

The Corporation of the City of Kawartha Lakes

By-Law 2021-____

A By-Law to amend By-Law 2016-144, being a By-Law for Collection and Management of Waste and Recyclables within the City of Kawartha Lakes

Recitals

1. By-Law 2016-144, being a By-law for Collection and Management of Waste and Recyclables within the City of Kawartha Lakes, was adopted by Council on August 9, 2016.
2. At the November 16, 2021 Regular Council Meeting, Council approved Resolution CR2021-532 directing that the necessary by-law amendments identified in Council Report WM2021-015, Waste Management By-Law 2016-144 Amendment, be brought forward to Council for adoption.
3. This By-Law amends By-Law 2016-144 to reflect this decision.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-__.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

All defined terms in the amending by-law take their meaning from By-law 2016-144, as amended, of the City of Kawartha Lakes.

1.02 Interpretation Rules:

(a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.

Section 2.00: Amendment Details

2.01 Amendment: That the definition of Bulky Items within Section 1.02 shall be amended to read as follows:

“**Large Items**” includes but is not limited to refrigerator, oven, stove, washer, dryer, dishwasher, freezer, air conditioning unit, microwave oven, barbeque, patio furniture, oil tank, furnace, TV, monitor, vacuum cleaner, hot water heater, wood burning stove, child's swing set, humidifier, toilet, sink, furniture and any other items so designated by the Director of Public works and his or her designate from time to time that are discarded by a user or owner but do not fit into an approved container such as a 61 cm X 91 cm clear waste bag or normal waste container.

2.02 Amendment: That the definition of Commercial Cart or Carts, as follows below, shall be added to Section 1.02:

“Commercial Carts” or “Carts” includes containers of more than 22 gallons (83 litres) in size. Most commercial carts are sold in 65 gallon (277 litre) and 95 gallon (390) sizes. For curbside recycling collection, carts must be affixed with a lift bar approved by the City, and this collection will only be permitted for locations approved as per this By-Law.

- 2.03 **Amendment:** That the definition of Consolidated Fees By-Law within Section 1.02 shall be amended to read as follows:

“Consolidated Fees By-law” means City of Kawartha Lakes By-law 2018-234 or if it has been repealed any subsequent City of Kawartha Lakes By-law known as the Consolidated Fees By-law.”

- 2.04 **Amendment:** That the definition of Construction and Demolition Waste within Section 1.02 shall be amended to read as follows:

“Construction and Demolition Waste” includes waste which results from the erection, alteration, or demolition of any building or part thereof.

- 2.05 **Amendment:** That the definition of Container Recycling, as follows below, shall be added to Section 1.02:

“Container Recycling” currently includes but is not limited to glass, metal cans, plastics containers and polycoat containers and any other material designated by the Director of Public Works or his/her designate to be recyclable material.

- 2.06 **Amendment:** That the definition of Electrical and Electronic Equipment or ‘EEE’, as follows below, shall be added to Section 1.02:

“Electrical and Electronic Equipment” or “EEE” material that is designed for use with an electrical current and is further defined in Ontario Regulation 522/20.

- 2.07 **Amendment:** That the definition of Fibre Recycling, as follows below, shall be added to Section 1.02:

“Fibre Recycling” currently includes paper, boxboard and cardboard and any other material designated by the Director of Public works and his or her designate to be recyclable material.

- 2.08 **Amendment:** That the definition of Freon-Containing Items, as follows below, shall be added to Section 1.02:

“Freon-Containing Items” include appliances containing Freon gas such as refrigerators, freezers, air conditioners and dehumidifiers, unless the unit has already been tagged by a licensed technician certifying the gas has been recovered. Freon-containing items require two tags for curbside collection (1 large item tag and 1 freon tag).

- 2.09 **Amendment** That the definition of High Density Multi-Residential Building within Section 1.02 shall be amended as follows below:

“High Density Multi-Residential Building” includes property classes such as apartment buildings, condominium complexes, townhouse complexes, group homes, co-operative housing complexes, accessory dwelling units, or other similar residential complexes containing three (3) or more residential dwelling units, that pay the respective property taxes.

- 2.10 **Amendment:** That the definition of Industrial, Commercial or Institutional Building, as follows below, shall be added to Section 1.02:

“Industrial, Commercial or Institutional Building” includes any industrial, commercial or institutional building within the City of Kawartha Lakes as determined by the property code and taxes paid.

