

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 217-2010

A By-law to establish and maintain a system for the collection of Resource Materials and Residual Waste in the City of Vaughan.

WHEREAS pursuant to the *Municipal Act, 2001*, S.O. 2001, c.25, subsection 1(3), as amended, The Corporation of the City of Vaughan is authorized to pass by-laws respecting waste management matters;

NOW THEREFORE the Council of The Corporation of the City of Vaughan enacts the follows:

1. DEFINITIONS AND INTERPRETATIONS

Approved Receptacle

“Approved Receptacle” means a receptacle as described in Section 10 of this By-law, for the collection of Resource Materials and Residual Waste.

Ashes

“Ashes” means the solid residue derived as a by-product from the burning of or combustion of any material or substance.

Blue Box

“Blue Box” means a receptacle as described in Section 10 of this By-law, for the collection of Recyclable Materials.

Bulky Item

“Bulky Item” means a large household item including but not limited to furniture, sofas, mattresses and book shelves.

City

“City” means The Corporation of the City of Vaughan, and its agents.

Collectible Waste

“Collectible Waste” means Resource Materials and Residual Waste.

Commissioner

“Commissioner” means the Commissioner of Engineering and Public Works for the City of Vaughan, or his/her duly appointed designate or successor.

Contaminate

“Contaminate” means the mixing of an item referred to in the list below with a different item described in the list below:

- (1) Residual Waste;
- (2) Recyclable Material;

- (3) Household Organic Material;
- (4) Leaf and Yard Material; and
- (5) Non-Collectible Waste.

Designated Collection Point

“Designated Collection Point” means the location where Collectible Waste is collected, as described in Section 8 of this By-law.

Diversion Programs

“Diversion Programs” means programs that divert Resource Materials from landfill.

Eligible Property

“Eligible Property” means a single family residential property solely intended for residential use that fronts onto a Travelled Street, including a single detached dwelling, semi-detached dwelling, duplex dwelling, townhouse, and any other property designated by the Commissioner.

Enforcement Officer

“Enforcement Officer” means any person or persons appointed by Council to administer and enforce the provisions of this By-law and includes his or her designates and shall include a police officer appointed by the York Regional Police Service.

Green Bin

“Green Bin” means a receptacle as described in Section 10 of this By-law for the collection of Household Organic Material.

Hazardous Waste

“Hazardous Waste” means:

- (1) Any product, material or item labeled as “corrosive”, “toxic”, “reactive”, “explosive”, “oxidizing”, “poisonous”, “infectious”, “flammable”, including but not limited to the following:
 - (a) Household cleaners including bleach, oven, drain, toilet and carpet cleaning solutions;
 - (b) Prescription medicines;
 - (c) Explosives, gasoline, motor oil, barbeque starter fluid, ammunition or other incendiary material;
 - (d) Pressurized containers including propane cylinders and tanks;
 - (e) Aerosol containers (full or partially full);
 - (f) Poisons, including rat and mouse poisons, moth balls, insect and weed killers;
 - (g) Fertilizers, fungicides, herbicides, insecticides or pesticides;
 - (h) Paints, solvents, coatings and wood preservatives;
 - (i) Engine oil, brake and transmission fluid;
 - (j) Batteries, including automotive batteries and ni-cad rechargeable batteries and lead acid batteries;
 - (k) Other material, including gas tanks, fire extinguishers, pool and photogenic chemicals; or

- (l) Other Municipal Hazardous or Special Wastes as defined in the *Waste Diversion Act*, R.R.O. 1990, Regulation 542/06.
- (2) Pathological Wastes as defined in this By-law;
- (3) PCB Waste (Polychlorinated Biphenyls) as defined in the *Environmental Protection Act*, R.R.O. 1990, Regulation 362;
- (4) The following wastes as defined in the *Environmental Protection Act*, R.R.O. 1990, Regulation 347:
 - (a) Hazardous Industrial Waste;
 - (b) Acute Hazardous Waste;
 - (c) Hazardous Waste Chemical;
 - (d) Severely Toxic Waste
 - (e) Ignitable Waste;
 - (f) Corrosive Waste;
 - (g) Reactive Waste;
 - (h) Radioactive Waste;
 - (i) Leachate Toxic Waste;
 - (j) Asbestos Waste; or
 - (k) Liquid Industrial Waste.

