

THE REGIONAL MUNICIPALITY OF HALTON

BY-LAW NO. 123-12

A BY-LAW TO GOVERN THE COLLECTION OF WASTE IN THE REGIONAL MUNICIPALITY OF HALTON AND TO REPEAL AND REPLACE BY-LAW NO. 30-96, AS AMENDED.

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c. 25, authorizes the Region to pass by-laws respecting waste management;

AND WHEREAS the Region recognizes the need to protect the environment, extend the use of the Region's landfill site, reduce greenhouse gas emissions and create useful recycling and compost products in accordance with established policies within its Official Plan;

AND WHEREAS Council passed By-law No. 30-96, being a by-law to govern the collection of waste, on March 27, 1996, and has determined that it is desirable to replace By-law No. 30-96, as amended.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HALTON HEREBY ENACTS AS FOLLOWS:

1. DEFINITIONS

1.1 THAT in this By-law:

- (a) "Animal Waste" means feces from any household pet including, but not limited to, dogs and cats, and also includes all material that has come into direct contact with the feces and all material contaminated with the feces;
- (b) "Ashes" means the solid residue of any household fuel after such fuel has been consumed by fire, but does not include soot;
- (c) "Biomedical Waste" means any waste that is human anatomical Waste, Animal Waste, cytotoxic Waste and any other Waste that is generated by:
 - (i) human health care facilities;
 - (ii) animal health care facilities;
 - (iii) medical research and teaching establishments; or
 - (iv) veterinary research and teaching establishments;

and includes, but is not limited to tissues, organs, body parts, blood and blood products, bodily fluids, human or animal

cultures, stocks or specimens, live or attenuated vaccines, cell lines, sharps, and broken glass;

- (d) "Brush Material" means tree, shrub and bush limbs. For greater certainty, Brush Material does not include tree stumps, painted, treated and coated wood from woodwork residues, interior doors, household furniture, wood or wood scraps generated from construction, demolition, renovation or Commercial purposes;
- (e) "Brush Material Unit" means a securely tied bundle of Brush Material with dimensions not exceeding 1.8 metres (6 feet) in length or 0.9 metres (3 feet) in width and height, and 22.7 kilograms (50 pounds) in weight;
- (f) "Bulk Waste" means a household item which is larger than 1 metre (39 inches) in any dimension or weighs in excess of 22.7 kilograms (50 pounds). Bulk Waste items include the items listed in Schedule "B" of this By-law;
- (g) "By-law Enforcement Officer" means a person appointed by the Region or any Local Municipality for the purposes of enforcing the provisions of this By-law;
- (h) "Christmas Trees" means natural (as opposed to artificial) coniferous trees less than 3 metres (10 feet) in height and free of all decorations and plastic wrap;
- (i) "Clean Up Costs" means any reasonable expense incurred by the Region or the Contractor required to restore a particular location (Collection Point or otherwise) to its usual state of repair or cleanliness as a result of an offence under this By-law;
- (j) "Collection Point" means the part of a property eligible to receive Waste Collection services that has been designated by the Commissioner for the Set Out of Waste and shall be as specified either for Curbside Collection or for On-Site Collection;
- (k) "Commercial" means used for or related to retail or service establishments, recreational purposes, entertainment purposes or offices;
- (l) "Commissioner" means the Commissioner of Public Works for the Region, or his or her designate authorized to act on his or her behalf;

- (m) "Compostable Bag" means:
 - (i) a liner bag certified as biodegradable under the American Society for Testing and Materials Standard Specification for Compostable Plastics ASTM D-6400 standard, and bearing the BPI Logo; or
 - (ii) another acceptable biodegradable liner bag as may be determined by the Commissioner;
- (n) "Contractor" means any individual, firm or corporation and the employees of any such individual, firm or corporation with whom the Region has entered into an agreement for the collection of Waste;
- (o) "Council" means the council of the Region;
- (p) "Curbside Collection" means the collection of Waste Set Out in Proper Receptacles in the area abutting the property and as close as possible to the edge of the roadway without obstructing the roadway or sidewalk and not extending beyond the frontage of the property;
- (q) "Current Allowable Volume of Waste" means the maximum volume of Waste a person may dispose of at a given time;
- (r) "Current Waste Collection Service" means the Waste collection services identified in Schedule "A" of this By-law, as approved by Council;
- (s) "Dwelling Unit" means a place of residence designed or intended for habitation by one (1) or more persons with its own culinary and sanitary facilities which are provided for the exclusive use of the person or persons who reside therein;
- (t) "Garbage" means solid Waste other than Recyclable Materials, Brush Material, Bulk Waste, Christmas Trees, Metal Items and Appliances, Non-Complying Waste, Organic Waste, Waste Electrical and Electronic Equipment and Yard Waste from Private Property or Public Property that originated within the Region;
- (u) "Garbage Receptacle" means:
 - (i) a front-end loading container, roll-off container, lugger bin, compactor unit, rear packer bin, side loading bin and any other container with a capacity equivalent to the Current Allowable Volume of Waste designated by the

Commissioner as an approved container for the collection of Garbage at Multi-Residential Complexes;

(ii) a rigid container having all of the following characteristics:

- (1) a lid which is readily separable from the container, which when covered is watertight;
- (2) handles that are attached or moulded to the exterior of the container;
- (3) a capacity less than 125 litres (27 imperial gallons);
- (4) an external width no greater than 50 centimetres (20 inches);
- (5) an external height no greater than 100 centimetres (39 inches); and
- (6) capability of supporting a weight of no more than 22.7 kilograms (50 pounds);

(iii) a polyethylene or other plastic bag having all of the following characteristics:

- (1) a width no less than 40 centimetres (16 inches) and no greater than 66 centimetres (26 inches);
- (2) a height no less than 61 centimetres (24 inches) and no greater than 90 centimetres (36 inches);
- (3) capability to be securely closed or tied when filled; and
- (4) durability to support a weight of no more than 22.7 kilograms (50 pounds) when lifted without tearing;

