

PROPERTY MAINTENANCE

Chapter 440 GARBAGE - COLLECTION – REMOVAL

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Article 1 INTERPRETATION

440.1.1 General Manager - defined

“General Manager” of Public Works means the General Manager or should that title change, the employee of the City of Brantford who has similar responsibilities to what would have been known as the General Manager and can also include the Chief Administrative

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Officer or any Director or Manager who has been designed the authority hereunder. By-law 152-2001, 24 September, 2001; By-law 177-2020, 27, October 2020.

440.1.2 Compostable materials - defined

“compostable materials” means the varieties of solid waste listed in Schedule ‘D’. By-law 151-92, 13 October, 1992.

440.1.3 Condominium Corporation - defined

“condominium corporation” means a validly subsisting corporation under the laws of Ontario that has entered into an agreement with the City of Brantford for the provision of solid waste and recycling material collection services. By-law 116-2005, 20 June, 2005.

440.1.4 Core area - defined

“core area” means both sides of the following streets within the City of Brantford:

- a) Colborne Street from Brant Avenue to Brock Street
- b) Dalhousie Street from Brant Avenue to Clarence Street
- c) Darling Street from King Street to Clarence Street Water
- d) Street front Market Street to its westerly limit Wharfe Street
- e) from Market Street to Colborne Street King Street from
- f) Colborne Street to Darling Street Queen Street from
- g) Colborne Street to Darling Street Market Street from
- h) Dalhousie Street to West Street George Street from
- i) Dalhousie Street to Darling Street Charlotte Street from
- j) Colborne Street to Darling Street Bridge Street from
- k) Dalhousie Street to Darling Street.

By-law 151-92, 13 October, 1992; By-law 152-2001, 24 September, 2001.

440.1.5 Dwelling - defined

“dwelling” means as defined by the City of Brantford Municipal Zoning By-law.

440.1.6 Dwelling unit - defined

“dwelling unit” means as defined by the City of Brantford Municipal Zoning By-law. By-law 116-2005, 20 June 2005.

440.1.7 Recyclable materials - defined

“recyclable materials” means the varieties of solid waste listed in Schedule ‘C’.

440.1.8 Solid waste - defined

“solid waste” means discarded materials which:

- a) are in a solid physical state, as determined by the “slump test” prescribed by the regulations passed under the provisions of the *Environmental Protection Act*.

- b) do not contain any of the unacceptable substances or materials set forth in Schedule 'B'.

440.1.9 Non-profit multi-residential complex – defined
“Non-profit multi-residential complex” means a validly existing non-profit corporation as defined in the Excise Tax Act R.S.C. 1985 c. E-15 and under the laws of Ontario, or a multi residential complex that provides social housing operated by a government entity or a subsidiary corporation owned by government entity and has entered into an agreement with the City of Brantford for the provision of onsite solid waste and recycling material collection services. For the purposes of this by-law, non-profit multi-residential complex does not include a condominium corporation. By-law 177-2020, 27 October 2020.

440.1.10 Organic materials – defined

“Organic materials” means the varieties of solid waste listed in Schedule 'F'. By-law 176-2023, October 24, 2023.

440.1.11 Officer – defined

“Officer” means an employee in the Solid Waste division who has been appointed as a municipal by-law officer for the purposes of administration and enforcement of this Chapter or other person appointed or employed by the City for the enforcement of by-laws. By-law 176-2023, October 24, 2023.

Article 2 GENERAL PROVISIONS

440.2.1 Mohawk Street Sanitary Landfill Site - use
Except as may be expressly permitted in this Chapter, no person shall deposit any material in the Mohawk Street Sanitary Landfill Site.

440.2.2 Curbside collection - other than specified - prohibited
Except as may be expressly permitted in this Chapter, no person shall place any material out for curbside collection within the City of Brantford

440.2.3 Composter - container - pile - restriction
Except as may be expressly permitted in this Chapter, no person shall keep or maintain any container or pile of compost or any other decaying organic material on any property within the City of Brantford.

440.2.4 Exemption - City - employees - duties
Sections 440.2.1, 440.2.2 and 440.2.3 shall not apply to The Corporation of the City of Brantford or any of its employees while in the course of their duties as such. By-law 176-2023, October 24, 2023.

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440.2.5 Interference - with curbside collection - prohibited

No person shall scavenge, interfere with, remove, or scatter any solid wastes, recyclable materials, organic materials, or compostable materials which have been left at curbside for collection. By-law 176-2023, October 24, 2023.

440.2.6 Interference - with curbside collection - exemption

Section 440.2.5 shall not apply to prevent the curbside collection of solid wastes, recyclable materials, organic materials or compostable materials by the Corporation of the City of Brantford or any person authorized by The Corporation of the City of Brantford to act on its behalf. By-law 176-2023, October 24, 2023.

440.2.7 Ban - previously permitted materials - collection

Despite any provision of this Chapter which permits any material to be left out for curbside collection, Council may by resolution ban the curbside collection of any material and no person shall thereafter leave that material out for curbside collection. By-law 151-92, 13 October, 1992.

**Article 3
CURBSIDE COLLECTION**

440.3.1 Solid waste - placed out - by occupant - permitted

The occupants of each dwelling unit or commercial or institutional establishment (where such commercial or institutional establishment is on an existing collection route in the City of Brantford) shall be permitted, in accordance with this Article, to leave solid wastes at the nearest adjoining curbside for collection. By-law 151-92, 13 October, 1992; By-law 116-2005, 20 June, 2005.

440.3.2 Containers - requirements - set out

No person shall place solid waste in a container which does not meet the following requirements set out in Sections 440.3.3 through 440.3.5 inclusive. By-law 176-2023, October 24, 2023.

440.3.3 Plastic bag - other - structural integrity - size

Solid wastes left at curbside for collection may be placed in an opaque bag constructed of plastic or other flexible material, other than paper, having sufficient structural integrity to hold the solid waste in all weather conditions, and having the following dimensions:

- a) minimum thickness 1.5 mil

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- | | |
|-------------------|-------------------|
| b) maximum volume | 0.18 cubic metres |
| c) maximum weight | 25 kg |
| d) minimum volume | 0.06 cubic metres |

(the minimum volume requirement shall not apply in the event that the only solid waste left at curbside for collection is contained in one opaque bag.)

440.3.4 Container - water-tight - covered - with handles - size

Solid wastes left at curbside for collection may be placed in a water-tight plastic or metal container equipped with a tight-fitting cover (which shall not be fastened to the container) and suitable handles, and having the following dimensions:

- | | |
|-------------------|-------------------|
| a) maximum volume | 0.18 cubic metres |
| b) maximum weight | 25 kg |
| c) minimum volume | 0.06 cubic metres |

(the minimum volume requirement shall not apply in the event that the only solid waste left at curbside for collection is contained in one such opaque receptacle or container.) By-law 151-92, 13 October, 1992.

440.3.5 Cardboard carton - wooden box - size

Solid wastes left at curbside for collection may be placed in a corrugated cardboard carton or wooden box which is securely tied and which has sufficient structural integrity to hold the solid waste in all weather conditions, and which has the following dimensions:

- | | |
|-----------------------------------|-------------------|
| a) maximum volume | 0.18 cubic metres |
| b) maximum weight | 25 kg |
| c) minimum volume | 0.06 cubic metres |
| d) maximum length of any one side | 1.2 metres |

(the minimum volume requirement shall not apply in the event that the only solid waste left at curbside for collection is contained within one such corrugated cardboard carton or wooden box.) By-law 151-92, 13 October, 1992; By-law 152-2001, 24 September, 2001.

440.3.6 Containers - maximum - five per week

The total number of containers (excluding the containers described in Articles 4 and 5 of this Chapter) placed at curbside for the collection of solid waste shall not exceed five per week from each dwelling unit or commercial or institutional establishment. By-law 151-92, 13 October, 1992; By-law 116-2005, 20 June, 2005.

440.3.7 Bundles - permitted - securely tied - size

Where solid waste cannot fit into the containers described in Section 440.3.2 through 440.3.5 inclusive because of the size and shape of the solid waste, it may be left at curbside for collection if it is securely bound into one or more bundles and if the bundles have the following

dimensions:

a) maximum volume	0.18 cubic metres
b) maximum weight	25 kg
c) maximum length	1.2 metres
d) minimum volume	0.06 cubic metres
e) maximum stacking height	1 metre

(the minimum volume requirement shall not apply in the event that the only solid waste left at curbside for collection is one such bundle. Each such bundle shall be deemed to be a container for the purpose of Section 440.3.6.) By-law 151-92, 13 October, 1992; By-law 152-2001, 24 September, 2001.

440.3.8 Placement - before 7 p.m. - preceding day - prohibited

No solid wastes shall be left at curbside for collection sooner than 7 p.m. on the day preceding the day of collection.

440.3.9 Collection - dates - set by General Manager

The General Manager is authorized to fix dates for the collection of solid wastes from time to time and no person shall leave solid wastes at curbside for collection except on such dates.

440.3.10 Collection - cancelled - rescheduled - without notice

Notwithstanding the foregoing, collection may be cancelled, delayed, or rescheduled at any time without notice to any member of the public. By-law 151-92, 13 October, 1992.

440.3.11 Collection - multiple dwellings - placement

Notwithstanding Section 440.3.1, the occupants of buildings in which there are three or more dwelling units and which share common access to a public street shall only leave solid wastes at curbside for collection if the solid wastes are left at a common point as determined by the General Manager on the curbside and stacked to a height not to exceed one metre. By-law 151-92, 13 October, 1992; By-law 152-2001, 24 September, 2001; By-law 116-2005, 20 June, 2005; By-law 177-2020, 27 October, 2020

440.3.12 Placement - at curbside - before collection

Where any solid wastes have not been placed at curbside for collection before the arrival of the persons and vehicles performing such collection, the solid wastes shall not be collected on that date.

440.3.13 Placement - location - without obstruction

Solid wastes placed at curbside for collection shall be placed at a minimum distance from the travelled portion of the nearest public roadway without obstructing the roadway or sidewalk. By-law 151-92, 13 October, 1992.

440.3.14 Waste - not collected - removed by owner

In the event that solid wastes have been left at curbside for collection

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and all or any portion of the solid wastes have not been collected before 7 p.m. on that date for any reason, the solid wastes shall be immediately removed from the curbside by the owner of the dwelling unit or commercial or institutional establishment from which the wastes originated. By-law 151-92, 13 October, 1992; By-law 116-2005, 20 June, 2005.

440.3.15 Multiple dwellings - commercial and institutional establishments - commencement of pickup

Where the occupants of a dwelling in which there are six or more dwelling units or the occupants of commercial or institutional establishments (where such establishments are on an existing collection route in the City of Brantford) wish to avail themselves of curbside pickup of solid wastes pursuant to this Chapter, they shall apply to the General Manager on at least fourteen days notice to be added to the collection route. By-law 152-2001, 24 September 2001; By-law 116-2005, 20 June, 2005. By-law 176-2023, October 24, 2023

440.3.16 Container - maintained - prevention - spillage - pests

The containers and the bundles, described in Sections 440.3.2 through 440.3.5 inclusive and in Section 440.3.7 respectively, shall be maintained and, where applicable, bound, as necessary to prevent spillage or breakage during removal, the attraction of animals (including insects), and the release of odours. By-law 151-92, 13 October, 1992.

Article 4 RECYCLABLE MATERIAL

440.4.1 Placement - at curbside - for collection

The occupants of each dwelling unit or commercial or institutional establishment (where such commercial or institutional establishment is on an existing collection route in the City of Brantford) shall be permitted, in accordance with this Article, to leave recyclable materials at the nearest adjoining curbside for collection. By-law 151-92, 13 October, 1992; By-law 116-2005, 20 June, 2005.

440.4.2 Curbside collection - provisions

The provisions of Sections 440.3.8, 440.3.9, 440.3.10, 440.3.12, 440.3.13, 440.3.14 and 440.3.15 shall apply mutatis mutandis to the curbside collection of recyclable materials. By-law 152-2001, 24 September, 2001.

440.4.3 Blue box - other - approved containers

Subject to the requirements set out in Schedule 'C', recyclable materials left at curbside for collection shall have been placed within the container commonly known as a "Blue Box" or within such other container as may be approved by the General Manager from time to time.

440.4.4 Preparation - for collection - Schedule 'C'

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No person shall leave recyclable materials at curbside for collection without having bundled or otherwise having prepared the recyclable materials in accordance with any applicable portions of Schedule ‘C’.

440.4.5 Quantity - limited - Schedule ‘C’

No person shall leave recyclable materials at curbside for collection in greater quantities than as set forth in the applicable portions of Schedule ‘C’. By-law 151-92, 13 October, 1992.

Article 5
COMPOSTABLE MATERIALS

440.5.1 Placement - for separate collection

The occupants of each dwelling unit or commercial or institutional establishment (where such commercial or institutional establishment is on an existing collection route in the City of Brantford) shall be permitted, in accordance with this Article, to leave compostable materials at the nearest adjoining curbside for separate collection. By-law 151-92, 13 October, 1992; By-law 152-2001, 24 September, 2001; By-law 116-2005, 20 June, 2005.

440.5.2 Limitation

No person shall leave any compostable materials, other than those set out in Section 440.5.1, at curbside for separate collection. By-law 151-92, 13 October, 1992.

440.5.3 Container - requirements

Compostable materials which are left at curbside for collection shall be contained within:

- a) double ply kraft paper bags having the structural integrity to hold the compostable materials in all weather conditions; or
- b) rigid walled containers which have suitable handles and which are left open so that the contents can be observed and distinguished from other solid wastes, to which shall be attached a suitable label in a visible location indicating that it contains only compostable materials, and which have dimensions in compliance with the following:

	Minimum Volume	Maximum Volume	Maximum Weight
Rigid - walled containers	0.18 Cubic Metres	0.06 Cubic Metres	25 Kg

	Minimum Volume	Maximum Volume	Maximum Weight
Double – ply Kraft paper bags	0.18 Cubic Metres	0.06 Cubic Metres	25 Kg

- a) (The minimum volume requirement shall not apply in the event that the only compostable materials left at curbside for collection are contained in one of the containers indicated above.) By-law 152-2001, 24 September, 2001; By-law 177-2020, 27 October, 2020; By-law 137-2021, 1 June, 2021

440.5.4 Bundles - branches - clippings - size requirement

Where brush, tree branches, and hedge clippings cannot be fit into the bags or containers described in Section 440.5.3 because of their size and shape, such compostable material may be left at curbside for collection if it is securely bound into bundles and if the bundles have the following dimensions:

- a) maximum length 1 metre
- b) maximum weight 25 kg
- c) maximum diameter 0.9 metres *

* (provided that individual brush, tree, branches, and hedge clippings shall be less than 100 mm. in diameter)

440.5.5 Curbside collection - provisions

The provisions of Sections 440.3.8, 440.3.11, 440.3.12, 440.3.13 and 440.3.14 apply mutatis mutandis to the curbside collection of the compostable materials listed in Section 440.5.1 and 440.5.2

440.5.6 Seasonal collection - fixed by General Manager

The General Manager is authorized to fix seasonal dates for the collection of the compostable materials listed in Section 440.5.1 and 440.5.2, and no person shall leave compostable materials at curbside for separate collection except during such dates or within such routes.

440.5.7 Seasonal collection - compostable materials - separated

During the seasonal dates fixed by the General Manager pursuant to Section 440.5.6, the compostable materials listed in Sections 440.5.1 and 440.5.2 shall be separated from any other solid wastes left at curbside for collection. By-law 176-2023, October 24, 2023

440.5.8 Compostables - solid waste - intermingled - other times

When not required to be separated pursuant to Section 440.5.7, the compostable materials listed in Section 440.5.1 and 440.5.2 may be intermingled with any other solid wastes left at curbside for collection

pursuant to Article 3. By-law 151-92, 13 October 1992.

440.5.9 Containers - maximum – ten per week

The total number of double ply kraft paper bags, or rigid-walled containers left at curbside for collection pursuant to this Article shall not exceed 10 per week from each self-contained dwelling unit or commercial or institutional establishment, provided that:

- b) the maximum amount shall be increased to 30 per week during any seasonal dates fixed by the General Manager pursuant to this Article where such seasonal dates fall within the range of October 1 to December 31 in each calendar year; and
- c) the maximum amount may be increased from time to time for specific properties or classes of property for such reasons and during such times as are defined by the General Manager in his or her discretion. By-law 152-2001, 24 September, 2001; By-law 177-2020, 27 October 2020, By-law 137-2021, 1 June, 2021

440.5.10 Material - not listed - intermingled - with solid waste

Compostable materials other than those listed in Section 440.5.1 may be intermingled with any other solid wastes left at curbside for collection pursuant to Article 3 of this Chapter. By-law 151-92, 13 October 1992.

**Article 6
CURBSIDE COLLECTION - SPECIAL**

440.6.1 Number of collection events - fixed - by General Manager

The General Manager is authorized to fix the annual number and timing of bulky material call-in collection events for the curbside collection of special varieties of solid waste listed in Schedule 'E' to this Chapter or as may be defined by the General Manager from time to time and which could not otherwise be left at or collected at curbside in compliance with the provisions of this Chapter. By-law 152-2001, 24 September; By-law 116-2005, 20 June, 2005.

440.6.2 Placement - for collection - on request basis

The occupants of each dwelling unit in the City of Brantford shall be permitted, in accordance with this Article, to leave the special varieties of solid waste so defined by the General Manager at curbside for collection, but no person shall leave the said special varieties of solid waste at curbside without first scheduling a bulky material call in collection event with the City's solid waste collection contractor. By-law 151-92, 13 October, 1992; By-law 116-2005, 20 June, 2005.

440.6.3 Service event - timing - minimum seven days notice

Where the occupants of a dwelling wish to avail themselves of a bulky

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material call-in collection event pursuant to this Chapter, they shall apply to the City's solid waste collection contractor on at least seven days' notice to be added to the special collection program schedule. No person shall place bulky material at the curbside except as authorized under the special collection program schedule. By-law 176-2023, October 24, 2023.

440.6.4 Service event - timing multiple dwellings

Despite Section 440.6.2 when the occupants of two or more dwellings share common access to a public street or when a dwelling has three or more dwelling units the varieties of solid waste listed in Schedule 'E' to this Chapter shall only be left at curbside on a common date, unless otherwise permitted by the General Manager .

440.6.5 Service event - dwelling - change of ownership

In the event that the ownership of a dwelling should be transferred to another owner, the new owner of said dwelling shall be permitted to schedule one additional bulky material call-in collection event regardless of the number of events completed by the previous owner. By-law 116-2005, 20 June, 2005.

440.6.6 Curbside collection - provisions

The provisions of Sections 440.3.8, 440.3.11, 440.3.12, 440.3.13 and 440.3.14 apply mutatis mutandis to such special curbside collection of solid waste.

Article 7

SOLID WASTE - PRIVATE COLLECTION

440.7.1 Containers - requirements - set out

Containers which are used for the private collection and disposal of solid wastes shall comply with the requirements set out in Sections 440.7.2 through 440.7.5 inclusive.

440.7.2 Construction - metal - sufficient gauge

The container shall be constructed of metal of sufficient gauge to retain its shape with normal handling.

440.7.3 Container - leak proof

The container shall be leak proof.

440.7.4 Container - watertight cover - closed at all times

All containers for putrescible waste shall have a watertight cover, which cover shall remain closed except while materials are being placed into or removed from the container.

440.7.5 Container - maintained - clean - sanitary condition

The container shall be maintained in a clean and sanitary condition.

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440.7.6 Private Waste Services Rebate Program - Residential Condominiums Only

Where an eligible residential condominium corporation located on private property and retains private waste collection services, such residential condominium corporation may apply to the General Manager on at least thirty days' notice to request participation in the Private Waste Services Rebate Program. By-law 176-2023, October 24, 2023.

440.7.7 Exemption

Sections 440.7.1 through 440.7.5 inclusive do not apply to the containers described in Article 3 of this Chapter. By-law 151-92, 13 October, 1992.

Article 8 HOME COMPOSTING

440.8.1 Permitted - within City

The occupants of each dwelling unit in the City of Brantford shall be entitled, in accordance with this Article, to keep and maintain containers and piles of compostable materials. By-law 151-92, 13 October, 1992; By-law 116-2005, 20 June, 2005.

440.8.2 Odour - prevented - owner responsibility

No person shall permit any container or pile of compostable materials to emit odours. By-law 151-92, 13 October, 1992.

440.8.3 Rear yard - location - requirement

Notwithstanding Section 440.8.1, no person shall keep or maintain any container or pile of compostable materials unless:

- a) there is individual rear yard space appurtenant to the dwelling unit, and the container or pile of compost is situated on such individual rear yard space; or
- b) the dwelling unit is situated within a building containing three or more dwelling units, there is a rear yard common area appurtenant to the building, and the container or pile of compost is situated in such rear yard common area. By-law 151-92, 13 October, 1992; By-law 116-2005, 20 June, 2005.

Article 9 LANDFILL SITE - ACCESS

440.9.1 Solid waste - deposit - permitted

Subject to the requirements of the *Environmental Protection Act* and any other applicable law, solid wastes originating from the City of Brantford may be deposited at the landfill site.

440.9.2 Origin of waste - outside designated areas -

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prohibited

No person shall deposit wastes originating from municipalities other than the City of Brantford at the landfill site. By-law 151-92, 13 October, 1992; By-law 152-2001, 24 September, 2001.

440.9.3 Tipping fee - required - prescribed by Council

Persons depositing solid wastes at the landfill site shall pay the tipping fees prescribed from time to time by resolution of Council.

440.9.4 Tipping fee - accounts - credits

The General Manager is authorized to permit the opening of accounts for the payment of such fees, and the granting of reasonable credit in relation thereto, upon such terms, with such deposits, and according to a format determined by the General Manager.

440.9.5 Rules - compliance - Schedule 'A'

Persons using the landfill site shall comply with the rules set forth in Schedule 'A'. By-law 151-92, 13 October, 1992.

440.9.6 Origin of waste - outside area - further use - restriction

Any person who deposits solid wastes at the landfill site which originate from outside the City of Brantford shall, in addition to any other penalties which may apply, be banned from further access to the landfill site:

- a) on the first occurrence, for a period of one week;
- b) on the second occurrence, for a period of one month; and
- c) on the third occurrence, permanently.

440.9.7 Deposit - prohibited - materials - removal required

Any person who deposits wastes or other materials at the landfill site which are not permitted to be so deposited pursuant to this Article shall forthwith remove same. By-law 152-2001, 24 September, 2001.

440.9.8 Rebate - refund

The General Manager is authorized to give rebates or refunds to charitable organizations having a current registration as such under the provisions of the *Income Tax Act* (Canada) of any tipping fees required to be paid pursuant to this Chapter. Any such rebate or refund shall be limited to tipping fees in respect of the disposition of surplus donated goods which have been received by the charitable organizations in the normal course of its day to day operations. By-law 157-2005, 19 September, 2005.

440.9.9 Ban - previously permitted materials - by resolution

Despite any provision of this Chapter which permits the deposition of any material in the landfill site, Council may by resolution ban any material from the landfill site and no person shall thereafter deposit

that material at the landfill site.

440.9.10 Ban - materials deposited - impractical to remove - fee

Sections 440.2.6 and 440.9.9 shall not be interpreted to be inconsistent with any resolution passed under Sections 440.9.3 and 440.9.4 which may have prescribed a tipping fee for such banned materials, which tipping fee shall be payable in the event that banned materials have nevertheless been admitted to the landfill site and it is not practicable for the materials to be removed pursuant to Section 440.9.7.

**Article 10
DOWNTOWN CORE - EXCEPTION**

440.10.1 Curbside collection - provisions

Sections 440.3.6, 440.3.8, 440.3.13 and 440.5.9 shall not apply to the core area.

440.10.2 Corrugated cardboard - no limit

Any limitation contained in Schedule 'C' on the quantity of corrugated cardboard which may be left out for curbside collection shall not apply to the core area.

440.10.3 Curbside collection - exemption

Despite Sections 440.4.2, 440.5.5 and 440.12.3, Sections 440.3.8 and 440.3.13 shall not apply mutatis mutandis to the curbside collection of recyclable materials, organic materials and compostable materials in the core area. By-law 176-2023, October 24, 2023.

440.10.4 Number of containers - not limited

In the core area any number of containers of solid waste may be left at curbside for collection. By-law 151-92, 13 October, 1992.

440.10.5 Placement - for collection - period for setting out

In the core area, solid waste materials are collected in the downtown core six (6) days a week, except on Sundays, between 7:00am – 8:30am, and the solid waste materials are to be placed at the curb for collection between 12:00am – 7:00am.

By-law 152-2001, 24 September, 2001. By-law 176-2023, October 24, 2023. By-Law 77-2024, May 28, 2024.

440.10.6 Wastes - not collected - removed immediately - owner

In the core area solid wastes which have been left at curbside for collection and which have not been collected after 11 a.m. on the date of collection for any reason shall be immediately removed from the curbside by the owner of the residential unit or commercial or institutional establishment from which the wastes originated. By-law 151-92, 13 October, 1992; By-law 116-2005, 20 June, 2005.

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440.10.7 Compostable materials - no limit

In the core area any number of double ply kraft paper bags and rigid-walled containers or bundles may be placed at curbside for the collection of the compostable materials listed in Section 440.5.1 . By-law 151-92, 13 October, 1992; By-law 152-2001, 24 September, 2001; By-law 177-2020, 27 October 2020.

440.10.8 Recyclable – compostable - organic

Sections 440.10.5 and 440.10.6 shall apply mutatis mutandis to the curbside collection of recyclable materials, compostable materials and organic materials listed in Section 440.4.1, 440.5.1 and 440.12.1, in the core area. By-law 151-92, 13 October, 1992. By-law 176-2023, October 24, 2023.

440.10.9 Organic materials - no limit

In the core area any number of Green Bins may be placed at curbside for the collection of the organic materials. By-law 176-2023, October 24, 2023.

Article 11

COLLECTION - PRIVATE PROPERTY EXCEPTION

440.11.1 Collection - commencement of pickup

Where a condominium corporation or non-profit multi-residential complex located on private property wishes to avail itself of the pickup of solid wastes, recyclable materials, compostable materials and organic materials pursuant to this Chapter on private property, it shall apply to the General Manager on at least fourteen days' notice to be added to the collection program. By-law 177-2020, 27 October 2020; By-law 176-2023, October 24, 2023.

440.11.2 Collection - location - requirements

The condominium corporation or non-profit multi-residential complex located on private property shall be permitted, in accordance with this Article, to leave solid wastes, recyclable materials, compostable materials and organic materials at the nearest fire route or either in centralized containers for collection on such private property. By-law 177-2020, 27 October 2020; By-law 176-2023, October 24, 2023.

440.11.3 Collection - fire route - requirements

The provisions of Sections 440.3.3, 440.3.4, 440.3.5, 440.3.6, 440.3.7, 440.3.10, 440.3.12, 440.3.14, 440.3.16, 440.4.3, 440.4.4 and 440.4.5 apply mutatis mutandis to the collection of solid wastes and recycling materials on private property where such materials are set out on the nearest fire route.

440.11.4 Location - on fire route - without obstruction

Solid waste, compostable materials, organic materials and recyclable materials set out for collection on a fire route shall be placed a minimum distance from the travelled portion of the nearest fire route without obstructing the fire route By-law 176-2023, October 24, 2023.

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440.11.5 Centralized waste containers - requirements

The provisions of Sections 440.7.2, 440.7.3, 440.7.4 and 440.7.5 apply mutatis mutandis to the collection of solid wastes on private property where such materials are set out in a centralized container(s).

440.11.6 Collection method - determined by General Manager

Despite the forgoing, the General Manager is authorized to fix the type of collection to be provided on private property and no person shall leave solid wastes, recyclable materials, compostable materials or organic materials out for collection except in a specified manner. By-law 176-2023, October 24, 2023

440.11.7 Waste containers - size - design

The General Manager is authorized to fix the size and design of the container(s) to be used for the collection of solid wastes, recyclable materials, compostable materials and organic materials. By-law 176-2023, October 24, 2023

440.11.8 Waste containers - location

The General Manager is authorized to fix the location from which the centralized containers in Section 440.11.7 are collected.

440.11.9 Collection dates - set by General Manager

The General Manager is authorized to fix dates for the collection of solid wastes, recyclable materials, compostable materials and organic materials from time to time and no person shall leave solid wastes, recyclable materials, compostable materials and organic materials for collection except on such dates. By-law 116-2005, 20 June, 2005; By-law 176-2023, October 24, 2023

Article 12 ORGANIC MATERIALS

440.12.1 Placement – for separate collection

The occupants of each dwelling unit or dwelling in which there are five or less dwelling units shall be permitted, in accordance with this Article, to leave organic materials at the nearest adjoining curbside for collection. By-law 176-2023, October 24, 2023

440.12.2 Limitation

No person shall leave organic materials, other than those set out in Section 440.12.1, at curbside for the separate collection. By-law 176-2023, October 24, 2023

440.12.3 Curbside collection - provisions

The provisions of Sections 440.3.8, 440.3.9, 440.3.10, 440.3.11, 440.3.12, 440.3.13, and 440.3.14 shall apply mutatis mutandis to the

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curbside collection of organic materials. By-law 176-2023, October 24, 2023

440.12.4 Green Bin Container- water tight - covered – with handles - size

Subject to the requirements set out in Schedule 'F', organic materials left at curbside for collection shall be placed within the container commonly known as a "Green Bin" or within such other water tight plastic container equipped with handles and attached lid as may be approved by the General Manager from time to time and having the following dimensions:

- (a) maximum volume 0.05 cubic metres
- (b) maximum weight 25 kg
- (c) minimum volume 0.035 cubic metres

By-law 176-2023, October 24, 2023

440.12.5 Container - maintained - prevention - spillage - pests

The containers described in Section 440.12.4 shall be maintained as necessary to prevent spillage or breakage during removal, the attraction of animals (including insects), and the release of odours. By-law 176-2023, October 24, 2023

440.12.6 Quantity - limited - Schedule 'F'

No person shall leave organic materials at curbside for collection in greater quantities than as set forth in the applicable portions of Schedule 'F'. By-law 176-2023, October 24, 2023.

**Article 13
ADMINISTRATION**

440.13.1 Administration – by Solid Waste & Gas Utilization

This Chapter is administered by the Solid Waste & Gas Utilization division of the City.

440.13.2 Orders

An officer may make an order, sent by pre-paid regular mail to the last known address, posted on site or personally delivered to an owner, requiring the owner, within the time specified in the order that they shall:

- (a) clean and clear up the lands and to otherwise bring the lands into compliance with any Section of this Chapter.

440.13.3 Notice provisions

Every order sent shall identify the land or structure and shall be sent to the address shown on the last revised assessment roll or to the last known address.

440.13.4 Inspections

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For purposes of ensuring compliance with the provisions of this Chapter, the officer may, at all reasonable times, inspect any land where waste materials have been placed for collection.

440.13.5 Obstruction

Every owner shall permit an officer to inspect the land for the purpose of 440.13.4 and shall not hinder or obstruct any employee or agent authorized to carry out work for the City specified in an order issued hereunder.

- **Compliance – failure – cleaned – owner expense**
Where the owner fails to comply with the order of the officer within a prescribed period of time, the Officer may cause the required work to be done at the cost of the owner. Where any of the materials or things are not removed in accordance with Section 440.13.2, the matters or things may be immediately disposed by the officer, and any recovered salvage value or other actual recovery of money made upon such disposal shall be credited first against costs incurred under this Section and then if sufficient to eliminate those costs the balance shall be refunded to the persons who was in possession of the materials or things prior to their removal from the land.

- **Cost recovery**
The City shall recover all costs and expenses associated with actions taken and work done to the lands under this Article in a manner as provided by statute, whether by action or as otherwise provided.

By-law 176-2023, October 24, 2023.

**Article 14
ENFORCEMENT**

440.14.1 Fine - for contravention

Every person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction is liable to a penalty as provided for in the Provincial Offences Act, R.S.O. 1990, c.P.33, and every such penalty shall be recoverable pursuant to the said Act.

440.14.2 Continuation – repetition – prohibited – by order

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

By-law 176-2023, October 24, 2023.

**Article 15
REPEAL – ENACTMENT**

440.14.1 By-law - previous

By-law 100-76, as amended, is hereby repealed.

440.14.2 Effective date

This Chapter shall come into effect on the date of passage of the enabling by-law. By-law 151-92, 13 October, 1992; By-law 176-2023, October 24, 2023.

SCHEDULES

Schedule ‘A’ - Landfill Site Rules - Regulations

The following are the Rules and Regulations which govern the personal conduct of all those who enter the limits of the Mohawk Street Sanitary Landfill Site, and the specialized preparation, (acceptance criteria) and disposal of some waste types.

1. Waste loads entering the site must be covered, tarped or otherwise securely tied down.
2. Liquid wastes are prohibited, all other wastes must meet the criteria defined in the applicable regulations passed under the *Environmental Protection Act* as a solid non-hazardous waste.
3. Contaminated soil and other suspect wastes will be required to undergo a toxicity characteristic leachate procedure pursuant to the applicable regulation under the *Environmental Protection Act* and/or slump test to determine its acceptability as a solid non-hazardous waste.
4. Asbestos waste will be accepted for disposal if it is packaged and transported in accordance with the applicable regulation under the *Environmental Protection Act*.
5. All drums must be empty, the tops and bottoms cut off and the drum crushed or flattened, before they will be accepted for recycling.
6. Scrap metal fuel tanks must be thoroughly drained, flushed and cut into sections before they will be accepted for recycling.

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7. Whole tires free from the wheel rim are accepted from the residential sector user at the current scheduled price. All commercial/industrial loads of tires must be processed by slicing through the tread around the complete circumference of the tire and the general tipping fee per ton shall apply.
8. All directions given by the scale masters or other site personnel shall be strictly observed.
9. All posted traffic and advisory signs shall be strictly observed.
10. There shall be no smoking or lit smoking material within the site. For this purpose the entrance gate and Morrison Road junction shall be considered the site entrance point.
11. All vehicles (unless otherwise directed) must come to a full stop on the inbound and outbound scales for processing.
12. Scavenging or picking through waste is prohibited.
13. Children under twelve years of age must remain in the vehicle.
14. All doors must be closed and secured prior to departure.
15. All vehicles must weigh in and out of landfill site. Any vehicle leaving without stopping and receiving authorization from the out bound scale attendant will be assessed the minimum tipping fee and placed on the unpaid user list.
16. Large commercial loads shall not be taken into the public drop-off area. For purposes of this schedule, a "large commercial load" is a load within or drawn by a vehicle for which the driver must have more than a Class G licence under the *Highway Traffic Act*.
17. Recyclable corrugated cardboard will only be accepted from the owners or occupants of self-contained residential dwelling units, and from no other source. Contaminated (i.e. oil stained, wax coated etc.) recyclable corrugated cardboard and boxboard will not be accepted for recycling.
18. All compostable materials shall be debagged at the public drop-off area.
19. All recyclable corrugated cardboard and boxboard must be flattened.
20. Appliances containing fluorocarbon refrigerants shall not be accepted at the landfill site unless the appliance has first been inspected, certified, and tagged by a licensed refrigerant handler in accordance with all of the requirements of O.Reg.189/94.
21. A minimum of twenty-four hours notice is to be given for all loads which require special handling and/or inspection.
22. A maximum of 20 litres per day of used motor oil will be accepted from residential sources. Used motor oil must be disposed of at the designated area.
23. All materials are to be received and unloaded prior to the closure time of the site.

By-law 151-92, 13 October, 1992; Schedule 'A'; By-law 116-95, 18 September, 1995; By-law 152-2001, 24 September, 2001.

Schedule 'B' - Landfill Site - Unacceptable Material

The following materials are unacceptable for collection and/or disposal:

1. Medical sharps, from any source, unless such sharps have been packaged in a puncture resistant container.
2. Hazardous waste, as defined and regulated in the applicable regulation under the *Environmental Protection Act*
3. Liquid industrial waste, as defined and regulated in the applicable regulation under the *Environmental Protection Act*. (requirement does not apply to used residential motor oil).
4. Household hazardous waste materials bearing the ignitable, corrosive, explosive, reactive or poisonous symbol.
5. Waste gas cylinders (ie. propane barbeque tanks).
6. Appliances utilizing fluorocarbon refrigerants which have not been first inspected certified and tagged by a licensed refrigerant handler in accordance with all the requirements of the applicable regulation passed under the *Environmental Protection Act* indicating that the appliance no longer contains any refrigerant.

By-law 151-92, 13 October, 1992; Schedule 'B'; By-law 116-95, 18 September, 1995; By-law 152-2001, 24 September, 2001.

Schedule 'C' - Recyclable Materials

Only the following materials are considered to be recyclable and are described below:

1. Newspapers and inserts, including all news circulations, promotional flyers, classified news, etc. which have been printed on newsprint stock paper, and includes all supplemental paper material which may accompany them.
2. Glass bottles and jars, including all glass containers which previously contained a food or beverage product.
3. Metal food and beverage cans, including all steel or aluminum containers which previously contained a food or beverage product.
4. Rigid shell plastic containers which previously contained a non-petroleum consumer product as prescribed by the General Manager. By-law 177-2020, 27 October, 2020
5. Old corrugated cardboard, including all non-waxed multilayer paper sheet with a corrugated centre core generally formed in a variety of box shapes.
6. Old telephone books.
7. Old boxboard meaning packaging such as boxes and cartons made from a thick sheet of paper formed from one or more layers of paper fibre. This includes all non-waxed and non-laminated paper board containers including such items as cardboard tubes, paper bags and egg cartons.
8. Old magazines including catalogues and all glossy publications.
9. Aluminum foil (including items made from aluminum foil)

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means food wrap, food packaging and kitchenware such as pie plates made from a thin sheet of aluminum.

10. Junk mail and fine paper made of various types of paper other than newsprint used for printing, writing, photocopying, computer printout and envelopes without windows.
11. Aerosol cans and paint cans.

The recyclable material listed above shall be prepared for collection as follows:

1. Newspapers and Inserts
 - are to be bagged in a plastic or paper shopping bag or securely bundled and placed beside or on top of the Blue Box.
2. Glass bottles and jars
 - are to have metal lids and caps removed and be thoroughly rinsed to remove all product residue
 - are to be placed loose inside the Blue Box.
3. Metal food and beverage cans
 - are to be thoroughly rinsed to remove all product residue
 - are to be placed loose inside the Blue Box.
4. Mixed rigid plastic containers
 - are to have plastic lids removed and discarded
 - are to be thoroughly rinsed to remove all product residue
 - are to be placed loose inside the Blue Box.
5. Old corrugated cardboard
 - are to be broken down and securely tied in bundles 76.2 x 76.2 cm. (30 inches by 30 inches) and no more than 20.3 cm. (8 inches) thick (maximum volume 0.18 cubic metres) and placed beside or on top of the Blue Box
 - the occupants of each self contained dwelling unit shall be permitted to leave any number of such bundles at curbside for collection at any one time. The occupants of any commercial or institutional establishment shall not leave more than one such bundle at curbside for collection at any one time.
6. Old telephone books
 - are to be placed on top of the Blue Box.
7. Old boxboard
 - shake out all food residue, remove and discard liners and rigid plastic trays
 - items are to be flattened and placed inside a larger boxboard box or placed in a paper bag beside or on top of the Blue Box.
8. Old magazines
 - are to be securely bundled or bagged with the newspapers and placed beside or on top of the Blue Box.
9. Aluminum foil
 - is to be thoroughly rinsed to remove all product residue
 - is to be flattened together loose inside the Blue Box.
10. Junk mail and fine paper

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- are to be securely bundled or bagged with the newspapers and placed beside or on top of the Blue Box.
11. Aerosol cans and paint cans
- are to contain no more than ½ cm. of dried product on the bottom of the container
 - paint cans are to have lids removed and placed in the Blue Box
 - are not to exceed 4 litres in size
 - are to be made of metal containers and are to be placed loose inside the Blue Box.

By-law 151-92, 13 October, 1992; Schedule 'C'; By-law 116-95, 18 September, 1995; By-law 152-2001, 24 September, 2001.

Schedule 'D' - Compostable Material Set out for Curbside Collection

Compostable materials set out for curbside collection are comprised of the following waste types:

YARD WASTES

1. Leaves
2. Grass clippings
3. Flower bed material
4. Hedge and tree clippings less than 25 mm. (one inch) in diameter and no larger than 1 meter (39 inches) in length
5. Garden wastes
6. Whole Christmas trees

BRUSH WASTES

1. Tree limbs or hedge trimmings having a diameter greater than 25 mm. (one inch) but less than 100 mm. (4 inches) and no larger than 1 meter (39 inches) in length

KITCHEN WASTES

The following types of kitchen wastes are considered compostable materials and may be composted along with the above listed waste types in home composting containers or piles:

1. Fruit and vegetable matter
2. Crushed egg shells
3. Coffee grounds and filters
4. Tea bags and leaves
5. Cut flowers

PROHIBITED COMPOSTABLE MATERIALS

1. Noxious plants and/or weeds as defined by the Weed Control

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Act.

By-law 151-92, 13 October, 1992; Schedule 'D'; By-law 152-2001, 24 September, 2001; By-law 177-2020, 27 October 2020.

Schedule 'E' - Bulky Material Call-in Collection Events

The following items shall be accepted for pick up during bulky material call-in collection events provided that they are prepared for collection as described below:

1. Appliances (such as stoves, washers, dryers but not any refrigeration or air-conditioning appliances containing or which formerly contained fluorocarbon refrigerants) that have the doors removed or otherwise tightly secured so as to prevent a danger to small children, and are not used as a receptacle to contain other solid waste.
2. Furniture, mattresses (wrapped), box springs (wrapped), and other bulky items that are of a size and weight that can safely be handled by two persons, and shall not exceed 91 kilograms (200 pounds).
3. Brush, hedge clippings, scrap wood, wood fencing and wooden skids which have a maximum diameter of 100 mm (4 inches) are to be securely bundled. Bundles shall have a diameter of less than 0.9 metres (3 feet) and 1.2 metres (4 feet) in length.
4. All small material scraps (wood, metal, etc.) shall be securely bundled or contained in approved solid waste containers.
5. Scrap metal such as bicycles, ladders, fencing etc. that have all wood and plastic removed, and are segregated to facilitate efficient removal for recycling.
6. Large items such as swing sets, slides and picnic tables are to be broken down and bundled to facilitate efficient removal.
7. Appliances (such as refrigerators, freezers, air conditioners, etc.) utilizing fluorocarbon refrigerants which have been first inspected, certified and tagged by a licensed refrigerant handler in accordance with all the requirements of R.R.O. 1990, Reg. 189 under the Environmental Protection Act indicating that the appliance no longer contains any refrigerant.

By-law 151-92, 13 October, 1992; Schedule 'E'; By-law 116-95, 18 September, 1995; By-law 152-2001, 24 September, 2001; By-law 116-2005, 20 June, 2005. By-law 176-2023, October 24, 2023.

Schedule 'F' – Organic Materials

Only the following are considered to be Organic Waste materials:

FOOD WASTES:

1. Meat, poultry and fish (including bones)
2. Vegetables and peelings

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3. Corn cobs and husks
4. Nuts
5. Pumpkins (in pieces)
6. Salads and dressings
7. Fruits and seeds
8. Pasta, flour and grains
9. Dairy products
10. Breads, buns, pitas, etc.
11. Baked goods (cakes, pies, muffins, cookies snack foods, etc.)
12. Coffee grounds and filters, tea bags and leaves
13. Sauces and gravies
14. Syrups, jams, jellies and food spreads such as peanut butter
15. Eggs and eggshells
16. Pet food (wet and dry) and bird seed
17. Solid fats/grease (lard, butter and bacon fat)
18. Food liquids including oils and grease (500 ml or less)
19. Frozen foods (all packaging removed)

PAPER FIBER:

1. Paper bags (popcorn, sugar, potato and flour)
2. Paper muffin cups
3. Paper towels, napkins and tissues
4. Paper plates and cups
5. Pizza boxes (broken down)
6. Paper takeout containers
7. Parchment paper

OTHER COMPOSTABLE ITEMS:

1. House plants (with soil, containers and decorations removed), stem less than 1" (2.5cm) in diameter

2. Cut flowers (all containers and decorations removed)
3. Shredded paper
4. Green bin liners

Green Bins may be lined to assist with proper container maintenance. Only certified compostable or paper liners are accepted. Plastic bags are not permitted.

Certified compostable liners will have one of the following logos on the packaging;



COMPOSTABLE
IN INDUSTRIAL FACILITIES

Check locally, as these do not exist in many communities. **Not suitable for backyard composting.** CERT # 0000000

PROHIBITED ORGANIC WASTE MATERIALS:

1. Noxious plants and/or weeds as defined by the Weed Control Act.”
2. Pet Waste
3. Diapers, hygiene products
4. Plastic Bags

By-law 176-2023, October 24, 2023.