

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2017-56

A BY-LAW TO REGULATE THE USE OF THE WASTE  
MANAGEMENT SYSTEM FOR THE REGIONAL  
MUNICIPALITY OF NIAGARA  
AS AMENDED BY BY-LAW NOS. 2020-62 AND 2021-06

WHEREAS on April 11, 1996, Regional Council adopted By-laws 8280-96, 8281-96 and 8282-96 to assume from the twelve area municipalities all waste management powers conferred by any Act upon the area municipalities; and

WHEREAS Section 11(3) of the *Municipal Act, 2001*, ("the Act") provides that an upper tier municipality may pass By-laws respecting waste management subject to the requirements set out in the Act; and

WHEREAS By-law No. 63-2015 was passed by Regional Council and this by-law has been in place to regulate the use of the waste management system for the Regional Municipality of Niagara; and

WHEREAS Regional Council wishes to repeal By-law No.63-2015 and replace same with an updated By-law regulating the use of the Region's Waste Management System;

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF NIAGARA ENACTS AS FOLLOWS:

***PART I - DEFINITIONS***

1. *The following terms are defined for purposes of this By-law:*

- 1.1 *"Amnesty Week" means the five (5) Garbage Collection Days immediately following December 25 where, in addition to the regular Garbage limit, selected Premises can place additional Garbage to the curb for collection without a Garbage Tag:*
- 1.2 *"Area Municipality" means any one of the municipality or corporation of the Town of Fort Erie, Town of Grimsby, Town of Lincoln, City of Niagara Falls,*

*Town of Niagara-on-the-Lake, Town of Pelham, City of Port Colborne, City of St. Catharines, City of Thorold, Township of Wainfleet, City of Welland, or Township of West Lincoln;*

- 1.3 *"As Designated" means as designated by the Region from time to time by the Commissioner of Public Works or his/her designate. It is anticipated that the Region's recycling and other programs and related requirements will continue to evolve as new methods and Materials emerge. These changes will be implemented on an "As Designated" basis;*
- 1.4 *"Blue Box" means a container available from the Region or approved alternative as set out in Section 8 of this By-law or As Designated, used to set out Blue Box Material for collection;*
- 1.5 *"Blue Box Material" means recyclable Material that is collected under the Blue Box Program. The Material includes:*
- (a) empty glass bottles, jars and lids/caps (lids/caps must be removed), including all glass containers which previously contained a food or beverage product;*
  - (b) empty metal food and beverage cans, including all hard shell steel or aluminum containers which previously contained a food or beverage product;*
  - (c) empty metal paint cans and lids (lids must be removed and a thin layer of dry residue are acceptable);*
  - (d) clean aluminum foil meaning food wrap, food packaging and kitchenware such as pie plates made from a thin sheet of aluminum;*
  - (e) empty plastic containers and packaging which previously contained a food or consumer product, including Polyethylene Terephthalate (PETE #1) bottles and containers; High Density Polyethylene (HDPE #2) tubs and lids, or bottles; Polyvinyl Chloride (PVC #3); Low Density Polyethylene (LDPE #4) plastic tubs and lids; Polypropylene (PP #5) plastic bottles, tubs and lids; Polystyrene (PS #6) containers and rigid foam packaging; and Polycarbonate mixed plastic (PC #7);*

- (f) *empty gable-top cartons (e.g. milk and juice cartons) and aseptic packaging (e.g. juice boxes);*
- (g) *empty spiral wound containers (e.g. frozen juice or potato chip containers) with metal lids bottoms and paper sides;*
- (h) *empty metal aerosol cans (lids and caps must be removed); and*
- (i) *other Material As Designated;*

1.6 *"Brush" means woody Material including twigs, tree limbs or branches;*

1.7 *"Bulky Goods" means large household items which are Collectable Material that cannot fit into a normal Garbage Container and may be overweight (excluding construction/demolition Material). Some examples include, but are not limited to, the following:*

- (a) *Artificial Christmas Trees;*
- (b) *Box spring, mattress, and bed frame;*
- (c) *Carpet or rugs in compact rolls/bundles not exceeding 1.5 metres (4.5 ft) in length and 0.76 metres (2.5 ft) in diameter and tied;*
- (d) *Couches, sofa, chair;*
- (e) *Floor lamps;*
- (f) *Furniture (for example, tables, cabinets, dressers);*
- (g) *Glass Shards packaged in cardboard box labelled "glass";*
- (h) *Large Toys;*
- (i) *Pool cover and solar blankets in compact rolls/bundles not exceeding 1.5 metres (4.5 ft) in length and 0.76 metres (2.5 ft) in diameter and tied;*
- (j) *Toilets or sinks that are individual and not part of construction and demolition;*

(k) *Other Collectable Material that cannot fit in a Garbage Container;*

(l) *Water softening units; and*

(m) *Other household items, As Designated the Region;*

1.8 *"Cart" means a container available from the Region or approved alternative as set out in Section 8, 10 and 11 of this By-law or As Designated, used to set out Blue Box, Grey Box or Green Bin Material for Types B-F Premises as set out in Schedule A to this By-law*

1.9 *"Care and Control" means Material shall be deemed to have been within the care and control of a Person at a point in time if the Material included any Material typically associated with or used by that Person and shall include but is not restricted to the following Materials:*

(a) *Mail and other paper products bearing the name, address or other identifying characteristics typically associated with that Person;*

(b) *Material that can on a balance of probabilities be shown to have been purchased by that Person;*

(c) *Material that can on a balance of probabilities be shown to have originated from Premises with respect of which a Person is considered an Owner and during the time the Person was considered an Owner; or*

(d) *Materials that can on a balance of probabilities be shown to have been transported in a motor vehicle owned or under the Care and Control of the Person.*

1.10 *"Christmas Trees" means naturally grown evergreen trees without tinsel, decorations, ornaments or tree lights;*

1.11 *"Christmas Trees, Artificial" means trees manufactured from manmade Material;*

1.12 *"Collectable" means Material which may be collected at Curbside or a collection point approved by the Region pursuant to this By-law;*

- 1.13 *"Communal Collection Point" means a collection point approved or as determined by the Region, that is authorized for the use of more than one Premises;*
- 1.14 *"Composter" means a container available from the Region or any enclosure with a lid for the purpose of decomposing Leaf and Yard Material and/or Green Bin Material by aerobic decay or bacterial action;*
- 1.15 *"Construction, Renovation and Demolition" Material includes but is not limited to windows, drywall, wood, doors, metal, PVC pipe and other building Materials As Designated by the Region;*
- 1.16 *"Council" means the Council of The Regional Municipality of Niagara;*
- 1.17 *"Curbside" means the area directly in front of an Owner's Premises as close as possible to the travelled portion of the road without obstructing or interfering with the travelled portion of the road or any sidewalk. It normally extends 1.2 m (four (4) feet) rearward from the travelled portion of the road;*
- 1.18 *"Designated Business Area" means an area designated by the local municipality to receive alternate collection services compared to residential or other industrial, commercial and institutional services;*
- 1.19 *"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. If an Owner disagrees with the number of units contained within the Premises as assessed, it is up to the Owner to provide proof of the actual number of legally existing individual units within the Premises. In the absence of provision of proof to the satisfaction of the Region, the limit for the Premises in question shall be as determined by the Region;*
- 1.20 *"Eligible Property" means a Premises of Types A, B, C, D, E or F as set out in Section 13 and Schedule A to this By-law where:*
- (a) *container limits set out in Schedule A can be abided by in the normal course of waste generation activity; and*

(b) *the Owner of the Premises are in compliance with this By-law; and*

(c) *the only Material set out for collection is Material generated on that Premises;*

- 1.21 *"Friendly Reminder" and "Final Friendly Reminder" means a written notice by the Region, in a form similar to that set out in Schedule B to this By-law or As Designated, which is delivered to an Owner, or left in a visible location, which can be readily seen at the Premises, or in a mailbox, to address Non-compliance;*
- 1.22 *"Garbage" means all non-hazardous, solid, residual waste which, for purposes of collection or drop-off at a Regional Drop-Off Location, does not fall within a recyclable class of Material as set out in Subsection 3.1(a) or elsewhere in this By-law and such other Material As Designated. It does not include grass;*
- 1.23 *"Garbage Container" means a waterproof opaque bag, receptacle, can, bin, or such other container As Designated, for the storing and setting out of Garbage. It does not include cardboard boxes;*
- 1.24 *"Garbage Exemptions" mean exemptions as set out in Section 13 to the approved Garbage Container limits as shown in Schedule A;*
- 1.25 *"Garbage Tag" means a tag that can be purchased from the Region or authorized vendor and affixed and untampered (i.e. torn in half) to the neck of a waterproof bag or on top of the Materials placed in a Garbage Container to allow additional limit of Garbage to be set out for collection. Only Type A Premises as defined in Schedule A of this By-law can use a Garbage Tag;*
- 1.26 *"Green Bin Container" means a container such as a Green Bin, Carts or the smaller Kitchen Catcher available from the Region, or other rigid reusable closed or open-top container clearly labelled with handles used for storing and setting out Green Bin/Cart Material;*
- 1.27 *"Green Bin Material" means compostable organic Material collected under the Green Bin program As Designated by the Region, including but not limited to food waste (such as meat, bones, shells, tea bags), pumpkins, tissue paper, paper towels and napkins, paper egg cartons, 100%*

*compostable paper cups and plates, dryer lint, soiled newspaper, cold fireplace ashes, brown paper bags, saw dust, wood shavings, paper take-out trays, kitty litter and Pet Waste. It does not include grass or Liquid Material;*

1.28 *"Grey Box" means a container available from the Region or approved alternative as set out in Section 11 of this By-law or As Designated, used to set out Grey Box Material;*

1.29 *"Grey Box Material" means recyclable Material that is collected as part of the Grey Box Program. The Material includes:*

- (a) soft-covered books and hard-covered books with the covers removed;*
- (b) boxboard (non-waxed, such as cereal and cracker boxes);*
- (c) cardboard (non-waxed);*
- (d) fine paper and paper envelopes;*
- (e) newspapers and unaddressed ad mail and flyers;*
- (f) plastic bags and stretchy plastic outer-wrap including but not limited to plastic grocery and retail bags, outer-wrap from such things as clean food wrap, empty bread bags, empty produce bags, toilet paper and paper towel packaging, empty and clean milk bags dry cleaner bags. Plastic bags and stretchy plastic outer-wrap must be stuffed into one bag and securely tied;*
- (g) shredded paper placed in a securely-tied, transparent plastic bag;*
- (h) telephone books and magazines, including catalogues and all glossy publications; and*
- (i) other Material As Designated;*

1.30 *"Illegal Dumping" means the disposing of Material in non-designated areas, such as public roads, ditches, public property, rural areas, and public Litter*

*bins, as set out in Section 37 of this By-Law. Illegal Dumping does not include Litter;*