- 2.11 **Amendment:** That the definition of Low Density Residential Building within Section 1.02 shall be amended as follows below:

“Low Density Residential Building” includes property classes such as single detached dwellings, semi-detached dwellings, duplexes, accessory dwelling units or other similar residential developments containing fewer than three (3) residential dwelling units, including farms.

- 2.12 **Amendment:** That the definition of Mattresses, as follows below, shall be added to Section 1.02:

“Mattresses” includes all mattresses and box springs regardless of size.

- 2.13 **Amendment:** That the definition of Non-Hazardous Contaminated Soil within Section 1.02 shall be amended as follows below:

“Non-Hazardous Contaminated Soil” contains one or more contaminants found on, in or under a property at a concentration that exceeds the applicable site condition standards and must be classified as ‘non-hazardous’ as per Ontario Regulation 347 to be accepted at designated City landfill sites with prior approval based on lab results.

- 2.14 **Amendment:** That the definition of Prohibited Waste within Section 1.02 shall be amended as follows below:

“Prohibited Waste” includes but is not limited to, hazardous and liquid industrial wastes as per Regulation 347 of the Environmental Protection Act, manure originating from agricultural activity, and any other item or thing designated as prohibited waste by the Director of Public Works or his or her designate.

- 2.15 **Amendment:** That the definition of Recyclable Materials within Section 1.02 shall be amended to read as follows:

“Recyclable Materials” Currently includes but is not limited to glass, metal cans, plastics containers, polycoat containers, paper, and cardboard and any other material designated by the Director of Public works or his or her designate to be recyclable material. This includes both container and fibre recycling.

2.16 **Amendment:** That the definition of Scavenge within Section 1.02 shall be amended to read as follows:

“**Scavenge**” includes sorting through and collecting materials from recyclable materials, leaf and yard materials, household hazardous waste, bulky items, waste electrical and electronic equipment, construction and demolition waste, bulky plastic waste or waste that has been placed out for collection or deposited at a landfill site.

2.17 **Amendment:** That the definition of Trailer Parks within Section 1.02 shall be amended to read as follows:

“**Trailer Park**” includes a parcel of land zoned to permit members of the travelling and vacationing public containing sites upon which to locate Trailers, Tents or Recreational Vehicles and includes a campground. This definition shall not include any portion of the property used to lawfully sell or wholesale Trailers, Tents or Recreational Vehicles.

2.18 **Amendment:** That the following definitions within Section 1.02 shall be deleted:

- Clean Wood Waste
- Comingle Recycling
- Industrial, Commercial or Institutional Building
- Paper Recycling
- Waste Electrical and Electrical Equipment

2.19 **Amendment:** That the first paragraph of Section 1.06 shall be amended to read as follows:

The Director of Public Works Work’s powers or his or her designate shall, subject to any limitations contained in this By-law, include but are not limited to:

2.20 **Amendment:** That Section 1.06(c) shall be amended to read as follows:

1.06(c) determine the designated collection locations for approved waste and recycling containers, large, Freon and mattress items, leaf and yard waste or any other items that are designated for receiving curbside collection services and give notice to the public of same;

2.21 **Amendment:** That Section 1.06(h) shall be amended to read as follows:

1.06(h) designate private and unassumed roads and associated restrictions pertaining to municipal collection services;

2.22 **Amendment:** That Section 2.01(a)(i) shall be amended to read as follows:

2.01(a)(i) Unless authorized by the Director of Public Works or his or her designate, scavenge, salvage, pick over, interfere with, remove or scatter or any like or similar activity in relation to

any waste, recyclable materials, large, Freon, or mattress items set out for curbside collection;

2.23 **Amendment:** That Section 2.01(a)(ii) shall be amended to read as follows:

2.01(a)(ii) Cover waste, recyclable materials, leaf and yard material, large, Freon or mattress items with animal deterrents such as bleach or cayenne pepper;

2.24 **Amendment:** That Section 2.01(a)(iii) shall be amended to read as follows:

2.01(a)(iii) Permit any animal owned by him or her or under his or her control to pick over, interfere with collection, remove or scatter any waste, leaf and yard material, recyclable materials, large, Freon or mattress items placed out for curbside collection;