Household Organic Material

“Household Organic Material” means any material as described in Schedule A of this By-law.

Ineligible Property

“Ineligible Property” means any property within the City that is not defined as an Eligible Property.

Large Metal Recovery Item

“Large Metal Recovery Item” means any material as described in Schedule A of this By-law.

Leaf and Yard Material

“Leaf and Yard Material” means any material as described in Schedule A of this By-law.

Municipal Collection Service

“Municipal Collection Service” means a system for the collection of Collectible Waste for Eligible Properties.

Non-Collectible Waste

“Non-Collectible Waste” means any material as described in Schedule B of this By-law.

Owner

“Owner” means any person who is the registered owner, occupant, resident, leasee, tenant or who manages any property.

Paid Residual Waste Tag

“Paid Residual Waste Tag” means an approved garbage tag made available for purchase from the City that is affixed to any Residual Waste Item or Bulky Item in excess of the prescribed Residual Waste Item limit described in Section 7.

Pathological Waste

“Pathological Waste” means waste, whether solid or liquid, including but not limited to:

- (1) Microbiology laboratory wastes;
- (2) Animal or human anatomical waste including organs, bones, muscles or other animal or human tissue or part thereof;
- (3) Animal or human blood or bodily fluids;
- (4) Used medical dressings including bandages, poultices;
- (5) Medicines, vitamins, drugs, vials, vaccines;
- (6) Waste sharps, including but not limited to, hypodermic needles, syringes, blades; or
- (7) Any other similar material or substance which contains or may contain pathological micro-organisms or which may be hazardous or dangerous and anything designated as pathological waste as defined in the *Environmental Protection Act*, R.R.O. 1990, Regulation 347.

Person

“Person” includes an individual, a partnership or corporation to whom or to which the context can apply.

Private Property

“Private Property” means any property that is privately owned and is not owned by the City, the Regional Municipality of York, a Local Board, the Crown in Right of Ontario, the Crown in the Right of Canada, or any emanations thereof.

Public Property

“Public Property” means any property that is owned by the City, the Regional Municipality of York, a Local Board, the Crown in the Right of Ontario, the Crown in the Right of Canada, or any emanations thereof.

Recyclable Materials

“Recyclable Materials” means any material as described in Schedule A of this By-law.

Residual Waste

“Residual Waste” means all abandoned, rejected or discarded household waste and Bulky Items, but does not include Resource Materials and Non-Collectible Waste.

Residual Waste Item

“Residual Waste Item” means Residual Waste contained in an Approved Receptacle or Bulky Waste Item.

Resource Materials

“Resource Materials” means Recyclable Materials, Household Organic Material, Leaf and Yard Material and Large Metal Recovery Item as described in Schedule A.

Scheduled Collection Day

“Scheduled Collection Day” means the specific day of the week for Municipal Collection Service of designated Resource Materials and Residual Waste, prescribed by notice duly given by the City to Owners of Eligible Properties.

Trade Waste

“Trade Waste” means any industrial, commercial or manufactures’ waste and shall include the following:

- (1) Any waste generated, abandoned, condemned or rejected as a result of construction, alteration, repair, removal or demolition of any building or structure or part of any building or structure, including, but not limited to, drywall, bricks, stone, concrete, wall board, insulation, asbestos, lumber, roofing shingles, counter-tops, siding and fencing;
- (2) The stock of any wholesale or retail merchant or fruit or vegetable dealers;
- (3) Any waste materials originating from any industrial processes or any business industry or commercial establishment;
- (4) Commercial/industrial appliances;
- (5) Commercial/industrial furnaces and other types of heating units; or
- (6) Discarded office furnishings, partitions, office equipment

Travelled Street

“Travelled Street” means the portion of any highway, street or road under the jurisdiction of the City or the Regional Municipality of York used by the general public for the passage of vehicles within the limits of the City, but does not include a laneway.

Waste Management System

“Waste Management System” means facilities and equipment used in and operations carried out for the management of Waste Materials including but not limited to the planning, collection, handling, transportation, storage, processing, marketing and/or disposal and may also include Waste Diversion Programs.