- 1.31 "Large Rigid Plastic" means hard plastic items that do not fit into a Blue Box for Curbside Collection such as but not limited to buckets, pails, pots, crates, trays, baskets, totes, toys, pools, furniture, chairs and car seats with no other parts, metal or Material attached. Large plastic items does not include plastic coolers, piping, siding or any plastic that also contain or have attached any wood, metal, insulation, rubber and non-plastic components;*
- 1.32 "Leaf and Yard Material" means leaves, weeds, trimmings, flowers, small twigs less than 1.5 cm in diameter and other Material As Designated, but does not include grass, Brush, soil, dirt, roots, rocks, logs, stumps or sod;*
- 1.33 "Leaf and Yard Container" means reusable, rigid, open-top containers, paper bags or certified plastic compostable plastic bags As Designated by the Region. It does not include cardboard boxes or non-compostable plastic bags;*
- 1.34 "Litter" means debris, refuse, or Material discarded outside the regular Collection Point or lying scattered about the area;*
- 1.35 "Liquid Material" means Material which is not solid and which exhibits evidence of free water, or other liquids, whether or not contained;*
- 1.36 "MPAC" means the Municipal Property Assessment Corporation;*
- 1.37 "Material" is the broadest categorization of all that a Person or Owner wishes to dispose or recycle either through public collection or at a Regional Drop-Off Location. Subcategories of Material for collection are Collectable Material, including Recyclables and Non-Recyclables, to be prepared according to the class instructions in this By-law, and excluded Non-Collectable Material. Any Material may also be Non-Compliant because of its content or preparation. Subcategories of Material for drop-off at Regional Drop-Off Locations are Acceptable Material, to be prepared according to the category instructions in this By-law, and excluded Unacceptable Material;*

- 1.38 *"Multi-Purpose Property" means a single property as defined by MPAC and/or contained in applicable Site Plan Conditions, housing multiple Premises types;*
- 1.39 *"Non-Collectable Material" means Material forbidden, prohibited and not acceptable for Curbside collection pursuant to this By-law including:*
- (a) hazardous waste which is corrosive, flammable, toxic, explosive or biomedical or as defined in Ontario Regulation 347, R.R.O. 1990, under the Environmental Protection Act or any successor legislation; prohibited Material as defined under the Transportation of Dangerous Goods Act, 1992, or any successor legislation;*
  - (b) pathological waste, as defined and regulated in Ontario Regulation 347, R.R.O. 1990, under the Environmental Protection Act or any successor legislation;*
  - (c) solid and liquid waste Material or substances which contain or could contain pathogen bacteria or micro-organisms that may be hazardous or dangerous;*
  - (d) motor vehicles or automotive parts;*
  - (e) live animals or fowl or carcasses or part of an animal or other creature, save for normal and bona fide Green Bin Material, which has been drained of all liquids;*
  - (f) septic or holding tank pumping's or raw sewage;*
  - (g) Material of any kind or nature that may be explosive or combustible or may cause fire including hot coals, ashes, oil-soaked or gasoline-soaked rags, papers, cloths or similar Material;*
  - (h) gaseous, semi-liquid or liquid waste including liquid industrial waste as defined in Ontario Regulation 347, R.R.O. 1990, under the Environmental Protection Act or any successor legislation;*
  - (j) sealed metal drums or barrels;*

- (k) *other Material as prohibited in any relevant Certificate of Approval issued by the Ministry of the Environment under the relevant legislation;*
- (l) *Sharps;*
- (m) *Construction, Renovation or Demolition Material including windows;*
- (n) *grass clippings;*
- (o) *Waste Electrical and Electronic Equipment (WEEE);*
- (p) *batteries (all types);*
- (q) *White Goods; and*
- (r) *other Material As Designated;*

1.40 *"Non-Compliant" means Material not prepared for collection or Regional Drop-Off Location deposit in accordance with the requirements set out in this By-law. "Non-Compliance" has the related meaning;*

1.41 *"Owner" includes but is not limited to:*

- (a) *a Person who is the registered owner and or the beneficial owner of Premises which is subject to this By-Law;*
- (b) *the Person for the time being managing or receiving the rent of from Premises, which is subject to this By-Law, whether on the Person's own account or as agent or trustee of any other Person or who would receive the rent if the Eligible Property was let; and*
- (c) *a Person who is a lessee or occupant or tenant of the Premises who in their capacity as lessee or occupant manages or is in charge or control Premises, which is subject to this By-Law;*

*There may be more than one Owner within the forgoing definition with respect to a particular Premises;*

- 1.42 *"Person" includes a partnership, an unincorporated association, a corporation, a cooperative society or a cooperative organization, the successors of a partnership, of an association, of a corporation, of a society or of an organization and the heirs, executors, liquidators of the succession, administrators or other legal representatives of a Person;*
- 1.43 *"Pet Waste" means animal excrement generated by small household pets including cats, dogs, small rodents or other similar indoor pets kept for companionship and enjoyment, and including pet bedding, whether separate or intermingled with such excrement, but excluding animal excrement generated by horses, cows, chickens or other similar farm, wild, working, undomesticated or commercial livestock animals;*
- 1.44 *"Premises" means land and buildings combined in the geographic area of Niagara region or a part of such land and buildings combined in the case of land and buildings which contain multiple self-contained units with respect to which a Person is considered an Owner. Premises shall be categorized by type in accordance with the definitions contained in Schedule A;*
- 1.45 *"Region" or "the Region" means The Regional Municipality of Niagara or an authorized representative of The Regional Municipality of Niagara, including a Regional Drop-Off Location site attendant, a contractor or its employee, or a by-law enforcement officer, as appropriate in the context;*
- 1.46 *"Regional Drop-Off Location" means a temporary or permanent location set up by the Region for drop-off of Material including but not limited to waste, recyclables, compost, or household hazardous waste;*
- 1.47 *"Registered Charities" are charitable organizations, public foundations, or private foundations that are created and resident in Canada and have been issued a charitable registration number by the Canada Revenue Agency (CRA). They must use their resources for charitable activities and have charitable purposes in one or more of the following: the relief of poverty, the advancement of education, the advancement of religion or other purposes that benefit the community. To receive exemption under Section 13.8 the Registered Charities must be the direct generators of Blue Box Material, Grey Box Material, Green Bin Material or Garbage;*

- 1.48 *"Scavenge" means to search through, pick over or remove objects or Material set out for Curbside collection or deposited at a Regional Drop-Off Location;*
- 1.49 *"Set Out Service" means the provision of onsite service, as approved by the Region, for Owners living in Type A Premises as listed in Schedule A to this By-law and who are unable to physically carry their Garbage, Blue/Grey Box Materials and Green Bin Material to the curb for collection. Set Out Service only includes Garbage, Blue/Grey Box and Green Bin Material. Set Out Service does not include Leaf and Yard Material, Bulky Goods, Brush, or any other excluded items, As Designated by the Region;*
- 1.50 *"Sharps" means blades, needles, syringes, including safety engineered needles, laboratory glass, or other Materials capable of causing punctures or cuts;*
- 1.51 *"Site Plan Conditions" means comments and conditions provided by the Region during the site plan application process pursuant to the Region's Policy "Requirements for Waste Collection";*
- 1.52 *"Waste Disposal Site" means as defined in the Environmental Protection Act, R.S.O. 1990, Ch. E.19, or any successor legislation ("Environmental Protection Act");*
- 1.53 *"Waste Electrical and Electronic Equipment (WEEE)" means equipment as defined by O.Reg, 389/16 under the Waste Diversion and Transition Act, 2016, or any successor legislation, including but not limited to the following:*
- (a) Desktop computers;*
  - (b) Portable computers;*
  - (c) Computer peripherals (keyboards, mice, hard drives, optical drives - CD Blu-ray, DVD, HD-DVD);*
  - (d) Monitors;*
  - (e) Televisions;*

- (f) *Desktop printing devices, including copiers and multi-function devices;*
- (g) *Floor standing devices, including printers, photocopiers and multi-function devices;*
- (h) *Scanners and typewriters;*
- (i) *Telephones and answering machines;*
- (j) *Cellular phones, PDA's and pagers;*
- (k) *Audio and video players/recorders (MP3, cassette, digital);*
- (l) *Cameras;*
- (m) *Radios;*
- (n) *Receivers;*
- (o) *Speakers;*
- (p) *Turntables;*
- (q) *Video players/projectors, digital frames;*
- (r) *Video recorders; and*
- (s) *Personal handheld computers, tablets.*

1.54 *"White Goods" means major household appliances or items such as stoves, washers, dryers, dishwashers, dehumidifiers, water tanks, barbeques, swing sets, bicycles, air-conditioning units, heat-pumps, refrigeration units or freezer units and other Material As Designated.*

## **PART II - COLLECTION SERVICES**

### **2. General Collection Provision**

- 2.1 *The Region provides collection of all Collectable Material from Eligible Properties in the Region according to the terms of this By-law and subject to other terms As Designated.*
- 2.2 *The Region also provides enhanced services as requested, approved and funded by local municipalities.*
- 2.3 *No Owner shall be eligible for collection unless the Owner complies with this By-law and other terms As Designated.*
- 2.4 *The Region may retain a contractor or contractors to fulfill the Region's responsibilities under this By-Law.*
- 2.5 *If, due to breakdown of equipment, strike, inclement weather, or any other cause, waste collection is not provided to an Eligible Property, the Region shall not be liable to any Person for any damages, costs, loss or expenses of any kind due to the failure of such waste collection to take place.*

3. *Classes of Collectable Material*

3.1 *The Classes of Collectable Material are:*

(a) *Recyclable Material:*

- i. *Blue Box Material;*
- ii. *Brush;*
- iii. *Christmas Trees;*
- iv. *Green Bin Material;*
- v. *Grey Box Material;*
- vi. *Leaf and Yard Material; and*
- vii. *Other recyclable Material As Designated.*

(b) *Non-Recyclable Material:*

- i. *Bulky Goods;*
- ii. *Garbage; and*

*iii. Other non-recyclable Material As Designated.*

*3.2 All other Material is Non-Collectable Material and is not to be placed out for collection.*

*4. Separate According to Class and Class Provisions*

*4.1 If collection service is available to an Eligible Property for any of the above Classes, then the Material which an Owner sets out for collection must be separated according to Class.*

*4.2 Every Owner shall prepare Collectable Material according to the provisions in Sections 5 through 13 of this By-law relevant to each Class of Material.*

*5. Brush*

*5.1 Brush shall be set out for collection in accordance with the schedule of collection days As Designated and*

*(a) shall be packaged in bundles where each individual piece of Material shall not exceed 7 cm (2.8 inches) in diameter and where each bundle shall not exceed:*

*i. a size of 1.5 m (5 feet) in length by 0.5 m (1.6 feet) in diameter; and*

*ii. a weight of 22.7 kg (50 pounds); and*

*(b) if collected on the same day as other Material, shall be clearly separated from any other class of Material set out for collection.*

*5.2 Brush is only collectable from a Type A Premises as defined in Schedule A to this By-law. Further information on the collection of Brush is available from sources noted in Section 53 of this By-law.*

*6. Bulky Goods*

*6.1 Bulky Goods are only collectable from a Type A Premises as defined in Schedule A to this By-law. Further information on the collection of Bulky Goods is available from the sources noted in Section 53 of this By-law.*

*6.2 Bulky Goods set out for Curbside collection:*

- (a) shall be in a contained state neatly placed at the Curbside; and*
- (b) shall not be stacked; and*
- (c) shall not have Material stacked or loose set on top of Bulky Goods; and*
- (d) shall be dismantled if possible; and*
- (e) shall not include Construction, Renovation and Demolition Material; and*
- (f) must be of a weight and dimension to be able to fit into the collection vehicle in a safe and efficient manner, As Designated by the Region; and*
- (g) limit of four (4) items per collection per Eligible Property.*