2.25 **Amendment:** That Section 2.01(a)(iv) shall be amended to read as follows:

2.01(a)(iv) Cast or otherwise deposit or permit any contractor, agent or employee of such user or owner to throw, cast or otherwise deposit any waste, recyclable materials, leaf and yard material, large, Freon or mattress items whatsoever on or in any street, public property or private property without the prior consent of the owner, except as expressly authorized by this By-Law;

2.26 **Amendment:** That Section 2.01(a)(v) shall be amended to read as follows:

2.01(a)(v) Place waste recyclable materials, leaf and yard material, large, Freon or mattress items on public property for collection by a private collection agency;

2.27 **Amendment:** That Section 2.01(a)(vi) shall be amended to read as follows:

2.01(a)(vi) Deposit waste recyclable materials, leaf and yard material, large, Freon or mattress items generated on private property into public waste receptacles located on public streets;

2.28 **Amendment:** That Section 2.01(a)(vii) shall be amended to read as follows:

2.01(a)(vii) Except where permitted in this By-law, no user or owner shall dispose or cause to dispose any waste recyclable materials, large, Freon or mattress items within the City limits other than in authorized landfill sites.

2.29 **Amendment:** That Section 3.01(a)(i)(4) shall be amended to read as follows:

3.01(a)(i)(4) large items, Freon items and mattresses

2.30 **Amendment:** That Section 3.02 be retitled as follows:

3.02 Curbside Collection for Private and Unassumed Roads

- 2.31 **Amendment:** that Section 3.02(a) shall be amended to read as follows:
- 3.02(a) Residents residing on a private or unassumed road will receive curbside collection provided that the road is accessible to a curbside collection vehicle and maintained to the following standards:
- 2.32 **Amendment:** That Section 3.02(a)(i) shall be amended to read as follows:
- 3.02(a)(i) Snow ploughed to a minimum of 4.0 metres width
- 2.33 **Amendment:** That Section 3.02(a)(ii) shall be amended to read as follows:
- 3.02(a)(ii) Sand and/or salt applied during icy conditions
- 2.34 **Amendment:** That Section 3.02(a)(iii) shall be amended to read as follows:
- 3.02(a)(iii) Vegetation cut back to 5.0 metres height and 4.0 metres width
- 2.35 **Amendment:** That Section 3.02(b) shall be amended to read as follows:
- 3.02(b) Residents living on private and unassumed roads shall be responsible for arranging their own road maintenance as set herein;
- 2.36 **Amendment:** That Section 3.02(d) shall be amended to read as follows:
- 3.02(d) Where private collection services are utilized, the owner shall ensure waste is stored until collected in properly constructed and maintained containers which are emptied as necessary in order to prevent development of odours or nuisances and which are not allowed to overflow;
- Privately contracted waste collection bins shall be located at least 2.0 metres away from the road's edge (i.e. from the start of the grass/ditch and off the soft shoulder), and the placement of the private bin shall not interfere with any City maintenance operations or be placed in such a manner that poses an increased safety risk for users of the roadway including pedestrian or vehicular traffic. It is the responsibility of the property owner to keep the area clear of waste, recyclable materials, leaf and yard material and/or large items. Any materials accumulated within the vicinity of the private bin is the responsibility of the property owner.
- 2.37 **Amendment:** That Section 3.03(b) shall be amended to read as follows:
- 3.03(b) Where the City provides curbside collection for recyclable materials such collection services shall be provided at collection locations once a week – alternating weekly collection between container (blue box) and fibre (green box), except when a normal collection day falls on a holiday as provided herein;

2.38 **Amendment:** That Section 3.03(c) shall be amended to read as follows:

3.03(c) Where the City provides curbside collection for large, Freon and mattress items such collection shall be provided on a schedule determined by the Director of Public Works and his or her designate;

2.39 **Amendment:** That Section 3.03(f) shall be amended to read as follows:

3.03(f) On weeks with a holiday, curbside collection will take place on the day following the holiday and all subsequent days will receive curbside collection one (1) day later than their regular curbside collection day. The only exception shall be where Christmas Day and Boxing Day are both on curbside collection days and then collection for Christmas Day will occur on Boxing Day and all subsequent days shall receive curbside collection one (1) day later than their regular curbside collection day;

2.40 **Amendment:** That Section 3.03(g) shall be amended to read as follows:

3.03(g) During normal daytime curbside collection, the approved user or owner shall put out all items to be collected at the collection location prior to the time scheduled for collection. No earlier than 5:00 PM on the previous evening and no later than 7:00 AM on the day of curbside collection. The only exception to this schedule is in areas identified as "Downtown cores" where all buildings shall put out all items to be collected at the collection location prior to the time scheduled for curbside collection. No earlier than 5:00 PM on the previous evening or no later than 6:00 AM on the day of curbside collection;

2.41 **Amendment:** That Section 3.03(h) shall be amended to read as follows:

3.03(h) After curbside collection, users or owners shall ensure that all approved containers and any uncollected or refused waste, recyclable materials, leaf and yard materials, large items, Freon items and/or mattresses are returned to the users or owners property by no later than 7:00 PM on the day of curbside collection.

2.42 **Amendment:** That Section 3.04(b)(i)(1) shall be amended to read as follows:

3.04(b)(i)(1) Allowed to place two (2) untagged clear bags of waste per unit for each curbside collection. If more than the allowed amount of waste is placed out for curbside collection in any one (1) curbside collection period the additional waste must have a bag tag affixed to each additional bag at the users or owners cost;

- 2.43 **Amendment:** That Section 3.04(b)(i)(2) shall be amended to read as follows:
- 3.04(b)(i)(2) Use of standard size clear waste bag with dimensions of approximately 61 cm X 91 cm;
- 2.44 **Amendment:** That Section 3.04(b)(i)(4) shall be amended to read as follows:
- 3.04(b)(i)(4) Containers less than 124 litres (32 gallons) can be used to store up to two (2) clear bags of waste;
- 2.45 **Amendment:** That Section 3.04(b)(i)(5) shall be amended to read as follows:
- 3.04(b)(i)(5) The use of one (1) small coloured opaque bag 30 cm X 35 cm is permitted to conceal personal items within each clear bag;
- 2.45 **Amendment:** That Section 3.04(b)(i)(6) shall be amended to read as follows:
- 3.04(b)(i)(6) Each waste container shall not weigh more than 18 kilograms (40 pounds);
- 2.46 **Amendment:** That Section 3.04(b)(i)(8) shall be amended to read as follows:
- 3.04(b)(i)(8) Waste storage bins for the temporary storage of weekly household waste may be permitted for end of laneway use in rural (non-urban settlement areas/non-hamlet settlement areas) areas, as long as they are placed at 2.0 metres from the road's edge (i.e. from the start of the grass/ditch and off the soft shoulder). The placement of the waste storage bin shall not interfere with any City maintenance operations or be placed in such a manner that poses an increased safety risk for users of the roadway including pedestrian or vehicular traffic. Waste storage bins shall be constructed of light grade material (i.e. no steel) to allow for breaking upon impact if struck by a vehicle. Waste storage bins shall be no more than 1.0 m high in the front of the box, and if the box has a lid, the lid shall be hinged and of a weight and construction to allow collection staff to open the lid with ease. Waste storage bins shall also have a flagging device (similar to mailbox) to alert collection staff when there are materials inside to be collected. The Owner is responsible to ensure the area surrounding the waste storage bin is clear of snow, ice and debris to ensure safe access. Waste storage bins are placed at the Owner's risk and are the sole responsibility of the Owner. The City, including its contractors, agents and employees, shall not be liable for any damages to the waste storage bin or any materials or structures forming part of or attached to the waste storage

bin. The Owner shall hold the City, including its contractors, agents and employees harmless from and against any and all manner of claims, loss, damage or injury to any person or property directly or indirectly arising from the Owner's placement of the waste storage bin. The City reserves the right to reject the placement of any waste storage bins, even if such waste storage bins meet all of the above specifications, as per the City Lands Encroachment By-Law.