Waste Materials

“Waste Materials” means Collectible Waste and Non-Collectible Waste.

2. APPLICATION AND INTERPRETATION OF THIS BY-LAW

- (1) In the event of any conflict between the provisions of this By-law and the provisions of any other statute, regulation or by-law, the provisions that are most restrictive shall prevail.
- (2) The necessary grammatical changes required to make the provisions of this By-law applicable to corporations, partnerships, trusts and individuals male or female and to include the singular or plural meaning where context so requires, shall in all cases be assumed as though fully expressed.
- (3) The insertion of headings and the division of this By-law into sections and subsections are for the convenience of reference only and shall not affect the interpretation thereof.
- (4) This By-law includes Schedules “A” and “B”, and these Schedules are hereby declared to form part of this By-law.
- (5) Where a court of competent jurisdiction declares any section or part of a section of this By-law invalid or unenforceable, the remainder of this By-law shall continue in force unless the Court makes an order to the contrary.

3. SHORT TITLE

This By-law may be referred to as the “Waste Collection By-law for Resource Materials and Residual Waste”

4. ADMINISTRATION

- (1) The Commissioner shall supervise and administer the Municipal Collection Service.
- (2) The Commissioner shall have the authority to:
 - (a) Determine the level and type of the Municipal Collection Service, Approved Receptacles, Collectible Waste limits and scheduling of Scheduled Collection Day;
 - (b) Designate new types of Collectible Waste and Non-Collectible Waste materials;
 - (c) Determine alternate Designated Collection Points for the Municipal Collection Service;
 - (d) Mandate that Owner of an Eligible Property participate in Diversion Programs;
 - (e) Implement new waste management policies and programs as approved by Council;
 - (f) Suspend Municipal Collection Service in all or part of the City, in the event of inclement weather or other conditions that in the opinion of the Commissioner renders the provision of Municipal Collection Service unsafe or otherwise undeliverable;
 - (g) Discontinue or refuse Municipal Collection Service to any Owner whose property, in the opinion of the Commissioner, is unsafe for entry or egress by the Contractor for any reason including but not limited to the physical layout, loading facilities or the methods of handling Collectible Waste on the property;
 - (h) Discontinue or refuse Municipal Collection Service to any Owner who, in the opinion of the Commissioner, has not complied with provisions of this By-law;
 - (i) Determine the notice provisions for the scheduling of the Scheduled Collection Day or changes to the Scheduled Collection Day;
 - (j) Discontinue or refuse Municipal Collection Service to any Owner, who, in the opinion of the Commissioner, has engaged in threatening or abusive conduct towards the City during Municipal Collection Service;
 - (k) Discontinue or refuse Municipal Collection Service where there has been excessive set outs of Collectible Waste; and
 - (l) Any other matter necessary for the administration of this By-law.

5. MUNICIPAL COLLECTION SERVICE – GENERAL CONDITIONS

- (1) The City shall provide Municipal Collection Service where the Owner complies with all requirements of this By-law.
- (2) The City shall not provide Municipal Collection Service to Ineligible Properties.
- (3) The City shall not provide Municipal Collection Service for Non-Collectible Waste.
- (4) In the event the Commissioner discontinues services in accordance with Section 4 of this By-law, the affected Owner shall have the Waste Materials removed at his expense.
- (5) In the event that Collectible Waste is not set out in accordance with the provisions of this By-law, the City may refuse to collect the Collectible Waste.
- (6) The City shall not enter upon Private Property to provide Municipal Collection Service.

6. COLLECTION FREQUENCY

- (1) The City shall collect Recyclable Materials no more than once a week on the Scheduled Collection Day.
- (2) The City shall collect Household Organic Material no more than once a week on the Scheduled Collection Day.
- (3) The City shall collect Residual Waste no more than once every other week on the Scheduled Collection Day.
- (4) The City shall collect Leaf and Yard Material on the Scheduled Collection Day during the City's designated Leaf and Yard Material collection program.
- (5) The City shall collect Christmas Trees on the Scheduled Collection Day during the City's designated Christmas Tree collection program.
- (6) The City shall collect Large Metal Recovery Items after the Owner contacts the City to arrange an appointment on a Scheduled Collection Day, as described in Section 10.