(iv) any other container as may be specified by the Commissioner;

(v) "Garbage Receptacle Limit" means the maximum allowable number of Garbage Receptacles that may be Set Out as identified in Subsection 2.2, Subsection 3.2 and Schedule "A" of this By-law;

- (w) "Garbage Tag" means a sticker, tab, tie or label for the purpose of identifying Garbage Receptacles for collection that exceed the Garbage Receptacle Limit and as identified in Schedule "K" of this By-law;
- (x) "Hazardous Waste" means the items identified in Schedule "D" of this By-law or any other Waste material identified as Hazardous Waste by the Commissioner;
- (y) "Home Health Care Waste" means the items identified in Schedule "E" of this By-law;
- (z) "Illegal Dumping" means:
 - (i) the disposal of Waste on Private Property or Public Property by a person who is neither an Owner or an Occupier of the subject property; or
 - (ii) the placement of Non-Complying Waste at the Collection Point by a person;
- (aa) "Industrial" means zoned as or related to a property zoned as industrial;
- (bb) "Industrial Waste" means Waste originating from:
 - (i) any business establishment;
 - (ii) an enterprise or activity involving warehousing, storage or Industrial, manufacturing, or Commercial processes or operations;
 - (iii) research or experimental enterprise or activity;
 - (iv) an enterprise or activity where goods or materials are kept for sale, or offered for sale, to the general public;
 - (v) hotels and motels; or
 - (vi) construction or demolition projects, or large home renovations;
- (cc) "Institutional Property" means a building used for the purpose of an organization, foundation or society and includes but is not limited to a seniors' home, place of worship, daycare, community shelter, library, school, government office, community college/university student residence, Regional or

Local Municipality property and any other facility as designated by the Commissioner;

- (dd) “Litter” means a disorderly accumulation of objects left lying in an open or public space;
- (ee) “Litter Receptacle” means a receptacle intended for public use for the collection of Waste and Litter;
- (ff) “Local Board” means a local board as defined in the *Municipal Affairs Act*, R.S.O. 1990, c. M.46, as amended from time to time, insofar as its authority may be exercised within the Region;
- (gg) “Local Municipality” means the City of Burlington, the Town of Halton Hills, the Town of Milton or the Town of Oakville;
- (hh) “Metal Items and Appliances” means the items described in Schedule “I” of this By-law;
- (ii) “Multi-Residential Complex” means an apartment building, condominium complex, townhouse complex, co-op complex or other similar residential complex containing more than six self-contained Dwelling Units;
- (jj) “Non-Complying Waste” means the Waste items described in Schedule “G” of this By-law;
- (kk) “Occupier” means an occupier as defined in the *Occupiers’ Liability Act*, R.S.O. 1990, c. O.2, as amended from time to time;
- (ll) “On-Site Collection” means the collection of Waste Set Out in Proper Receptacles in Waste storage areas on Private Property or Public Property;
- (mm) “Organic Waste” means kitchen food Waste and any other organic material collected separately for the purpose of composting identified in Schedule “F” of this By-law;
- (nn) “Organic Waste Receptacle” means a container for Organic Waste collection and is:
 - (i) a curbside container supplied by the Region; or
 - (ii) a plastic bin with or without wheels which is compatible with equipment used by the Contractor for the provision of Organic Waste collection having a capacity ranging from 35 to 50 litres (8 to 11 imperial gallons);

- (oo) "Owner" means a person who owns any land or building and includes, but is not limited to, developers;
- (pp) "Pathological Waste" means pathological waste as defined in R.R.O. 1990, Reg. 347, as amended from time to time;
- (qq) "Private Property" means any land or building that is privately owned and is not owned or leased by a Local Municipality, a Local Board, the Region or the Crown in Right of Ontario or the Crown in Right of Canada;
- (rr) "Proper Receptacle" means a Garbage Receptacle, Recycling Receptacle, Yard Waste Receptacle, Organic Waste Receptacle, and Litter Receptacle;
- (ss) "Public Property" means any land or building that is owned or leased by a Local Municipality, a Local Board, the Region, the Crown in Right of Ontario or the Crown in Right of Canada;
- (tt) "Recyclable Materials" means any materials which the Region has included in a recovery program and as identified in Schedule "H" of this By-law;
- (uu) "Recycling Receptacle" means:
 - (i) in the case of a recycling container:
 - (1) a rigid, open 100 litre (22 imperial gallons) plastic container which is provided by the Region (also known as a "Blue Box"); or
 - (2) such other container determined deemed a Proper Receptacle to Set Out Recyclable Materials;
 - (ii) in the case of a semi-automated cart:
 - (1) a 360 litre (79 imperial gallons) plastic bin equipped with wheels which is compatible with the equipment used by the Region's Contractor for the provision of recycling collection services; or
 - (2) a 360 litre (79 imperial gallons) plastic bin equipped with wheels which is compatible with the equipment used by the Contractor for collection from a Multi-Residential Complex, Industrial or Institutional or Commercial property where approved by Council; and

- (iii) in the case of a front-end bin:
 - (1) a fully covered, water tight metal container with a capacity greater than 1.5 cubic metres (2 cubic yards) and no larger than 6 cubic metres (8 cubic yards) which is compatible with the equipment used by the Region's Contractor for the provision of recycling collection service; or
 - (2) such other container acceptable to Set Out Recyclable Materials;
- (vv) "Region" means The Regional Municipality of Halton;
- (ww) "Residential" means a place of residence designed or intended for habitation and shall include a Dwelling Unit;
- (xx) "Residential Unit" means a self-contained residential Dwelling Unit permitted by law that is:
 - (1) a single-detached residence;
 - (2) a semi-detached residence;
 - (3) a unit in a duplex, triplex, four-plex, five-plex or six-plex; or
 - (4) a unit in an apartment building, condominium complex, townhouse complex, co-op complex or other similar residential complex containing six or fewer Dwelling Units;and does not include a hotel, motel, restaurant, basement apartment or other apartment within a residence described in items (1), (2), (3) or (4) above, and does not include a Dwelling Unit in a Multi-Residential Complex;
- (yy) "Residential Waste" means Waste that is discarded for collection that originates from a Residential Unit or unit in a Multi-Residential Complex and includes, but is not limited to, Bulk Waste, Metal Items and Appliances, Yard Waste, Organic Waste, Garbage and Recyclable Materials;
- (zz) "Scavenge" means to sort through, pick over, interfere with, disturb or remove Waste that is Set Out for collection;
- (aaa) "Scheduled Collection Day" means a day of Waste collection for a particular geographic area within the Region;