- 2.47 **Amendment:** That Section 3.04(b)(ii)(1) shall be amended to read as follows:
- 3.04(b)(ii)(1) Allowed to place four (4) untagged clear bags of waste for each curbside collection at the collection locations designated by the Director of Public Works and his or her designate. If more than four (4) clear bags of waste are placed out for curbside collection in any one (1) curbside collection period the additional waste must have a user pay bag tag affixed to each additional bag at the users or owners cost. Waste placed in commercial carts will not be collected;
- 2.48 **Amendment:** That Section 3.04(b)(ii)(2) shall be amended to read as follows:
- 3.04(b)(ii)(2) Use of standard size clear waste bag with dimensions of approximately 61 cm X 91;
- 2.49 **Amendment:** That Section 3.04(b)(ii)(4) shall be amended to read as follows:
- 3.04(b)(ii)(4) Containers less than 124 litres (32 gallons) can be used to store up to two (2) clear bags of waste;
- 2.50 **Amendment:** That Section 3.04(b)(ii)(5) shall be amended to read as follows:
- 3.04(b)(ii)(5) The use of one (1) small coloured opaque bag 30 cm X 35 cm is permitted to conceal personal items within each waste container;
- 2.51 **Amendment:** That the first paragraph of Section 3.05(b) shall be amended to read as follows:
- 3.05(b) Every user or owner who sets out recyclable materials for curbside collection shall ensure the recyclable materials meet the following requirements;
- 2.52 **Amendment:** That Section 3.05(b)(i)(2) shall be amended to read as follows:
- 3.05(b)(i)(2) Recyclable materials shall be placed at the curb in 22 gallon (83 litre) or less green or blue recycling box or similar sized box or container. Large barrels, commercial carts, waste

receptacles and plastic bags including clear plastic bags are prohibited;

2.53 **Amendment:** That the following shall be added as Section 3.05(b)(i)(3) with the subsequent subsections renumbered accordingly:

3.05(b)(i)(3) In the event the City or it's contractor is directly responsible for damage caused to a standard blue/green recycling bin or cart consideration will be given to replacement of the damaged item with a standard recycling container of similar size. The City or it's contractor is not responsible for the replacement of any non-standard box or container that is used to house waste or recycling. The resident is responsible to replace such damaged item at his or her own expense;

2.54 **Amendment:** Section 3.05(b)(i)(4) shall be amended to read as follows:

3.05(b)(i)(4) Separate approved recycling containers for Fibre (Green Recycle Box) Recycling and Container (Blue Recycle Box) Recycling shall be used;

2.55 **Amendment:** That Section 3.05(b)(i)(7) shall be added:

3.05(b)(i)(7) Cardboard set out for recycling on designated weeks placed out for collection separately from the approved recycling container must be flattened and bundled with string in bundles no larger than 60cm X 60cm X 60cm

2.56 **Amendment:** That Section 3.05(b)(ii)(1) shall be amended to read as follows:

3.05(b)(ii)(1) Allowed to place a maximum of four (4) 65 gallon (277 litre) or 95 gallon (390 litre commercial carts for each curbside collection at the collection locations designated by the Director of Public Works and his or her designate;

2.57 **Amendment:** That Section 3.05(b)(ii)(3) shall be amended to read as follows:

3.05(b)(ii)(3) Separate approved recycling containers for Fibre (Green Recycle Cart) Recycling and Container (Blue Recycle Cart) Recycling shall be used;

2.58 **Amendment:** that Section 3.05(b)(ii)(4) shall be amended to read as follows:

3.05(b)(ii)(4) The recyclable material for recycling does not contain more than 10% of waste by volume per cart.

2.59 **Amendment:** That Section 3.05(b)(ii)(5), as follows, added:

3.05(b)(ii)(5) Cardboard set out for recycling on designated weeks placed out for collection separately from the approved recycling

container must be flattened and bundled with string in bundles no larger than 60cm X 60cm X 60cm

2.60 **Amendment:** That Section 3.05(b)(iii)(2) shall be amended to read as follows:

3.05(b)(iii)(2) Allowed to place recyclable material in 65 gallon (277 litre) or 95 gallon (390 litre) (or) commercial carts for each curbside collection at the collection locations designated by the Director of Public Works and his or her designate;

2.61 **Amendment:** That Section 3.05(b)(iii)(4) be amended to read as follows:

3.05(b)(iii)(4) Separate approved recycling containers for Fibre (Green Recycle Cart) Recycling and Container (Blue Recycle Cart) Recycling shall be used;

2.62 **Amendment:** That Section 3.05(b)(iii)(5) be amended to read as follows:

3.05(b)(iii)(5) The recyclable material for recycling does not contain more than 10% of waste by volume per cart.