*6.3 The Owner must arrange in advance with the Region's collection contractor for the scheduled collection of Bulky Goods As Designated. Information on how to schedule collection is available from the sources noted in Section 53 of this By-law.*

*6.4 Contaminated items (e.g. mattresses with bed bugs), as determined by the Region, must be wrapped in plastic to be eligible for pick up.*

*6.5 Artificial Christmas Trees shall be set out for scheduled collection as Bulky Goods.*

*6.6 Collectable Material which can fit within a regular Garbage Container should not be disposed of as Bulky Goods, but as Garbage.*

*6.7 Glass shards resulting from broken mirrors, dishes, picture frames or other household glass, not including windows, are collectable as Bulky Goods if:*

- (a) placed in a separate, sturdy, walled container to be collected with its glass shard contents, and secured so as to remain closed and to protect the safety of collection personnel;*

- (b) *labelled appropriately (i.e. "Broken Glass"); and*
- (c) *large glass pieces (greater than 1.5ft by 1.5ft) must be removed from any bulky item, packaged or wrapped separately in a cardboard, bubble wrap or another approved packaging Material, and appropriately labelled (i.e. "Glass") to protect the safety of collection personnel.*

## **7. Christmas Trees**

- 7.1 *Christmas Trees shall be set out for Curbside collection without wrapping, bagging, tinsel, lights or any other decorations, in accordance with the schedule of collection days and times As Designated. Further information on the collection of Christmas Trees is available from the sources noted in Section 53 of this By-law.*
- 7.2 *Christmas Trees are only collectable from Type A Premises, as defined in Schedule A to this By-law.*
- 7.3 *No Owner shall set out a Christmas Tree unless it, or segments cut from it, are less than 3 metres (10 feet) in length and free of all accessories, decorations and plastic wrap. No Artificial Christmas Trees, wrapped or bagged trees, will be collected for this purpose. Refer to Section 6, Bulky Goods, for the collection of Artificial Christmas Trees.*

## **8. Blue Box Material**

- 8.1 *Blue Box Material shall be set out for collection according to the following requirements:*
  - (a) *Blue Box Material must be packaged as follows:*
    - i. *in designated recyclable containers (Blue Box) available from the Region; or*
    - ii. *in a Cart only for Type B-F Premises as set out in Schedule A to this By-law for; or*
    - iii. *in clearly marked, reusable, solid-walled, rigid containers with handles or indentations on two (2) sides to facilitate the lifting and emptying of the said receptacle; or*

- iv. *in transparent plastic bags; or*
- v. *in a sturdy non-waxed cardboard box (box will be recycled);  
and*

(b) *Blue Box containers shall meet the following requirements:*

- i. *height not exceeding a size of up to 91 cm (3 feet) measured internally from the bottom of the receptacle to the top lip of the opening; and no width exceeding a size of up to 61cm (2 feet) measured internally from side to side, not corner to corner, or as determined by the Region; and*
- ii. *not exceeding a weight (of container and Material together) of 22.7 kg (50 pounds); and*
- iii. *Carts for Type B-F Premises are exempt from 8.1 (b) (i) and (b) (ii); and*
- iv. *be of sufficient quality to withstand normal collection activities and use; and*
- v. *for Blue Box containers with lids, the lid must be readily separable from the container. Any devices used to tie down or secure any lids must be removed by the Owner prior to collection; and*

(c) *contents shall not exceed the limits of the top of the Blue Box container; and*

(d) *must be clearly separated from any other class of Material set out for collection on the same Premises.*

8.2 *Blue Box Material that is loose or not packaged as outlined above may not be collected.*

8.3 *Further information on the collection of Blue Box Materials is available from the sources noted in Section 53 of this By-law.*

9. *Leaf and Yard Material*

9.1 *Leaf and Yard Material shall be set out for Curbside collection:*

(a) *packaged in rigid, reusable, open-top containers or compostable paper bags or certified compostable plastic bags As Designated:*

- i. not exceeding 91 cm (3 feet) in height by 61 cm (2 feet) in diameter; and*
- ii. not exceeding a total weight (of container and Leaf and Yard Material together) of 22.7 kg (50 pounds.); and*
- iii. for Leaf and Yard Containers with lids, the lid must be readily separable from the container. Any devices used to tie down or secure any lids must be removed by the Owner prior to collection; and*

(b) *in such a way as to clearly separate it from any other class of Collectable Material set out for collection on the same Premises.*

9.2 *Non-compostable plastic bags (without a 'Biodegradable Products Institute' or '100% Compostable' logo) or cardboard boxes are not permitted.*

9.3 *Leaf and Yard Material is only Collectable from Type A Premises as defined in Schedule A to this By-law.*

9.4 *Further information on the collection of Leaf and Yard Material is available from the sources noted in Section 53 of this By-law.*

## 10. *Green Bin Material*

10.1 *Green Bin Material shall be set out for Curbside collection packaged:*

(a) *in a Green Bin Container available from the Region or other suitable containers in accordance with 10.1 (c) packaged in:*

- i. Compostable plastic bags with BPI logo;*
- ii. Paper bags;*
- iii. Wrapped in newspaper; and/or*
- iv. Placed directly into the Green Bin container in a loose fashion.*

- (b) *in a Cart only for Type B-F Premises as set out in Schedule A to this By-law for; or*
- (c) *in other containers labelled "Organics":*
  - i. *not exceeding 91 cm (3 feet) in height by 61 cm (2 feet) in diameter; and*
  - ii. *not exceeding a total weight (of container and Green Bin Material together) of 22.7 kg (50 pounds); and*
  - iii. *which are equipped with handles; and*
  - iv. *Carts are exempt from 10.1 (c) i-iii; or*
- (d) *in such a way as to clearly separate it from any other class of Collectable Material set out for collection on the same Premises.*

10.2 *Small amounts of Leaf and Yard Material including weeds, garden Material, trimmings, and twigs smaller than 1.5 cm (0.5 inches) in diameter and no longer than 30.5 cm (12 inches), excluding grass, are permitted as Green Bin Material.*

10.3 *Pet waste and kitty litter shall be either bagged using small certified compostable plastic bags As Designated, paper bags or completely wrapped in newspaper before being placed in the Green Bin/Cart or other labelled container as above.*

10.4 *Green Bin Material that has a tendency to turn into liquid, as determined by the Region, shall be packaged and not be loose so the liquid does not leak or spill during collection. Liquid Material or Material that exhibits evidence of free water, or other liquids, whether or not contained is not permitted in the Green Bin/Cart. The collection service is designed for solid Material.*

10.5 *Further information on the collection of Green Bin Material is available from sources noted in Section 53 of this By-law.*

## 11. *Grey Box Material*

11.1 *Grey Box Material shall be set out for collection according to the following requirements:*

(a) *Grey Box Material must be packaged as follows:*

- i. in designated recycling containers (Grey Box) available from the Region; or*
- ii. in clearly marked, reusable, solid-walled, rigid containers with handles or indentations on two (2) sides to facilitate the lifting and emptying of the said receptacle; or*
- iii. in a Cart only for Type B-F Premises as set out in Schedule A to this By-law; or*
- iv. in transparent plastic bags; or*
- v. in a sturdy non-wax cardboard box (box will be recycled); or*
- vi. in case of cardboard, must bundle together in bundles not exceeding a size of 91 cm (3 feet) in width by 91 cm (3 feet) in length by 91 cm (3 feet) in depth and not exceeding a weight of 22.7 kg (50 pounds); or*
- vii. in the case of flattened cardboard placed inside another cardboard box, which cardboard box must not exceed a size of 91 cm (3 feet) in width by 91 cm (3 feet) in length by 91 cm (3 feet) in depth and not exceeding a weight of 22.7 kg (50 pounds); Loose cardboard must be flattened and tied using twine, packing tape or an approved alternative, in bundles no larger than 91 cm (3 feet) x 91 cm (3 feet) x 91 cm (3 feet), and not exceeding a weight of 22.7 kg (50 pounds); or*
- viii. in the case of plastic bags and stretchy plastic outer-wrap, by placing all loose plastic bags or plastic film in one securely tied Plastic Bag (not loose in the Grey Box); and*

(b) *Grey Box containers must meet the following requirements:*

- i. not exceed a size of up to 91 cm (3 feet) in height by 61 cm (2 feet) in width; and*
- ii. not exceed a weight (of container and Material together) of 22.7 kg (50 pounds); and*
- iii. Carts for Type B-F Premises are exempt from 11.1 (b) i-ii;*

iv. *be of sufficient quality to withstand normal collection activities and use; and*

v. *for Grey Box containers with lids, the lid must be readily separable from the container. Any devices used to tie down or secure any lids must be removed by the resident prior to collection; and*

(c) *contents placed within a Grey Box container shall not exceed 91 cm (3 feet) x 91 cm (3 feet) x 91 cm (3 feet); and*

(d) *clearly separated from any other class of Collectable Material on the same Premises.*

11.2 *Grey Box Material that is loose or not packaged as outlined above may not be collected.*

11.3 *Further information on the collection of Grey Box Material is available from sources noted in Section 53 of this By-law.*

## 12. *Garbage*

12.1 *Material not included in the other Classes of Collectable Material of this By-law shall be set out for collection as Garbage, and*

(a) *packaged in a Garbage Container:*

i. *not exceeding a size of 91 cm (3 feet) in height by 61 cm (2 feet) in diameter; and*

ii. *not exceeding a weight (of container and waste) of 22.7 kg (50 pounds); and*

iii. *receptacle, can, bin or other container As Designated must be equipped with handles on two (2) sides; and*

iv. *be of sufficient quality to withstand normal collection activities and use; and*

(b) *such that the contents shall not exceed the limits of the top of the Garbage Container; and*

- (c) *in such a way as to clearly separate it from any other classes of Collectable Material on the same Premises; and*
- (d) *if required by this By-law, with the relevant Garbage Tag affixed, refer to Section 13.1 (a); and*
- (e) *containing no other Classes of Collectable Material including but not limited to Leaf and Yard Material, Green Bin Material, Blue Box Material and Grey Box Material and Non-Collectable Material.*

12.2 *For Garbage Containers with lids, the lid must be readily separable from the container. Any devices used to tie down or secure any lids must be removed by the Owner prior to collection.*

12.3 *Garbage that is Non-Compliant, or which contains other classes of Collectable Material and/or Non-Collectable Material, may not be collected.*

### 13. *Collection Limits and Procedure for Garbage Exemptions*

13.1 *The maximum number of Garbage Containers set out every-other-week for Type A ,B, E, F Premises and every week for Type C and D Premises shall be as set out in Schedule A to this By-law as follows:*

- (a) *An Owner of a Type A self-contained unit may set out additional Garbage Containers provided that each extra Garbage Container has the appropriate Garbage Tag affixed, which Garbage Tag has been purchased from the Region or its authorized vendor; and*
- (b) *the Garbage Tag shall be affixed:*
  - i. *untampered to a Garbage Container (i.e. torn in half) to the neck of a waterproof bag or on top of the Materials placed in a Garbage Container to allow additional limit of Garbage to be set out for collection. Only Type A Premises as defined in Schedule A of this By-law are eligible to use a Garbage Tag; Any tampered Garbage Tags will not be accepted and Material will not be collected; and*
  - ii. *in a clearly visible location readily seen upon removal of the container's lid for a non-disposable Garbage Container such*

*as a Garbage can, bin or receptacle. The Garbage Tag shall not be placed directly on the can, bin, handle or receptacle.*

*iii. Information on Garbage Tags is available from the sources noted in Section 53 of this By-law.*

*(c) an Owner of Premises may be allowed a Garbage Exemption if they do not also have private Garbage collection services, and subject to application and approval by the Region for the following reasons:*

*i. A medical condition that results in the generation of additional Garbage for Type A Premises and group homes, homes for adults with disabilities and homes for assisted living;*

*ii. Type A Premises with one child under the age of four in diapers can apply for collection of one (1) transparent plastic bag of diapers combined with no other collectable material, to be collected on the week alternate to their regularly scheduled Garbage collection day. These properties are restricted to two Garbage Containers and no additional bag of diapers on their regularly scheduled Garbage collection day.*

*iii. Type A Premises with two children under the age of four in diapers can apply for weekly collection of one (1) transparent plastic bag of diapers combined with no other Collectable Material;*

*iv. Type A Premises with three or more children under the age of four in diapers can apply for weekly collection of two (2) transparent plastic bag of diapers combined with no other Collectable Material;*

*v. Type A Premises operating as an in-home child care provider can apply for weekly collection of two (2) additional transparent plastic bag of diapers combined with no other Collectable Material;*

*(d) an Owner of a Type A Premises may set out two (2) additional Garbage Containers during Amnesty Week;*

- (e) *an Owner of Type B Premises may set out for collection a maximum of two (2) containers per unit up to a maximum of twenty-four (24) containers every-other-week per Premises;*
  - (f) *an Owner of Type B Premises may set out a maximum of two (2) additional Garbage Container per unit up to a maximum of twenty-four (24) additional Garbage Containers per Premises during Amnesty Week;*
  - (g) *an Owner of Type C-D Premises may set out for collection a maximum of four (4) **Garbage** containers weekly;*
  - (h) *an Owner of Type D Premises may set out four (4) additional Garbage Containers during Amnesty Week*
  - (i) *an Owner of Type E and F Premises may set out for collection a maximum of eight (8) **Garbage** containers every-other-week;*
  - (j) *an Owner of Type F Premises may set out eight (8) additional Garbage Containers during Amnesty Week;*
- 13.2 *The number of Blue Box, Grey Box or Carts which may be collected from different types of Premises shall be as set out in Schedule A to this By-law, that is:*
- (a) *for Type A Premises, an Owner may set out for collection unlimited Blue and Grey Boxes;*
  - (b) *for Type B Premises, an Owner may set out for collection unlimited Carts with a guideline of one (1) Cart for every twenty (20) units for Blue Box Material and one (1) Cart for every eleven (11) units for Grey Box Material;*
  - (c) *for Type C, D and F Premises, an Owner may set out for collection unlimited Blue and Grey Boxes or Carts, but will be subject to review by the Region to ensure that efficient and cost effective services are maintained;*

- (d) *for Type E Premises, an Owner may set out for collection up to a combined total of eight (8) Blue and Grey Carts or the equivalent number of units as determined solely by the Region. Type E Premises that consistently exceed the eight (8) Cart equivalent limit with Boxes, bundles or bags, as solely determined by the Region, will be encouraged to use Carts. If the Owner of a Premises fails to switch to Cart collection, despite the Region's attempts to encourage the switch, the Region may, at their discretion, and upon written notice to the Owner, cease collection from the Premises until such time as the property switches to adequate Cart collection, to the satisfaction of the Region.*

13.3 *The number of Green Bin Containers or Carts which may be collected from different types of Premises shall be as set out in Schedule A to this By-law, that is:*

- (a) *for Type A Premises, an Owner may set out for collection unlimited Green Bins;*
- (b) *for Type B Premises, an Owner may set out for collection Green Bins or Green Carts on a request only basis in the quantity determined by the Region;*
- (c) *for Type C, D and F Premises, an Owner may set out for collection unlimited Green Bins or Carts, but will be subject to review by the Region to ensure that efficient and cost effective services are maintained;*
- (d) *for Type E Premises, an Owner may set out for collection up to eight (8) Green Carts or the equivalent number of Green Bins as determined solely by the Region. Type E Premises that consistently exceed the eight (8) Cart equivalent limit with Green Bins, as solely determined by the Region, will be encouraged to use Carts. If the Owner of a Premises fails to switch to Cart collection, despite the Region's attempts to encourage the switch, the Region may, at their discretion, and upon written notice to the Owner, cease collection from the Premises until such time as the property switches to adequate Cart collection, to the satisfaction of the Region.*

- 13.4 *In all cases, the Material collected during collection must be Material generated at the self-contained unit for Type A Premises or on the Premises for Type B-F Premises.*
- 13.5 *Type A Premises that use private Garbage collection services or are not able to stay within the Garbage limit, as determined by the Region, are subject to review by the Region and may not be eligible for Garbage and/or Bulky collection services as Designated. This applies to both base and enhanced service, where applicable.*
- 13.6 *To be eligible for Garbage collection services, Type C-F Premises must utilize the Region's recycling and organics collection services. This applies to both base and enhanced service, where applicable.*
- 13.7 *Any Type C or E Premises, as shown in Schedule A with a building greater than three (3) storeys, as determined by the Region, excluding municipal or Region owned buildings are not eligible for any collection services.*
- 13.8 *Any Type B-F Premises, as shown in Schedule A, that retain private service for Blue or Grey Box Material collection will not be eligible for Regional collection services. An exemption to this clause applies for regional and municipal facilities, Regional Agencies, Boards and Commissions, as well as Registered Charities and schools, subject to application and approval by the Region.*
- 13.9 *Collection limits for types of Premises are determined by the Region in accordance with Schedule A using the property classifications designated by MPAC and/or contained in applicable Site Plan Conditions. In the event of discrepancy, the Region's designation of the Premises type will prevail. If an Owner disagrees with the number of units contained within the Premises as assessed, it is up to the Owner to provide proof of the actual number of legally existing individual units within the Premises. In the absence of provision of proof to the satisfaction of Niagara Region, the limit for the Premises in question shall be as determined by the Region. In the event of a Multi-Purpose Property, each individual Premises is subject to their respective eligibility requirements and collection limits.*
- 13.10 *On a request basis, residential farms, as determined by the Region using the property classification identified by MPAC, can receive either Type A or*

*Type E collection limits. If a residential farm does not request a farm exemption, the premises will be serviced, as per their property classification identified by MPAC, as set out in Schedule A to this By-law.*

## **PART ILL - COLLECTION RESTRICTIONS AND RESPONSIBILITIES**

### **14. Collection Restrictions and Responsibilities**

#### **14.1 No Person or Owner shall set out or permit to be set out:**

- (a) Non-Collectable Material; or**
- (b) Non-Compliant Material.**

**14.2** *The Owner of Premises shall set out for collection the Classes of Collectable Material at the locations as shown in Section 15, in the manner, and in accordance with the schedules of collection days As Designated. See Section 53 of this By-law for further sources of schedule and Material preparation information.*

**14.3** *If the Owner of a Premises fails to comply with the responsibilities and requirements as set out in this By-law, the Region may, at the discretion of the Commissioner of Public Works or his/her designate, and upon written notice, either by ordinary mail (where receipt is deemed to be three (3) days after mailing), registered mail or hand delivered, to the Owner, cease collection from the Premises until such time as the Non-compliance is corrected to the satisfaction of the Region.*

**14.4** *If the Owner of a Premises or a tenant engages in any inappropriate behaviour, riotous, violent, threatening or illegal conduct, or uses profane or abusive language, as determined by the Region, towards Region staff or contractors' staff, the Region may, at the discretion of the Commissioner of Public Works or his/her designate, and upon written notice to the Owner, cease collection from the Premises until such time as the inappropriate behaviour, conduct and/or language is corrected to the satisfaction of the Region.*

**14.5** *The Owner of any Premises receiving collection shall be responsible to ensure that all Persons on the Premises who use or expect to use the*

*Region's collection service receive and follow the instructional information relating to the service provided by the Region.*

- 14.6 *The Owner of any Premises receiving collection shall be responsible to ensure that animals such as dogs are secured or tied to ensure safety of collection workers and uninterrupted collection.*
- 14.7 *The Owner of a Premises shall not interfere with collection vehicles or personnel.*
- 14.8 *The Owner of a Premises shall not deposit any Material into a collection vehicle.*
- 14.9 *In the event a change is made to the schedules of collection day As Designated, the Region shall make reasonable efforts to advise all affected persons by publication or service of notice upon the Owner of the affected Premises as provided for in this section. Publication for purposes of this section means notice placed on the Region's website at least fourteen (14) days prior to any As Designated changes to collection schedule or area being implemented. Service of notice by the Region for purposes of this section means notices given to the Owner of affected Premises either mailed by ordinary mail (where receipt is deemed to be three (3) days after mailing), registered mail, or hand delivered to the address of the Owner according to the last revised assessment roll of the subject property or by posting the notice at the subject property, and such service shall be deemed good and sufficient notice effective upon delivery. Information posters and media releases may be used, in addition to the above publication or service methods. In the event of an emergency situation, as determined by the Region, involving a matter of public health and safety or a legal or regulatory requirement which requires As Designated changes to be implemented faster than on fourteen (14) days' notice, the Region may in its discretion provide less than fourteen (14) days' prior notice but will endeavour to provide as much notice as reasonably practicable.*

15. *Collection Location*

- 15.1 *Except as set out in Section 15.2 the Owner of Premises shall set out Material for collection by placing it at Curbside in front of the Premises in a location to clearly distinguish separation from a neighbouring Premises and*

*as close as possible to the travelled portion of the road without obstructing or interfering with the travelled portion of the road or any sidewalk.*

- 15.2 *The Owner of Premises shall set out Material at a collection point or Communal Collection point approved or as determined by the Region. Dwelling Units that place their Material at a Communal Collection point must ensure all collection containers are labelled with the Dwelling Unit address to clearly distinguish separation from neighbouring Dwelling Units.*
- 15.3 *No Owner shall place Material out for collection at any Premises except at their own Premises.*
- 15.4 *No Owner shall permit Material at any time in the Care and Control of that Owner to be located otherwise than on their Premises or in a Collection location permitted by Section 15 of this By-law.*
- 15.5 *No Owner shall place Material out for collection on top or behind snow banks. This will ensure the Material can safely be collected and prevent containers from falling behind the snow bank or onto the roadway before or after collection. During winter weather, when snow or snow banks may alter the normal set out location, the Owner shall place the Material:*
- (a) at the end of the driveway next to the snow bank; or*
  - (b) in a spot cleared out in the side of the snow bank near the travelled portion of the road.*
- 15.6 *Material shall not be collected from inside an enclosure, shed or other structures As Designated, unless otherwise approved by the Region. Enclosures must be placed as close as possible to the travelled portion of the road without obstructing or interfering with the travelled portion of the road or any sidewalk, unless otherwise approved by the Region. Collection personnel must be able to access Materials from enclosures by opening the enclosure from the front not the top and must be able to remove Materials from the enclosure without any obstruction.*