- (bbb) "Set Out" means to place, cause or permit to be placed, Waste at any Collection Point on Private Property or Public Property;
- (ccc) "State of Good Repair" means the condition of being free of any cracks, holes or other defects which could interfere with the provision of Waste collection services by the Region or the Contractor;
- (ddd) "Waste" means anything Set Out from any source;
- (eee) "Waste Electrical and Electronic Equipment" means the items described in Schedule "C" of this By-law;
- (fff) "Yard Waste" means the items described in Schedule "J" of this By-law;
- (ggg) "Yard Waste Bag" means a paper bag specifically designed for Yard Waste and having all of the following characteristics:
 - (i) a width no greater than 66 centimetres (26 inches);
 - (ii) a height no greater than 100 centimetres (39 inches);
 - (iii) capability to be securely closed or tied when filled; and
 - (iv) durability to support a weight of 22.7 kilograms (50 pounds) when lifted without tearing;
- (hhh) "Yard Waste Receptacle" means:
 - (i) an open rigid container having all of the following characteristics:
 - (1) handles that are attached or moulded to the exterior of the container;
 - (2) a capacity less than 125 litres (27 imperial gallons);
 - (3) an external width no greater than 50 centimetres (20 inches); and
 - (4) an external height no greater than 100 centimetres (39 inches); or
 - (ii) a Yard Waste Bag.

2. COLLECTION SERVICE - RESIDENTIAL

- 2.1 THAT every Occupier/Owner of Residential Property shall Set Out Waste only in accordance with the provisions of this By-law.
- 2.2 THAT an Occupier/Owner shall Set Out no more than three (3) Garbage Receptacles per Residential Unit on the Scheduled Collection Day unless otherwise permitted in this By-law.
- 2.3 THAT an Occupier/Owner may Set Out a maximum of three (3) Garbage Receptacles in excess of the limit described in Subsection 2.2, provided each of those excess Garbage Receptacles has a Garbage Tag.
- 2.4 THAT an Occupier/Owner shall Set Out Garbage only on the Scheduled Collection Day at the Collection Point unless otherwise permitted by the Commissioner.
- 2.5 THAT an Occupier/Owner shall Set Out Recyclable Material only on the Scheduled Collection Day at the Collection Point unless otherwise permitted by the Commissioner.
- 2.6 THAT an Occupier/Owner shall Set Out Organic Waste only on the Scheduled Collection Day at the Collection Point unless otherwise permitted by the Commissioner.
- 2.7 THAT an Occupier/Owner shall Set Out no more than three (3) Bulk Waste items on the Scheduled Collection Day at the Collection Point unless otherwise permitted by the Commissioner.
- 2.8 THAT an Occupier/Owner shall Set Out Metal Items and Appliances only on the Scheduled Collection Day at the Collection Point unless otherwise permitted by the Commissioner.
- 2.9 THAT an Occupier/Owner shall Set Out Yard Waste only on the Scheduled Collection Day at the Collection Point unless otherwise permitted by the Commissioner.
- 2.10 THAT an Occupier/Owner shall Set Out Brush Material only on the Scheduled Collection Day at the Collection Point unless otherwise permitted by the Commissioner.
- 2.11 THAT notwithstanding Subsection 2.10, an Occupier/Owner in the Town of Oakville is required to contact the Region to schedule Brush Material collection which shall be placed curbside in one pile no larger than 3 metres (10 feet) long by 1.8 metres (6 feet) wide by 1.2 metres (4 feet) high, with branches a maximum of 7.5 centimetres (3 inches) in diameter, free of loose debris such as leaves and trimmings.

- 2.12 THAT an Occupier/Owner shall Set Out Christmas Trees only on the Scheduled Collection Day at the Collection Point unless otherwise permitted by the Commissioner.
- 2.13 THAT an Occupier/Owner of a Residential Unit or a Multi-Residential Complex shall separate all Organic Waste, Recyclable Materials, Yard Waste, Bulk Waste and Metal Items and Appliances from Garbage where the Region provides such Waste collection service. Those Occupiers/Owners who do not separate Waste as described in this By-law shall not receive Waste collection services until their Waste is separated in accordance with this By-law.
- 2.14 THAT no Occupier/Owner shall Set Out Animal Waste unless:
- (a) it is placed in a separate sealed, leak-proof bag placed inside a Garbage Receptacle; and
 - (b) the Animal Waste represents no more than the lesser of:
 - (i) ten percent of the volume of the Garbage Receptacle; and
 - (ii) ten litres (2 imperial gallons) in volume.
- 2.15 THAT no Occupier/Owner shall Set Out sharp items such as knives or glass shards resulting from broken mirrors, dishes, picture frames or other household glass unless placed in a separate sturdy walled container secured to remain closed so as to protect the safety of collection personnel.
- 2.16 THAT no Occupier/Owner shall Set Out Waste that cannot be freely discharged from its receptacle by collection personnel because it is frozen or becomes frozen.
- 2.17 THAT no Occupier/Owner shall Set Out Non-Complying Waste either on its own or mixed with any Waste.
- 2.18 THAT unless an Occupier/Owner has been approved for On-Site Collection, said Occupier/Owner shall ensure that Waste is Set Out in accordance with Curbside Collection.
- 2.19 THAT an Occupier/Owner shall ensure that Waste is Set Out directly accessible to the Waste collection vehicle and without obstructing the travelled portion of the roadway or any sidewalk.
- 2.20 THAT an Occupier/Owner shall ensure that Waste and receptacles are kept and stored within the Residential Unit between collections.

