) waste diversion. These amendments have created inconsistencies in language and requirements within the existing Bylaw, making it difficult for citizens and businesses to understand.

The proposed Waste Bylaw maintains substantially the same content as Bylaw 20M2001, and previous Council direction. Changes have been made to improve clarity and usefulness through simpler language, re-organizing and restructuring content, and removing sections and terms that have become obsolete due to the evolution of services.

The following are notable changes:

1. Incorporated Tag-a-bag program requirements for extra garbage, to come into effect 2020 June 1.
2. Added provisions for the provincially regulated Household Hazardous Waste (HHW) program to mitigate illegal dumping and use of these depots by commercial businesses.
3. Provided Director authority to enter into customer agreements that allow additional flexibility to modify the disposal discount rate structure.
4. Eliminated the commercial waste section and reference to condominiums, as these issues are now addressed in contracts where The City provides collection services to these customers.

### ADMINISTRATION RECOMMENDATIONS

That the Standing Policy Committee (SPC) on Utilities and Corporate Services (UCS) recommend that Council:

1. Give three readings to the proposed Waste Bylaw (Attachment 1).

### RECOMMENDATION OF THE STANDING POLICY COMMITTEE ON UTILITIES AND CORPORATE SERVICES, 2020 JANUARY 29:

That Council give three readings to the **Proposed Bylaw 4M2020** (Attachment 1).

### PREVIOUS COUNCIL DIRECTION / POLICY

Bylaw 20M2001 came into force 2001 March 19 and has undergone 13 amendments, including business cycle and budget adjustment rate changes. Attachment 2 provides a summary of previous Council direction for Bylaw 20M2001.

In 2019, Council directed Administration to implement a Tag-a-bag program for extra residential garbage, starting no later than 2020 Q2, and established the garbage tag fee (UCS2019-0364).

### BACKGROUND

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Through Council's bylaw-making powers under the *Municipal Government Act*, The City of Calgary regulates and controls the storage, collection and disposal of waste within Calgary, by providing direction to citizens on requirements for participating in and supporting waste programs. The Bylaw, and the waste diversion programs described therein, support The City's goal of diverting 70 per cent of Calgary's waste away from landfills by 2025. The Bylaw provides a clear and consistent foundation to support current WRS operations and enables citizens to support WRS waste programs.

### **INVESTIGATION: ALTERNATIVES AND ANALYSIS**

The proposed Waste Bylaw includes changes to improve clarity and usefulness through simpler language, re-organizing and restructuring content, and removing sections and terms that have become obsolete due to the evolution of services. A summary of the changes in the proposed Waste Bylaw is provided in Attachment 3.

While the proposed Waste Bylaw maintains much of the content of Waste and Recycling Bylaw 20M2001, four notable changes have been made. The four changes and the rationale for their inclusion are described here.

1. New provisions in the Bylaw are required for the implementation of the Tag-a-bag program for extra garbage at residential dwellings. These provisions establish requirements for the size and weight of garbage bags, placement requirements, and attachment of the extra garbage tag. These changes come into effect 2020 June 1, to coincide with the commencement of the program.
2. Illegal dumping at residential Household Hazardous Waste (HHW) depots and use of these depots by commercial businesses is expensive to manage, and creates safety risks for City staff running the depots and for citizens using the depots. As a result, the proposed Waste Bylaw adds provisions for use of HHW depots and associated fines. The HHW program is regulated by the Government of Alberta.
3. The proposed Waste Bylaw provides the authority for the Director, Waste & Recycling Services, to enter into customer agreements for discounted waste disposal rates. The proposed Waste Bylaw maintains the Council-approved discounts for Waste Management Facility Account Customers, and provides WRS additional flexibility to modify the disposal discount rate structure to continue to attract customers, increase revenue and provide potential for increased hours of service.
4. The Commercial Garbage section and references to condominiums in Bylaw 20M2001, including the Collection from Condominiums section, are now obsolete due to changes to the services provided by The City. As a result, these sections have been eliminated and relevant provisions have been integrated into the Non-Residential Properties and Multi-Residential Developments sections. Where The City does provide collection services for ICI customers or multi-residential developments, additional collection provisions are included in the contract.

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Modifications have also been made in the proposed Waste Bylaw to improve collector safety, and these changes will affect Calgarians participating in the Black, Blue, and Green Cart programs. In particular, additional space is now required between automated collection carts and obstacles. Extra food and yard waste placed outside of the green cart must be in securely closed compostable bags that weigh less than 20 kilograms, since this extra waste is manually moved by collectors. Bundles of extra yard waste will no longer be collected.

### Stakeholder Engagement, Research and Communication

WRS utilized data from citizen 3-1-1 calls, service requests, and operational experience gained through the implementation of diversion programs, to identify sections in Bylaw 20M2001 that lacked clarity and consistency. WRS, Law and Calgary Community Standards collaborated on the proposed Waste Bylaw.

### Strategic Alignment

This report aligns with the 2019-2022 Citizen Priorities of A Healthy & Green City and A Well-Run City.

### Social, Environmental, Economic (External)

The proposed Waste Bylaw supports waste programs that have a positive impact on the environment by reducing the use of natural resources by increasing the amount and type of materials collected for recycling and reducing materials sent to landfill; ensures the protection of the public health, customers, and WRS employees through safe waste management practices; and contributes to financial sustainability through more efficient and effective operations.

### Financial Capacity

#### ***Current and Future Operating and Capital Budget:***

There are no impacts to WRS' operating or capital budgets with this recommendation.

### Risk Assessment

Risks associated with not approving this recommendation include continued lack of clarity for citizen requirements for participating with WRS in waste management programs, including the Tag-a-bag program for excess garbage that will be implemented in 2020. The Bylaw in its current form is difficult to enforce and to explain to customers.

There are no identified risks associated with approving this recommendation.

### **REASONS FOR RECOMMENDATIONS:**

By providing clearer direction to citizens, WRS is able to provide customer-focused, efficient, safe and financially sustainable waste management services, and better support The City's goal of diverting 70 per cent of Calgary's waste away from landfills by 2025.

### ATTACHMENTS

1. Attachment 1 – **Proposed Bylaw 4M2020**
2. Attachment 2 – Historical Council Direction for Bylaw 20M2001
3. Attachment 3 – Description of Changes in Proposed Waste Bylaw
4. Attachment 4 – Presentation