7. WASTE LIMITS

- (1) There is no limit on the number of Approved Receptacles for Recyclable Materials or the quantity of bundled Recyclable Materials that may be set out for collection on the Scheduled Collection Day.
- (2) There is no limit on the number of Approved Receptacles for Household Organic Material that may be set out for collection on the Scheduled Collection Day.
- (3) No more than three Residual Waste Items per Eligible Property may be set out for collection on the Scheduled Collection Day.
- (4) An Owner may set out for collection a number of Residual Waste Items that exceeds the limits in subsection (3) to a maximum of ten Residual Waste Items, where the Owner has purchased from the City a Paid Residual Waste Tag, which shall be affixed to each Residual Waste Item over the prescribed limit in a clearly visible manner.
- (5) There is no limit on the number of Approved Receptacles of Leaf and Yard Material, or bundles of Leaf and Yard Material that may be set out for collection on the Scheduled Collection Day.
- (6) There is no limit on the number of Christmas Trees that may be set out for collection.
- (7) There is no limit on the number of Large Metal Recovery Items that may be set out for collection.

8. DESIGNATED COLLECTION POINT

- (1) Collectible Waste shall be set out on or directly adjacent to the driveway as close as possible to the Travelled Street without impeding or obstructing pedestrian or vehicular traffic or maintenance operations.
- (2) During snow clearing operations, Collectible Waste shall be put on the right hand side of the driveway, 3 metres back from the Travelled Street. For the purposes of this section, right hand side of the driveway is the right side of the driveway when standing on the Travelled Street and facing the

property.

- (3) Despite subsection (1), where a laneway under the jurisdiction of the City is available at the rear of the Eligible Property, Collectible Waste shall be set out on the Eligible Property as close as possible to the laneway, unless so directed by the City.
- (4) Owners shall maintain access to the Designated Collection Point on the Scheduled Collection Day, including but not limited to the removal of hazards such as snow and ice, and obstructions.

9. GENERAL SET OUT REQUIREMENTS OF COLLECTIBLE WASTE MATERIALS

- (1) Waste Materials set out shall be deemed to have been set out by the Owner of the property directly abutting the location where the material is found.
- (2) No Person shall set out Collectible Waste unless that person is the Owner of the Eligible Property from which the Collectible Waste originates.
- (3) No Owner shall Contaminate Collectible Waste prior to setting the materials out for collection.
- (4) No Owner shall set out Non-Collectible Waste for collection.
- (5) No Owner shall fail to separate the different streams of Collectible Waste from one another at the Designated Collection Point.
- (6) No Owner shall set out Collectible Waste for collection prior to 6:00 p.m. local time of the day preceding the Scheduled Collection Day and no later than 7:00 a.m. local time of the Scheduled Collection Day.
- (7) No Owner shall fail to remove any uncollected Waste Materials or empty receptacles by 8:00 p.m. on the Scheduled Collection Day.
- (8) No Owner shall permit the setting out of Waste Materials from a move-out unless in accordance with this By-law;
- (9) No Owner shall set out for collection any Collectible Waste in any manner or condition that:
 - (a) is unsightly to the neighbouring environment;
 - (b) harbours or attracts rats, vermin, insects;
 - (c) permits Collectible Waste to fall out or protrude from the receptacle; or
 - (d) is a hazard or threat to public health and safety.
- (10) No Person shall pick over, interfere with, scavenge, disturb, remove or scatter any Waste Materials set out for collection except the City providing Municipal Collection Service.
- (11) Despite subsection (10), Owners of the Eligible Property where the Collectible Waste originated may retrieve the Collectible Waste they have set out for collection prior to its collection by the City.
- (12) No Owner shall permit any Waste Material generated from their property that has been set out for collection to blow away or otherwise escape and become a nuisance or litter in any manner prior to collection.
- (13) No Person shall permit any animal owned by him or under his care or control to pick over, interfere with, disturb, remove or scatter any Collectible Waste set out for collection.