- 2.21 THAT an Occupier/Owner shall not Set Out Waste prior to 5:00 p.m. on the day immediately preceding a Scheduled Collection Day, or later than 7:00 a.m. on a Scheduled Collection Day.
- 2.22 THAT an Occupier/Owner shall ensure that all receptacles and all uncollected Waste is removed from the Collection Point at which it was Set Out no later than 7:00 p.m. on the Scheduled Collection Day.
- 2.23 THAT an Occupier/Owner shall ensure that Waste that is Set Out is properly secured and sealed so that Waste does not blow away or otherwise escape in any manner prior to collection.
- 2.24 THAT an Occupier/Owner shall at all times maintain adequate and safe conditions for the purpose of Waste collection including, but not limited to, removing snow, ice and other hazards from the Collection Point.
- 2.25 THAT all Waste properly Set Out by the Occupier/Owner of Residential Property at the Collection Point at the times specified in this By-law becomes the property of the Region. Non-Complying Waste or Waste that is not Set Out in accordance with this By-law remains the property and responsibility of the Occupier/Owner.
- 2.26 THAT an Occupier/Owner shall empty, rinse and separate Recyclable Materials from Waste.

3. COLLECTION SERVICE – COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL PROPERTY

- 3.1 THAT every Occupier/Owner of a Commercial, Industrial and Institutional Property shall Set Out Waste only in accordance with the provisions of this By-law.
- 3.2 THAT an Occupier/Owner of a Commercial, Industrial and Institutional Property shall Set Out no more than six (6) Garbage Receptacles per Commercial, Industrial or Institutional Property unless otherwise permitted by the Commissioner.
- 3.3 THAT an Occupier/Owner of a Commercial, Industrial and Institutional Property shall Set Out Garbage only on the Scheduled Collection Day at the Collection Point unless otherwise permitted by the Commissioner.
- 3.4 THAT an Occupier/Owner of a Commercial, Industrial and Institutional Property shall only Set Out Recyclable Material on the Scheduled Collection Day unless otherwise permitted by the Commissioner.

- 3.5 THAT an Occupier/Owner of a Commercial, Industrial and Institutional Property shall separate all Recyclable Material, Yard Waste, Bulk Waste, and Metal Items and Appliances from Garbage prior to collection.
- 3.6 THAT no Occupier/Owner of Commercial, Industrial and Institutional Property shall Set Out Yard Waste, Bulk Waste, Metal Items and Appliances, and Non-Complying Waste either on its own or mixed with any Waste.
- 3.7 THAT Commercial, Industrial and Institutional Property that do not Set Out and separate Waste in accordance with this By-law shall not receive Waste collection services until Waste is Set Out and separated in accordance with this By-law.
- 3.8 THAT an Occupier/Owner shall ensure that Waste and receptacles are kept and stored within the Commercial, Industrial or Institutional Property between collections.
- 3.9 THAT unless an Occupier/Owner of a Commercial, Industrial and Institutional Property has been approved for On-Site Collection, said Occupier/Owner of a Commercial, Industrial or Institutional Property shall ensure that Waste is Set Out in accordance with Curbside Collection.
- 3.10 THAT an Occupier/Owner of a Commercial, Industrial and Institutional Property shall ensure that Waste is Set Out directly accessible to the Waste collection vehicle and without obstructing the travelled portion of the roadway or any sidewalk.
- 3.11 THAT an Occupier/Owner of a Commercial, Industrial and Institutional Property shall not Set Out Waste prior to 5:00 p.m. on the day immediately preceding a Scheduled Collection Day, or later than 7:00 a.m. on a Scheduled Collection Day.
- 3.12 THAT an Occupier/Owner of a Commercial, Industrial and Institutional Property shall ensure that all receptacles and all uncollected Waste is removed from the Collection Point at which it was Set Out no later than 7:00 p.m. on the Scheduled Collection Day.
- 3.13 THAT an Occupier/Owner of Commercial, Industrial and Institutional Property shall ensure that Waste that is Set Out is properly secured and sealed so that Waste does not blow away or otherwise escape in any manner prior to collection.
- 3.14 THAT an Occupier/Owner of a Commercial, Industrial and Institutional Property shall at all times maintain adequate and safe conditions for

the purpose of Waste collection including, but not limited to, removing snow, ice and other hazards from the Collection Point.

- 3.15 THAT all Waste properly Set Out by the Occupier/Owner of a Commercial, Industrial or Institutional Property at the Collection Point at the times specified in the By-law becomes the property of the Region. Non-Complying Waste or Waste that is not Set Out in accordance with this By-law remains the property and responsibility of the Occupier/Owner.
- 3.16 THAT no Occupier/Owner of a Commercial, Industrial or Institutional Property shall Set Out Animal Waste unless:
- (a) it is placed in a separate sealed, leak-proof bag placed inside a Garbage Receptacle; and
 - (b) the Animal Waste represents no more than the lesser of:
 - (i) ten percent of the volume of the Garbage Receptacle; and
 - (ii) ten litres (316 imperial gallons) in volume.
- 3.17 THAT no Occupier/Owner of a Commercial, Industrial or Institutional Property shall Set Out sharp items such as knives or glass shards resulting from broken mirrors, dishes, picture frames or other household glass unless placed in a separate sturdy walled container secured to remain closed so as to protect the safety of collection personnel.
- 3.18 THAT no Occupier/Owner of a Commercial, Industrial or Institutional Property shall Set Out Waste Electrical and Electronic Equipment either on its own or mixed with any Waste.
- 3.19 THAT no Occupier/Owner of a Commercial, Industrial or Institutional Property shall Set Out Waste that cannot be freely discharged from its receptacle by collection personnel because it is frozen or becomes frozen.
- 3.20 THAT an Occupier/Owner of a Commercial, Industrial or Institutional Property shall empty, rinse and separate Recyclable Materials from Waste.
4. ON-SITE COLLECTION
- 4.1 THAT On-Site Collection shall be carried out at the Collection Points on a site plan approved by the Region and designed in accordance with the Design Standards for Development Application Review.

- 4.2 THAT the Region shall not provide On-Site Collection unless the Occupier/Owner has executed an indemnity and release in favour of the Region, in a form satisfactory to the Region's Director of Legal Services.
- 4.3 THAT the Region shall not provide On-Site Collection for a Multi-Residential Complex for which Council or the council of the Local Municipality has by resolution approved private Waste collection.
- 4.4 THAT every Occupier/Owner approved for On-Site Collection shall at all times maintain adequate vehicular access to their property for the purposes of On-Site Collection, including, but not limited to, removing snow, ice and other hazards.

5. LITTER RECEPTACLES

- 5.1 THAT no person shall place Residential Waste generated on Private Property in a Litter Receptacle.
- 5.2 THAT no person shall place Non-Complying Waste in a Litter Receptacle.
- 5.3 THAT Animal Waste shall be placed in a sealed, leak-proof bag prior to placement in a Litter Receptacle.

6. RECEPTACLE REQUIREMENTS

- 6.1 THAT no Occupier/Owner shall Set Out Waste that is not placed within a Proper Receptacle.
- 6.2 THAT without limiting Subsection 6.1, no Occupier/Owner shall Set Out Waste contained in:
 - (a) paint cans;
 - (b) containers which are smaller at the top than at the bottom;
 - (c) containers having a lid which is attached to the container and which cannot be easily, safely and completely removed to facilitate collection;
 - (d) cardboard boxes;
 - (e) semi-automated carts, save and except those approved by the Commissioner; or

- (f) any receptacle from which Waste cannot be conveniently collected having regard to such matters as safety of collection personnel and efficiency of collection.
- 6.3 THAT no Occupier/Owner shall Set Out Waste in a Proper Receptacle which is:
 - (a) emitting a foul or offensive odour;
 - (b) emitting a liquid;
 - (c) harbouring rats or other vermin; or
 - (d) packed in such a manner that Waste escapes, is blown out or protrudes from it.
- 6.4 THAT non-approved devices used to tie down Waste receptacle lids shall be removed by the Occupier/Owner before collection.
- 6.5 THAT the Region shall not provide Waste collection services for receptacles with lids that are tied down at the time of collection.
- 6.6 THAT all Waste receptacles shall be in a State of Good Repair.

7. SCAVENGING

- 7.1 THAT no person other than the Region, its officers and employees, persons authorized by law or the Occupier/Owner who has Set Out the particular Waste in question, shall Scavenge any Waste that is Set Out for collection.
- 7.2 THAT despite Subsection 7.1, scavenging of Bulk Waste Set Out for Bulk Waste collection is permitted provided that Scavenging does not interfere with collection services or create Litter.
- 7.3 THAT Subsection 7.1 shall not apply to the Contractor or employees of the Contractor while in the course of carrying out duties that are required pursuant to an agreement with the Region for the collection of Waste.

8. DIAPER/MEDICAL CONDITION COLLECTION PROGRAM

- 8.1 THAT the Region shall provide special drop off collection service to an Occupier/Owner upon the Occupier/Owner completing an application and receiving Regional approval for the collection of disposable and incontinence products for with respect to the following:

- (a) residents with medical conditions generating excessive Waste and households with one (1) or more children under the age of three (3);
- (b) households qualifying for special considerations are given no more than thirty (30) additional Garbage Tags per year. The Region will issue one (1) year's supply of Garbage Tags to each qualifying household; and
- (c) residents who receive special consideration may drop off dedicated loads of diapers and/or incontinence products at all Halton Region Waste Management facilities in clear plastic bags with Garbage Tags affixed to each bag, at no additional charge.

9. OFFENCES

9.1 THAT any person who:

- (a) contravenes any provision of this By-law;
- (b) maliciously, wilfully or negligently tampers with any facility, structure or equipment used for the collection of Waste under this By-law; or
- (c) obstructs, hinders or causes to be obstructed or hindered any officer or employee of the Region or employee of the Contractor in the exercise of any of the powers conferred upon him or her in connection with the collection of Waste under this By-law;

is guilty of an offence and on summary conviction shall be liable to a fine of not more than five thousand dollars (\$5,000) and in addition thereto, shall be liable to reimburse the Region for any property damages and/or Clean Up Costs incurred by the Region or the Contractor as a consequence of the offence.

9.2 THAT an offence shall be deemed to occur on each day for which a contravention of this By-law occurs or continues.

10. ENFORCEMENT

10.1 THAT where a person contravenes this By-law, the Region may take remedial actions at the sole cost of the person contravening this By-law to ensure that this By-law is complied with, and the Region may recover the costs of such remedial work, by court action or in like manner as municipal taxes.

10.2 THAT the Region shall not be obligated to collect Waste that is not Set Out in accordance with this By-law. Should the Region collect Waste

that is not Set Out in accordance with this By-law, said actions by the Region shall not be construed as a waiver of the requirements of this By-law.

- 10.3 THAT where an Occupier/Owner has Set Out Waste for collection which is not in compliance with the provisions of this By-law, the Region may, at the discretion of the Commissioner and upon written notification, suspend Waste collection until such time that the Waste is no longer in non-compliance with this By-law.
- 10.4 THAT the Region shall not be obligated to collect Waste from properties adjacent to a private, unassumed road, unless there is clear, unobstructed access to such road, sufficient unobstructed turnaround space for the Waste collection vehicles, and adequate, unobstructed access to a public highway or roadway, all of which shall be determined by the Commissioner in his sole discretion.
- 10.5 THAT the Commissioner, at his sole discretion, may waive strict compliance with any provision of this By-law.

11. AUTHORITY OF THE COMMISSIONER

- 11.1 THAT in accordance with the policies and by-laws of the Region, the Commissioner shall have the authority to:
- (a) operate and administer the Region's Waste collection services in accordance with the provisions of this By-law;
 - (b) appoint By-law Enforcement Officers for the purpose of the enforcement of this By-law;
 - (c) determine the frequency and scheduling of Waste collection services subject to the approval of Council, in accordance with the provisions of this By-law;
 - (d) designate Collection Points;
 - (e) discontinue or refuse Waste collection services to any Owner/Occupier whose property does not meet the requirements of this By-law and/or is deemed unsafe for entry or egress by the Region or the Contractor for any reason, including but not limited to, the physical layout, loading facilities or the methods of handling Waste on the property;
 - (f) discontinue or refuse Waste collection services to any Owner/Occupier who is in violation of this By-law;

- (g) suspend Waste collection services in all or part of the Region, in the event of inclement weather or other condition that renders the provision of Waste collection services unsafe or otherwise undeliverable;
- (h) establish site specific requirements for Waste collection, as a condition of approving a property as eligible to receive Waste collection services;
- (i) from time to time, adjust the Garbage Receptacle Limit, set and adjust fees or charges for the purchase of Garbage Tags, and declare exemption periods during which Owners/Occupiers are permitted to Set Out Garbage Receptacles in excess of the limits described in this By-law;
- (j) from time to time add, delete or otherwise change the defined terms as described in this By-law;
- (k) from time to time determine what shall be considered as a Proper Receptacle;
- (l) from time to time adjust the service levels for the services described in this By-law;
- (m) from time to time designate Wastes in addition to those already designated by law or product stewardship programs;
- (n) from time to time add, delete or modify items listed at Schedules "B", "C", "D", "E", "F", "G", "H", "I" and "J" to this By-law;
- (o) from time to time determine what shall be considered as a Compostable Bag;
- (p) from time to time determine what facility may be considered an Institutional Property;
- (q) waive strict compliance with any provision of this By-law; and
- (r) suspend Waste collection services where an Occupier/Owner has Set Out Waste for collection which is not in compliance with the provisions of this By-law.

12. SHORT TITLE

THAT this By-law may be referred to as the Halton Region Waste Collection By-law.

13. INTERPRETATION

- 13.1 THAT the provisions of this By-law shall not relieve any person from compliance with any provisions of this By-law, any other Regional by-law or Local Municipal by-law.
- 13.2 THAT in the event that any of the provisions contained in this By-Law are determined invalid, unlawful or unenforceable to any extent, such provision shall be severed from the remaining provisions which shall continue to be valid to the fullest extent permitted by law.
- 13.3 THAT the numbers, and headings, are inserted for convenience of reference only and are not to be considered when interpreting this By-law.

14. REPEAL

THAT By-law No. 30-96, as amended, is repealed on the date this By-law comes into force.

15. EFFECTIVE DATE

THAT this By-law comes into force and effect on April 1, 2013.

READ and PASSED this 14th day of November, 2012.

REGIONAL CHAIR

REGIONAL CLERK

Schedule “A” to By-law No. 123-12

Current Waste Collection Service

Residential				
	Burlington	Halton Hills	Milton	Oakville
Bulk Material	Every other week Three Bulk Waste items per Residential Unit	Every other week Three Bulk Waste items per Residential Unit No service provided to designated Rural area	Every other week Three Bulk Waste items per Residential Unit	Every other week Three Bulk Waste items per Residential Unit
Garbage	Every other week Three Garbage Receptacle limit per Residential Unit Maximum of three additional Garbage Receptacles in excess of limit with a Garbage Tag	Every other week Three Garbage Receptacle limit per Residential Unit Maximum of three additional Garbage Receptacles in excess of limit with a Garbage Tag No service provided to designated Rural area	Every other week Three Garbage Receptacle limit per Residential Unit Maximum of three additional Garbage Receptacles in excess of limit with a Garbage Tag	Every other week Three Garbage Receptacle limit per Residential Unit Maximum of three additional Garbage Receptacles in excess of limit with a Garbage Tag
Organic Waste	Weekly	Weekly	Weekly	Weekly
Recyclable Materials	Weekly	Weekly	Weekly	Weekly

Schedule "A" to By-Law No. 123-12

Current Waste Collection Service (continued)

Residential				
	Burlington	Halton Hills	Milton	Oakville
Yard Waste	March to December - every other week No service provided to designated Rural area	March to December - every other week No service provided to designated Rural area	March to December - every other week No service provided to designated Rural area	March to December - every other week

Commercial and Industrial				
	Burlington	Halton Hills	Milton	Oakville
Bulk Material	No service	No service	No service	No service
Garbage	Once a week Six Garbage Receptacle limit per property	Once a week Six Garbage Receptacle limit per property	Once a week Six Garbage Receptacle limit per property	Once a week Six Garbage Receptacle limit per property
Organic Waste	No service	No service	No service	No service
Litter Containers	Twice a week	Twice a week	Twice a week	Twice a week
Recyclable Materials	Once a week	Once a week	Once a week	Once a week
Yard Waste	No service	No service	No service	No service

Schedule “A” to By-Law No. 123-12

Current Waste Collection Service (continued)

Institutional Property				
	Burlington	Halton Hills	Milton	Oakville
Bulk Material	Facilities approved by the Commissioner	Facilities approved by the Commissioner	Facilities approved by the Commissioner	Facilities approved by the Commissioner
Garbage	Twice a week Six Garbage Receptacle limit per property	Twice a week Six Garbage Receptacle limit per property	Twice a week Six Garbage Receptacle limit per property	Twice a week Six Garbage Receptacle limit per property
Organic Waste	Facilities approved by the Commissioner	Facilities approved by the Commissioner	Facilities approved by the Commissioner	Facilities approved by the Commissioner
Recyclable Materials	Once a week	Once a week	Once a week	Once a week
Yard Waste	No service	No service	No service	No service
Business Improvement Areas				
	Burlington	Halton Hills	Milton	Oakville
Bulk Material	No service	No service	No service	No service
Garbage	Twice a week Six Garbage Receptacle limit per unit	Twice a week Six Garbage Receptacle limit per unit	Twice a week Six Garbage Receptacle limit per unit	Twice a week Six Garbage Receptacle limit per unit
Organic Waste	No service	No service	No service	No service
Litter Receptacles	Four times a week No service provided to downtown core.	Four times a week	Four times a week	Four times a week
Recyclable Materials	Twice a week	Twice a week	Twice a week	Twice a week
Yard Waste	No service	No service	No service	No service

Schedule “B” to By-law No. 123-12

Bulk Waste

Bulk Waste includes:

- i) furniture (couches, chairs, tables, mattresses);
- ii) flooring (carpets, under padding and linoleum bundled in 1.2 metre (4 feet) lengths and 0.76 metre (2.5 feet) in widths);
- iii) windows and mirrors (tape across in X pattern); and
- iv) wood (fencing, picnic tables, shelving, skids, doors – dismantled and bundled in 1.2 metre (4 feet) lengths and 0.76 metre (2.5 feet) widths).

Bulk Waste does not include:

- i) automobile parts;
- ii) propane barbecue tanks;
- iii) tires;
- iv) building and demolition debris;
- v) concrete and bricks;
- vi) hazardous Waste;
- vii) cardboard boxes;
- viii) tree branches;
- ix) tree stumps;
- x) soil and rocks;
- xi) Metal Items and Appliances; and
- xii) Waste Electrical and Electronic Equipment.

Schedule “C” to By-law No. 123-12

Waste Electrical and Electronic Equipment

Waste Electrical and Electronic Equipment includes:

- i) desktop computers, servers, and terminal computers;
- ii) portable computers (laptops, notebooks, notepads);
- iii) computer peripherals (disk drives, optical drives, mice, keyboards) ;
- iv) monitors (Cathode Ray Tube, Liquid Crystal Display, plasma);
- v) televisions (Cathode Ray Tube, Liquid Crystal Display, plasma, rear projection);
- vi) computer printers (laser, ink jet, dot matrix, dye sublimation, and multi-function units that operate as printers/scanners/copiers/fax machines, bar code printers, label printers, card printers, camera dock printers);
- vii) computer peripherals, including modems;
- viii) photocopiers, scanners, typewriters;
- ix) fax machines;
- x) telephones and Cellular phones (physical and accessories);
- xi) PDAs and pagers;
- xii) audio and video players;
- xiii) cameras;
- xiv) equalizers, amplifiers, preamplifiers;
- xv) radios, Tuners and Receivers;
- xvi) speakers;
- xvii) turntables;
- xviii) video players/projectors/recorders; and
- xix) personal handheld computers and gaming devices.

Schedule "D" to By-law No. 123-12

Hazardous Waste

1. Includes, but is not limited to the following as defined in R.R.O. 1990, Reg. 347, as amended from time to time, pursuant to the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended from time to time:
 - i) hazardous Industrial Waste;
 - ii) acute Hazardous Waste chemical;
 - iii) hazardous Waste chemical;
 - iv) severely toxic Waste;
 - v) ignitable Waste;
 - vi) corrosive Waste;
 - vii) reactive Waste;
 - viii) radioactive Waste, except radioisotope Wastes disposed of in a landfilling site in accordance with the written instructions of the Canadian Nuclear Safety Commission;
 - ix) Pathological Waste;
 - x) leachate toxic Waste; or
 - xi) PCB Waste.
2. Includes the following:
 - i) explosive Waste, including, but not limited to, Wastes that may also produce deadly fumes or vapours when exposed to air or mixed with other materials, and Waste such as aerosol cans (full or partially full) and propane cylinders and tanks;
 - ii) flammable Waste, including, but not limited to, gasoline, motor oil, barbecue starter fluid, Varsol, paint thinner and other solvent, and finger nail polish and remover;
 - iii) toxic Waste including, but not limited to, Wastes that are poisonous or lethal if swallowed or inhaled, paint (full or partially full cans), pesticides, herbicides, over-the-counter and prescription medicine and household and other cleaners;
 - iv) corrosive Waste including, but not limited to, batteries (household and automotive), drain opener, oven cleaner, acid, and photographic solution; and
 - v) Biomedical Waste including, but not limited to, hypodermic needles, syringes, sharps, and medical dressings.

Schedule “E” to By-law No. 123-12

Home Health Care Waste

Home Health Care Waste includes:

- i) casts;
- ii) catheters;
- iii) disposable products;
- iv) empty and rinsed out colostomy bags;
- v) empty and rinsed gastric and nasal tubes;
- vi) incontinence products;
- vii) intravenous bags and tubing; and
- viii) sponges.

For greater certainty, Home Health Care Waste does not include:

- i) Biomedical Waste;
- ii) Pathological Waste; or
- iii) hypodermic needles, syringes, or sharps.

Schedule “F” to By-law No. 123-12

Organic Waste (Green Cart Program)

Organic Waste includes:

- i) bread, toast, cereal, baked goods and pizza;
- ii) cake, cookies, pie, muffins and candies;
- iii) coffee grounds and filters, teabags;
- iv) dairy products, cheese and yogurt;
- v) eggs and egg shells;
- vi) fruits;
- vii) meat, fish and shellfish (including bones);
- viii) nuts and nut shells;
- ix) pasta, rice, couscous, potatoes, oatmeal, flour and grains;
- x) vegetables, corn cobs and husks, pumpkins and salads;
- xi) sauces, mayonnaise, salad dressing, syrups, peanut butter, jams and jellies;
- xii) fats and oils, lard, gravy, butter and margarine;
- xiii) soiled paper towels, facial tissues, paper towel rolls, toilet paper rolls;
- xiv) soiled paper food packaging, cardboard egg cartons, paper coffee cups, paper napkins, paper plates and cups, paper take-out food trays and containers, microwave popcorn bags, muffin papers, flour and sugar bags, greasy pizza boxes, potato bags (plastic netting removed);
- xv) houseplants;
- xvi) hair and pet hair, feathers, nail clippings, dryer lint; and
- xvii) newspaper, fine paper, glossy paper, waxed paper, freezer paper and paper liners, popsicle sticks, toothpicks, wood chips, sawdust (in paper bags), cold Ashes (in paper bags).

Schedule “F” to By-law No. 123-12

Organic Waste (Green Cart Program) (continued)

Organic Waste does not include:

- i) plastic bags and containers;
- ii) Animal Waste and bedding, including droppings, litter and dead animals;
- iii) ceramics;
- iv) cigarette butts and Ashes;
- v) diapers;
- vi) dirt, earth, soil, sod and rocks;
- vii) disposable mop sheets;
- viii) dryer sheets;
- ix) feminine hygiene products;
- x) glass jars and bottles;
- xi) Hazardous Waste;
- xii) Yard Waste;
- xiii) medical Waste;
- xiv) metal cans and foil;
- xv) milk cartons, juice boxes and Tetra Paks®;
- xvi) plastic wrap, straws and bags, tubs and lids;
- xvii) styrofoam;
- xviii) textiles – clothing, shoes, etc.;
- xix) tree stumps;
- xx) vacuum bags/dust;
- xxi) wine corks; and
- xxii) wood (treated or large pieces).

Schedule “G” to By-law No. 123-12

Non-Complying Waste

Non-Complying Waste includes:

- i) Hazardous Waste;
- ii) Pathological Waste;
- iii) Waste Electrical and Electronic Equipment;
- iv) liquid Waste;
- v) hay, straw, manure or Waste from any animal, save and except for Waste from household pets;
- vi) Industrial, commercial or institutional Waste;
- vii) Waste generated as a result of construction, demolition or renovation, including, but not limited to, soil, sod, plaster, drywall, masonry and tile, bricks, concrete, concrete or cinder blocks, paving stones, asphalt, wood, windows and window glass, shingles, scrap metal, insulation (such as fibreglass or Styrofoam), asbestos, and urea formaldehyde, hot Ashes or other Waste capable of starting fires;
- viii) Biomedical Waste, including syringes, hypodermic needles, sharps and medical dressings;
- ix) automotive parts including tires;
- x) Waste Electrical and Electronic Equipment;
- xi) Waste which has not been drained of liquids; and
- xii) dead animals.

Non-Complying Waste does not include:

- i) Home Health Care Waste; and
- ii) Brush Material that has been broken down and Set Out as a Brush Material Unit.

Schedule “H” to By-law No. 123-12

Recyclable Materials

The following items shall be emptied, rinsed and separated from Waste to be collected as Recyclable Materials as stipulated by O.Reg. 101/94, as amended from time to time, pursuant to the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended from time to time:

- i) aluminium food or beverage cans (including cans made primarily of aluminium);
- ii) aluminium foil (including items made from aluminium foil);
- iii) steel food or beverage cans (including cans made primarily of steel);
- iv) glass bottles and jars for food or beverages (caps and lids removed and placed in Garbage);
- v) newsprint (including inserts and flyers);
- vi) fine paper (computer paper, writing paper, envelopes);
- vii) magazines, catalogues, telephone books, hard and soft covered books;
- viii) polyethylene terephthalate bottles for food or beverages (including bottles made primarily of polyethylene terephthalate);
- ix) polycoat paperboard containers, being containers made primarily of paperboard and coated with low density polyethylene or aluminium, and used for food or beverages (juice box, Tetra Pak® and gable top containers such as milk and juice cartons);
- x) corrugated cardboard (tied in bundles with dimensions not to exceed 76 centimetres x 76 centimetres x 30 centimetres (30 inches x 30 inches x 12 inches.));
- xi) boxboard (cereal, detergent, tissue and shoe boxes (emptied and flattened, liners removed));
- xii) plastic bottles bearing the HDPE symbols 1 and 2 only (water, soft drinks, juice, detergent, bleach, shampoo jugs, jars and containers (caps and lids removed and placed in Garbage)); and
- xiii) mixed plastics.

Schedule “H” to By-law No. 123-12

Recyclable Materials (continued)

Recyclable Materials do not include:

- i) light bulbs, ceramics, window glass or drinking glasses;
- ii) aerosol cans;
- iii) paper take-out containers, wax coated boxes or metallic wrapping paper; and
- iv) plastic bags.

Schedule “I” to By-law No. 123-12

Metal Items and Appliances

Metal Items and Appliances include:

- i) refrigerators;
- ii) washers and dryers;
- iii) ovens;
- iv) stoves;
- v) freezers;
- vi) air conditioners;
- vii) dishwashers;
- viii) empty home heating oil tanks (cut in half);
- ix) empty hot water tanks;
- x) fireplaces;
- xi) furnaces;
- xii) heat pumps/exchangers;
- xiii) humidifiers and dehumidifiers;
- xiv) large home safes;
- xv) metal sinks, bath tubs and shower enclosures; and
- xvi) pool heaters.

Schedule “J” to By-law No. 123-12

Yard Waste

Yard Waste includes:

- i) yard and garden trimmings;
- ii) pumpkins;
- iii) fallen fruit from trees, shrubs, bushes and vines; and
- iv) tree trimmings.

Yard Waste does not include:

- i) sod;
- ii) tree stumps;
- iii) soil;
- iv) rocks; and
- v) grass clippings.

Schedule “K” of By-law No.*

GARBAGE TAG



\$2 Garbage Tag

More than three bags/cans must have garbage tags
Maximum of six garbage bags/cans: three untagged, three tagged
No refunds on purchased and/or unused garbage tags.

Place the garbage tag around the neck of the garbage bag.

Dial 311 www.halton.ca