

## Proposed Amendments to The Waste Bylaw, 2022

### ISSUE

The purpose of this report is to obtain approval to amend sections of [Bylaw No. 9844, The Waste Bylaw, 2022](#) (“Bylaw”). The proposed amendments align with operational efficiency improvements as well as program-based adjustments that will enable the Industrial, Commercial, and Institutional (ICI) sectors to better comply with the Bylaw. The proposed amendments will also improve clarity of certain sections as well as enable Environmental Protection Officers (“EPO”) to enforce sections of the Bylaw more effectively.

### RECOMMENDATION

That the Standing Policy Committee on Environment, Utilities and Corporate Services recommend to City Council:

1. That the proposed amendments to Bylaw No. 9844, *The Waste Bylaw, 2022*, as outlined in this report, be approved; and
2. That the City Solicitor be requested to make the necessary amendments to Bylaw No. 9844, *The Waste Bylaw, 2022*.

### BACKGROUND

At its [January 27, 2020 Regular Business Meeting](#), City Council considered the Regulatory Approaches to Enhance Waste Diversion in the Industrial, Commercial and Institutional Sector report, and resolved, in part:

1. That Option 1 - Waste Bylaw Enforcement plus Separate Waste Containers be approved for implementation; and
2. That the City Solicitor amend Bylaw No. 8310, The Waste Bylaw to enact Option 1.

At its [December 20, 2021 Regular Business Meeting](#), City Council considered a report of the General Manager, Utilities and Environment Department dated December 6, 2021 and resolved:

1. That Bylaw No. 8310, The Waste Bylaw, 2004 be repealed and replaced with a new waste bylaw as proposed in the report of the General Manager, Utilities and Environment Department dated December 6, 2021; and
2. That the City Solicitor be requested to prepare the new waste bylaw.

This amendment included housekeeping items, consequential changes resulting from the direction to implement the organics program, and general improvements.

At the [2024/25 Preliminary Corporate Business Plan and Budget meetings](#) held on November 28, 29, 30 and December 1, 2023, City Council received reports of the Chief Financial Officer requesting approval to establish rates and fees and resolved in part:

- That the City Solicitor be instructed to draft the appropriate amendments to Bylaw No. 9844, The Waste Bylaw, 2022.

This amendment established a new fee structure for residential garbage collection, set rates and fees for the years 2024 and 2025, and made minor housekeeping amendments.

## **DISCUSSION/ANALYSIS**

The following changes are proposed with a view to improve the Bylaw by providing greater clarity and enabling better enforcement of the Bylaw. The following list identifies the proposed amendments:

### **1. Clarify Recycling Options for Industrial, Commercial, and Institutional (ICI) Premises**

The Bylaw currently permits the General Manager to allow small businesses to use residential recycling depots. However, no formal permissions have been granted to any ICI properties, including small businesses, to use these depots. Additionally, two material recovery facilities in the city, operated by Loraas Disposal North Ltd. (Loraas) and Cosmo Industries (Cosmo), accept self-hauled recyclable material from ICI properties, eliminating the need for them to use residential recycling depots.

Administration recommends repealing subsection 58(3) to accurately reflect the recycling disposal options available to all ICI properties. Consequently, subsection 58(2) should be amended to remove the reference to subsection 58(3).

### **2. Update ICI Waste Container Standards**

The description of an "adequate waste container" in Part IV of the Bylaw includes the requirement that it "is equipped with a lid that is capable of being locked". In practice, some waste containers provided by processing facilities for cooking oil/grease, as well as smaller containers for organics and recycling, do not have lids that are capable of being locked. Due to current services in the field, and with evolving waste diversion services being offered to the ICI sector, an amendment is necessary to permit exceptions to or remove the lockable lid requirement.

Administration recommends repealing clause 43(2)(d) thereby removing the requirement that a waste container must be equipped with a lid that is capable of being locked. This amendment will assist EPOs in enforcing the Bylaw, help ICI properties comply with the requirements, and allow for the use of smaller containers that can be emptied more frequently, as opposed to larger containers that may hold waste for extended periods.

### **3. Waste Hauler Regulations**

Section 49 of the Bylaw requires private waste haulers operating within the city to provide annual reports of the volume and types of waste collected within city limits.

Throughout 2024, City of Saskatoon (City) staff met with Waste Haulers and informed them in writing that material tonnage and types for 2024 will be required to be reported in 2025, as per the Bylaw.

Administration recommends amending section 49 to ensure timely production of the information and ensure its accuracy. Offences and corresponding penalties for a failure to comply will be established.

It is also recommended to relocate section 49 to Part II, which deals with general provisions for the collection and disposal of waste. Placing this provision in a more general section of the Bylaw, rather than within the ICI-specific section, helps communicate the requirement to report waste transported by waste haulers from all sectors.

#### **4. Add New Definitions**

Administration recommends establishing definitions for the terms "sanitary" and "waste hauler".

- "sanitary"

While several sections of the Bylaw state that waste containers must be maintained in a sanitary condition, the term "sanitary" is not currently defined. Adding a definition for "sanitary" to the Bylaw will better equip EPOs to communicate expectations to properties that are not properly managing their waste. This defined term will also help property owners understand the specific expectations when "sanitary" is referenced by an EPO, ensuring clearer enforcement and compliance.

- "waste hauler"

Administration recommends establishing a definition of "waste hauler". Adding a definition would provide clarity for both the waste haulers and those responsible for enforcing the bylaw.

#### **5. Construction, Renovation and Demolition Waste Recycling**

Currently, the Bylaw states that any person carrying out construction, alteration, or demolition of a building, structure, or landscaping feature must place all waste in a waste container. Clarification is required to ensure adequate waste containers are available for the placement of recyclable material as required by all Industrial, Commercial and Institutional premises.

Administration recommends amending clause 50(1)(a) to ensure that adequate waste containers are available for the separate storage and disposal of (a) garbage; and (b) recyclable material. This amendment will help reduce the amount of recyclable material currently sent to landfill, aligning with the City's ICI waste diversion goals and the intent of the Bylaw, while also clearly communicating expectations.

#### **6. Construction Waste Container Clarification**

Due to the unique nature of construction waste, it is typically collected and

transported in roll-off containers. City collection vehicles are not designed to handle this type of waste because the compaction mechanisms on the trucks can be damaged by large objects, and it reduces the efficiency of collection when material cannot be compacted. Bylaw clarification is required to ensure construction waste is not disposed of in residential waste containers. This amendment will ensure that only suitable containers are used, reducing the maintenance and repair of City collection trucks.

Administration recommends amending the Bylaw to prohibit the disposal of construction waste in residential garbage containers. This addition would help EPO's more effectively educate the public and enforce the bylaw.

#### **7. Introduce a Fine for Unauthorized Use of Waste Containers**

In 2024, more than 65 reports of unauthorized use of a waste container (residents or businesses using waste containers that are not theirs) were received by the City. The Bylaw currently does not provide a penalty for the unauthorized use of a waste container.

Introducing a fine for this offense would help manage and discourage this behavior by enabling EPOs to issue a Notice of Violation. Incidents of unauthorized container use increased by approximately 2% from 2023 to 2024.

Administration recommends amending Schedule "H" to include a fine for unauthorized use of waste containers as defined in section 12. This amendment is particularly important as unauthorized use of containers may rise with the recent introduction of variable cart sizes.

#### **8. Addressing Cervid Product Concerns for Composting**

Recreational hunting and resulting home butchering activities are common for Saskatoon residents who use City waste services. This is a concern for composting facilities that process Green Cart material as there is inconclusive evidence that Chronic Wasting Disease (CWD) in cervid populations (deer, elk, moose and caribou) is destroyed during the composting process. Since testing is not mandatory, the provincial government recommends that all deer (cervid) tissue be disposed of either in a landfill or at a government-approved disposal site.

Administration recommends adding cervid products to Schedule "A," which lists items not considered organic material, and therefore, not permitted to be placed in a green cart. The addition of this subsection will assist EPOs in enforcing the Bylaw and preventing the spread of CWD.

### **FINANCIAL IMPLICATIONS**

The proposed amendments are not anticipated to have meaningful financial implications.

### **OTHER IMPLICATIONS**

The proposed amendments to the Waste Bylaw will help to achieve the City's waste diversion targets by clarifying requirements to direct waste to the proper stream and supporting EPO's in addressing violations

There is no additional privacy, legal or social implications identified.

**NEXT STEPS**

Should City Council approve the proposed recommendations, the City Solicitor will draft the necessary bylaw amendments to be tabled at a future meeting of City Council.

**Report Approval**

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