- (14) No Person shall fail to convey Waste Materials in completely covered receptacles or in vehicles that are completely enclosed or covered so as to prevent any Waste Materials from falling upon the street, and shall keep such waste sealed from flies or vermin and to control as far as possible, the escape of any offensive odours there from.
- (15) No Owner shall set out for collection any Collectible Waste unless it is in an Approved Receptacle.
- (16) No Owner shall set out any Waste Material on the Travelled Street, gutter or ditch.
- (17) No Owner shall set out, or permit Collectible Waste to remain on, in or on behind snow banks.
- (18) Owners shall ensure that Collectible Waste set out for collection does not exceed the frontage of their property, unless approved by the Commissioner.
- (19) No Owner shall set out for collection any Approved Receptacle which is not maintained in a manner that allows for safe collection by the City.
- (20) The provision, maintenance and replacement of Approved Receptacles is the sole responsibility of the Owner.
- (21) No Person shall set out Waste Materials on Public Property for collection by a private hauler unless authorized to do so by the Commissioner.
- (22) No Person shall directly deposit any Waste Materials into a City waste collection vehicle, unless authorized by the City.
- (23) No Person other than the City, shall remove any Paid Residual Waste Tag affixed to any Residual Waste Item.
- (24) No Person shall deposit Waste Materials generated on Private Property in receptacles situated on Public Property.
- (25) No Person shall deposit any Waste Materials on a property unless the person is the Owner of the property.

10. RECEPTACLE STANDARDS AND SPECIFIC SET OUT REQUIREMENTS

- (1.1) Owners shall place Recyclable Materials entirely within the following receptacle when setting out Recyclable Materials:
 - (a) A Blue Box provided by the City; or
 - (b) A Blue Box obtained through retail outlets or through other municipal programs that is no less than 53 litres but no greater than 83 litres in volume.
- (1.2) Owners shall comply with the following conditions when setting out Recyclable Materials:
 - (a) Cardboard, boxboard and other large fibre material must be flattened and tied securely with string in bundles not exceeding 0.6 metres by 0.6 metres by 0.3 metres and placed inside or beside the Blue Box.
 - (b) All recyclable containers, bottles and jars shall be emptied and rinsed prior to being placed into the Blue Box.
 - (c) All lids and plastic wrap from recyclable containers, bottles and jars shall be removed prior to

being placed into the Blue Box. All removed lids shall be placed into a Residual Waste receptacle.

- (d) Recyclable Materials frozen or otherwise attached to the Blue Box may not be collected.
 - (e) The weight of a Blue Box together with its contents shall not exceed 20.4 kilograms.
- (2.1) Owners shall place Household Organic Material entirely within the following receptacle when setting out Household Organic Material:
- (a) A Green Bin as provided by the City;
 - (b) A Green Bin obtained through retail outlets or through municipal programs that has a capacity of 46 litres and is equipped with handles, wheels, and a lid; or
 - (c) In the case of diapers, a large, clear non-reusable bag used only for diapers, that is placed on top of or adjacent to the Green Bin.
- (2.2) Owners shall comply with the following conditions when setting out Household Organic Material:
- (a) Household Organic Material shall be placed inside a securely tied compostable bag and placed inside the Green Bin;
 - (b) The weight of a Green Bin together with its contents shall not exceed 20.4 kilograms.
- (3.1) Owners shall place Residual Waste entirely within the following receptacle when setting out Residual Waste:
- (a) A rigid reusable container specifically designed to contain Residual Waste that:
 - i. has a height of no more than 0.9 metres;
 - ii. has an internal diameter of no more than 0.5 metres;
 - iii. is capable of supporting 20.4 kilograms; and
 - iv. has two handles and a removable close fitting lid;
 - (b) A non-reusable polyethylene bag that:
 - i. measures not less than 66 centimetres by 90 centimetres in size;
 - ii. measures not more than 80 centimetres by 125 centimeters in size; and
 - iii. can support 20.4 kilograms; or
 - (c) In the case of broken glass, a sealed sturdy cardboard box not exceeding 23 centimetres by 30 centimetres by 38 centimetres that is marked "GLASS FOR DISPOSAL".
- (3.2) Owners shall comply with the following conditions when setting out Residual Waste:
- (a) All wet Residual Waste shall be drained and placed in a leak proof container or bag prior to placement in a Residual Waste receptacle;
 - (b) All Ashes shall be cold and placed in a Residual Waste receptacle;
 - (c) All carpet, rugs and underpads must be securely bundled and rolls shall not exceed 1.5 metres in length;
 - (d) A Residual Waste Receptacle, together with its contents, shall not exceed 20.4 kilograms in weight;
- (4.1) Owners shall comply with the following conditions when setting out Bulky Items that do not fit into an

Residual Waste Receptacle:

- (a) Bulky Items shall be broken down or dismantled into pieces that do not exceed 1.5 metres in length;
 - (b) Hazards, including nails, batteries, light bulbs, and glass shall be removed from Bulky Items prior to being set out;
 - (c) All removable or loose items within the Bulky Item shall be removed and bundled;
 - (d) Bulky Items shall not exceed 68 kilograms in weight;
 - (e) All moveable parts within the Bulky Item shall be secured;
 - (f) All doors, lids and covers shall be removed and placed in or beside an Approved Receptacle; and
 - (g) All removable or loose items shall be removed and placed in an Approved Receptacle.
- (5.1) Owners shall place Leaf and Yard Material entirely within the following receptacle when setting out Leaf and Yard Material:
- (a) A rigid reusable open-top receptacle that:
 - i. has a height of no more than 0.9 metres;
 - ii. has an internal diameter of no more than 0.5 metres;
 - iii. is capable of supporting 20.4 kilograms;
 - iv. has two handles that are securely attached to the receptacle; and
 - v. is clearly labeled "Leaf and Yard Material"; or
 - (b) A completely bio-degradable, non-reusable kraft paper bag constructed of wet strength fibre material specifically designed for leaf and yard material that:
 - i. is able to be closed when filled; and
 - ii. is capable of supporting 20.4 kilograms
- (5.2) Notwithstanding subsection (5.1), boughs, twigs, branches, brush, and woody material may be securely tied into bundles not more than 1.5 metres in length and 0.75 metres in diameter. Individual branches shall not exceed 10 centimetres in diameter.
- (5.3) The weight of a Leaf and Yard Material receptacle together with its contents or a bundle of Leaf and Yard Material shall not exceed 20.4 kilograms.
- (6.1) Owners shall comply with the following conditions when setting out Christmas Trees:
- (a) only natural Christmas Trees may be set out for Christmas Tree Collection;
 - (b) all tinsel, decorations, ornaments, plastic bags, and tree stands must be removed;
 - (c) does not exceed 2.13 metres in length
- (7.1) Owners shall contact the City to make an appointment for Large Metal Recovery Items collection.
- (7.2) The City shall provide a pick-up date and a confirmation number upon payment by the Owner of the Large Metal Recovery Item resource recovery fee as set out in the City's Fees and Charges By-law, as amended
- (7.3) Owners shall write the confirmation number on the Large Metal Recovery Item and set it out on the

pick-up date provided by the City.

- (7.4) Owners shall comply with the following conditions when setting out Large Metal Recovery Items:
- a) All doors, lids and covers are removed and set beside the Large Metal Recovery Item;
 - b) All removable or loose parts are removed, tied in bundles, and set beside the Large Metal Recovery Item; and
 - c) All contents are removed from the Large Metal Recovery Item.
- (7.5) The City reserves the right to refuse oversized and overweight Large Metal Recovery Items.