2.63 **Amendment:** That Section 3.05(b)(iii)(6), as follows, be added:

3.05(b)(iii)(6) Cardboard set out for recycling on designated weeks placed out for collection separately from the approved recycling container must be flattened and bundled with string in bundles no larger than 60cm X 60cm X 60cm

2.64 **Amendment:** That Section 3.06(a) be amended to read as follows:

3.06(a) Large Items, Freon Items and Mattresses:

2.65 **Amendment:** That Section 3.06(a)(i) be amended to read as follows:

3.06(a)(i) Curbside collection of large items shall be provided to low density residential buildings, high density residential buildings and mobile home parks only;

2.66 **Amendment:** That Section 3.06(a)(ii) be amended to read as follows:

3.06(a)(ii) Where the City provides curbside collection for large items, Freon items and mattresses, such curbside collection shall be provided at collection locations and in accordance with the following procedures. The user must:

2.67 **Amendment:** That Section 3.06(a)(ii)(2) be amended to read as follows:

3.06(a)(ii)(2) Advise of the particulars of the large items, freon items and mattresses to be collected;

2.68 **Amendment:** That Section 3.06(a)(ii)(3) be amended to read as follows:

- 3.06(a)(ii)(3) Confirm that the item falls into the category of large items, Freon items or mattress(es);
- 2.69 **Amendment:** That Section 3.06(a)(ii)(5) be amended to read as follows:
- 3.06(a)(ii)(5) Purchase a large tag or mattress tag from the City or one (1) of its registered vendors and affixed the tag to each large item(s) or mattress(es);
- 2.70 **Amendment:** That Section 3.06(a)(ii)(6) be amended to read as follows:
- 3.06(a)(ii)(6) Confirm no single item exceeds 100 kilograms (220 lbs) in weight;
- 2.71 **Amendment:** That Section 3.06(a)(ii)(7) be amended to read as follows:
- 3.06(a)(ii)(7) Purchase a paid Freon removal tag from the City or one (1) of its registered vendors for each large item which contains Freon.
- 2.72 **Amendment:** That Section 3.06(a)(iii)(2) be amended to read as follows:
- 3.06(a)(iii)(2) Ensure either a tag or notice is displayed thereon signed by a certified pursuant to regulations indicating that the unit is empty of fluorocarbon refrigerants; or the “paid Freon removal” tag has been affixed next to the paid large item tag.
- 2.73 **Amendment:** That Section 3.06(b)(b)(2) shall be amended to read as follows:
- 3.06(b)(b)(2) Branches must be less than 8 cm in diameter and can be bundled with string or jute to a maximum of 91 cm in length;
- 2.74 **Amendment:** That Section 3.06(b)(b)(4) shall be amended to read as follows:
- 3.06(b)(b)(4) Christmas trees, grass clippings, sod, soil, root balls, stumps and branches over 8 cm in diameter or 91 cm in length will not be accepted for curbside collection. These items must be brought to a City landfill site.
- 2.75 **Amendment:** That Section 3.07(b) shall be amended to read as follows:
- 3.07(b) Every user or owner who puts waste, recyclable materials, leaf and yard materials and large items, Freon items or mattresses out for curbside collection shall ensure that:
- 2.76 **Amendment:** That Section 3.07(b)(i) shall be amended to read as follows:
- 3.07(b)(i) All waste that is wet is drained where possible;
- 2.77 **Amendment:** That Section 3.07(b)(iii) shall be amended to read as follows:

- 3.07(b)(iii) Feces of pets should be placed in a sealed leak-proof bag, mixed in with waste and the bag does not weigh more than 18 kilograms (40 pounds);
- 2.78 **Amendment:** That Section 3.07(b)(vi) shall be amended to read as follows:
- 3.07(b)(vi) Waste, recyclable materials, leaf and yard materials and large items, Freon items and mattresses are not more than 2.0 m from the edge of the traveled portion of the road to be visible to the collection staff from the road;
- 2.79 **Amendment:** That Section 3.07(b)(viii) shall be amended to read as follows:
- 3.07(b)(viii) Waste, recyclables, leaf and yard materials and large items Freon items and mattresses shall be the responsibility of the user or owner until it is collected by the City. If animals tear into and strew waste about the roadside, it is the user's or owner's responsibility to clean it up;
- 2.80 **Amendment:** That Section 3.07(b)(ix) shall be amended to read as follows:
- 3.07(b)(ix) Waste, recyclables, leaf and yard materials and large items shall not be placed atop or behind a snow bank or other visual obstruction and out of the path of the snow plough or other maintenance equipment;
- 2.81 **Amendment:** That Section 3.08(a)(i) shall be amended to read as follows:
- 3.08(a)(i) Place waste for municipal curbside collection that includes or contains hazardous or liquid industrial waste, biohazardous waste including blood, construction and demolition waste, flares, ammunition, needles and syringes, and/or dead animals;
- 2.82 **Amendment:** That Section 3.08(a)(ii) shall be amended to read as follows:
- 3.08(a)(ii) Place waste electrical and electronic equipment for curbside collection unless it is placed and collected as a large item.
- 2.83 **Amendment:** That Section 3.09(a) shall be amended to read as follows:
- 3.09(a) Any user or owner who fails or delays to remove uncollected waste from public property or the collection location shall be notified in writing by the Director of Public Works or his or her designate that the City may remove the waste at the user's or owner's expense;
- 2.84 **Amendment:** That Section 3.10(a) shall be amended to read as follows:
- 3.10(a) A user or owner who requires an increase to the two (2) bag waste limit because of the requirement to dispose of medical waste while such is being administered through home care may register with the City to become exempt from the two

(2) bag waste limit by receiving bag tags to affix to each additional bag set out;

2.85 **Amendment:** That Section 3.10(b) shall be amended to read as follows:

3.10(b) The Director of Public Works or his or her designate is responsible to maintain the medical waste register in accordance with the requirements relating to storage of personal information contained in the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.m.56.

2.86 **Amendment:** That Section 4.01(i), as follows, shall be added:

4.01(i) Any user or owner entering upon a landfill site does so at their own risk. The City makes every effort to ensure landfill sites are safe. The City, including its contractors, agents and employees, shall not be liable for any injury to persons or damage to vehicles or property caused by the use of the landfill site.

2.87 **Amendment:** That Section 4.02(a) shall be amended to read as follows:

4.02(a) Public access to a City landfill site shall be limited to hours permitted in the Certificate of Approval/Environmental Compliance Approval and/or determined by the Director of Public Works or his or her designate. Temporary closure of landfills may occur at the discretion of the Director or designate;

2.88 **Amendment:** That Section 4.02(b) shall be amended to read as follows:

4.02(b) No user or owner shall deposit waste at any landfill site outside the hours of operation unless otherwise determined by the Director of Public Works and his or her designate

2.89 **Amendment:** That Section 4.03(a) shall be amended to read as follows:

4.03(a) Users or owners may deposit contaminated soil, at designated landfill sites provided the soil is pre-approved by the Director of Public Works or his or her designate and it is not classified as "hazardous" and/or "liquid industrial" as per Ontario Regulation 347;

2.90 **Amendment:** That Section 4.03(b) shall be amended to read as follows:

4.03(b) The Director of Public Works or his or her designate shall establish procedures for the acceptance of contaminated soil at designated landfill sites including whether it is suitable as cover or not and that it is in compliance with the Certificate of Approval/ Environmental Compliance Approval and Provincial legislation for the designated landfill site prior to acceptance;

2.91 **Amendment:** That Section 4.03(d) shall be amended to read as follows:

4.03(d) The City reserves the right to reject any pre-approved contaminated soil delivered to the site upon inspection at the site and the user or owner depositing the contaminated soil is wholly responsible for removal and any subsequent remediation at their cost;

2.92 **Amendment:** Section 4.04(b) shall be amended to read as follows:

4.04(b) The Director of Public Works or his or her designate shall establish procedures for the acceptance of asbestos at City landfill sites that is in compliance with the Certificate of Approval/ Environmental Compliance Approval and Provincial legislation for the landfill site.

2.93 **Amendment:** That Section 4.06(a) shall be amended to read as follows:

4.06(a) The Director of Public Works or his or her designate, shall establish procedures for the acceptance of leaf and yard materials, boat wrap, bale wrap, electrical and electronic equipment, and scrap metal at City landfill sites and any other material that is in compliance with the Certificate of Approval/ Environmental Compliance Approval and Provincial legislation for the landfill site;

2.94 **Amendment:** That Section 4.06(b) shall be amended to read as follows:

4.06(b) The Director of Public Works or his or her designate may establish procedures for the acceptance of other materials that may be designated under provision 1.06.b in this by law including but not limited to mattress and construction demolition programs.

