

BY-LAW NUMBER 350-94

A by-law for establishing and maintaining a system for the collection, removal, and disposal of garbage, waste, recyclable material and other refuse in the City of Vaughan.

WHEREAS it is deemed expedient that rules and regulations be made for establishing and maintaining a system for the collection, removal and disposal of garbage, waste, recyclables and other refuse within the City of Vaughan;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. **DEFINITIONS:**

In this By-law:

- a) "Apartment Building/Condominium" means a residential detached building that consists of three or more dwelling units arranged so that there is a common hallway to the dwelling units.
- b) "Approved Container" means a receptacle of the type described in Paragraph 6(a) of this By-law.
- c) "Ashes" means the solid residue of any fuel used for heating, cooking purposes and cleanings from chimneys.
- d) "City" means The Corporation of the City of Vaughan.
- e) "Commercial Complex" means a building or buildings on a property or adjoining properties, under one ownership or under the ownership of a condominium corporation, containing one or more commercial or industrial businesses and which may include, in addition, residential uses.
- f) "Commercial Establishment" means an individual commercial or industrial business with its own direct access to the street.
- g) "Contractor" means a person or company with whom the City has entered into a contract for the collection of garbage, ashes and other refuse, and the employees of such person, or company.

- h) "Council" means the Council of The Corporation of the City of Vaughan.
- i) "Director" means the Director of Operations or designate.
- j) "Dwelling" means a building or place of abode including a street townhouse but not including a hotel, motel, restaurant, apartment building/condominium.
- k) "Dwelling Unit" means a room or suite of two or more rooms designed or intended for use by a family in which sleeping, cooking and sanitary facilities are provided.
- l) "Garbage" means all rejected, abandoned or discarded household waste, either animal or vegetable, not including non-collectible waste or trade waste, but including without limiting the generality thereof, wearing apparel; waste paper; newsprint; broken crockery, organic yard waste; ashes and other refuse matter and also includes weighty or bulky articles such as Christmas trees, household appliances, hot water tanks, bathroom fixtures, furniture, mattresses, bed springs or anything of a similar nature that is placed for collection in accordance with Paragraph 5 and 6 of this By-law.
- m) "Household Waste" means all waste materials and refuse, including organic yard waste, abandoned, rejected or discarded from any dwelling, apartment building or residential condominium.
- n) "Householder" means any owner, occupant, lessee or any person in charge of any dwelling, apartment building or residential condominium.
- o) "Non-Collectible Waste" means:
 - i) Any garbage or material in receptacles or containers which do not conform to Paragraphs 4 and 6 of this By-law.
 - ii) Discarded vehicle parts, tires, automotive wastes and other accessories.
 - iii) Concrete products, bricks, dirt, stones, and tree stumps, branches and roots exceeding 20.0cm in diameter.
 - iv) Trade Waste.
 - v) Celluloid cuttings, moving picture film, oil soaked or gasoline soaked absorbent material and any explosive or highly combustible material or any nature whatsoever.
 - vi) Swill or other organic matter not properly drained or wrapped.
 - vii) Medical or Pathological Waste, including bandages, syringes, medicines, drugs and similar refuse from Drug Stores, Medical Clinics, Veterinarian Offices, Dental Offices and Hospitals, or other similar facilities.
 - viii) Liquid Wastes, including liquid in sealed containers.

- ix) Hay, Straw and Manure.
- x) Roofing Shingles.
- xi) Carcasses of any Animal or Bird.
- xii) Live Animals or Birds.
- xiii) Any material which has become frozen to the receptacle and cannot be removed by shaking.
- p) "Organic Yard Waste" means garden refuse, grass, shrubbery and tree clippings, plant material, and leaves.
- q) "Recyclable Materials" means materials deemed to be recyclable under Vaughan's Recycling Program and may include plastic, metal food and beverage container, glass and paper as designated and includes organic yard waste.
- r) "Street" means a highway, road, lane, alley, square, place, thoroughfare or way and includes private roadways in townhouse and condominium complexes, provided that they are maintained to the satisfaction of the Director of Operations.
- s) "Street Townhouse" means a townhouse in which each dwelling unit is situated on land which abuts a street.
- t) "Trade Waste" means any industrial, commercial, or manufacturers' waste and shall include the following:
 - i) any abandoned, condemned or rejected product, bi-product, builders' and contractors' refuse, the stock of any wholesale or retail merchant, or fruit, vegetable or food dealer and garbage and service station waste, and
 - ii) any solid wastes originating from any industrial processes, or any business, industry or commercial establishment, and
 - iii) corrugated cardboard, commercial plastic wrapping, styrofoam packing material, and
 - iv) household and commercial/industrial appliances, and
 - v) household and commercial/industrial furnances and other types of heating units, and
 - v) discarded office furnishings, partitions, office equipment, and
 - vi) discarded wire.

2. RESPONSIBILITIES OF THE CITY:

- a) The Director shall be responsible for the collection of garbage, waste and other refuse by the Contractor within the City.

- b) The Director shall provide garbage, waste or other refuse collection to householders within the City, provided they comply with the requirements of this By-law.
- c) The Director shall, from time to time, fix the areas of collection and the day of collection for each area, and the same shall be advertised by the City by publication in newspapers having general circulation in the City of Vaughan.
- d) Garbage shall be collected Tuesday to Friday inclusive. No garbage, waste or other refuse collection shall be provided on New Year's Day, Good Friday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Christmas Day and Boxing Day.
- e) It shall be the duty of the City Clerk and the Medical Officer of Health for the Regional Municipality of York to enforce the provisions of this By-law.

3. RESPONSIBILITIES OF THE CONTRACTOR:

- a)
 - i) The Contractor shall collect all garbage, waste, recyclable materials and other refuse in accordance with the provisions of this By-law and any contract entered into with The Corporation of the City of Vaughan.
 - ii) Garbage, waste, recyclable material and other refuse shall be collected from areas approved by the Director.
 - iii) The service of collection and other related duties from each area shall be completed on the approved collection day and the Contractor shall be courteous and render every reasonable effort for the proper execution of this service.
- b) The Contractor shall be responsible for the collection, removal, transportation and unloading of garbage at a waste disposal site approved by the Ministry of Environment and Energy.
- c) The Contractor shall provide all necessary equipment and labour for the collection, removal, transportation and unloading of garbage and waste materials from all dwellings and buildings and areas to which this By-law applies.
- d) The Contractor shall not be required to enter any dwelling and/or dwelling unit or other building; ascend or descend any stairway; or enter any elevator, hoist or unloading platform for the purpose of collecting or removing garbage.
- e) The Contractor shall not be required to remove any garbage from a chute.
- f) The Contractor shall handle all receptacles with due care and after thoroughly removing their contents, shall replace the receptacles with covers secured at the location from which they were collected.

- g) All approved containers which are damaged or improperly removed by the Contractor shall be either repaired or replaced by the Contractor.
- h) The Contractor shall enforce the provisions of this By-law which affect the collection of garbage, waste, recyclable material and other refuse by its employees.
- i) The Contractor shall not accept any fee or gratuity in addition to his wages for services rendered.

4. RESPONSIBILITIES OF THE HOUSEHOLDERS:

- a) The householder shall place garbage, waste, recyclable material and other refuse out for collection in accordance with the provisions of this By-law. The householder shall place recyclable material out for collection in accordance with the provisions of this By-law.
- b) The householder shall not deposit or permit the deposit upon any lands belonging to the householder, in the householder's occupation or under the householder's control of any garbage, or any material or thing which may endanger public health.
- c) No person, agent or employee of the Contractor shall sweep, throw, cast, lay or deposit any garbage, non-collectible waste or trade waste on any land, creek, street or public property or place in the City or on any site other than one approved pursuant to the Environmental Protection Act.
- d) The householder shall not keep a receptacle or repository for garbage on the householder's premises in such condition or in such a location that the same is a nuisance or emits foul or offensive odours or harbours or attracts rats or other vermin or insects. The body of a dead animal must be properly disposed of by the persons in occupation of the premises where it is located.
- e) No person, without written authorization from the Director, shall pick over, interfere with, disturb, remove or scatter any garbage placed for removal, whether or not contained in a covered container.
- f) No person shall convey through the streets any garbage or any non-collectible waste or trade waste unless in approved containers, or in vehicles totally enclosed or covered with canvas or tarpaulins and fastened down around the edges so as to prevent any of the contents falling upon the streets, protect the same from flies and control as far as possible, the escape of any offensive odours therefrom.

- g)
 - i) Any person who fails to observe Paragraph 4(f) above and caused any waste or garbage to fall upon any street shall remove the same immediately.
 - ii) If such waste or garbage is not removed immediately, the City shall remove the material at the expense of the contravener.
- h) No person shall place any trade waste out for collection at any residential dwelling, or apartment building/condominium.

5. PROCEDURES FOR COLLECTION:

- a) Garbage, waste, recyclable material and other refuse collection shall be provided on the day designated by the Director, and shall be curbside collection unless the Director has approved another location.
- b) The procedures for curbside collection shall be as follows:
 - i) Garbage, waste, recyclable material and other refuse set out at the curbside or in a designated collection area for curbside collection shall be aligned along the street and as close as possible to the curb and gutter or the pavement edge of the street but not so as to impede or interfere with the flow of traffic or maintenance of such street. In the event of a dispute, the Director may specify the location where receptacles are to be placed.
 - ii) Garbage, waste, recyclable material and other refuse shall be placed by the householder at the prescribed location not earlier than six o'clock in the evening (1800 hours) local time on the day preceding collection and not later than seven o'clock in the morning (0700 hours) local time on the day of collection. No person shall place garbage or recyclable materials out for collection other than at the above times.
 - iii) Empty receptacles and all garbage, waste, recyclable material and other refuse not collected as a result of non-compliance with this By-law, shall be removed by the householder before eight o'clock in the evening (2000 hours) local time on the day of the garbage collection.
 - iv) The householder shall only place garbage, household waste and recyclable materials in approved receptacles out for collection.
- c) The procedure for collection on private property shall be as follows:
 - i) The Director shall inspect the property site to determine if the provisions of this By-law have been met. Collection on private property shall commence only after

approval has been given by the Director.

- ii) The access route and the storage facilities shall be maintained and kept free from all obstructions throughout the year. The City shall not be responsible for damage to private streets resulting from the use of collection vehicles.
- iii) In the event of a traffic conflict on the private access route to the garbage storage facility, which cannot be resolved immediately at the time of collection, the collection vehicle will leave the site and no collections will be made until the following collection date.
- iv) In the event that the storage area, container facilities or the access routes become inadequate, the householder, upon written instructions from the Director, shall improve the facilities within the time period specified in the written notice. If satisfactory improvements have not been made the expiration of the time period, the City will suspend garbage collection services without further notice until the Director is notified by the householder that improvements have been, and are in fact, satisfactorily completed.

6. APPROVED RECEPTACLES:

- a) Every householder requiring collection shall provide sufficient receptacles conforming to the following specifications:
 - i) Returnable Receptacles: shall be durable, rust resistant, non-absorbent containers having a close fitting cover and two suitable handles. The container's diameter shall not exceed 0.5m and its height shall not exceed 0.9m. The diameter at the top of the container shall be larger than the bottom.
 - ii) Non-returnable Plastic Bags: Must be plastic bags designed and sold for the purpose of containing garbage and secured so as to prevent any spillage. Minimum bag material thickness shall be 1.5 ml. Bags that break when lifted are not acceptable.
 - iii) Returnable Bushel Baskets: and/or clear plastic bags may be used, if in good condition, for the disposal of organic yard waste.
 - iv) The Blue Box: must be used for disposal of recyclable materials, but not organic yard waste.
- b) Other receptacles which are irregular in shape such as paint cans, pails, oil drums and other smaller receptacles shall not be used unless the receptacle is intended for disposal with the

contents. Such containers shall be securely covered to prevent the contents from being scattered.

- c) Ashes shall be properly sealed in heavy duty plastic bags and not weigh more than 22.0 kilograms. All ashes shall be cold.
- d) Cardboard or other unsecured waste shall be in securely tied bundles which do not weigh more than 22.0 kilograms.
- e) Boughs, twigs, cuttings, or other similar material shall be in securely tied bundles which do not exceed 1.5m length or 0.9m in any other dimension and do not weight more than 22.0 kilograms. Christmas trees are to be placed at the curb for collection.
- f) The total weight of any full container shall not exceed 22.0 kilograms.
- g) Garbage, other than bundles, shall be in securely covered receptacles unmixed with any liquid and all meats, fish, fruit, vegetables and other waste liable to attract animals, vermin and flies, shall be drained of liquids and securely wrapped and tied.
- h) The amount of garbage, waste, recyclable material and other refuse placed at the curb shall not be of an excessive amount. What is determined to be excessive will be decided by the Director of Operations.

7. PENALTIES:

Any person who contravenes any provision of this By-law is guilty of an offence, and on conviction is liable to a penalty not exceeding \$5,000.00 pursuant to the Provincial Offences Act.

8. This By-law shall come into force on the day that it is enacted and By-law 108-84 is hereby repealed.

READ a FIRST, SECOND and THIRD time and finally passed this 18th day of October, 1994.

L. D. Jackson, Mayor

J. D. Leach, City Clerk