16. *Collection Times*

- 16.1 *Collectable Material shall be set out not earlier than 5:00 p.m. on the day before the designated collection day and not later than 7:00 a.m. on the designated collection day.*
- 16.2 *The Owner shall remove all containers, together with any Material that was not collected for any reason, from the Curbside as soon as possible after collection, but not later than 7:00 p.m. on the designated collection day.*
- 16.3 *Material left Curbside before and after collection times will be the responsibility of the Owner of the Premises.*
- 16.4 *From time to time, the Region may define specific collection times other than those referenced in in Section 16.1 and 16.2 for As Designated areas. The Owner of a Premises in an As Designated area shall set out Collectable Material for collection at the prescribed times and schedule As Designated which will be published or communicated by the Region for the As Designated areas. Publication for purposes of this Section means notice placed on the Region's website at least fourteen (14) days prior to any As Designated changes to collection schedule or area being implemented. Communication by the Region for purposes of this Section means notices given to Owner of affected Premises either mailed by ordinary mail (where receipt is deemed to be three (3) days after mailing), registered mail or hand delivered to the address of the Owner according to the last revised assessment roll of the subject property or the notice may be posted at the subject property, and such service shall be deemed good and sufficient service, effective upon delivery. Information posters and media releases may be used, in addition to the above publication or communication methods. In the event of an emergency situation, as determined by the Region, involving a matter of public health and safety or a legal or regulatory requirement which requires As Designated changes to be implemented faster than on fourteen (14) days' notice, the Region may in its discretion provide less than fourteen (14) days' prior notice but will endeavour to provide as much notice as reasonably practicable.*

17. *Acceptable Containers*

17.1 *The Owner of Premises shall set out for collection only containers which are:*

- (a) *each container shall be maintained in a safe and efficient condition for collection and have handles or indentations to facilitate the lifting and emptying of the said receptacle; and*
- (b) *intact, as required, to prevent spillage or breakage during collection; and*
- (c) *contained, as required, to prevent the attraction of animals (including insects) and the release of odours; and*
- (d) *free of excess water, ice and snow or other substances which may interfere with collection. Any Material which has become frozen or stuck to the collection container and cannot be easily discharged will not be collected; or*
- (e) *approved alternative, as determined by the Region*

18. *Uncontained Material*

18.1 *The Owner of a Premises shall not permit any Material set out for collection to become uncontained or otherwise escape in for any reason, including weather or animals.*

18.2 *The Owner of a Premises shall be responsible for the immediate clean up or re-securing of uncontained Material.*

18.3 *Where Material that has been set out for collection has blown away or otherwise escaped in any manner, the Owner of a Premises from which the Material originated shall clean up the Material.*

19. *Ownership*

19.1 *All properly prepared and separated Collectable Material set out within the designated times becomes the property of the Region upon pick-up or other receipt by authorized employees or contractors of the Region.*

19.2 *Material set out which is Non-Collectable or Non-Compliant remains the property and responsibility of the Owner.*

19.3 *At the Region's discretion, the Region may authorize the collection by the Region or Contractors, of Non-Compliant or Non-Collectable Material for the purpose of investigation or health, safety and welfare of the general public.*

## 20. *Requirements for Waste Collection*

20.1 *The Region may enter a private property for collection purposes provided that:*

- (a) *the Region has determined from time to time that the roadways to be used by collection vehicles on behalf of the Region:*
  - i. *have been approved for on-site collection during the site plan approval process; and*
  - ii. *have widths, turning radii, means of access, and means of egress meeting or exceeding the requirements of the Region's Policy on Requirements for Waste Collection, as amended from time to time; and*
  - iii. *have overhead clearance meeting or exceeding the standards prescribed in the Highway Traffic Act, R.S.O 1990, Ch. H.8, or any successor legislation; and*
  - iv. *are clear of snow and ice; and*
  - v. *provide unobstructed access to the Material to be collected; and*
- (b) *the Owner of the private property and/or development has entered into a written agreement with the Region in the form As Designated and in accordance with policies set by the Region.*

20.2 *Wherever practical, in accordance with the approved site plan and Region's Requirements for Waste Collection Policy as determined by the Region, Material from each unit shall be sufficiently separated to allow identification of the unit generating the Material for purposes of the enforcement of this By-Law.*

#### **PART IV- REGIONAL DROP-OFF LOCATIONS**

##### **21. Drop-off of Acceptable Material**

*21.1 The Region may establish Regional Drop-Off Locations for the drop-off of Acceptable Material as set out in Sections 24 to 27 of this By- law.*

##### **22. Unacceptable Materials**

*22.1 No Person shall drop off, or permit to be dropped off, unacceptable Material at a Regional Drop-Off Location.*

*22.2 Unacceptable Material includes the following:*

- (a) Any dangerous and hazardous Material such as poisons, hot live ashes, caustics, acids, pesticides, herbicides, radioactive Material, industrial process sludge, biomedical waste, or substances which may cause personal or environmental problems with the exception of the Household Hazardous Waste categories as set out in Section 26;*
- (b) Ammunition;*
- (c) Reactive chemical waste;*
- (d) Liquid waste with the exception of certain Household Hazardous Waste categories as set out in Section 26;*
- (e) Pathological waste with the exception of Sharps;*
- (f) Sludge from septic tanks or seepage;*
- (g) Highly flammable, volatile, explosive, reactive or radioactive Materials with the exception of certain Household Hazardous Waste categories as set out in Section 26;*
- (h) Leachate toxic waste;*
- (i) PCB waste;*

- (j) *Carcasses of dogs, cats, fowl and other such creatures, or parts thereof;*
- (k) *Live animals or birds;*
- (l) *Human excrement;*
- (m) *Steel and plastic barrels, unless the lid is removed and the barrel is empty and dry;*
- (n) *Automotive parts, not including automobile tires or small automotive parts;*
- (o) *Waste with excess liquid accumulated in the load or Material that fails a slump test;*
- (p) *Asbestos not prepared as set out in Section 28;*
- (q) *Organic material which has decomposed under anaerobic conditions; and*
- (r) *Other Material As Designated.*

23. *Acceptable Material*

23.1 *Not all Regional Drop-Off Locations will receive all types of Acceptable Material and receipt will depend on whether any of the following activities occur at any given Regional Drop-Off Location:*

- (a) *Drop-off/Recycling;*
- (b) *Composting;*
- (c) *Household Hazardous Waste Collection;*
- (d) *Landfilling*

24. *Acceptable Drop-off/Recycling Material*

24.1 *Acceptable Material for Drop-off includes the following:*

- (a) *Automobile tires separated from the rims and free of foreign Material and excessive moisture;*
- (b) *Asphalt and concrete*
- (c) *Batteries, either single use alkaline or rechargeable;*
- (d) *Blue Box Material;*
- (e) *Bulky Goods;*
- (f) *Clothing for re-use;*
- (g) *Collectable Material;*
- (h) *Construction, Renovation and Demolition Material, including drywall, wood, metal, PVC pipe and other building Materials;*
- (i) *Garbage;*
- (j) *Grey Box Material;*
- (k) *Household items for re-use including small appliances and toys and other such goods;*
- (l) *Large Rigid Plastic*
- (m) *Mattresses up to a maximum of four (4) per load, with the exception of loads delivered by the Region's Collection Contractor*
- (n) *Shingles*
- (o) *Waste Electrical and Electronic Equipment with personal information removed;*
- (p) *White Goods, and*
- (q) *Other Material As Designated.*

*24.2 There may be locations where less than this full list may be Acceptable. Consult the sources listed in Section 53 for further information.*

*25. Acceptable Composting Material*

*25.1 Acceptable Material for composting includes the following:*

- (a) Brush;*
- (b) Christmas Trees;*
- (c) Green Bin Material;*
- (d) Leaf and Yard Material;*
- (e) Grass clippings; and*
- (f) Other Material As Designated.*

*25.2 There may be locations where less than this full list may be Acceptable. Consult the sources listed in Section 53 for further information.*

*26. Acceptable Household Hazardous Waste Material*

*26.1 Acceptable Material for Household Hazardous Waste is:*

- (a) aerosol cans with contents remaining;*
- (b) antifreeze;*
- (c) batteries (all types);*
- (d) barbeque propane tanks;*
- (e) corrosive cleaners including inorganic acids, bases and oxidizers;*
- (f) fertilizers and other inorganic oxidizers;*
- (g) fire extinguishers*

- (h) *flammable liquids such as solvents and thinners;*
- (i) *fluorescent light tubes;*
- (j) *gasoline and fuels;*
- (k) *medications;*
- (l) *mercury switches and thermometers*
- (m) *motor oil;*
- (n) *oil filters;*
- (o) *pesticides and herbicides;*
- (p) *paint;*
- (q) *paint sludge;*
- (r) *pharmaceuticals;*
- (s) *pool chemicals;*
- (t) *small gas cylinders such as propane, oxygen, carbon dioxide, helium, expanding foam;*
- (u) *Sharps in puncture-proof containers; and*
- (v) *other Material As Designated.*

26.2 *All Household Hazardous Waste Material must be in acceptable containers, which conform to the following requirements:*

- (a) *Must be in the original or clearly labelled container, indicating contents;*
- (b) *All containers must be capped and sealed;*

- (c) *Liquid wastes must not be larger than 20 litres each. Barrels and/or drums of liquid waste will not be accepted;*
- (d) *Gasoline will not be decanted at depots. The container and the contents will be taken for safe disposal;*
- (e) *No industrial, commercial or institutional hazardous waste will be accepted; and*
- (f) *Other acceptable containers As Designated.*

27. *Acceptable Landfilling Material*

27.1 *Acceptable Material for Landfilling is:*

- (a) *asbestos if prepared as set out in Section 28;*
- (b) *Bulky Goods, with the exception of those items which can be re-used or recycled;*
- (c) *Construction, Renovation and Demolition Material with wood, drywall, metal and other recyclable Material separated;*
- (d) *Garbage;*
- (e) *soil or dirt in acceptable quality and quantity, as determined by the Region; and*
- (f) *other Material As Designated.*

28. *Acceptable Asbestos Preparation and Acceptance Procedures*

28.1 *No Person shall unload or dispose of asbestos at a Regional Drop-Off Location unless such unloading or disposal is in accordance with the conditions set out in this Section.*

28.2 *Any Person dropping off asbestos shall contact the Region at least twenty-four (24) hours prior to delivery of the asbestos to allow for preparation of the Regional Drop-Off Location designated area.*

28.3 *All asbestos must be contained in a rigid, impermeable, sealed container of sufficient strength to accommodate the weight and nature of the asbestos, or the asbestos Material must be double bagged in two (2) six millimetre polyethylene bags. The container must be free from punctures, tears or leaks and shall be clearly labelled to indicate the nature of the contents. The external surface of the container and the vehicle used for the transport of the asbestos must be free of asbestos.*

28.4 *During unloading, the packaged asbestos shall be handled individually and care taken to place the packages in the designated area to avoid spillage. This unloading shall be the responsibility of the Person dropping off the asbestos.*

28.5 *The unloading shall only be done in the presence of the Region to ensure that no loose asbestos or broken containers are unloaded and that no airborne particulate is generated.*

28.6 *In the event that loose asbestos or broken containers are found, the Person dropping off the asbestos shall repackage the Material with additional containers or bags provided in his/her vehicle.*

28.7 *The asbestos containers shall be placed directly in the designated area which has been prepared by the Region.*

29. *Material Requiring Special Handling*

29.1 *Any Person dropping off Material requiring special handling (such as dusty material) shall contact the Region at least 24 hours prior to delivery to a Regional Drop-Off Location to receive handling instructions from the Region and to allow for preparation of the Regional Drop-Off Location designated area.*

29.2 *The unloading of the Material requiring special handling shall be the responsibility of the Person dropping it off.*

29.3 *The Material requiring special handling shall be placed directly in the designated area by the Person dropping it off.*

*29.4 Material requiring special handling is only accepted Mondays to Fridays, between the hours of 8:30 a.m. and 3:00 p.m.*

**30. Fees**

*30.1 The Region shall set fees to be paid by Persons for the drop-off of Material at Regional Drop-Off Locations.*

*30.2 The fees are set out in the Region's Fees and Charges By-Law as amended from time to time.*

**31. Access**

*31.1 Access to a Regional Drop-Off Location shall be limited to the days and times As Designated by the Region. Days and hours of operation are posted at each permanent location.*

*31.2 Access to a Regional Drop-Off Location shall be limited to Persons who are:*

- (a) commercial haulers who have provided a copy of their Ministry of the Environment, Conservation and Parks Waste Management System Certificate and, when requested by the Region, proof satisfactory to the Region that the Material they bring for drop-off has been generated from within the Region; or*
- (b) non-commercial haulers who, upon request, have provided proof of their residency in the Region satisfactory to the Region.*

*31.3 The Region may further limit access to certain Regional Drop-Off Locations As Designated.*

*31.4 The Region may specify time schedules and pre-deposit conditions for Persons seeking access to a Regional Drop-Off Location.*

*31.5 The Region may refuse access to a Person at the Region's discretion if:*

- (a) the Person has violated this By-law;*
- (b) the Person is likely to violate this By-law;*

- (c) *the Person owes money to the Region pursuant to this By-law;*
- (d) *the Person is transporting Material which is unacceptable for deposit at the Regional Drop-Off Location;*
- (e) *the Person's vehicle load is not fully covered and/or secured;*
- (f) *the Person's vehicle appears to be unsafe; or*
- (g) *the Person uses abusive or offensive language or behaviour toward workers or other Persons at the Regional Drop-Off Location.*

## **PART V - REGIONAL DROP-OFF LOCATION RESTRICTIONS AND RESPONSIBILITIES**

### **32. Drop-off Restrictions**

#### **32.1 The following restrictions apply at Regional Drop-Off Locations:**

- (a) *all drivers shall ensure the vehicle load is fully covered and/or secured and the vehicle is not over loaded;*
- (b) *all drivers shall bring vehicles to a complete stop and await the direction of the Region's site attendant before entering or leaving the weigh scale;*
- (c) *all drivers shall identify the Material type and source to the Region's site attendant;*
- (d) *all vehicles shall weigh inbound and outbound unless instructed otherwise by the Region's site attendant;*
- (e) *no Material originating from outside the Region shall be dropped off;*
- (f) *all Material deposited shall become the property of the Region and may be salvaged, recycled, reclaimed, disposed of and otherwise dealt with as the Region may deem fit;*
- (g) *no Person, while at a Regional Drop-Off Location, shall operate a vehicle or do any other thing without exercising due care and*

*attention or in a manner that causes or is likely to cause injury or harm to any Person or damage to any property;*

- (h) no Person, while at a Regional Drop-Off Location, shall:*
    - i. indulge in any riotous, violent, threatening or illegal conduct, or use profane or abusive language as determined by the Region; or*
    - ii. create a nuisance or in any way interfere with the use of a Regional Drop-Off Location by any other Person;*
    - iii. Any person deemed by staff to be engaging in these behaviours may be refused service and/or requested to leave the premises.*
  - (i) no Person shall deposit or allow or cause to be deposited Materials except in bins or disposal areas for such purposes;*
  - (j) all Persons shall at all times obey all signs and directions of the Region, its site attendants or staff or contractors' staff;*
  - (k) all Persons shall enter or exit a Regional Drop-Off Location by the designated access and exit routes;*
  - (l) no Person shall deposit or permit to be deposited Garbage into recycling bins or composting areas;*
  - (m) no Person shall deposit Recyclable Material including Leaf and Yard Material, Green Bin Material, Blue Box Material, Grey Box Material and/or other Material As Designated into the Garbage area located at the Drop-off/Recycling Depot or in the area designated for Landfilling;*
  - (n) no Person shall cause or permit a vehicle to idle for more than three (3) minutes in a sixty (60) minute period.*
- 32.2 (a) *On the first occasion of violation of any of the restrictions in Section 32.1 above, a written warning notifying the Person of his/her violation may be issued by the Region; or*

- (b) *On the first or any subsequent occasion of violation of any of the restrictions in Section 32.1 above, the Person may be charged with an offence of having violated this By-law and may also be subject to being refused access to Regional Drop-Off Locations.*

### 33. *No Trespassing*

33.1 *No Person shall unlawfully enter a Regional Drop-Off Location at any time.*

33.2 *No Person shall unlawfully enter the land strip around the perimeter of a Regional Drop-Off Location (buffer lands) or a Regional Drop- Off Location property during the time that the Regional Drop-Off Location is closed.*

33.3 *No Person shall enter with or operate an off-road vehicle or bike of any type on any part of a Regional Drop-Off Location and/or the land strip around the perimeter of a Regional Drop-Off Location (buffer lands).*

### 34. *Drop-off Responsibilities*

34.1 *Every Person dropping off Material at a Regional Drop-Off Location shall:*

- (a) *drop off only Material acceptable for deposit As Designated;*
- (b) *comply with all orders or directions given by the Region's site attendants or contractors' staff;*
- (c) *obey all speed limit signs and other signs posted at a Regional Drop-Off Location;*
- (d) *separate each type of Material and deposit in areas designated for such Material by the Region;*
- (e) *unload Material in a safe manner and use extreme caution while unloading;*
- (f) *remove covers/tarpaulins and/or release turnbuckles on vehicles only in the unloading area and at the direction of the Site Attendants or contractor's staff;*

- (g) remove any remaining loose Material from vehicles before leaving the unloading areas;*
- (h) close and secure, in a manner acceptable to the Region, all unloading doors with chains or acceptable alternatives before departure from the unloading areas;*
- (i) ensure that any child under the age of 12 remain inside the vehicle at all times;*
- (j) ensure that children act responsibly at all times when outside the vehicle;*
- (k) ensure that animals remain inside the vehicle at all times;*
- (l) acknowledge and accept that any Person entering a Regional Drop-Off Location does so at their own risk. The Person and the Owner of any vehicle brought upon a Regional Drop-Off Location agrees to save the Region, its contractors, agents and employees, harmless from any damages or claims whatsoever to themselves or their property, or to any other Person or property whatsoever, arising from such Person's negligence or failure to comply with their responsibilities as set out in this By-law, As Designated or otherwise;*
- (m) not depart from the Regional Drop-Off Location until the relevant fees as set by the Region from time to time are paid in full, whether by cash, debit, or charged to an authorized account;*
- (n) conform strictly to all legislative requirements including, in particular, the Environmental Protection Act, the Occupational Health and Safety Act, R.S.O. 1990, Ch. 0.1, and any other relevant successor legislation, any relevant regulations there under, any relevant Certificates of Approval and any relevant Regional By-laws, Policies, and Procedures; and*
- (o) not smoke anywhere on a Regional Drop-Off Location.*

35. *Refusal*

35.1 *The Region reserves the right to refuse to accept for drop-off any Material of a questionable nature or origin.*

36. *Safe Loads*

36.1 *Persons entering a Regional Drop-Off Location shall ensure that all Material transported is secure, covered, tied, or enclosed to prevent any Material from falling onto any roadway or public property.*

**PART VI - FURTHER RESTRICTIONS**

37. *Illegal Dumping*

37.1 *No Person shall dump, drop, sweep, throw, cast or otherwise deposit; or permit his/her contractor, agent, employee, child under his/her care or control or animal under his/her care or control to dump, drop, sweep, throw, cast or otherwise deposit; or permit a vehicle owned by an Owner to be used by any Person for the purpose of dumping, dropping, sweeping, throwing, casting or otherwise depositing any Material whatsoever on or in any road or public property, or at the entrance to or around the perimeter of a Regional Drop-Off Location.*

37.2 *No Person shall dump or deposit, or permit his/her contractor, agent, employee, child under his/her care or control or animal under his/her care or control to dump or deposit any Material generated on a Premises owned or occupied by that Person into or within a one (1) metre radius of a Litter bin on any road or public property.*

37.3 *No Person shall permit Material at any time in the Care and Control of that Person to be dumped, dropped, swept, thrown, cast or otherwise deposited by any other Person in contravention of Section 37.1 or 37.2 of this By-law.*

37.4 *For the purpose of Subsections 15.4 and 37.3 Material shall be deemed to have been within the Care and Control of a Person at a point in time if the Material included any Material typically associated with or used by that Person and shall include but is not restricted to the following Materials:*

- (a) *mail and other paper products bearing the name, address or other identifying characteristics typically associated with that Person;*
- (b) *Material that can on a balance of probabilities be shown to have been purchased by that Person;*
- (c) *Material that can on a balance of probabilities be shown to have originated from Premises with respect of which a Person is considered an Owner and during the time the Person was considered an Owner;*
- (d) *Materials that can on a balance of probabilities be shown to have been transported in a motor vehicle owned or under the Care and Control of the Person.*

### 38. *Scavenging*

- 38.1 *No Person shall, without the written approval of the Region, Scavenge, interfere with, pick over, disturb, remove or scatter any Material set out for collection.*
- 38.2 *No Person shall Scavenge, interfere with, pick over, disturb, remove or scatter any Material at a Regional Drop-Off Location unless the Material has been designated for re-use by the Region and the Person has received permission from the Region.*

### 39. *Saving Provisions*

- 39.1 *A Person shall be liable under Section 37.3 if they can establish on the basis of a balance of probabilities that such Material, deemed by Section 37.4 to have been within the Care and Control of that Person was in fact never in that Person's care or control.*
- 39.2 *A Person or Owner shall not be liable for breach of either Section 15.4 or 37.3 of this By-law if they establish on a balance of probabilities that they took all reasonable precautions to prevent occurrence of the offence.*

## **PART VII - ENFORCEMENT**

### **40. Friendly Reminders**

40.1 *To encourage compliance with this By-law, the Region may use Friendly Reminders and Final Friendly Reminders to identify or inform Persons or Owners of Non-compliance. Where a Person or Owner is in Non-compliance with this By-law and if the Non-compliance continues, despite the Region's attempts to obtain voluntary compliance, the Region may issue an Order as outlined in Section 48.*

### **41. Notifications**

41.1 *Notwithstanding any other provision of this By-law, no Person or Owner shall be charged with an offense for setting out, or permitting to be set out contrary to this By-law (included specific As Designated areas or collection times or schedules), any Collectable Material for collection where the As Designated provisions have not been published or communicated as set out in Section 16.4 of this By-law.*

41.2 *In addition to the publication and communication of As Designated changes set out in Section 16.4, the Region will issue a minimum of one (1) written notification to inform the Owner of the As Designated alternate schedule for the As Designated area before any such Owner is charged with an offense as set out above.*

### **42. Enhanced Services**

42.1 *Offences under this By-law apply to all enhanced services as may be applicable.*

### **43. Maximum Fines**

43.1 *Every Person, including a corporation, who contravenes a provision of this By-law, is guilty of an offence and upon conviction thereof is liable to pay a maximum fine of not more than \$100,000 for each and every offence, subject to the exception in Section 44 below.*

43.2 *A director or officer of a corporation who knowingly concurs in the contravention of a provision of this By-law is also guilty of an offence under this By-law.*

44. *Special Fines*

44.1 *In addition to a fine under Section 43, a special fine is also chargeable and may exceed \$100,000, where an offence of this By-law has been committed and there is evidence that the Person who has committed the offence has achieved an economic advantage or gain from contravening this By-law. The intent of this section is to eliminate or reduce such economic advantage or gain or to deter the Person from further Non-compliance with this By-law.*

45. *Continuing Offences*

45.1 *In the case of a continuing offence, for each day or part of a day that the offence occurs or continues, the maximum fine shall be \$10,000.*

46. *Alternative Set Fine Procedure*

46.1 *In the discretion of the Region, charges may be laid for offences committed in contravention of this By-law using the certificate of offence set fine procedure set out under Part I of the Provincial Offences Act, R.S.O. 1990, Ch. P.33, or any successor legislation.*

47. *Order Prohibiting Continuation*

47.1 *When a Person or Owner has been convicted of an offence under this By-law, and in addition to any other remedy and to any penalty imposed by the By-law including a fine and a remedial action fee as set out in Section 49, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the Person or Owner convicted.*

48. *Work Order*

48.1 *Where the Region is satisfied that a Person or Owner has failed to comply with any provision of this By-law, the Region may, by written notice, issue an Order requiring the Person or Owner to correct the contravention.*

48.2 *The Order shall set out:*

- (a) *The municipal address and/ or the legal description of the property;*
- (b) *Reasonable particulars of the contravention adequate to identify the contravention;*
- (c) *The work to be done and the date by which there must be compliance with the Order.*

48.3 *Every a Person or Owner who contravenes an Order is guilty of an offence.*

48.4 *Any Order issued under this by-law may be given by ordinary mail, registered mail or hand delivered to the address of the Person or Owner according to the last revised assessment roll of the subject property or the notice may be posted at the subject property, and such service shall be deemed good and sufficient service.*

48.5 *Where an Order has been served on an Owner/ Occupant by personal service or posting a copy on the property, it is deemed to be delivered immediately.*

48.6 *Where an Order is given by: ordinary mail it is deemed to have been received three (3) days after mailing; and by registered mail, it is deemed to have been received on date of delivery.*

48.7 *Every Person or Owner shall comply with any Order issued under the authority of this by-law.*

49. *Remedial Actions*

49.1 *Where a Person or Owner is in default of an Order, the Region may, without notice and in addition to any other action, cause the work to be done at the Person or Owner's expense. Without limitation, the Region, its employees,*

*agents or contractors may access and remove such Material or carry out the work required to make the property comply with this By-law.*

*49.2 Any Material removed may be immediately disposed of.*

*49.3 The Region may invoice the Person or Owner for all costs associated with the work done pursuant to Section 48 including, but not limited to, court costs, Regional and/or local government administrative and legal fees, contractors' invoices, disposal fees and interest at a rate of fifteen (15%) per cent per annum from the day the Region incurs such costs. The Region may include a minimum disposal charge of one hundred and fifteen (\$115.00) dollars in the event the Material cleaned up is not separately weighed.*

*49.4 Such costs may be charged and enforced separately or in addition to any other enforcement action undertaken pursuant to this By-law, not as an alternative to same.*

*49.5 In the event that a Person or Owner was provided an invoice for costs in accordance with Section 49, and the invoice is not paid by the Person or Owner within sixty (60) days of issuance, the costs may be recovered by action or by adding the costs to the tax roll and collecting them in the same manner as taxes in accordance with section 446 of the Municipal Act S.O 2001, c.25, as may be amended from time to time.*

*49.6 The amount of the costs constitutes a lien on the land or Premises involved upon the registration in the proper land registry office of a notice of lien.*

## *50. Entry for Enforcement*

*50.1 By-law enforcement officers may enter on private properties or new and redeveloped roadways on private or public properties for the purpose of enforcing this By-law but may not enter a residential dwelling without the occupant's permission or unless so authorized by order of a court of competent jurisdiction.*

## **PART VIII - GENERAL**

### **51. Conflicts of Laws**

*51.1 Where a provision of this By-law conflicts with a provision of another By-law in force in the Region, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.*

### **52. Schedules**

*52.1 The Schedules to this By-law form an integral part of this By-law.*

### **53. Further Information on Material Preparation**

*53.1 More detailed instructions on preparation of Material for collection or drop-off at Regional Drop-Off Location are available on the Region's website at [www.niagararegion.ca](http://www.niagararegion.ca) or in publications updated and distributed by the Region from time to time or by contacting the Waste Info-line at 905-356-4141 or 1-800-594-5542.*

### **54. Delegation of Powers to Commissioner of Public Works**

*54.1 The Commissioner of Public Works or his/her designate is delegated the administrative power by Council to implement minor program changes which have no negative financial impact and/or minimal service level implications to the Waste Management system of the Region under this By-law, including but not limited to:*

- (a) alteration to the classes and lists of Material in this By-law requiring specific treatment or preparation for collection or drop-off at Regional Drop-Off Locations;*
- (b) appoint By-law Enforcement Officers for the purpose of the enforcement of this By-law;*
- (c) changes to the forms in use for notification to the public, such as Friendly Reminders;*

- (d) *changes to the requirements for Material preparation for collection or drop-off at a Regional Drop-Off Location;*
- (e) *changes to the procedure for scheduling collection of specialty items such as Bulky Goods;*
- (f) *changes to the new and redevelopment agreements as set out in Section 20;*
- (g) *temporary changes to access, time schedules or opening hours at Regional Drop-Off Locations; and*
- (h) *establishment of such other matters as are necessary for the proper administration of this By-law*

55. *Severability*

55.1 *If any provision of this By-law is declared invalid for any reason by a court of competent jurisdiction, only that invalid portion of the By-law shall be severed and the remainder of the By-law shall still continue in force.*

56. *Environmental Compliance Approvals*

56.1 *The provisions of this By-law shall be subject to the terms of the Environmental Compliance Approvals for any Regional Drop-Off Location or any other waste management facilities or systems operated by or on behalf of the Region, and any relevant statutes and regulations.*

57. *References*

*Any reference to a statute is to such statute and to the regulations made pursuant to it, as such statute and regulations may at any time be amended or modified and in effect, and to any statute or regulations that may be passed that have the effect of supplementing or superseding such statute or regulations*

58. *Short Title of By-Law*

58.1 *The short title of this By-law is the "Waste Management By-law".*

59. *Force and Effect Date*

*59.1 Except as otherwise specified in this By-law, this By-law shall come into force and effect on the date passed by Regional Council.*

**60. Interpretation**

*60.1 The necessary grammatical changes required to make the provisions of this By-law applicable to corporations, partnerships, trusts and persons, and to include the singular or plural meaning where the context so requires, shall in all cases be assumed as though fully expressed.*

*60.2 The words "include" and "including" are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.*

*60.3 The insertion of headings and the division of this By-law into sections and subsections are for convenience of reference only and shall not affect the interpretation thereof.*

**61. Repeal of Prior By-Laws**

*61.1 By-law No. 63-2015 of the Region previously providing for waste management are hereby revoked and repealed.*

THE REGIONAL MUNICIPALITY OF NIAGARA

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Alan Caslin, Regional Chair

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Natasha L. Devos, Acting Regional Clerk

Passed: June 29, 2017

**COLLECTABLE VOLUME LIMITS****Table 1: Garbage Container Limits**

<b>Type of Premises (as Assessed by MPAC)</b>	<b>Container Limit</b>	<b>Collection Frequency</b>
<p><b>A. Low Density Residential (LDR) Premises including:</b></p> <ul style="list-style-type: none"> <li>• single-family detached with one self-contained unit,</li> <li>• semi-detached residential with 2 residential homes, both self-contained units;</li> <li>• duplex residential structure with 2 self-contained units;</li> <li>• residential buildings with three (3) to six (6) units;</li> <li>• cottage properties with up to six (6) cottages;</li> <li>• Bed and Breakfast establishments with three (3) bedrooms or less;</li> <li>• structures with six (6) or more units that are considered horizontal, row or townhouses or condo housing;</li> <li>• vertical structures where all units have a primary exterior door directly accessing ground level that is visible from the collection point (including stacked townhouse structures)</li> <li>• trailer parks (only those classified as LDR in MPAC),</li> <li>• boarding homes; and</li> <li>• residential farms.</li> </ul>	2 per self-contained unit	Every-other-week
<p><b>B. Multi-Residential Premises are residential buildings containing seven (7) or more self-contained units, including but not limited to, apartments, condominiums and rentals, nursing and retirement homes, cottage properties with seven (7) or more cottages, boarding homes, Group Homes, and vertical structures (stacked townhouses or similar style) where one or more unit does not have a primary external access door directly accessing ground level and cannot be serviced as a Type A Premises, and mobile homes (not assessed by MPAC as Low Density Residential Units).</b></p>	2 per self-contained unit up to a maximum 24 per building	Every-other-week

**COLLECTABLE VOLUME LIMITS**

<b>Type of Premises (as Assessed by MPAC)</b>	<b>Container Limit</b>	<b>Collection Frequency</b>
<i>C. Premises used for one or more institutional, commercial or industrial purposes inside Designated Business Area and Bed and Breakfasts with four (4) or more bedrooms inside Designated Business Areas</i>	<i>Maximum 4 per Premises</i>	<i>Weekly</i>
<i>D. Mixed use Premises used for one or more institutional, commercial or industrial and residential purposes inside Designated Business Area</i>	<i>Maximum 4 per Premises</i>	<i>Weekly</i>
<i>E. Premises used for one or more institutional, commercial or industrial purposes outside Designated Business Area and Bed and Breakfasts with four (4) or more bedrooms outside Designated Business Areas are Type E Premises.</i>	<i>Maximum 8 per Premises</i>	<i>Every-other-week</i>
<i>F. Mixed use Premises used for one or more institutional, commercial or industrial and residential purposes outside Designated Business Area</i>	<i>Maximum 8 per Premises</i>	<i>Every-other-week</i>

**COLLECTABLE VOLUME LIMITS****Table 2: Recycling Container Limits**

<b>Type of Premises (as Assessed by MPAC)</b>	<b>Container Limit</b>	<b>Collection Frequency</b>
<p>A. Low Density Residential (LDR) Premises including:</p> <ul style="list-style-type: none"> <li>• single-family detached with one self-contained unit;</li> <li>• semi-detached residential with 2 residential homes, both self-contained units;</li> <li>• duplex residential structure with 2 self-contained units;</li> <li>• residential buildings with three (3) to six (6) units;</li> <li>• cottage properties with up to six (6) cottages;</li> <li>• Bed and Breakfast establishments with three (3) bedrooms or less;</li> <li>• structures with six (6) or more units that are considered horizontal, row or townhouses or condo housing;</li> <li>• Vertical structures where all units have a primary exterior door directly accessing ground level that is visible from the collection point (including stacked townhouse structures);</li> <li>• trailer parks (only those classified as LDR in MPAC);</li> <li>• boarding homes; and residential farms.</li> </ul>	Unlimited per self-contained unit	Weekly

**COLLECTABLE VOLUME LIMITS**

<b>Type of Premises (as Assessed by MPAC)</b>	<b>Container Limit</b>	<b>Collection Frequency</b>
<i>B. Multi-Residential Premises are residential buildings containing seven (7) or more self-contained units, including but not limited to, apartments, condominiums and rentals, nursing and retirement homes, cottage properties with seven (7) or more cottages, boarding homes, Group Homes, and vertical structures (stacked townhouses or similar style) where one or more unit does not have a primary external access door directly accessing ground level and cannot be serviced as a Type A Premises, and mobile homes (not assessed by MPAC as Low Density Residential Units).</i>	<i>Unlimited with guideline for 1 Cart for every 20 units for Blue Box Material and 1 Cart for every 11 units for Grey Box Material or to be determined by the Region</i>	<i>Weekly</i>
<i>C. Premises used for one or more institutional, commercial or industrial purposes inside Designated Business Area and Bed and Breakfasts with four (4) or more bedrooms inside Designated Business Areas.</i>	<i>Unlimited</i>	<i>Weekly</i>
<i>D. Mixed use Premises used for one or more institutional, commercial or industrial and residential purposes inside Designated Business Area.</i>	<i>Unlimited</i>	<i>Weekly</i>
<i>E. Premises used for one or more institutional, commercial or industrial purposes outside Designated Business Area and Bed and Breakfasts with four (4) or more bedrooms outside Designated Business Areas are Type E Premises.</i>	<i>Combined limit of the eight (8) Blue and Grey Carts or the equivalent in Blue and Grey Boxes as determined solely by the <u>Region</u>.</i>	<i>Weekly</i>
<i>F. Mixed use Premises used for one or more institutional, commercial or industrial and residential purposes outside Designated Business Area.</i>	<i>Unlimited</i>	<i>Weekly</i>

**COLLECTABLE VOLUME LIMITS****Table 3: Organic Container Limits**

<b>Type of Premises (as Assessed by MPAC)</b>	<b>Container Limit</b>	<b>Collection Frequency</b>
<p>A. Low Density Residential (LDR) Premises including:</p> <ul style="list-style-type: none"> <li>• single-family detached with one self-contained unit;</li> <li>• semi-detached residential with 2 residential homes, both self-contained units;</li> <li>• duplex residential structure with 2 self-contained units;</li> <li>• residential buildings with three (3) to six (6) units;</li> <li>• cottage properties with up to six (6) cottages;</li> <li>• Bed and Breakfast establishments with three (3) bedrooms or less;</li> <li>• structures with six (6) or more units that are considered horizontal, row or townhouses or condo housing;</li> <li>• Vertical structures where all units have a primary exterior door directly accessing ground level that is visible from the collection point (including stacked townhouse structures);</li> <li>• trailer parks (only those classified as LDR in MPAC);</li> <li>• boarding homes; and</li> <li>• residential farms.</li> </ul>	Unlimited per self-contained unit	Weekly

**COLLECTABLE VOLUME LIMITS**

<b>Type of Premises (as Assessed by MPAC)</b>	<b>Container Limit</b>	<b>Collection Frequency</b>
<i>B. Multi-Residential Premises are residential buildings containing seven (7) or more self-contained units, including but not limited to, apartments, condominiums and rentals, nursing and retirement homes, cottage properties with seven (7) or more cottages, boarding homes, Group Homes, and vertical structures (stacked townhouses or similar style) where one or more unit does not have a primary external access door directly accessing ground level and cannot be serviced as a <u>Type A</u> Premises, and mobile homes (not assessed by MPAC as Low Density Residential Units).</i>	<i>Quantity as determined by the Region on a request only basis for Green Bins or Carts</i>	<i>Weekly</i>
<i>C. Premises used for one or more institutional, commercial or industrial purposes inside Designated Business Area and Bed and Breakfasts with four (4) or more bedrooms inside Designated Business Areas</i>	<i>Unlimited</i>	<i>Weekly</i>
<i>D. Mixed use Premises used for one or more institutional, commercial or industrial and residential purposes inside Designated Business Area</i>	<i>Unlimited</i>	<i>Weekly</i>
<i>E. Premises used for one or more institutional, commercial or industrial purposes outside Designated Business Area and Bed and Breakfasts with four (4) or more bedrooms outside Designated Business Areas are Type E Premises.</i>	<i>Limit of eight (8) Green Carts or the equivalent number of Green Bins as determined solely by Niagara Region.</i>	<i>Weekly</i>
<i>F. Mixed use Premises used for one or more institutional, commercial or industrial and residential purposes outside Designated Business Area</i>	<i>Unlimited</i>	<i>Weekly</i>

## **FRIENDLY REMINDER NOTICE**



Dear Property Owner/Tenant:

Failure to comply with the following may result in charges under Niagara Region's Waste Management By-Law. To ensure compliance with guidelines noted below, Enforcement Staff will return to the property on: \_\_\_\_\_

### **NON-COMPLIANT SETOUT**

- ☐ Garbage placed at the curb on the wrong week
- ☐ Materials (garbage, recycling, Green Bin, large household items, etc.) must **NOT** be set out before 5 p.m. on the evening before scheduled collection and must be at the curb by 7 a.m., the day of collection.
- ☐ Containers and any material not collected **MUST** be removed from the curbside no later than 7 p.m. on your collection day
- ☐ Container or bag is more than 91 cm (3ft.) in height by 61 cm (2 ft.) in diameter and/or has an affixed lid
- ☐ Materials must **NOT** be placed at the curbside in an uncontained pile
- ☐ Containers or bags weigh more than 22.7 kg (50 lbs)
- ☐ Materials must be removed immediately from the curbside

### **OVER LIMIT**

- ☐ Your property is over the maximum garbage container/bag limit of \_\_\_\_ per collection
- ☐ Property does not have a diaper exemption

### **BULKY GOODS/LARGE ITEMS**

- ☐ Residents of single-family, semi-detached or properties with six units or less are required to:  
Complete the online booking form at [niagararegion.ca/waste](http://niagararegion.ca/waste) or call GFL 1-855-971-4550 at least **2 BUSINESS DAYS IN ADVANCE** of your regular collection day to arrange a **FREE** pick up.
- ☐ A maximum of four items can be booked for collection
- ☐ Large item pick up is not available for:
  - Apartments with 7 or more units
  - Mixed use properties (commercial and residential)
  - Commercial, industrial or institutional properties

Waste Info-Line  
905-356-4141 or 1-800-594-5542  
Monday to Friday: 8 a.m. – 5 p.m.

Niagara  Region  
[niagararegion.ca/waste](http://niagararegion.ca/waste)

## **FRIENDLY REMINDER NOTICE**

	<b>FRIENDLY REMINDER</b> Curbside Collection Services
<b>UNACCEPTABLE MATERIALS</b>	
<ul style="list-style-type: none"><li><input type="checkbox"/> Household Hazardous Waste. Accepted <b>FREE</b> of charge at Household Hazardous Waste Depot. Commercial material not accepted.</li><li><input type="checkbox"/> Syringes and sharps</li><li><input type="checkbox"/> Automotive parts and tires</li><li><input type="checkbox"/> Electronics, appliances and metal household items</li><li><input type="checkbox"/> Construction, renovation or demolition materials. Materials can be taken directly to the landfill. Disposal fees will apply.</li><li><input type="checkbox"/> Garbage containing recycling, Green Bin or Leaf &amp; Yard Materials</li></ul>	
<b>BLUE/GREY BOX</b>	
<ul style="list-style-type: none"><li><input type="checkbox"/> Mixed Blue and Grey Box materials are <b>NOT</b> acceptable</li><li><input type="checkbox"/> Material not accepted in recycling program</li><li><input type="checkbox"/> All plastic bags and recyclable plastic film and outer-wrap must be placed inside one plastic bag (not loose) in the Grey Box</li><li><input type="checkbox"/> Cardboard must be bundled together and no larger than 91 cm (3 ft.) x 91 cm (3 ft.) x 91 cm (3 ft.)</li></ul>	
<b>GREEN BIN/LEAF &amp; YARD/BRANCHES</b>	
<ul style="list-style-type: none"><li><input type="checkbox"/> Grass not collected curbside</li><li><input type="checkbox"/> Sod, soil, stumps, gravel are not collected curbside</li><li><input type="checkbox"/> Liquid material is not permitted in the Green Bin</li><li><input type="checkbox"/> Material must <b>NOT</b> be placed in plastic bags or cardboard boxes for collection</li><li><input type="checkbox"/> Loose materials including leaves and branches are not accepted</li><li><input type="checkbox"/> Branches are only collected on designed collection weeks. The next collection week in your area is</li></ul>	
<hr/>	
<ul style="list-style-type: none"><li><input type="checkbox"/> Branches <b>MUST</b> be tied in bundles no longer than 1.5 m (5 ft.) and no wider than 0.5 m (1.6 ft.). Individual branches cannot exceed 7 cm (2.7 in.) in diameter.</li></ul>	
<b>NOTES/COMMENTS</b>	
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<b>Waste Info-Line</b> 905-356-4141 or 1-800-594-5542 Monday to Friday: 8 a.m. – 5 p.m.	<b>Niagara Region</b>  <a href="http://niagararegion.ca/waste">niagararegion.ca/waste</a>

August 12, 2021

Ms. Ann-Marie Norio  
Regional Clerk  
Office of the Regional Clerk

Dear Ms. Norio,

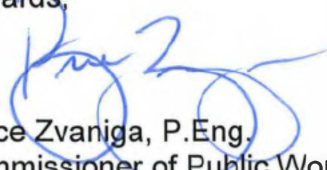
In accordance with the Waste Management By-law 2017-56 as amended by By-Law 2020-62 and 2021-06, Section 54, Delegation of Powers to the Commissioner of Public Works, the Commissioner has the authority to appoint By-law Enforcement Officers for the purpose of enforcement of the Waste Management By-law.

This letter hereby appoints and confirms the following individuals, who are employees of the Corporation and have the required experience and training, to act as By-law Enforcement Officers for the provisions of the Waste Management By-law:

1. Jennifer Wilson, Supervisor Waste Management (existing)
2. Kate Ashbridge, Supervisor Waste Management (existing)
3. Allan Forster, Waste Disposal Technologist (existing)
4. Isaac VanRavenswaay, Supervisor, Waste Disposal Operations (existing)
5. Catherine Habermebl, Director, Waste Management Services (existing)
6. Lucy McGovern, Program Manager (existing)
7. Nicholas Lidstone, Contract Supervisor (existing)
8. Cheryl Crawley, Advisor, Collection & Diversion Operations (existing)
9. Peter DiPietro, Advisor, Collection & Diversion Operations (existing)
10. Mariano Singzon, Supervisor Waste Disposal Operations (new)
11. Christine Combe, Advisor, Collection & Diversion Operations (new)
12. Joshua Handley, Advisor, Collection & Diversion Operations (new)

This letter shall be placed on file to confirm the appointment of the individuals as By-law Officers of the Waste Management By-law 2017-56 or as amended.

Regards,

  
Bruce Zvaniga, P.Eng.  
Commissioner of Public Works (Interim)