2.95 **Amendment:** That Section 4.07(a) shall be amended to read as follows:

4.07(a) Loads delivered or deposited at any landfill site loads for disposal shall not be contaminated with more than 10% by volume per load of recyclable materials leaf and yard waste materials, opaque bags, electrical and electronic equipment, scrap metal or other material for recycling as designated by the Director of Public Works and his or her designate from time to time;

2.96 **Amendment:** That Section 4.08(b) shall be amended to read as follows:

4.08(b) Divertible materials including tires and mattresses (acceptable at Lindsay ops only for recycling) as designated by the Director of Public Works or his or her designate which are banned from landfill sites in the City for the purpose of disposal;

2.97 **Amendment:** That Section 4.08(c) shall be amended to read as follows:

- 4.08(c) Users or owners shall deposit in the designated area of the landfill site refrigerators, freezers, air conditioning units and other appliances that may contain or have contained chlorofluorocarbon refrigerants (Freon items). The user or owner is subject to fees for the drop off of these items which are dependent on whether or not the chlorofluorocarbons have been appropriately removed;
- 2.98 **Amendment:** That Section 5.02(a)(i) shall be amended to read as follows:
- 5.02(a)(i) Residential recyclable materials, scrap metal, electrical and electronic equipment, ashes and household hazardous waste or other material designated for recycling by the Director of Public Works or his or her designate that is source-separated to the satisfaction of the Director of Public Works or his or her designate and deposited in the appropriate container or area specified for such use by the Director of Public Works;
- 2.99 **Amendment:** That Section 5.02(a)(iv) shall be amended to read as follows:
- 5.02(a)(iv) Materials determined by the Director of Public Works or his or her designate or designated as damaged materials resulting from an extreme weather event within the City received for disposal at designated City landfills during designated periods of time associated with said weather event.
- 2.100 **Amendment:** That Section 5.02(a)(v) be deleted.
- 2.101 **Amendment:** That Section 6.01(a) shall be amended to read as follows:
- 6.01(b) This By-law may be enforced by every municipal law enforcement officer or the Director of Public Works or his or her designate;
- 2.102 **Amendment:** That Section 6.02(a) shall be amended to read as follows:
- 6.02(a) Where a user or owner contravenes any of the provisions of this By-law, the Director of Public Works or his or her designate may in his or her sole discretion give notice in writing to the owner, at the property address, that unless the owner remedies the default within a specified time, and complies thereafter with the By-law, the Director of Public Works or his or her designate may suspend, revoke or discontinue curbside collection services and/or disposal privileges to the user or owner;
- 2.103 **Amendment:** That Section 6.02(b) shall be amended to read as follows:
- 6.02(b) Where, in the opinion of the Director of Public Works or his or her designate, there has been a failure to comply with the Notice provisions in subsection (a), or there is a subsequent

contravention of the By-Law, the Director of Public Works or his or her designate may issue an Order to suspend, discontinue or revoke curbside collection services and/or disposal privileges to the user or owner for a fixed period of time;

2.104 **Amendment:** That Section 6.02(c) shall be amended to read as follows:

6.02(c) Notice of the Order of the Director of Public Works or his or her designate shall be given in writing to the owner, at the property address, delivered by prepaid regular mail and shall be deemed to be delivered five (5) days after being posted by the City;

2.105 **Amendment:** That Section 6.02(d) shall be amended to read:

6.02(d) Any user or owner may apply to the Director of Public Works or his or her designate in writing for termination of the Order, and upon the owner demonstrating to the Director of Public Works or his or her designate that he or she is in compliance with the By-law and undertaking in the future to comply with the By-law, the Director of Public Works or his or her designate may:

- i) Terminate the Order, in whole or in part;
- ii) Impose such conditions or terms as he or she considers appropriate to reinstate full or partial collection services and/or disposal privileges;
- iii) Make a new Order, on different terms and conditions;

2.106 **Amendment:** That Section 6.02(e) shall be amended to read as follows:

6.02 (e) In the event that the address of the user or owner changes, then the Director of Public Works or his or her designate may continue the Order with respect to the new address of the user or owner as shown on the most recent tax roll.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Director of Public Works or his or her designate is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 14th day of December, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk