

## BYLAW NO. 9775

### The Waste Amendment Bylaw, 2021

The Council of the City of Saskatoon enacts:

#### Short Title

1. This Bylaw may be cited as *The Waste Amendment Bylaw, 2021*.

#### Purpose

2. The purpose of this Bylaw is to amend *The Waste Bylaw, 2004* to:
  - (a) require all industrial, commercial and institutional premises to to:
    - (i) have separate containers for garbage and recyclable material; and
    - (ii) educate employees and tenants about recycling;
  - (b) require certain industrial, commercial and institutional premises to:
    - (i) have separate containers for organic material; and
    - (ii) educate employees and tenants about organic material;
  - (c) permit industrial, commercial and institutional premises to apply for exemptions from the requirements respecting recyclable or organic material;
  - (d) require all industrial, commercial and institutional premises to remove waste, recycling and, if applicable, organic material and commercial cooking grease from their property, and deposit at an appropriate facility;
  - (e) repeal provisions respecting manual waste collection; and
  - (f) make minor housekeeping amendments.

### **Bylaw No. 8310 Amended**

3. *The Waste Bylaw, 2004* is amended in the manner set forth in this Bylaw.

### **Section 2 Amended**

4. Section 2 is repealed and the following substituted:

- “2. The purpose of this Bylaw is to protect the health and welfare of people and the environment by regulating the collection, handling and disposal of waste within the City.”.

### **Section 3 Amended**

5. Section 3 is repealed and the following substituted:

- “3. In this Bylaw:

- (a) **“approved container”** means a container for disposal of waste that meets the requirements of this Bylaw and the General Manager and that has been approved for use in the City by the General Manager;
    - (b) **“automated collection”** means the collection of waste by a system of mechanical lifting and tipping of containers into specially designed vehicles;
    - (c) **“bin”** means an approved container of a size greater than one half cubic metre that is capable of automated collection;
    - (d) **“commercial cooking grease”** means cooking grease generated by an industrial, commercial or institutional premises;
    - (e) **“commercial cooking grease container”** means an approved container used for disposal of commercial cooking grease;
    - (f) **“commercial premises”** means a premises principally used for the conduct of a profession, business or undertaking, and includes any premises that is not a residence or a premises connected to a residence, but does not include an industrial or institutional premises;

- (g) **“commercial waste container”** means an approved container for use at industrial, commercial or institutional premises that is capable of automated collection, and includes a bin, roll-out cart and stationary container;
- (h) **“environmental protection officer”** means a person appointed by the General Manager to act as a municipal inspector for the purposes of enforcing this Bylaw;
- (i) **“garbage”** means any waste other than recyclable material, special waste, commercial cooking grease and unacceptable waste;
- (j) **“garbage container”** means an approved container for collecting garbage;
- (k) **“General Manager”** means the General Manager of Utilities and Environment, or designate;
- (l) **“home based business”** means a home based business as defined in the *Zoning Bylaw*;
- (m) **“industrial premises”** means a premises principally used for manufacturing, processing, assembling, cleaning, servicing, repairing, testing, storage, distribution or warehousing of materials, goods or equipment;
- (n) **“institutional premises”** means a premises principally used as a temporary place of abode, including a hotel, motel, school, dormitory, church, prison, senior citizens home, special care home, community home and hospital, but does not include a residence;
- (o) **“material recovery centre”** means a facility approved by the General Manager to accept recyclable material from industrial, commercial and institutional premises;
- (p) **“medical health officer”** means a medical health officer for the Saskatchewan Health Authority;
- (q) **“multiple-unit residence”** means:
  - (i) a building or portion of a building designed for or occupied as five or more residences, but does not include an institutional premises; or
  - (ii) a residence best serviced by stationary containers, as determined by the General Manager;

- (r) **“occupant”** means an occupant as defined in *The Cities Act*;
- (s) **“owner”** means an owner as defined in *The Cities Act*;
- (t) **“organic material”** means any organic material listed in Schedule “G”;
- (u) **“organic material container”** means an approved container for collecting organic material;
- (v) **“putrescible”** means capable of being putrid;
- (w) **“recyclable material”** means any material listed in Schedule “E”;
- (x) **“recycling container”** means an approved container for collecting recyclable material;
- (y) **“residence”** means a dwelling of any type as defined in the *Zoning Bylaw*;
- (z) **“roll-out cart”** means an approved container on wheels, approximately 0.4 cubic metres in volume and designed for automated collection;
- (aa) **“scavenge”** means the unauthorized interference with, or the unauthorized inspection, disturbance, disruption or removal of, waste;
- (bb) **“special collection area”** means an area prescribed by the General Manager where, because of its configuration, normal collection practices are impractical, and may include an area such as a cul-de-sac, a townhouse complex or a narrow lane;
- (cc) **“special waste”** means any special waste listed in Schedule “C”;
- (dd) **“stationary container”** means an approved container intended to be used for waste collection from more than one residence or for commercial use that is approximately one cubic metre in volume and capable of automated collection;
- (ee) **“unacceptable waste”** means any unacceptable waste listed in Schedule “C”;
- (ff) **“waste”** includes commercial cooking grease, garbage, organic material, recyclable material, special waste and unacceptable waste;

- (gg) **“waste container”** means any approved container, including a bin, roll-out cart, garbage container, stationary container, recycling container, residential waste container, commercial waste container and commercial cooking grease container;
- (hh) **“waste disposal site”** means a City operated compost or recycling depot or hazardous household waste collection point or any provincially approved waste disposal site;
- (ii) **“Waste Management Centre”** means the Saskatoon Regional Waste Management Centre (Landfill).”.

### **Section 5 Amended**

6. Section 5 is repealed and the following substituted:

- “5. No person shall dispose of waste, other than special waste or unacceptable waste, anywhere in the City other than in a waste container, at the Waste Management Centre or at a waste disposal site.”.

### **Section 6 Amended**

7. Section 6 is repealed and the following substituted:

- “6. No person shall dispose of special waste anywhere in the City except at a waste disposal site approved to accept special waste or in accordance with Clause 12(a) or Subsection 57(4).
- 6.1 No person shall dispose of unacceptable waste anywhere in the City except at a site approved by the provincial government to accept unacceptable waste or in accordance with Subsection 57(2).”.

### **Section 7 Amended**

8. Section 7 is repealed and the following substituted:

- “7. A person who has disposed of or placed waste contrary to this Bylaw shall remove the waste or cause the waste to be removed upon being directed to do so by:
  - (a) the owner or occupant of the land on which the waste was disposed of or placed;

- (b) the General Manager;
- (c) a medical health officer;
- (d) the Fire Chief of the Saskatoon Fire Department;
- (e) a peace officer; or
- (f) an environmental protection officer.”.

### **Section 8 Amended**

9. Section 8 is repealed and the following substituted:

- “8. If the identity of the person who placed waste on land contrary to this Bylaw cannot reasonably be ascertained, the owner or occupant of the land shall remove the waste or cause the waste to be removed upon being directed to do so by any person mentioned in Clauses 7(b) to (f).”.

### **Section 8.1 Amended**

10. Section 8.1 is amended by striking out “under Sections 5 or 6” and substituting “pursuant to this Bylaw”.

### **Section 9 Amended**

11. Section 9 is amended by striking out “of” and substituting “or occupant of a”.

### **Section 10 Amended**

12. Section 10 is repealed and the following substituted:

- “10. No owner or occupant of a property shall place waste in any waste container other than a waste container assigned to that owner or occupant’s property.”.

### **Section 11 Amended**

13. Section 11 is repealed and the following substituted:

- “11. No person shall at any time scavenge waste in a waste container, other than:
- (a) the owner or occupant of a property to which the waste container is assigned;
  - (b) a person permitted by the owner or occupant of a property to which a waste container is assigned; or
  - (c) the City or a person authorized by the City.”.

### **Section 12 Amended**

14. Clause 12(a) is amended by striking out “or unacceptable”.

### **Section 13 Amended**

15. Section 13 is repealed and the following substituted:

- “13. The City, or a person working on behalf of the City, may refuse to empty any waste container that:
- (a) is unclean or unsanitary;
  - (b) is improperly placed;
  - (c) cannot be easily or safely accessed;
  - (d) is locked or in an enclosure that is locked;
  - (e) contains special waste or unacceptable waste, or other waste that is improperly prepared or placed;
  - (f) poses a danger to health or safety;
  - (g) may cause damage to a waste collection vehicle or equipment;
  - (h) in combination with its contents, exceeds the maximum permitted weight; or
  - (i) is not an approved container.”.

### **Section 14 Amended**

16. Section 14 is repealed and the following substituted:

#### **“Waste Collection Vehicles**

14. No person shall at any time scavenge waste from a waste collection vehicle, other than the City, a person authorized by the City or the owner or operator of the vehicle.”.

### **Section 15 Amended**

17. Section 15 is repealed and the following substituted:

#### **“Disposition of Waste**

15. The City may dispose of, recycle or reuse in any manner any waste delivered to or collected by the City or a person acting on the City’s behalf.”.

### **Section 17 Amended**

18. Clause 17(a) is amended by adding “in a manner that prevents the lid from freely and completely closing” after “waste container”.

### **Section 18 Amended**

19. Clause 18(a) is repealed and the following substituted:

“(a) thoroughly drain all garbage and wrap and securely tie it in a paper or plastic bag;”.

### **Section 22 Amended**

20. Section 22 is repealed and the following substituted:

“22. No person shall leave any vehicle containing a full or partial load of waste parked overnight on a public right-of-way or on private property in a residential area.”.



### **Section 23 Amended**

21. Section 23 is repealed and the following substituted:

“23. The General Manager:

- (a) shall determine the type of waste collection to be provided to each residence in the City; and
- (b) may temporarily limit or cease collection services from residences due to inclement weather or other emergency situations.”.

### **Section 25 Amended**

22. Section 25 is amended by striking out “be provided with a” and substituting “have access to a publicly available”.

### **Part III, Division II Repealed**

23. Division II of Part III is repealed.

### **Section 31 Amended**

24. Section 31 is amended by striking out “waste” wherever it appears.

### **Section 32 Amended**

25. Section 32 is repealed and the following substituted:

“32. Unless otherwise directed by the General Manager, roll-out carts shall be:

- (a) set out at the curb by 7:00 a.m. on collection day and placed:
  - (i) at least 1.3 metres from any obstructions such as parked vehicles;
  - (ii) so that they will not be likely to overturn;
  - (iii) in an upright position with the lid closed;
  - (iv) so that they do not obstruct pedestrian or vehicular traffic;

- (v) if intended for front street collection:
  - (A) directly in front of the residence to which the roll-out cart is assigned;
  - (B) on the street at the curb, or on the driveway at the street; and
  - (C) with the front of the cart facing the street;
- (vi) if intended for back alley collection:
  - (A) in the designated collection area directly behind the residence to which the roll-out cart is assigned;
  - (B) adjacent to the alley on level ground, and not on a step or raised platform of any kind; and
  - (C) with the front of the cart facing the alley;
- (b) removed from the street as soon as possible, and in any event within the time identified in Clause 12(c); and
- (c) stored on the property of the residence when not placed out for collection.”.

**Section 37 Amended**

26. Section 37 is repealed and the following substituted:

“37. Bins shall, at the expense of the owner of the multiple-unit residence, be:

- (a) supplied by the owner of the multiple-unit residence;
- (b) maintained in good mechanical condition and repaired or replaced as necessary or as required by the General Manager;
- (c) maintained in a clean and sanitary state;
- (d) placed at grade on a dry, firm, level surface; and
- (e) located or relocated as directed by the General Manager.”.

### **Section 38 Amended**

27. Subsection 38(1) is repealed and the following substituted:

- “38. (1) All bins must be:
- (a) constructed of metal or non-combustible material;
  - (b) capable of automated collection;
  - (c) clearly marked “No Parking” on the loading face of the bin;
  - (d) equipped with a lid that is capable of being locked; and
  - (e) marked to identify the type of waste the bin collects, as directed by the General Manager.”.

### **Section 39 Amended**

28. Subsection 39(1) is repealed and the following substituted:

- “39. (1) A bin may, subject to any terms and conditions imposed by the General Manager and with the approval of the General Manager, be stored in an enclosure.”.

### **Part IV Amended**

29. Part IV is repealed and the following substituted:

#### **“Part IV Industrial, Commercial and Institutional Premises**

##### **Home Based Businesses**

47. This Part does not apply to home based businesses.

##### **Required Containers**

47.1 (1) The owner or occupant of an industrial, commercial or institutional premises must ensure adequate waste containers are available for the separate storage and disposal of:

- (a) garbage;
  - (b) recyclable material;
  - (c) in the case of a premises that generates organic material as part of its operations, organic material; and
  - (d) in the case of a premises that generates cooking grease as part of its operations, commercial cooking grease.
- (2) For the purposes of Subsection (1) and Clause 75(2)(b), “**adequate waste containers**” means waste containers that are:
- (a) maintained in a sanitary state;
  - (b) clearly labelled to identify what type of material may be deposited into the container;
  - (c) sufficient to contain the volume of garbage, recyclable material, and, if applicable, organic material and commercial cooking grease, generated at the premises;
  - (d) equipped with a lid that is capable of being locked; and
  - (e) kept closed, except while material is being deposited into the container or while the container is being emptied.
- (3) The following are examples of premises that generate organic material within the meaning of Clause (1)(c):
- (a) food services;
  - (b) beverage, food and tobacco manufacturers;
  - (c) daycare services;
  - (d) florists;
  - (e) landscaping services;
  - (f) nurseries and garden centres; and
  - (g) supermarkets and other grocery stores.

### **Disposal of Cooking Grease**

48. Owners and occupants of industrial, commercial or institutional premises must ensure that commercial cooking grease is deposited into a commercial cooking grease container.

### **Education Requirements**

49. (1) An owner or occupant of an industrial, commercial or institutional premises shall provide, at least annually as well as within 60 days of the commencement of a new tenancy, education or information to its employees or tenants respecting:
- (a) disposal of recyclable material; and
  - (b) if applicable, disposal of organic material.
- (2) The education mentioned in Subsection (1) must, at a minimum:
- (a) identify the material that may be deposited into different waste containers used at the premises;
  - (b) explain the proper method of preparing and sorting waste for waste collection; and
  - (c) meet any additional requirements that may be established by the General Manager.

### **Exemption**

50. (1) An owner or occupant of an industrial, commercial or institutional premises may apply to the General Manager to be exempted from some or all of the requirements of this Part with respect to recyclable material, organic material, or both.
- (2) The General Manager may grant an exemption mentioned in Subsection (1) if the General Manager is satisfied that:
- (a) the premises does not routinely generate recyclable or organic material;
  - (b) there are risks that cannot be mitigated to the satisfaction of local waste processors and that inhibit the ability of the premises to dispose of waste as required;

- (c) due to a large production of a single type of organic waste, the premises is unable to find a local waste processor; or
  - (d) for any other reason outside of its control, the premises is unable to satisfy the requirements of this Part.
- (3) An owner or occupant that is granted an exemption pursuant to Subsection (2) shall notify the General Manager immediately in the event their circumstances change in a manner that affects or may affect their eligibility for an exemption.
  - (4) No person shall give false or misleading information in an application for an exemption.

### **Removal of Waste by Premises**

- 51. (1) In cases where the City is not collecting waste from an industrial, commercial or institutional premises pursuant to Section 52, the owner or occupant of the premises shall ensure that waste is removed before the waste becomes unsightly or unsanitary.
- (2) The owner or occupant of an industrial, commercial or institutional premises must ensure that:
  - (a) garbage is taken to a waste disposal site;
  - (b) recyclable material is taken to a material recovery facility; and
  - (c) if applicable, organic material is taken to an organic material recovery facility.
- (3) Notwithstanding Clause 2(c), an owner or occupant may, with the prior approval of the General Manager, conduct on-site composting of organic material generated at the premises.
- (4) An owner or occupant conducting on-site composting pursuant to Subsection (3) must comply with provincial, federal and municipal regulation as well as any terms and conditions imposed by the General Manager.

### **Removal of Waste by City**

52. (1) The General Manager may enter into agreements to collect waste from industrial, commercial or institutional premises.
- (2) All agreements mentioned in Subsection (1) shall, in addition to any other terms that the General Manager may stipulate, contain the following terms:
- (a) the waste container shall be clearly marked “No Parking” on the loading face;
  - (b) the owner of the premises shall provide a lock for any waste container;
  - (c) the City shall not lock or unlock any waste container;
  - (d) the owner of the premises shall ensure that the waste container is unlocked by 7:00 a.m. on the scheduled collection day and on any on-call collection day;
  - (e) if the owner of the premises fails to unlock the waste container for collection and the General Manager agrees to unload the container before the next scheduled collection, the owner shall pay an additional collection charge as set out in Schedule “A”;
  - (f) a minimum collection frequency for the premises to ensure that all waste is removed before it becomes unsightly or unsanitary;
  - (g) that the charges for collection of waste be those set out in Schedule “A”;
  - (h) that billing shall be quarterly, and minimum quarterly billing shall apply as provided in Schedule “A”.
- (3) Unless other arrangements are made with the General Manager, the City shall not collect special or unacceptable waste from industrial, commercial or institutional premises.

### **Private Waste Haulers**

53. All private waste haulers operating within the City shall provide, in a format acceptable to and within the time required by the General Manager, annual reports of the volume and types of waste collected within City limits.”.

### **Section 54 Amended**

30. Subsection 54(1) is repealed and the following substituted:

- “54. (1) Any owner or contractor carrying out the construction, alteration or demolition of a building, structure or landscaping feature on any property shall:
- (a) place all waste in a waste container;
  - (b) in a timely manner, dispose of all waste resulting from the construction, alteration or demolition to ensure there is no unreasonable accumulation of waste on the property during the construction, alteration or demolition;
  - (c) take all reasonable steps to prevent the waste from being dispersed, by wind or in any other manner, on or around the property or surrounding properties; and
  - (d) upon completion of the construction, alteration or demolition, clear the property of all waste.”.

### **Part VI Heading and Section 57 Amended**

31. The Part VI heading preceding section 57 and section 57 are repealed and the following substituted:

**“Part VI  
Waste Management Centre and Waste Disposal Sites**

#### **General Provisions**

57. (1) Subject to Subsection (2), no person shall deposit unacceptable waste at the Waste Management Centre or a waste disposal site.
- (2) Unacceptable waste, or a specified type of unacceptable waste, may be deposited at the Waste Management Centre at any location



designated by the City to accept unacceptable waste or a specified type of unacceptable waste.

- (3) Subject to Subsection (4), no person shall deposit special waste at the Waste Management Centre.
- (4) A person who provides at least 24 hours' notice may, at the discretion of the General Manager, be permitted to deliver special waste to the Waste Management Centre upon providing such approvals as the General Manager may request.
- (5) The General Manager may inspect all waste brought to the Waste Management Centre or a waste disposal site to determine if the waste contains special waste, unacceptable waste or recyclable material.
- (6) Loads containing special waste or unacceptable waste may be refused.
- (7) Any person disposing of a load at the Waste Management Centre that contains more than 10% by weight of recyclable material shall pay the rate for Surcharged Material set out in Schedule "B".
- (8) Where a person disposes of waste at the Waste Management Centre or a waste disposal site contrary to the terms of this Bylaw, the City may remove the waste from the Waste Management Centre or waste disposal site, and the costs of so doing are a debt due to the City from the person who disposed of the waste."

### **Section 58 Amended**

32. Section 58 is repealed and the following substituted:

- "58. (1) Every person who attends the Waste Management Centre or a waste disposal site shall comply with all instructions, directions and signs.
- (2) Without limiting the generality of Subsection (1), every person who attends the Waste Management Centre shall report to the weigh scale."

### **New Section 58.1 Added**

33. The following section is added after section 58:

**“Payment of Fees**

- 58.1 (1) For the purposes of this Section and Schedule “F”, **“compost commercial hauler”** means a person who disposes of materials at a compost depot for commercial purposes.
- (2) Unless other arrangements have first been made with the City:
- (a) every person shall pay the applicable fee for disposal at the Waste Management Centre scale house as set out in Schedule “B”; and
  - (b) every compost commercial hauler shall pay:
    - (i) the applicable fee for access to a compost depot as set out in Schedule “F”; and
    - (ii) any additional applicable fee established by the General Manager, which may be a flat fee or a fee based on the weight of the compost or soil deposited.
- (3) Any person with an outstanding balance owing to the Waste Management Centre or a compost depot may be refused access to the Waste Management Centre or any compost depot until the outstanding balance has been paid in full.”.

**Section 59 Amended**

34. Section 59 is repealed and the following substituted:

- “59. Any person may, at the discretion of the General Manager, be refused access to the Waste Management Centre or a waste disposal site if they:
- (a) use abusive, threatening or disrespectful language or gestures;
  - (b) fail to report to the weigh scale;
  - (c) fail to comply with instructions, directions or signs; or
  - (d) otherwise behave in an unsafe or unacceptable manner.”.

### **Section 61 Amended**

35. Subsection 61(2) is repealed and the following substituted:

“(2) No person shall at any time scavenge waste from the Waste Management Centre or a waste disposal site without the prior authorization of the General Manager.”.

### **Section 62 Amended**

36. (1) Subsection 62(2) is repealed.

(2) Subsection 62(3) is repealed.

(3) Subsection 62(4) is repealed and the following substituted:

“(4) No person shall:

- (a) place recyclable material at a recycling depot anywhere other than in a recycling container;
- (b) place waste, other than recyclable material, in, on or around a recycling container or anywhere at a recycling depot;
- (c) fail to flatten cardboard prior to disposal; or
- (d) place any recyclable material in a recycling container that is not designated to accept that type of recyclable material.”.

### **Section 65 Amended**

37. The following subsection is added after subsection (4):

“(5) The General Manager may temporarily close or suspend the collection services at a recycling depot.”.

### **Section 66 Amended**

38. Subsection 66(2) is repealed and the following substituted:

- “(2) Subject to Subsection (3), recycling containers at City recycling depots shall be for residential users only and, for further certainty, may not be used by industrial, commercial or institutional premises.
- (3) Small businesses may, subject to any terms or conditions imposed by the General Manager, be permitted by the General Manager to use City recycling depots.”.

### **Heading “Appointment of Bylaw Enforcement Officers” Amended**

- 39. The heading “Appointment of Bylaw Enforcement Officers” preceding section 67 is struck out and the heading “Appointment of Environmental Protection Officers” is substituted.

### **Section 67 Amended**

- 40. Subsection 67(2) is amended by striking out “municipal inspectors” and substituting “environmental protection officers”.

### **Section 68 Amended**

- 41. Subsection 68(1) is repealed and the following substituted:
  - “(1) The General Manager or an environmental protection officer is authorized to inspect property to determine if there is compliance with this Bylaw, including to confirm eligibility for an exemption mentioned in Section 50.”.

### **Section 71 Amended**

- 42. (1) Subsection 71(1) is repealed and the following substituted:
  - “(1) The Environmental Management Appeal Board is established.”.
  - (2) Subsection 71(3) is amended by striking out “Environment” and substituting “Environmental”.

### **New Section 74.1**

- 43. The following section is added after section 74:

**“Responsibility**

74.1 Unless otherwise specified, the owner or occupant of a property is responsible for complying with the provisions of this Bylaw, and both may be held jointly or severally liable for a contravention of or failure to comply with this Bylaw.”.

**Section 75 Amended**

44. Section 75 is repealed and the following substituted:

“75. (1) Every person commits an offence who:

- (a) allows waste of any kind to accumulate in or on any land or building except as permitted in this Bylaw;
- (b) places or disposes of waste other than as permitted in this Bylaw;
- (c) fails to take proper measures to prevent waste from escaping from a vehicle transporting waste, or allows waste to escape from a vehicle transporting waste;
- (d) being the owner or operator of a vehicle used in carrying out the construction, alteration or demolition of any building, structure or landscaping, allows any earth or waste to be deposited upon a street or sidewalk by or from such vehicle, or fails to remove such earth or waste from the street or sidewalk;
- (e) without authorization, scavenges waste from a waste container, waste disposal site or waste collection vehicle or from the Waste Management Centre;
- (f) causes or permits any loss of or damage to a City owned waste container;
- (g) leaves a waste container on a public right-of-way for more than 24 hours preceding collection day;
- (h) leaves a waste container on a public right-of-way on or after 7:00 p.m. on collection day;
- (i) fails to maintain a waste container in a sanitary state; or

- (j) places waste other than recyclable material in a recycling container or at a recycling depot.
- (2) Every owner or occupant of an industrial, commercial or institutional premises commits an offence who:
- (a) fails to maintain the necessary waste containers;
  - (b) fails to maintain adequate waste containers;
  - (c) fails to dispose of waste in an appropriate container;
  - (d) fails to ensure waste is removed before it becomes unsanitary or unsightly;
  - (e) fails to ensure that waste is taken to an acceptable place;
  - (f) conducts on-site composting without approval;
  - (g) in conducting on-site composting, fails to comply with provincial, federal or municipal regulation or any terms or conditions imposed by the General Manager;
  - (h) fails to provide the required education or information to its employees or tenants;
  - (i) fails to notify the General Manager of a change in circumstances that affects or may affect their eligibility for an exemption;
  - (j) disposes of waste at a recycling depot; or
  - (k) gives false or misleading information in an application for an exemption.”.

### **Section 76 Amended**

45. Section 76 is repealed and the following substituted:

“76. No person shall:

- (a) contravene or fail to comply with an order made pursuant to this Bylaw;
- (b) contravene or fail to comply with any provision of this Bylaw;

- (c) contravene or fail to comply with any term or condition imposed by the General Manager pursuant to this Bylaw;
- (d) obstruct or interfere with an environmental protection officer or any other person acting pursuant to the authority of this Bylaw; or
- (e) fail to provide their name, address and date of birth upon request by an environmental protection officer or any other person acting pursuant to the authority of this Bylaw.”.

**Section 77 Amended**

46. Section 77 is amended by striking out “Section 75” and substituting “Subsection 75(1)”.

**Section 77.1 Amended**

47. Section 77.1 is amended by striking out “Clauses 75(1)(b) or 75(2)(b)” and substituting “Clause 75(1)(b)”.

**New Section 77.2**

48. The following section is added after section 77.1:

“77.2 Any person who contravenes a provision of Subsection 75(2) is guilty of an offence and liable on summary conviction to a minimum fine:

- (a) for a first offence, of \$500.00;
- (b) for a second offence, of \$1,000.00; and
- (c) for a third or subsequent offence, of \$2,000.00.”.

**Section 78 Amended**

49. (1) Section 78 is amended by striking out “municipal inspector” wherever it appears and substituting “environmental protection officer”.
- (2) Clause 78(2)(c) is amended by striking out “the Office of the City Treasurer” and substituting “Corporate Revenue”.

### **Section 80 Amended**

50. Subsection 80(1) is repealed and the following substituted:

“(1) No environmental protection officer or peace officer may issue a notice of violation for a third or subsequent offence.”.

### **Schedule “C” Amended**

51. Schedule “C” is amended by:

(a) repealing clause (e) and substituting the following:

“(e) Biomedical waste, meaning medical waste that requires special precautions in disposal due to environmental, aesthetic or health and safety concerns, including:

- (i) human anatomical waste;
- (ii) infectious human waste;
- (iii) infectious animal waste;
- (iv) microbiological waste;
- (v) blood and body fluid waste; and
- (vi) medical sharps (needles);”;

(b) repealing clause (m) and substituting the following:

“(m) Radioactive material, meaning a nuclear substance as defined by the federal *Packaging and Transport of Nuclear Substances Regulations, 2015*.”.

### **Schedule “E” Amended**

52. Schedule “E” is amended by striking out “Recyclable Materials Permitted in Residential Roll-Out Carts:”.





Schedule "A" to Bylaw No. 9775

**Schedule "G"**

**Organic Material**

1. The following materials are organic material for the purposes of this Bylaw:
  - (a) Bags, including:
    - (i) Kraft bags;
    - (ii) BPI (Biodegradable Products Institute) certified compostable bags;
  - (b) Yard and garden waste, including:
    - (i) fruit;
    - (ii) flowers;
    - (iii) grass clippings;
    - (iv) leaves;
    - (v) conifer cones and needles;
    - (vi) plant tops, stalks and clippings;
    - (vii) small twigs (no more than 60 centimetres in length and 1.6 centimetres in diameter);
    - (viii) tree trimmings (no more than 60 centimetres in length and 1.6 centimetres in diameter);
    - (ix) weeds;
    - (x) wood chips and bark mulch;
    - (xi) topsoil; and
    - (xii) sod;
  - (c) Food scraps, including:

- (i) baked goods;
  - (ii) bread, cereal, pasta, noodles, rice, beans and grains;
  - (iii) coffee filters, coffee grounds and paper teabags;
  - (iv) dairy products, including milk, yogurt, butter and cheese;
  - (v) dry baking ingredients, herbs and spices;
  - (vi) eggs and eggshells;
  - (vii) fats, cooking oils and food grease (solids only);
  - (viii) fruits and vegetables (cooked or raw, including peels, scraps and pits);
  - (ix) meat, seafood, giblets and bones;
  - (x) nuts and seeds; and
  - (xi) salad dressing, mayonnaise, gravy and sauces;
- (d) Food-soiled paper products that are free of contaminants such as household cleaners, including:
- (i) cardboard egg cartons;
  - (ii) paper napkins, paper towel and tissues;
  - (iii) paper plates, cups and muffin wrappers (unwaxed and unplasticized);
  - (iv) cardboard, including pizza boxes;
  - (v) newsprint and paper bags;
  - (vi) unplasticized soiled paper food packaging, such as flour bags;
  - (vii) waxed paper;
  - (viii) wooden stir sticks, chop sticks, popsicle sticks, toothpicks and cutlery; and
  - (ix) plant based compostable dinnerware and food storage containers;

- (e) Other organic waste, including:
  - (i) household plants, including soil and cut flowers;
  - (ii) human and animal hair, other than pig hair; and
  - (iii) pumpkins.

### **Materials Not Considered Organic Material**

- 2. Materials that are not considered organic material for the purposes of this Bylaw include, but are not limited to:
  - (a) unacceptable waste and special waste;
  - (b) plastic products, including plastic bags;
  - (c) biodegradable and oxodegradable bags;
  - (d) residential fire pit ash and briquettes;
  - (e) dental floss;
  - (f) bandages and gauze;
  - (g) soiled diapers;
  - (h) baby wipes;
  - (i) feminine hygiene products;
  - (j) condoms;
  - (k) cigarettes and cigarette butts;
  - (l) vacuum contents and bags;
  - (m) treated, painted or stained construction lumber;
  - (n) dryer sheets and lint;
  - (o) single-use coffee pods;

- (p) compressed gases;
- (q) dangerous goods, including infectious waste;
- (r) tires;
- (s) metal;
- (t) pharmaceuticals;
- (u) textiles;
- (v) inorganic soils such as soil, sand and gravel; and
- (w) animal waste, including pet waste.