11. NOTICES, ENFORCEMENT AND FINES

- (1) An Enforcement Officer who finds a contravention of this By-law may issue a Notice to Comply to the Person or Owner who contravened or permitted a contravention this By-law, or the Owner of the property on which the contravention occurred, to do work to correct the contravention. The Notice to Comply shall set out reasonable particulars of the contravention, the location of the land on which the contravention occurred and the date by which there must be compliance with Notice to Comply.
- (2) The Notice to Comply may be either served personally or mailed by prepaid registered mail to the last known address of the Person named in the Notice to Comply and shall be deemed to have been served on the 5th day after it is mailed.
- (3) If the work required by a Notice to Comply is not completed by the date set out in the notice, the City, may enter upon the land in between the hours of 9:00 a.m. and 5:00 p.m., Monday to Friday, to do all the work necessary to correct the contravention and the City may recover the cost of the work from the Person directed or required to do it by action or by adding the costs to the tax roll of the owner and collecting them in the same manner as property taxes.
- (4) The provisions of this By-law shall be enforced by Enforcement Officers.
- (5)
- a) Every director or officer of a corporation who knowingly concurs in the contravention of a provision of this By-law or fails to comply with a Notice to Comply under this By-law is guilty of an offence.
 - b) A Person who is convicted of an offence is liable on first conviction to a fine of not less than \$400 and not more than \$20,000, and is liable on subsequent convictions to a fine of not less than \$400 and not more than \$50,000.
 - c) A corporation that is convicted of an offence is liable on first conviction to a fine of not less than \$400 and not more than \$50,000, and is liable on subsequent convictions to a fine of not less than \$400 and not more than \$100,000.
 - d) In addition to the fines in subsections c) and d), a person or corporation convicted of a subsequent offence is liable to a fine not less than \$100 and not more than \$1,000 for each day or part of the day on which the contravention has continued after the day on which the person was first convicted.

12. COMING INTO FORCE

This By-law shall come into force and take effect as of the 7th day of September, 2010.

13. REPEAL

By-law 350-94, and all by-laws amending By-law 350-94 up to the coming into force of this By-law, are hereby repealed upon the coming into force of this By-law.

READ a FIRST, SECOND and THIRD time and finally passed this 7th day of September, 2010.

Linda D. Jackson, Mayor

Jeffrey A. Abrams, City Clerk

SCHEDULE A: ACCEPTABLE RESOURCE MATERIALS

1. ACCEPTABLE “BLUE BOX” RECYCLABLE MATERIAL

The following items shall be deemed to be Recyclable Material for the purposes of this By-law:

1. Rigid plastic bottles, jugs, trays and jars used for food, beverages and other household products:

Plastic clam shell containers for eggs, vegetables, fruits and other products

Plastic containers used for beverages, shampoos, lotions, cleaners, windshield washer fluids

Plastic food tubs and lids for yogurt, margarine, sour cream, cottage cheese, ice cream

Plastic pails, plant trays and pots (not exceeding 1 gallon – 4 litres** cell packs)

2. Glass food and beverage bottles and jars

3. Metal containers

Aluminum foil, plates and trays

Metal aerosol and paint cans (emptied)

Steel / aluminum food and beverage cans

4. Beverage cartons and boxes & polycoat containers

Aseptic containers (tetra pak) containers for juice, soup, wine

Gable top cartons for juice, milk

Polycoat containers for ice cream

5. Corrugated cardboard

6. Newspapers, boxboard and household papers

Books (hard or soft cover – plastic slip cover removed)

Cereal boxes (liners removed)

Fibre coffee cups (lids removed)

Fibre egg cartons and take out trays

Flour and sugar bags

Kraft paper (meat wrap)

Magazines

Newsprint (plastic wrap removed)

Paper plates

Pizza boxes

And all remaining paper and paper products generated by households

Note: Heavily soiled newspapers, boxboard and other fibre material (i.e. paper plates) shall be set out as Household Organic Material (“Green Bin”).

7. Any other item designated as Recyclable Material by the Commissioner from time to time

2. ACCEPTABLE “GREEN BIN” HOUSEHOLD ORGANIC MATERIAL

The following items shall be deemed to be Household Organic Material for the purposes of this By-law:

All wrappers, packaging and containers shall be removed and disposed of as Residual Waste or Recycling Material, if so accepted.

1. Baked goods and baking ingredients
includes cake, cookies, flour, sugar, spices, eggs and egg shells
2. Dairy products
includes milk, cheese and yogurt
3. Fruits and vegetables
4. Grain products
includes pasta, bread, cereal
5. Meat and fish products
includes bones, fat, skin
6. Other food products
includes candy, confectionary, coffee grounds, coffee filters and tea bags
7. Personal hygiene products
includes diapers, sanitary products, incontinence products and hair
8. Pet waste
includes kitty litter, dog waste, pet bedding, fur, feathers, pet food and bird seed.
9. Paper products
Includes tissues, paper napkins, paper towels, microwave popcorn bags, paper plates newsprint, pizza boxes
Note: Non heavily soiled paper plates, newsprint, pizza boxes should be set out as Recycling Material ("Blue Box)
10. Other Receptacles
includes small amounts of shredded paper, household plants including soil, flowers (dried and fresh cut) and sawdust (natural wood sources only). Sawdust from pressure treated wood, melamine composite wood, and particle board is not accepted.
11. Any other item designated as Household Organic Material by the Commissioner from time to time

3. ACCEPTABLE LEAF AND YARD MATERIAL

The following items shall be deemed to be Leaf and Yard Material for the purposes of this By-law.

1. Cornstalks, pumpkins
2. Garden plants, flowers, fruits and vegetables (soil removed)
3. Grass clippings and leaves
4. Hay, straw
5. Hedge, shrub and tree trimmings, brush cuttings, twigs and branches (securely tied in bundles not more than 1.5 m in length; individual branches not exceeding 10 centremetres in diameter and bundles not exceeding 0.6 metres in diameter)

6. Natural Christmas trees (trees greater than 2.13 metres are to be cut in half)
7. Plant cuttings, weeds
8. Any other item designated as Leaf and Yard Material by the Commissioner from time to time

4. ACCEPTABLE LARGE METAL RECOVERY ITEMS

The following items shall be deemed to be Large Metal Recovery items for the purposes of this By-law.

For each acceptable Large Metal Recovery item, the Owner or Occupant shall pay, in advance, the large metal resource recovery fee as set out in the City's Fees and Services By-law as amended.

1. Air conditioning units
2. Barbeques, tanks removed
3. Bathtubs (metal);
4. Dehumidifiers
5. Dishwashers
6. Dryers
7. Fireplace inserts
8. Freezers
9. Furnaces
10. Hot water tanks (metal), drained
11. Humidifiers
12. Metal Pipes (i.e. basketball poles), disassembled and not exceeding 1.2 metres or 1.5 metres in length;
13. Oil tanks or drums;
14. Pool heaters, filter medium (i.e. sand) removed
15. Push lawn mowers (electric, gas or manual), liquids removed
16. Range Hood Fans
17. Refrigerators
18. Stoves
19. Swing Sets, disassembled, not exceeding 1.2 metres or 1.5 metres
20. Washing machines
21. Water pressure tanks
22. Water softeners (metal), filter medium (salt) removed
23. Water coolers (metal)
24. Any other item designated as a Large Metal Resource items by the Commissioner from time to time

SCHEDULE B: NON COLLECTIBLE WASTE

The following items shall be deemed to be Non-Collectible Waste for the purposes of this By-law:

Owners / Occupants are to contact the City to determine how to properly dispose of non collectible waste.

1. Any materials that are not set out in accordance with the provisions of this By-law
2. Electronic and Electric Equipment Waste (WEEE waste) as defined in the *Waste Diversion Act*, R.R.O. 2002, Regulation 393 / 04
includes desk top computers, portable computers, computer peripherals, monitors, televisions, printing devices, information technology equipment, telecommunications equipment, audio visual equipment
3. Hazardous Waste as defined by this bylaw
4. Pathological Waste as defined by this bylaw
5. Trade Waste as defined by this bylaw
6. Automotive wastes, discarded vehicle parts, tires, tire rims and other accessories
7. Liquid wastes, including liquid in sealed containers
8. Used deposit-return beverage containers
9. Sod, soil, dirt, manure, sand, root balls, stumps, aggregates, concrete products, bricks or stones;
10. Sharp-edged material such as broken glass, broken crockery, cut metal or anything of a similar nature unless such material is placed in separate, secure container and whose contents are clearly marked
11. Glass plate windows, mirrors, doors, table tops, shower doors
12. Carcasses of any animal (including animal parts) or fowl or live animal or fowl with the exception of bonafide Household Organic Waste
13. Ashes (warm or hot)
14. Swill or any other organic not properly drained or wrapped
15. Celluloid cuttings, including moving picture film
16. Sewage
17. Any other material or item designated as Non-Collectible Waste by the Commissioner
18. Any other materials designated as 'designated waste' by the *Waste Diversion Act* or other applicable legislation