



By-Law 46-2011

A By-law To Regulate the Provision of the Waste Management Services Under the Jurisdiction of The Regional Municipality of Durham

OFFICE CONSOLIDATION – JANUARY 2014

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INDEX

Part 1		
Section		
1.1	Short Title	Pg. 5
1.2	Definitions	Pg. 5-12
Part 2		
Application & Interpretation		Pg. 12
Part 3		
Administration		
3.1	Administration	Pg. 12-14
3.2	Authority of the Commissioner	
Part 4		
Collection Service		
4.1	Curbside Collection	Pg. 14-16
4.2	Time Restrictions of Curbside Residential Waste Set out	
4.3	Frequency of Curbside Waste Collection Service	
4.4	Garbage Receptacles	
4.5	Garbage Tags	
4.6	Recycling Receptacles	
4.7	Household Organics Receptacles	
4.8	Yard Waste Receptacles	
Part 5		
Waste Set-out Requirements & Scavenging		Pg. 16-19
Part 6		
On-site Waste Collection		Pg. 19-20
Part 7		
Unacceptable Waste		Pg. 20
Part 8		
Waste Management Facilities		Pg. 20-21
Part 9		
Region Landfill Sites		Pg. 21-22
Part 10		
Material Recovery Facility		Pg. 22
Part 11		
Industrial, Commercial or Institutional Waste		Pg. 23
Part 12		
Rates and Charges		Pg. 23
Part 13		
General		Pg. 23-24
Part 14		
Enforcement		Pg. 25-26
14.1	Powers of Entry	
14.4	Work Order	
14.9	Remedial Action	
14.20	Offence	
14.21	Penalty	
14.23	Prohibition Order	

Part 15 Conflict with existing law	Pg. 27
Part 16 Severability	Pg. 27
Part 17 Repeal	Pg. 27

APPENDICES

SCHEDULE	TITLE	Page #
A	Bulky Goods	28
B	Municipal Hazardous or Special Waste	29
C	Home Health Care Waste	30
D	Diaper / Medical Condition Collection Program	31
E	Diaper / Medical Condition Collection Program Application Form	32
F	Household Organic Waste	33
G	Unacceptable Waste for Curbside or On-Site Collection	34
H	Recyclable Materials	35
I	Metal Goods/Appliance	37
J	Scrap Metal	37
K	Yard Waste	38
L	Waste Electrical and Electronic Equipment	39
L-1	Porcelain Bathroom Fixtures	40
M	Acceptable Waste at Waste Management Facilities	41
N	Landfill Restrictions	42
O	Approved Regional Waste Collection Services	43-44
P	Technical and Risk Management Guidelines For Waste Collection Services on Private Property	45-62

BY-LAW 46-2011

A By-law To Regulate the Provision of Waste Management Services Under the Jurisdiction of the Regional Municipality of Durham

Being a by-law to consolidate, repeal and replace the by-laws that regulate the provision of Waste Management Services under the jurisdiction of The Regional Municipality of Durham.

WHEREAS Council may pass by-laws respecting waste management in The Regional Municipality of Durham (the “Region” or “Regional” as the circumstances require);

AND WHEREAS on June 19, 2002 Council enacted By-law 33-2002 assuming all waste management powers of the Area Municipalities within the Region;

AND WHEREAS on June 19, 2002 Council further enacted By-law 34-2002 exempting the Area Municipalities of City of Pickering (“Pickering”), the Town of Ajax (“Ajax”), the Town of Whitby (“Whitby”) and the City of Oshawa (“Oshawa”) from the assumption of the waste management powers set out in By-law 33-2002;

AND WHEREAS on March 24, 2004 Council enacted By-law 23-2004, effective January 1, 2004, to transfer lower tier waste management powers from Pickering to the Region;

AND WHEREAS on November 30, 2005 Council enacted By-law 53-2005, effective January 30, 2006, to transfer lower tier waste management powers from Ajax to the Region;

AND WHEREAS Oshawa and Whitby retain responsibility for the collection of residential garbage, household organic waste, yard waste, and other special waste collection services, such as bulky goods, appliances, and scrap metal, save and except those relating to the Blue Box Program (as defined hereafter) and including recycling collection, processing and marketing;

AND WHEREAS Oshawa and Whitby have partnered with the Region in order to provide standardized waste collection services Region-wide;

AND WHEREAS the Region may impose fees or charges for services or activities provided or done by or on behalf of it, for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board, and for the use of its property including property under its control;

NOW, THEREFORE, BE IT ENACTED AND IT IS HEREBY ENACTED as a by-law of The Regional Municipality of Durham by the Council thereof as follows:

PART I

SHORT TITLE

1.1 This By-law may be referred to as the “Durham Region Waste Management By-law.”

DEFINITIONS

In this By-law:

1.2 “**Agricultural Waste**” means waste, other than sewage, resulting from farm operations, including animal husbandry and where a farm operation is carried on in respect of food packing, food preserving, animal slaughtering or meat packing, includes the waste from such operations.

1.3 “**Animal Waste**” means feces from any household pet including, but not limited to, dogs, cats, and birds and also includes all material that has come into direct contact with the feces and all material contaminated with the feces.

1.4 “**Area Municipality**” means a local municipality within the Region, as defined in the *Municipal Act, 2001*.

- 1.5 “**Ash**” means the solid residue of any household fuel after such fuel has been consumed by fire.
- 1.6 “**Biomedical Waste**” means Waste that is generated by and includes:
- (a) human health care and residential facilities, including syringes, hypodermic needles, sharps and medical dressings.
 - (b) animal health care facilities;
 - (c) medical research and medical teaching establishments; ;
 - (d) veterinary research and veterinary teaching establishments ;
 - (e) health care teaching for human health care;
 - (f) health care teaching for animal health care;
 - (g) clinical testing or research laboratories;
 - (h) the professional office of a health professional within the meaning of the *Regulated Health Professions Act, 1991*;
 - (i) the professional office of a member of the College of Veterinarians of Ontario;
 - (j) mortuaries and funeral establishments, including any similar establishments for pets and other animals;
 - (k) facilities involved in the production and testing of vaccines;
 - (l) facilities involved in mobile health care for humans; or
 - (m) facilities involved in mobile health care for animals, but does not include waste that is from animal husbandry, controlled in accordance with the *Health of Animals Act, S.C. 1990, c. 21*, the *Food Safety and Quality Act, 2001, S.O. 2001, c. 20*, or the *Meat Inspection Act, R.S.C. 1985, c.25*; or generated in food production, general building maintenance or office administration at one of the facilities mentioned in clauses (i) to (xii); or
- 1.7 “**Blue Box**” means a durable, four-sided, weather-proof, plastic container which is either provided by the Region or which meets the requirement of the Region for the municipal collection of Recyclable Materials and which is tapered in shape with the bottom being smaller than the top and having a lipped top edge that allows the container to be easily picked up by the collector and hung on the side of a recycling collection vehicle.
- 1.8 “**Bulky Item**” means a household item as described in Schedule “A” of this By-law.
- 1.9 “**Christmas Trees**” means, for the purpose of this By-law, any natural evergreen trees used for the purpose of celebrating Christmas, excluding any decorations, tinsel, wire or plastic bags.
- 1.10 “**Collection Point**” means the part of the of an Eligible Property that has been designated by the Region for the Set Out and municipal collection of Bulky Items, Garbage, Household Organics, Recyclable Materials, Metal Goods/Appliances, Scrap Metal and Yard Waste or any other collectible Waste.
- 1.11 “**Commercial Property**” means those properties zoned as commercial.
- 1.12 “**Commissioner**” means the Commissioner of Works for the Region, or his or her designate.
- 1.13 “**Compostable Liner Bag**” means:
- (a) a liner bag that meets or exceeds the requirements of the ASTM D-6400 or ASTM 6868 standard, and that are certified by Canada’s Bureau de Normalisation du Quebec Standard for Compostable Plastic Bags P9011-911-5, and/or by the Biodegradable Products Institute of the USA, and that is used for placement of Household Organics in a Household Organics Receptacle;
 - (b) a kraft paper bag used to line a Household Organics Receptacle;
 - (c) another liner bag as may be deemed acceptable by the Region.
- 1.14 “**Composter**” means a retail or home-made unit of reasonable appearance and in reasonable condition designed to enhance the decomposition of organic materials into a compost soil, humus, or soil supplement.

- 1.15 **“Compost Heap”** means a designated area of a property intended for the collection of organic materials suitable for the decomposition of the organic materials into a compost soil, humus, or soil supplement for which the dimensions and appearance of said area are deemed by the Region to be reasonable to the size of the property and for easy maintenance.
- 1.16 **“Contractor”** means any individual, firm, company or corporation and the employees or agents of any such individual, firm, company or corporation with whom the Region has entered into a contract or agreement for the collection, processing, handling, haulage, marketing, or disposal of Waste.
- 1.17 **“Council”** means the Council of the Regional Municipality of Durham.
- 1.18 **“Curbside Collection”** means the municipal collection of Waste in Proper Receptacles from approved Collection Points, either abutting a property and as close as possible to the edge of the roadway without obstructing the roadway, or adjacent sidewalk(s) or pathway(s) and not extending beyond the frontage of the property.
- 1.19 **“Designated Business Area”** means the downtown business areas as designated by the Region.
- 1.20 **“Diaper/Medical Condition Collection Program”** means a collection program for residents eligible for special consideration as referred to in Schedule “D” to this by-law;
- 1.21 **“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.
- 1.22 **“Eligible Property”** means one of the following:
- (a) any single family residential dwelling, including single detached dwelling, semi-detached dwelling, duplex dwelling, approved legalized converted dwelling, freehold or condominium frontage townhouse, or any multi-dwelling building deemed eligible by the Region based on the successful application of and the specifications outlined in Durham Region’s Technical and Risk Management Guidelines For Waste Collection Services in Schedule “P” of this By-law; and/or
 - (b) any townhouses located on private property and multi-residential apartment or condominium buildings deemed eligible by the Region based on the successful application of and the specifications outlined in Durham Region’s Technical and Risk Management Guidelines For Waste Collection Services in Schedule “P” of this By-law; and/or
 - (c) small businesses deemed by the Region to be conforming to the provisions of residential collection or deemed part of a Designated Business Area;
- 1.23 **“Facility”** means a property owned or controlled by the Region for the management, transfer, processing or disposal of Waste, or any combination of the foregoing, including:
- (a) Material Recovery Facility (MRF);
 - (b) Brock Landfill and Waste Management Facility;
 - (c) Scugog Waste Management Facility;
 - (d) Oshawa Waste Management Facility; and/or
 - (e) Any other facility used for the management, transfer, processing or disposal of Waste.
- 1.24 **“Fee”** means any monies payable as determined by the Region for Garbage Bag Tags, the disposition of any Waste at any Facility, or for any other service as approved by Regional Council.
- 1.25 **“Front-End Collection”** means the bulk collection of Waste by means of a front-end collection vehicle.

1.26 “**Garbage**” means solid, non-hazardous Waste other than Recyclable Materials, Household Organics, Municipal Hazardous or Special Waste, Metal Goods/Appliances, Bulky Items, Scrap Metal, Yard Waste, Waste Electrical and Electronic Equipment, Porcelain Bathroom Fixtures and Unacceptable Waste as described in the Schedules of this By-law.

(Amended by By-law 59-2013)

1.27 “**Garbage Bag Limit**” means the maximum allowable number of bags or equivalent units of Garbage that may be Set Out without being Tagged, as determined by the Region from time to time as required and as described in the Schedules of this By-law.

1.28 “**Garbage Bag Tag**” means a sticker, tab, tie or label approved by the Region for the purpose of identifying any Garbage Receptacles for collection above the Garbage Bag Limit.

1.29 “**Garbage Receptacle**” means:

- (a) a front-end loading container, roll-off container, lugger bin, compacter unit, rear packer bin, side loading bin and any other containers designated by the Region as approved containers for the collection of Garbage at Multi-residential Properties;
- (b) a rigid container having:
 - (i) a lid which is readily separable from the container, which when covered is watertight;
 - (ii) handles that are attached or molded to the exterior of the container;
 - (iii) a capacity less than 125 litres (30 imperial gallons);
 - (iv) an external width no greater than 60 centimetres (24 inches);
 - (v) an external height no greater than 95 centimetres (38 inches);
 - (vi) capable of supporting a weight of no more than 20 kilograms (44 pounds);
- (c) a plastic bag:
 - (i) with a width no greater than 66 centimetres (26 inches);
 - (ii) with a height no greater than 90 centimetres (36 inches);
 - (iii) have the capability to be securely closed or tied when filled; and
 - (iv) durable to support a weight of no more than 20 kilograms (44 pounds) when lifted without tearing,

and does not include a Recycling Receptacle, a Yard Waste Receptacle or a Household Organics Receptacle.

1.30 “**Green Bin**” means a container for Household Organics collection for the purpose of the Region-wide Organics Program, supplied by the Region and described as follows;

- (a) a plastic, lidded bin, with or without wheels, which is compatible with the Region’s Contractor for the provision of Household Organics collection, and;
- (b) having a capacity ranging between 46 to 50 litres (8 to 11 imperial gallons).

1.31 “**Home Health Care Waste**” means the items referred to in Schedule “C” used for personal home health care.

1.32 “**Household Organics**” means kitchen food waste and any other organic material collected separately for the purpose of composting as determined by the Region and identified in Schedule “F” of this By-law.

- 1.33 **“Household Organics Receptacle”** means;
- (a) a Green Bin, or;
 - (b) such other container determined by the Region as acceptable for setting out Household Organics materials
- 1.34 **“Illegal Dumping”** means the disposal of Waste on Private Property or Public Property by a person or persons who is neither an Owner nor an Occupier of the said property and done so without the expressed permission of the Owner of the said property subject to compliance with local by-laws and statutes.
- 1.35 **“Industrial Property”** means those properties zoned as industrial.
- 1.36 **“Industrial, Commercial or Institutional Waste”** means Waste originating from any industrial, commercial or institutional property, including but not limited to:
- (a) an enterprise or activity involving warehousing, storage or industrial, manufacturing, or commercial processes or operations;
 - (b) research or experimental enterprise or activity;
 - (c) an enterprise or activity where goods or services are kept or offered for sale;
 - (d) hotels and motels;
 - (e) clinics that provide medical, dental or veterinary diagnosis or treatment;
 - (f) laboratories or hospitals;
 - (g) construction or demolition projects, or large home renovations.
- 1.37 **“Institutional Property”** includes, but is not limited to, a building that is a seniors' home, place of worship, day care, community shelter, school, or community college and university student residence, Regional or Area Municipality property and any other facilities as designated by the Region.
- 1.38 **“Kraft Paper Bag”** means a compostable paper bag designed and manufactured specifically for the handling of Household Organics and/or Yard Waste.
- 1.39 **“Liquid Waste”** means Waste which is not solid and which exhibits evidence of free water, or other liquids, whether or not contained.
- 1.40 **“Metal Goods/Appliances”** include, but are not limited to, the items listed in Schedule “I” of this By-law, but do not include these materials when discarded as a result of renovations to a Multi-Residential Property.
- 1.41 **“Multi-Residential Property”** means a high rise apartment building, condominium Property, townhouse Property, co-op Property or other similar residential Property containing more than six (6) self contained dwelling units.
- 1.42 **“Municipal Hazardous or Special Waste”** means the items referred to as Municipal Hazardous or Special Waste in Schedule “B”, and any other Waste material designated as Municipal Hazardous or Special Waste by Provincial statute and/or the Region.
- 1.43 **“Occupant”** means an “occupier” as defined in the *Occupiers' Liability Act*.
- 1.44 **“Officer”** means a person appointed or hired by the Region as a municipal law enforcement officer and/or a Provincial Offences Officer and/or a Police Officer.
- 1.45 **“On-Site Waste Collection”** means the collection of Waste from containers and/or waste storage areas located on Private Property or Public Property.

- 1.46 “**Owner**” means a person, corporation, partnership or any other legal entity that is the registered owner of a property, land or premise.
- 1.47 “**Pathological Waste**” means pathological waste as defined in R.R.O. 1990, Regulation 347, passed pursuant to the *Environmental Protection Act*.
- 1.48 “**Person**” means any individual, corporation, partnership or trust and, in the case of a corporation, any director, employee, or agent acting on behalf of the corporation.
- 1.49 “**Private Property**” means any land or building that is registered to a person on title in the Land Registry Office or Land Titles Division, as the case may be, that is not an Area Municipality in the Region, a Conservation Authority, the Region, or the Crown in Right of Ontario, the Crown in Right of Canada or any emanations thereof, unless it is leased to a person or corporation not listed above.
- 1.50 “**Public Property**” means any land or building that is owned by an Area Municipality, a Local Board as defined in the *Municipal Act, 2001*, the Region, a Conservation Authority, or the Crown in Right of Ontario, the Crown in Right of Canada or any emanations thereof.
- 1.51 “**Receptacle**” means a Garbage Receptacle, Recycling Receptacle, Yard Waste Receptacle, or Household Organics Receptacle approved by the Region.
- 1.52 “**Recyclable Materials**” means any Waste or material designated as such under a waste collection contract entered into between the Region and a Contractor, mandated under Ontario Regulation 101/94 passed pursuant to the *Environmental Protection Act* or otherwise as designated by the Region, subject to the approval of Council, as a material to be collected separately from other Waste, for the purpose of recycling, and includes, but is not limited to, the items referred to in Schedule “H” of this By-law.
- 1.53 “**Recycling Receptacle**” means:
- (a) Recycling Container;
 - (i) a Blue Box, or;
 - (ii) such other container determined by the Region as acceptable for setting out recyclable materials;
 - (b) Semi-automated Cart;
 - (i) a plastic bin equipped with wheels which is compatible with the lifting equipment that may be used by the Region’s Contractor for the provision of recycling collection service;
 - (c) Front-end Bin;
 - (i) a fully covered, water-tight container with a capacity greater than 1.5 cubic metres (2 cubic yards) and less than 6 cubic metres (8 cubic yards) which is compatible with the equipment used by the Region’s Contractor for the provision of recycling collection service; or ,
 - (d) such other containers, in good working order determined by the Region as acceptable for setting out Recyclable Materials.
- 1.54 “**Region**” means, for the purposes of this by-law, The Regional Municipality of Durham.
- 1.55 “**Residential Unit**” means a self-contained residential Dwelling Unit permitted by Law for permanent residency that is:
- (a) a single-detached single-family residence;
 - (b) a semi-detached single-family residence;
 - (c) a unit in a duplex, triplex, four-plex, five-plex or six-plex; or

- (d) a unit in a residential apartment building, a residential condominium Property, a residential townhouse development, a residential co-op Property, or other similar residential Property which is considered an eligible property under this By-law;

excluding a hotel, motel, restaurant or units in a Multi-Residential Property.

- 1.56 **“Residential Waste”** means Waste that is discarded for collection that originates from a Dwelling Unit, a Residential Unit or unit in a Multi-Residential Property serviced with municipal Waste Collection and includes any Waste described in this By-law.
- 1.57 **“Roadside Waste Storage Box”** means an enclosure used by an Owner/Occupier of a rural Property for the temporary storage of Waste which is Set Out for collection.
- 1.58 **“Scavenging”** means the uncontrolled or unauthorized removal of reusable material from Waste at any location or facility.
- 1.59 **“Scheduled Collection Day”** means a day of Residential Waste collection for a particular geographic area within the Region as determined by the Region, subject to the approval of Council.
- 1.60 **“Set Out”** means to place, cause or permit to be placed, Waste at any location on Private Property or Public Property for the purpose of municipal waste collection.
- 1.61 **“Tagged”** means having attached an approved Garbage Bag Tag to a Garbage Receptacle or, in the case of On-Site Collection, having paid the collection fee, if applicable, for the collection of Garbage Receptacles in excess of the Garbage Bag Limit.
- 1.62 **“Unacceptable Waste”** means waste items set out for collection as referred to in Schedule “G” of this By-law or other waste not conforming to one or more of the elements of the definition of “municipal waste” described in Ontario Regulation 347 RRO 1990 or other applicable law or regulation as amended, extended and/or reenacted from time to time.
- 1.63 **“Unacceptable Set-Out Tag”** means a written notice tag or sticker supplied and left by the Region advising the Owner/Occupier that Waste materials have been Set Out in violation of the requirements described in this By-law.
- 1.64 **“Waste”** includes acceptable and Unacceptable Waste which is discarded from any source, including but not limited to litter and Waste Set Out for collection including Garbage, Recyclable Materials, Household Organic Waste, Yard Waste, Bulky Items, Metal goods/Appliances, Scrap Metal, Waste Electrical and Electronic Equipment, Porcelain Bathroom Fixtures as described in the Schedules of this By-law.
(Amended by By-law 59-2013)
- 1.65 **“Waste Electrical and Electronic Equipment” or “WEEE”** means waste defined under Ontario Regulation 393/04 and as described in Schedule “L” of this By-law.
- 1.66 **“Yard Waste”** means the items included in Schedule “K” of this By-law, and any other waste material designated as Yard Waste by the Region.
- 1.67 **“Yard Waste Receptacle”** means:
 - (a) an open rigid container being tapered with the base of a smaller circumference than the top having:
 - (i) handles that are attached or molded to the exterior of the container;
 - (ii) a capacity less than 125 litres (30 imperial gallons);
 - (iii) an external width no greater than 60 centimetres (24 inches);

- (iv) an external height no greater than 95 centimetres (38 inches);
 - (v) capable of supporting a weight of 20 kilograms (44 pounds); and
 - (vi) an affixed label that clearly identifies the contents as “YARDWASTE”; or
- (b) a Kraft Paper Bag specifically designed for yard waste and;
 - (i) with a width no greater than 66 centimetres (26 inches);
 - (ii) with a height no greater than 90 centimetres (35 inches);
 - (iii) have the capability to be securely closed or tied when filled; and
 - (iv) durable to support a weight of 20 kilograms (44 pounds) when lifted without tearing; or
 - (c) a bushel basket capable of supporting 20 kilograms (44 pounds) when lifted; or
 - (d) a bundle of tree and shrub limbs, tied with string or rope (non-plastic), only if such limbs are no more than 116 millimetres (4 inches) in diameter, no longer than 1 metre (3 feet) in length and are securely tied into compact bundles or parcels no more than 20 kilograms (44 pounds) in weight; or
 - (e) such other reusable containers, in good working order or determined by the Region as acceptable for setting out Yard Waste.

1.68 **“Porcelain Bathroom Fixtures”** means the items included in Schedule “L-1” of this By-law, and any other Waste material designated as Porcelain Bathroom Fixtures by the Region.

(Amended by By-law 59-2013)

1.69 **“Rigid Plastic”** means a hard plastic item as described in Schedule “H” of this By-law, and any other Waste material designated as acceptable Rigid Plastic by the Region.

(Amended by By-law 59-2013)

PART 2

2.1 APPLICATION AND INTERPRETATION

- (a) The provisions of this By-law shall apply to all lands and structures within the boundaries of the Region.
- (b) 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.
- (c) 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.
- (d) The insertion of headings and the division of this chapter into sections and subsections are for convenience of reference only and shall not affect the interpretation thereof.
- (e) Any references in this By-law to any statutes, regulations or by-laws shall be deemed to be a reference to such statutes, regulations or by-laws, as amended, restated or replaced from time to time.

PART 3

3.1 ADMINISTRATION

- (a) The Commissioner shall be responsible for the administration of this By-law.
- (b) All Officers are authorized to enforce this By-law.

- (c) The Commissioner is authorized to delegate the responsibility for the administration of this By-law as deemed appropriate by the Commissioner in accordance with the policies and by-laws of the Region.
- (d) All Schedules attached to this By-law form part of this By-law.
- (e) The Region may retain a Contractor or Contractors to fulfill the Region's responsibilities under this By-law.
- (f) If, due to breakdown of equipment, strike, inclement weather, or any other cause, Waste collection is not provided to a property, the Region shall not be liable to any person for any damages, costs or expenses due to the failure of such Waste collection to take place.
- (g) If the Region changes a Waste Collection Day, the Region shall make reasonable efforts to advise all affected persons by notice in a local newspaper published at least three (3) times prior to the change or by such other method approved by the Region, but in no event shall the Region be liable to any person for the failure to give such notice or the failure of any person to receive such notice.

3.2 **AUTHORITY OF THE COMMISSIONER OF WORKS**

In accordance with the policies and by-laws of the Region, the Commissioner shall have the authority to:

- (a) operate and administer the Region's Waste collection, Recycling, Composting, Transfer and Disposal services in accordance with the provisions of this By-law;
- (b) appoint Officers for the purpose of the enforcement of this By-law;
- (c) determine the frequency and scheduling of Waste collection services, in accordance with the provisions of this By-law;
- (d) designate Waste Collection Points;
- (e) discontinue or refuse Waste collection services to any Owner/Occupant whose property does not meet the requirements of this By-law (including the Technical and Risk Management Guidelines for Waste Collection Services on Private Property) and/or is deemed unsafe for entry or egress by the Region or the Contractor for any reason, including but not limited to, the physical layout, loading facilities or the methods of handling Waste on the property;
- (f) discontinue or refuse Waste collection services to any Owner/Occupant who, in the reasonable opinion of the Commissioner, is in violation of this By-law;
- (g) suspend Waste collection services in all or part of the Region, in the event of inclement weather or other condition that in the reasonable opinion of the Commissioner renders the provision of Waste collection services unsafe or otherwise undeliverable;
- (h) establish site specific requirements for Waste collection, as a condition of approving a property as eligible to receive Regional Waste collection services, with the work and expense of conforming to established site specific requirements, in accordance with Appendix "P", being the sole responsibility of the Owner of the site or property requesting the Waste collection service from the Region;
- (i) from time to time, and subject to the approval of Council, adjust the Garbage Bag Limit, set and adjust fees or charges for the purchase of Tags, and declare Exemption Periods during which Owner/Occupants are permitted to Set Out Garbage Receptacles or Garbage for On-Site Waste Collection in excess of the limits described in this By-law;

- (j) from time to time, and subject to the approval of Council, adjust the service levels for the services described in this By-law;
- (k) from time to time, and subject to the approval of Council, designate Wastes in addition to those already designated by law or product stewardship programs; and/or
- (l) establish such other measures required and authorized for the proper administration of Durham Region Waste Management services
- (m) evaluate and certify the acceptability for disposal of any Waste not specifically dealt with in this By-law, but consistent with this By-law, upon receiving a written request by any person proposing to deposit Waste at a Facility;
- (n) specify an acceptable time schedule, and pre-disposal conditions for the delivery of Waste which might otherwise cause undue operational difficulties at a Facility;
- (o) refuse entry to all vehicles which exceed their licensed weight capacity.

PART 4

COLLECTION SERVICE

4.1 CURBSIDE COLLECTION

- (a) Waste Collection service shall not be provided on the following days, other holidays proclaimed by the Province of Ontario or the Government of Canada, or on any other day specified by the Region;

New Year's Day	Family Day	Good Friday
Victoria Day	Canada Day	Civic Holiday
Labour Day	Thanksgiving Day	Christmas Day

4.2 TIME RESTRICTIONS OF CURBSIDE RESIDENTIAL WASTE SET OUT

- (a) No Owner/Occupant shall Set Out Residential Waste prior to 7:00 p.m. on a day immediately preceding a Scheduled Collection Day, or later than 7:00 a.m. on a Scheduled Collection Day.
- (b) Every Owner/Occupant shall ensure that all receptacles and all uncollected Waste are removed from the Collection Point at which it was Set Out by no later than 8:00 p.m. on the Scheduled Collection Day.

4.3 FREQUENCY OF CURBSIDE WASTE COLLECTION SERVICE

The Region shall collect Waste on the Scheduled Collection Day as described in Schedule "O" to this By-law, or as may be amended by the Region from time to time.

4.4 GARBAGE RECEPTACLES

- (a) No Owner/Occupant shall Set Out Residential Garbage which is not contained within a proper Garbage Receptacle;
- (b) No Owner/Occupant shall Set Out Garbage contained in:
 - (i) Paint cans;
 - (ii) Containers which are smaller at the top than at the bottom;
 - (iii) Containers having an attached lid which can not be easily and completely removed to facilitate collection;
 - (iv) Cardboard boxes;

- (v) Semi-automated carts, save and except those in designated collection areas and approved by the Region;
 - (vi) Containers of a type which have not been approved by the Region; or
 - (vii) Any receptacle from which Waste cannot be conveniently collected having regard to such matters as safety of the operator and efficiency of collection.
- (c) Garbage that is packed in rigid Garbage Receptacles where a device has been used to tie down the lid will not be collected unless the device is removed prior to collection.
 - (d) Garbage that is packed in rigid Garbage Receptacles and exceeds the height level of the sides of a Proper receptacle may not be collected and must be Tagged as being over the Garbage Bag Limit.
 - (e) No Owner/Occupant shall Set Out Garbage Receptacles weighing more than 20 kilograms (44 pounds).
 - (f) No Owner/Occupant shall Set Out a Garbage Receptacle unless it contains only Garbage.
 - (g) No Owner/Occupant shall set out a Garbage Receptacle containing Recyclable Materials, Household Organics, Municipal Hazardous or Special Waste, Metal Goods/Appliances, Bulky Items, Scrap Metal, Yard Waste, Waste Electrical and Electronic Equipment, Porcelain Bathroom Fixtures or Unacceptable Waste as described in the Schedules of this By-law.

(Amended by By-law 59-2013)

4.5 GARBAGE TAGS

- (a) Owner/Occupants receiving residential curbside collection who are required to use Garbage Bag Tags pursuant to the Garbage Bag Limit described in this By-law, shall purchase garbage tags from designated Region-run facilities or other authorized distributors of Garbage Bag Tags, as determined by the Region. One Garbage Bag Tag shall be affixed to each Garbage Receptacle Set Out for collection above the Garbage Bag Limit.
- (b) No person shall sell or offer to sell Garbage Bag Tags without the express written permission of the Region authorizing such sale or offer to sell.

4.6 RECYCLING RECEPTACLES

- (a) No Owner/Occupant shall Set Out a Recycling Receptacle unless it contains only Recyclable Materials.
- (b) No Owner/Occupant shall Set Out Recyclable Materials which are not contained in an approved Recycling Receptacle.
- (c) No Owner/Occupant shall Set Out Recycling Receptacles weighing more than 20 kilograms (44 pounds).

4.7 HOUSEHOLD ORGANICS RECEPTACLES

- (a) No Owner/Occupant shall Set Out a Household Organics Receptacle unless it contains only Household Organics.
- (b) No Owner/Occupant shall Set Out Household Organics Receptacles weighing more than 20 kilograms (44 pounds).

- (c) No Owner/Occupant shall Set Out Household Organics in non-compostable plastic bags.

4.8 YARD WASTE RECEPTACLES

- (a) No Owner/Occupant shall Set Out a Yard Waste Receptacle unless it contains only Yard Waste.
- (b) No Owner/Occupant shall Set Out Yard Waste which is not contained in a proper Yard Waste Receptacle, save and except Christmas Trees.
- (c) No person shall Set Out Yard Waste material in a plastic bag.
- (d) No Owner/Occupant shall Set Out Yard Waste Receptacles weighing more than 20 kilograms (44 pounds).

PART 5

WASTE SET OUT REQUIREMENTS AND SCAVENGING

- 5.1 No Owner/Occupant shall Set out Waste except as permitted by this By-law.
- 5.2 No Owner/Occupant shall Set Out more Garbage per Eligible Property per Scheduled Collection Day than the Garbage Bag Limit described in this By-law.
- 5.3 Notwithstanding subsection 5.1 and 5.2 of this By-law, an Owner/Occupant may Set Out Garbage Receptacles in excess of the Garbage Bag Limit described in this By-law provided that all excess Garbage Receptacles have been Tagged.
- 5.4 Garbage collected from a Multi-residential or Commercial Property using On-Site Waste Collection in excess of the Garbage Bag Limit may be subject to a collection fee to be determined from time to time by the Council.
- 5.5 The Region shall not be required to collect Garbage from a Multi-residential or Commercial Property in excess of the Garbage Bag Limit described in this By-law, where the fee referred to therein has not been paid in a manner as determined by the Region.
- 5.6 Owner/Occupant of a rural Property shall have the option to Set Out Waste for municipal Waste collection in a Roadside Waste Storage Box.
- 5.7 Owner/Occupant of a rural Property using an approved Roadside Waste Storage Box to Set Out Waste for municipal Waste Collection shall be permitted to use only one (1) Roadside Waste Storage Box per Eligible Property.
- 5.8 The Region shall collect Waste Set Out by Owner/Occupant of rural Properties directly from Roadside Waste Storage Boxes subject to the access to Waste Receptacles contained within the Roadside Waste Storage Boxes not being locked, tied down or otherwise obstructed or inaccessible at the time of collection.
- 5.9 In the event of a dispute as to the proper placement of a Roadside Waste Storage Box, the appropriate location shall be determined by the Region in its sole discretion.
- 5.10 No Owner/Occupant shall Set Out Waste in a manner that it may be blown from its container by the wind, strewn by animals, or otherwise spread about as to create litter.
- 5.11 An Owner/Occupant may Set Out corrugated cardboard:
 - (a) beside the proper Recycling Receptacle only if it has been flattened or cut and bundled not more than (1) meter (39 inches) in length, (1) meter (39 inches) in width and (1) meter (39 inches) in height; or

- (b) unbundled and placed in the proper Recycling Receptacle or in a separate cardboard box only if the corrugated cardboard has been flattened or cut with dimensions of not more than one (1) meter (39 inches) in length, (1) meter (39 inches) in width and (1) meter (39 inches) in height.
- 5.12 No Owner/Occupant shall Set Out a Christmas tree that exceeds 3 metres (10 feet) in length or that is not free of all decorations or other materials, including strands, wire and plastic wrap.
- 5.13 Notwithstanding subsection 5.12 of this By-law, an Owner/Occupant may Set Out Christmas Trees that are greater than 3 meters (10 feet) in length only if the tree has been cut down into lengths that do not exceed 3 meters (10 feet) and all materials, including decorations, strands, wire, and plastic wrap have been removed.
- 5.14 No Owner/Occupant shall Set Out Waste requiring a collection appointment as may be required in Schedule "O" to this by-law where:
- (a) Metal Goods/Appliances have not had all doors and contents removed;
 - (b) the Owner/Occupant has not contacted the Region's Customer Contact Centre to schedule a collection appointment;
 - (c) the Owner/Occupant has not paid all applicable fees; and
 - (d) the Owner/Occupant has not received confirmation of a collection date;
 - (e) the Owner/Occupant has not separated the tank from the bowl in two piece toilets;
 - (f) the Owner/Occupant has not securely packaged broken Porcelain Bathroom Fixtures in a cardboard box clearly labeled as containing broken Porcelain Bathroom Fixtures and not weighing more than 20 kilograms (44 pounds).
(Amended by By-law 59-2013)
- 5.15 No Owner/Occupant shall Set Out Home Health Care Waste unless it is double-bagged and placed inside a Garbage Receptacle.
- 5.16 All Owner/Occupants receiving municipal Waste collection shall separate all Household Organics, Recyclable Materials, Yard Waste, Bulky Items, Waste Electrical and Electronic Equipment, Metal Goods/Appliances, Porcelain Bathroom Fixtures and Scrap Metal from each other and from Garbage.
(Amended by By-law 59-2013)
- 5.17 Owner/Occupants who, in the opinion of the Region, do not separate all Household Organics, Recyclable Materials, Yard Waste, Bulky Items, Waste Electrical and Electronic Equipment, Metal Goods/Appliances, Porcelain Bathroom Fixtures and Scrap Metal from each other and from Garbage per section 5.16 may be deemed ineligible to receive Waste collection services.
(Amended by By-law 59-2013)
- 5.18 Bulky Goods, Recyclable Materials, Household Organics, Municipal Special or Hazardous Waste, Metal Goods/Appliances, Scrap Metal, Yard Waste, Waste Electrical and Electronic Equipment, Porcelain Bathroom Fixtures are restricted from Garbage collection. The Region may also restrict other divertable materials from Garbage collection from time to time.
(Amended by By-law 59-2013)
- 5.19 No Owner/Occupant shall Set Out Municipal Hazardous or Special Waste for Collection, including Curbside and On-site Collection services.
- 5.20 Every Owner/Occupant receiving municipal Waste collection shall Set Out Residential Waste as close as possible to, but not directly on the traveled portion of the public highway or roadway directly adjacent to the Property of the Owner/Occupant, without obstructing any traveled portion of the highway or roadway,

or any adjacent sidewalk or footpath.

- 5.21 Every Owner/Occupant of a rural Property receiving municipal waste collection services who opts to Set Out Waste for collection in a Roadside Waste Storage Box shall install the Roadside Waste Storage Box as close as possible to, but not on the traveled portion of the public highway or roadway directly adjacent to the Property of the Owner/Occupant, without obstructing any traveled portion of the highway or roadway, or any adjacent sidewalk or footpath.
- 5.22 Notwithstanding subsections 5.20 and 5.21, the Region may designate a location at which the Waste from any Residential Unit or Multi-residential Property shall be Set Out and may also determine the method of collection, by notice in writing, sent by ordinary mail or personal delivery, to the Owner/Occupant of such Property as shown on the last revised assessment roll.
- 5.23 Where the Region has designated the Set Out location pursuant to subsection 5.22, no Owner/Occupant shall Set Out Waste other than at that location.
- 5.24 No Owner/Occupant shall Set Out Waste for collection on top of a windrow or other pile of snow created by snowplows or other snow clearing operation.
- 5.25 No person shall Set Out Waste upon Private Property unless that person is the Owner/Occupant of the Residential Unit or Multi-residential Property from which the Waste originates.
- 5.26 No person shall Set Out, place or discard Waste upon Public Property other than as provided for herein.
- 5.27 Waste Set Out shall be deemed to have been Set Out by the Owner/Occupant of the Residential Unit directly adjacent to the location where the Waste is found. In the case of a Multi-residential Property, Waste Set Out shall be deemed to have been Set Out by the Owner/Occupant of the Multi-residential Property.
- 5.28 Unless otherwise authorized by the Region, no person shall scavenge, pick over, sort through, collect, interfere with, disturb or remove any Waste Set Out for collection, whether contained in receptacles or otherwise.
- 5.29 Subsection 5.28 shall not apply to Regional employees, Regional agents and the Contractor, or employees of the Contractor, while in the course of carrying out duties that are necessary and required pursuant to an agreement or if expressly authorized to do so by the Region.
- 5.30 No person shall allow any animal either owned or under the person's control to scavenge, pick over, sort through, collect, interfere with, disturb or remove any Waste Set Out for collection, whether contained in receptacles or otherwise.

PART 6

ON-SITE WASTE COLLECTION

- 6.1 On-Site Waste Collection shall be carried out at designated locations on a site plan approved by the Region or the Area Municipality in which the site is located.
- 6.2 The Region shall not provide On-Site Waste Collection on Private Property unless the Owner/Occupant has executed an indemnity and release, and a certificate of insurance in favour of the Region and in a form satisfactory to the Region.
- 6.3 No Owner/Occupant shall be eligible to receive Waste collection services unless the Owner/Occupant complies with all relevant requirements contained in this By-law and in the Regional publication entitled "Technical and Risk Management Guidelines For Waste Collection Services" as described in Schedule "P" of this By-law as amended from time to time.

- 6.4 Every Owner of a Multi-residential Property is required to ensure that any Recycling, Household Organics, Yard Waste, Waste Electrical and Electronic Equipment, Porcelain Bathroom Fixtures or any other collection program provided by the Region, is as convenient to each resident as the Garbage collection program.
(Amended by By-law 59-2013)
- 6.5 No Owner of a Multi-residential Property or Industrial, Commercial or Institutional property authorized to receive Regional Waste collection shall adjust the number or type of Receptacles or allow the adjustment of the number or type of Receptacles used for the provision of municipal Waste collection, without the prior written approval of the Region.
- 6.6 Every Owner/Occupant shall at all times maintain adequate vehicular access to their property for the purposes of On-Site Waste Collection, including, but not limited to, removing snow and ice, prohibiting parking where required, and removal of any other obstacle.
- 6.7 On-site Industrial, Commercial or Institutional Waste Collection shall not be provided except as may be authorized by the Region in writing, and on such terms and conditions, including fees and charges, as approved by Council.
- 6.8 The Region may determine that Owners/Occupants who do not participate fully in the Region's collection of Waste, or who sell or otherwise transfer Waste to individuals other than the Region are not eligible to receive any Regionally provided Waste collection services.
- 6.9 Every Owner of a Multi-Residential Property receiving Regional Waste collection services shall prepare a bi-annual waste status report for each Eligible Property in accordance with the Region's waste diversion programs and shall, at all times, make the waste status reports available for review by the Region.

PART 7

UNACCEPTABLE WASTE

- 7.1 No Owner/Occupant shall Set Out or allow the Set Out of Unacceptable Waste, as described in Schedule "G" of this By-law, either on its own or mixed with any Waste for which the Region provides a Collection service.
- 7.2 Agents acting on behalf of the Region shall not collect Unacceptable Waste nor allow Unacceptable Waste to be collected.

PART 8

WASTE MANAGEMENT FACILITIES

- 8.1 No Person shall deliver or dispose of, or allow or cause to be delivered or disposed of, any Waste at the Waste Management Facilities other than Waste referred to in Schedule "M" of this By-law.
- 8.2 No Person shall deposit or allow the depositing of Waste outside the gate or entrance to a Waste Management Facility or at any place other than the place designated for its receipt.
- 8.3 Private Haulers, operators of Commercial Vehicles and operators of Residential Vehicles who transport Waste to the Waste Management Facilities for disposal or processing, shall pay all applicable fees.
- 8.4 Collection Crews under contract with the Region who transport Waste to the Waste Management Facilities for disposal shall not be liable to pay any fees.
- 8.5 Fees may be adjusted from time to time as deemed appropriate by the Region, subject to Council approval, and any fee changes shall be advertised and posted as required by applicable law.

- 8.6 All Waste deposited at a Waste Management Facility shall be the property of the Region and may be reused, recycled, reclaimed, disposed of and otherwise dealt with as the Region may deem fit, in its sole discretion.
- 8.7 Unless authorized in writing by the Region, no Person shall scavenge, salvage, pick over, interfere with, remove or scatter Waste.
- 8.8 No Person, while at a Waste Management Facility, shall operate a vehicle or do any other thing without exercising due care and attention, in a manner that will not cause injury or harm to any person or damage to any property.
- 8.9 No Person, while at a Waste Management Facility, shall indulge in any riotous, violent, threatening or illegal conduct, or use profane or abusive language.
- 8.10 No Person, while at a Waste Management Facility, shall create a nuisance or in any way interfere with the use of the Waste Management Facility by any other person.
- 8.11 No Person using a Waste Management Facility shall disobey any signs and directions of all Regional staff and Contractor(s) at any Waste Management Facility.
- 8.12 No Person shall enter or exit a Waste Management Facility except during regular hours of operation and only by the designated access and exit routes.
- 8.13 No Person shall convey, or allow or cause to be conveyed, any Waste for disposal to a Waste Management Facility which is not contained in fully enclosed vehicle bodies, or totally enclosed or covered in canvas, tarpaulins or nets, and leak-proof so as to prevent any of the contents from falling upon the ground.
- 8.14 No Person shall dispose of, or allow or cause to be disposed of, any Waste at a Waste Management Facility that is not properly drained or dried so that it does not contain any visible evidence of free water, or other liquids.
- 8.15 Any Person entering upon a Waste Management Facility does so at one's own risk and the owner of any vehicle brought upon such site shall save the Region 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 otherwise.
- 8.16 All Persons entering onto a Waste Management Facility shall abide by all policies and procedures relating to the operation including but not limited to the sorting of wastes, payment of fees and anything else described in or prescribed by this By-law.

PART 9

REGION LANDFILL SITES

- 9.1 No Person shall deliver Waste to any Regional Landfill Site, except for Regional staff or Contractors operating for the Region in the delivery of Waste for disposal.
- 9.2 Residential Waste described in Schedule "N" of this By-law shall not be deposited at any private waste disposal transfer facility or Regional waste disposal facility for disposal by the Region in a landfill site.
- 9.3 No Person, while at a Landfill Site, shall operate a vehicle or do any other thing without exercising due care and attention or in a manner that will not cause injury or harm to any person or damage to any property.
- 9.4 No Person shall operate a motor vehicle on a Landfill Site, unless otherwise authorized, other than on a designated roadway or highway, or without due care and attention, or at a greater than posted speed limit.
- 9.5 No Person shall scavenge, salvage, pick over, interfere with, remove or scatter or like or similar any Waste unless authorized by the Region in writing.

- 9.6 All Waste deposited at a Regional Landfill Site(s) shall become the property of the Region and may be salvaged, reclaimed, reused, recycled, composted, disposed of or otherwise dealt with by the Region as the Region may deem fit, in its sole discretion.
- 9.7 No Person shall enter or exit a Regional Landfill Site except during regular hours of operation and only by the designated access and exit routes.
- 9.8 Any Person entering upon a Regional Landfill Site does so at the Person's own risk and the Person shall save the Region 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 otherwise.
- 9.9 All Persons entering onto a Landfill Site shall abide by all policies and procedures relating to the operation including but not limited to the sorting of wastes, payment of fees and anything else described in or prescribed by this By-law and/or all applicable law.

PART 10

MATERIAL RECOVERY FACILITY

- 10.1 No Person shall deliver Recyclable Material to the Material Recovery Facility, except for Regional staff or Contractors operating for the Region in the delivery of Recyclable Materials for processing.
- 10.2 No Person shall deliver, dispose of, or allow or cause to be delivered or disposed of any Waste at the Materials Recycling Facility(ies) other than Recyclable Materials.
- 10.3 Any Person using the Materials Recycling Facility(ies) shall at all times obey all signs and directions of all Region staff and the Contractor(s) operating the Materials Recycling Facility.
- 10.4 All Persons shall enter or exit the Materials Recycling Facility(ies) except during regular hours of operation and only by the designated access and exit routes only.
- 10.5 No Person shall scavenge, salvage, pick over, interfere with, remove or scatter or like or similar any Waste unless authorized by the Region.
- 10.6 All Waste deposited at a Material Recovery Facility shall be the property of the Region and may be reused, recycled, reclaimed, disposed of and otherwise dealt with as the Region may deem fit, in its sole discretion.
- 10.7 Private Haulers, operators of Commercial Vehicles and operators of Residential Vehicles who transport Waste to any Waste Management Facility shall do so only under the prior approval of the Region and shall pay all applicable fees in accordance with the policies and by-laws of the Region.
- 10.8 Collection Crews under contract with the Region who transport Waste, as defined in the Schedules of this By-law, to the Material Recovery Facility shall not be liable to pay any fees.
- 10.9 Fees may be adjusted from time to time by Regional Council and any fee changes shall be advertised as required by applicable law.
- 10.10 No Person, while at a Material Recovery Facility(ies), 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.
- 10.11 No Contractor shall convey, or allow or cause to be conveyed to a Materials Recycling Facility any Recyclable Materials which are not contained in fully enclosed vehicle bodies, or totally enclosed or covered in canvas, tarpaulins or nets, and leak-

proof so as to prevent any of the contents from falling upon the ground.

- 10.12 Any Person entering the Material Recovery Facility does so at his own risk and he and the owner of any vehicle brought upon such site shall save the Region 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 otherwise.
- 10.13 All Persons entering into a Material Recovery Facility shall abide by all policies and procedures relating to the operation including but not limited to the sorting of wastes, payment of fees and anything else described in or prescribed by this by-law and/or all applicable law.

PART 11

INDUSTRIAL, COMMERCIAL OR INSTITUTIONAL WASTE

- 11.1 All Persons involved in the creation of Industrial, Commercial or Institutional Waste shall make provision for on-site, private Waste removal unless another provision has been made with the Region in accordance with the policies and by-laws of the Region and all applicable law.
- 11.2 Any authorized and approved Industrial, Commercial or Institutional user receiving Regional Waste collection shall be required to participate in the Region's recycling and/or organics and/or any other Waste collection programs, and failure to do so may result in discontinuance of provision of services.
- 11.3 With the exception of Eligible Properties, no Industrial, Commercial or Institutional properties shall receive Regional Waste collection service except on a full cost recovery basis.

PART 12

FEES AND CHARGES

12. The Solid Waste Management Fees and Charges shall be, and are hereby deemed to always have been, as set-out in the annual Business Plans and Budgets for property taxes.

PART 13

GENERAL

- 13.1 The Region shall provide Waste collection, Recycling and Disposal services to all Eligible Properties within the Region of Durham, as described in this By-law except for residential Garbage, Household Organics, Bulky Goods, Waste Electrical and Electronic Equipment, Porcelain Bathroom Fixtures, Metal Goods/Appliances and Yard Waste collection in the Town of Whitby and the City of Oshawa.
(Amended by By-law 59-2013)
- 13.2 If a property is not an Eligible Property for Waste collection under this By-law, the Owner/Occupant shall be fully responsible for the provision of private Waste collection and disposal services, in accordance with good practice and in accordance with all applicable statutes, by-laws and regulations respecting the environment and health and safety.
- 13.3 The Region shall not be obligated to collect Residential Waste from properties abutting a private or unassumed road, unless there is clear, unobstructed access to such road, sufficient, unobstructed turnaround space for the Waste collection vehicles, and adequate, unobstructed access to a public highway or roadway, all of which shall be determined by the Region in its sole and absolute discretion.

- 13.4 The Contractor shall not be required to enter any private dwelling, apartment or other building, ascend or descend any stairway, enter any elevator, chute, hoist or loading platform, or enter onto private property, for the purpose of collecting or removing any waste or recyclable material except when otherwise agreed to between the Contractor and the Region.
- 13.5 All Contractors collecting Waste in residential areas or locations adjacent to residential areas within the Region shall not be permitted to collect Waste from any property between the hours of 5:00 p.m. and 7:00 a.m. on any day.
- 13.6 No Person shall deposit or permit to be deposited upon any lands belonging to, occupied by or under such person's control, waste or any other material which may emit foul or offensive odours and/or endanger public health or safety.
- 13.7 No Person shall Set Out Waste in a Receptacle that is packed in such a manner that Waste falls out or protrudes from it.
- 13.8 No Person shall sweep, throw, deposit or allow his agents or employees to sweep, throw or deposit any Waste on any street, creek or other public place or on any lands not owned by such Person.
- 13.9 No Person shall keep a Waste Receptacle or Roadside Waste Storage Box in such condition or location so as to create a nuisance or emit foul or offensive odours or harbour or attract insects, rats or other vermin.
- 13.10 Any waste placed on a Collection Point, road allowance or any other location for collection by the Region is the property of the Region and shall be collected by the Region or its authorized collection agent(s).
- 13.11 No Person shall convey through the streets any waste or recyclable material, unless it is carried in properly covered containers or in vehicles totally enclosed or covered with canvas or tarpaulins, fastened down so as to prevent any of the contents from falling upon the streets or any escape of offensive odours.
- 13.12 Any Person who fails to observe subsection 13.11 and consequently causes waste to fall upon any street shall remove the waste immediately and if such waste is not removed immediately, the Region may do so and any Person contravening this provision will be liable for all expenses so incurred.
- 13.13 Receptacle storage enclosures large enough to hold the required number of Receptacles shall be provided by the Owner/Occupant of the types of premises listed below receiving regional waste collection services. Such enclosures shall be approved by the Region as to size.
- (i) Combined commercial and residential Properties.
 - (ii) Commercial Properties.
 - (iii) Multi-unit residential buildings.
 - (iv) Townhouse Property without internal roadways that receive centralized collection of waste and recyclables.
 - (v) Rural Property.
- 13.14 No Person shall collect Waste unless he/she has the necessary licenses and complies with all relevant Federal, Provincial and municipal legislation, regulations and by-laws.
- 13.15 No Person shall smoke at a Facility or hold a lighted tobacco product, including but not limited to, a cigarette, cigar or pipe.
- 13.16 No Person shall maintain a Composter or Compost Heap in such condition or location so as to create a nuisance or emit foul or offensive odours or harbour or attract insects, rats or other vermin.
- 13.17 The Region shall provide waste collection services as detailed in this By-law. The level of collection service and collection frequency shall be as outlined in Schedule

“O” of this By-law.

- 13.18 Any Owner/Occupant requiring a higher level of service than is provided by the Region, as described in this By-law, must contract to secure such service privately, at the Owner/Occupant's own expense.

PART 14

ENFORCEMENT

Powers of Entry

- 14.1 An Officer may, at any reasonable time, enter onto any property, without a warrant or notice for the purpose of determining whether there is compliance with this By-law.
- 14.2 Notwithstanding 14.1, an Officer may not enter into a Dwelling Unit at any time without a search warrant or informed consent of the Occupant.
- 14.2 An Officer may make examinations, investigations and inquiries as are necessary to determine whether there is compliance with this By-law.
- 14.3 No Person shall hinder, obstruct or interfere with an Officer carrying out an inspection under this By-law.

Work Order

- 14.4 Where any Person contravenes any provision of this By-law, an Officer may, by written notice require such person to comply with this By-law by issuing a work order indicating the following:
- a) the reasonable particulars of the offence;
 - b) the work to be done and the date by which the work must be completed by;
 - c) the municipal address and/or legal description of the of the property.
- 14.5 Service of a work order on an Owner/Occupant may include any of the following:
- a) personal service;
 - b) registered mail to the registered owner of the property at the municipal address; or
 - c) posting a copy of the work order on the property in a conspicuous place;
- 14.6 Where a work order has been served on an Owner/Occupant by personal service or posting a copy on the property as referred to in section 14.5(c), it is deemed to be delivered immediately.
- 14.7 Where a work order is issued by registered mail, it shall be deemed to have been effected on the third (3rd) day after a copy is sent.
- 14.8 Each Owner/Occupant, who contravenes a work order, is guilty of an offence.

Remedial Action

- 14.9 Where a Person, Owner/Occupant does not comply with a work order, the Region may without any notice cause the work to be performed at the Owner's expense.
- 14.10 The Region, its employees or agents may at any reasonable time enter upon the property, but not into any buildings or structures, to effect the compliance, at the expense of the Owner/Occupant who has failed to comply with a work order.

- 14.11 The Region may recover all costs associated with actions taken to effect compliance plus interest from the day the Region incurs such costs and ending on the day the costs, including the interest is paid in full.
- 14.12 All costs, including any interest on such costs, recoverable by the Region pursuant to this By-law or otherwise pursuant to the Municipal Act, 2001, may be recovered by any lawful means available to the Region, and such recover methods include adding such amounts to the tax roll and collect such amounts in the same manner as taxes.
- 14.13 All costs, including any interest on such costs, recoverable by the Region pursuant to this By-law or otherwise pursuant to the Municipal Act, 2001, constitute a lien on the land upon the registration in the proper land registry office of a notice of lien.
- 14.14 Where Waste is removed from Private Property or Public Property pursuant to subsection 14.9, the Region may immediately dispose of it.
- 14.15 The provisions of this By-law shall not relieve any Person from compliance with any order of the Region or any other provision prescribed by law.
- 14.16 The Region shall not be obligated to collect any Waste that is not Set Out as prescribed by this By-law.
- 14.17 The Region may, at its sole discretion and upon written notification, suspend Waste collection where Owner/Occupants have Set Out Waste for collection that is Unacceptable Waste or not in compliance with the provisions of this By-law.
- 14.18 In the event that the Region discontinues municipal Waste collection services to an Owner/Occupant, the affected Owner/Occupant shall obtain private collection services during the period in which the services are discontinued, at the same or greater frequency at which the services were provided prior to the discontinuance, all at the Owner/Occupant's sole cost and expense.
- 14.19 The Region may waive strict compliance with any provision of this By-law in accordance with its policies, By-laws and contractual commitments and approval processes.

Offence

- 14.20 Every Person who contravenes any provision of this By-law and every director or officer of a corporation who concurs in such contravention by the corporation is guilty of an offence.

Penalties

- 14.21 Upon conviction, every Person who contravenes any provision of this By-law is subject to a fine of not less than \$50.00 and not more than \$10,000.00 for a first offence, and not less than \$50.00 and not more than \$25,000.00 for any subsequent offence of this By-law.
- 14.22 Where a corporation is convicted of an offence under the provisions of this By-law, the maximum fines that may be imposed on the corporation is not less than \$250 and not more than \$50,000 for a first offence and not less than \$250 and not more than \$100,000 for any subsequent offence of this By-law.

Prohibition Order

- 14.23 Upon conviction of an offence under this By-law, the Ontario Court (Provincial Division) of the Region, or any court of competent jurisdiction thereafter may, in addition to any other penalty or other remedy imposed, make an order prohibiting the continuation or repetition of the offence.

PART 15

CONFLICT WITH EXISTING LAW

15.1 The provisions of any by-law of Whitby or Oshawa with respect to the collection of residential garbage, household organic waste, yard waste, and other special waste collection services, such as bulky goods, appliances, and scrap metal, prevail over the provisions of this By-law.

PART 16

SEVERABILITY

16.1 Where a court of competent jurisdiction declares any section or part of a section of this by-law invalid, the remainder of this By-law shall continue in force unless the court makes an order to the contrary.

PART 17

REPEAL

17.1 By-law 182-78, as amended, is hereby repealed.

17.2 Waste Management By-law 55-2004, as amended, is hereby repealed.

17.3 This By-law comes into force the day it is passed.

This by-law read and passed this 29th day of June 2011.

R. Anderson, Regional Chair and CEO

P.M. Madill, Regional Clerk

SCHEDULE "A" TO BY-LAW 46-2011

BULKY GOODS

Includes any Garbage Item that does not fit into a Garbage receptacle including, but not limited to:

Description		
House & Home	Sports & Recreation Equipment	Outdoor Living
Furniture	Skis	Patio tables
Artificial trees	Hockey sticks	Chairs & cushions
Vacuums	Hockey equipment	Patio umbrellas
Floor lamps	Goalie equipment	Plastic coolers
Armoires	Fishing rods	Garden hoses
Mattresses & box springs	Golf Bags	Plastic hose wheels
Headboards	Treadmill	Birdbaths
Bookshelves	Elliptical trainers	Planters
Loveseats	Exercise bikes	Gardening tools
Ironing board	Luggage	Deck boxes
Entertainment Unit	Backpacks	Hammocks
Ottomans	Life jackets	Lounger
Hat Stands	Tennis, squash, racquetball racquets	Lazy-boy chair
Recliners	Baseball bats	Bar sets
Baby gates	Lacrosse sticks	Rocking chairs
Credenzas	GT snow-racers	Storage benches
Baby cribs	Toboggans	Adirondack garden chairs/stools
Baby chair/car seats	Dog/cat carriers and cat scratch post	Lawn ornaments
Desks	Sleds	Plastic pool covers (rolled or tied into 1 metre x 1 metre squares)
Beanbag chairs		

Does not include:

- (i) Garbage
- (ii) Household Organic Waste
- (iii) Recyclable Materials
- (iv) Yard Waste
- (v) Municipal Hazardous or Special Waste
- (vi) Bio-Municipal Hazardous or Special Waste
- (vii) Metal Goods/Appliances
- (viii) Waste Electrical and Electronic Equipment
- (ix) Porcelain Bathroom Fixtures
- (x) Any other material or item for which the Region has a diversion program

(Amended by By-law 59-2013)

SCHEDULE "B" TO BY-LAW 46-2011

MUNICIPAL HAZARDOUS OR SPECIAL WASTE

Includes, but is not limited to;

Any household product, material, or item labeled as "corrosive", "toxic", "reactive", "explosive" or "flammable", and which is accepted under the Region's Municipal Hazardous or Special Waste program, including;

- (i) aerosols;
- (ii) antifreeze;
- (iii) asbestos;
- (iv) fuel;
- (v) batteries;
- (vi) drain cleaners;
- (vii) fire extinguishers;
- (viii) flammable liquids;
- (ix) flammable solids;
- (x) fluorescent light bulbs;
- (xi) fluorescent light tubes;
- (xii) fungicides;
- (xiii) pesticides;
- (xiv) herbicides;
- (xv) gas cylinders;
- (xvi) inorganic acids;
- (xvii) inorganic bases;
- (xviii) inorganic cyanides;
- (xix) inorganic oxidizers;
- (xx) inorganic grease;
- (xxi) isocyanates;
- (xxii) mercury switches;
- (xxiii) mercury thermometers;
- (xxiv) mineral and/or synthetic oil lubricants;
- (xxv) mineral and/or synthetic grease lubricants;
- (xxvi) non-basic fire suppressants;
- (xxvii) non-PCB light ballasts;
- (xxviii) oil filters;
- (xxix) organic oxidizers;
- (xxx) paint;
- (xxxi) paint sludge;
- (xxxii) PCB contaminated waste;
- (xxxiii) PCB light ballasts;
- (xxxiv) pesticides;
- (xxxv) pharmaceuticals;
- (xxxvi) propane tanks;
- (xxxvii) small gas cylinders;
- (xxxviii) stains;
- (xxxix) swimming pool chemicals;
- (xl) syringes and sharps
- (xli) any other material deemed Municipal Hazardous or Special Waste by the Region.

SCHEDULE "C" TO BY-LAW 46-2011

HOME HEALTH CARE WASTE

Includes:

- (i) Casts;
- (ii) Catheters;
- (iii) Empty and rinsed disposable products;
- (iv) Empty and rinsed out colostomy bags;
- (v) Empty and rinsed gastric and nasal tubes;
- (vi) Incontinence products;
- (vii) Intravenous bags and tubing;
- (viii) Sponges;
- (ix) Any other material deemed Home Health Care Waste by the Region.

Does not include:

- (i) Biomedical waste;
- (ii) Pathological waste; or
- (iii) Hypodermic needles, syringes or sharps.

SCHEDULE "D" TO BY-LAW 46-2011

DIAPER / MEDICAL CONDITION COLLECTION PROGRAM

1. The Region shall provide special collection or drop off considerations to Owner/Occupant upon Owner/Occupant completing a "Diaper / Medical Condition Collection Program Application", as included in Schedule "E" of this By-law, and receiving Regional approval for disposable diapers and incontinence products with respect to the following items:
 - a) residents with medical conditions generating excessive waste and households with three (3) or more children under the age of three (3);
 - b) households qualifying for special consideration are given no more than one (1) additional bag allowance per week. The Region will issue one (1) year's supply of bag tags to each qualifying household; and
 - c) residents who receive special consideration may drop off dedicated loads of diapers and/or incontinence products at all Waste Management Facilities in clear plastic bags with bag tags affixed to each bag, at no additional charge.

SCHEDULE "E" TO BY-LAW 46-2011

DIAPER / MEDICAL CONDITION COLLECTION PROGRAM
APPLICATION FORM



Application Form for Special Consideration Regarding Garbage Bag Limits

The Region of Durham recognizes that some households may require special consideration with respect to the garbage bag limit in your area. Regional Council has endorsed a plan that will permit an annual allotment of garbage bag tags to those households that submit an acceptable application for this special waste collection and disposal program.

By making this application, I hereby certify that the information provided is true and accurate.

Section 1

Application for residents who require the use incontinence products as a result of a medical condition:

Please attach a note from your medical practitioner along with this application form.

Name: _____

Guardian name (if different from above): _____

Home address _____ City/Town _____

Phone number _____ Postal Code _____

License Plate number for disposal at the Waste Management Facility _____

I acknowledge that the person named above has a medical condition that generates excessive garbage waste and requires special accommodation.

Signature of applicant _____ Date _____

Section 2

Application for households with three or more children under the age of three:

Name: _____

Home address _____ City/Town _____

Phone number _____ Postal Code _____

Name of first child _____ Birth Date: _____

Name of second child _____ Birth Date: _____

Name of third child _____ Birth Date: _____

License Plate number for disposal at Waste Management Facility _____

I acknowledge that the person named above has three or more children under the age of three that generates excessive wastes and requires special accommodation.

Signature of applicant _____ Date _____

Please provide the following information to: **Region of Durham Works Department, Supervisor of Waste Collection, P.O. Box 623, 605 Rossland Road East, Whitby, Ontario L1N 6A3.**

Personal information is collected, used and distributed under the authority and in accordance with MFIPPA and PHIPA laws and is only used for the purposes authorized in the attached consent.

Questions about this collection of information should be addressed to Mirka Januszkiewicz, Director, Waste Management.

**SCHEDULE “F” TO BY-LAW 46-2011
HOUSEHOLD ORGANIC WASTE**

Includes, but is not limited to:

Waste Type	Description / Examples
Food Wastes	All vegetables (cooked/raw/whole/peelings), corn cobs and husks, all fish and fish products (cooked/raw), all fruits (cooked/ raw/ whole/ peelings/ cores/ seeds/ pits) and all fruit products (cooked/raw), tea bags, bones, all meat and meat products (cooked/raw), all shellfish and shellfish products (cooked/raw), all poultry and poultry products (cooked/ raw), seasonings and spices, frozen foods, breads, cakes, cookies, muffins, pasta, toast, coffee grounds, paper coffee filters
Plate Scrapings	All food leftovers, gravies and sauces
Baking Wastes	Muffins, grease/lard, fat, flour, eggs and egg shells, margarine, spices, cake, cookies, sugar, cereals, oatmeal, oats
Dairy Products	Mayonnaise, yogurt, sour cream, butter, all cheese, ice cream, cream
Paper Fibre Wastes	Molded pulp paper egg cartons, molded pulp paper beverage trays, paper towels, tissues, napkins/serviettes, paper plates and paper cups (no lids), soiled paper food containers and wraps (i.e. frozen food boxes, pizza boxes, fast food boxes and wraps, special event paper food containers), muffin paper, butcher paper, paper table cloths
Other Wastes	Hair, sawdust, wood shavings, wooden stir sticks, wooden cutlery, dryer lint, bedding from pet cages, house plants with our without soil, flowers, cold fireplace ash, wooden toothpicks, garden fruit (i.e. crabapples), hair, pet food, pet fur, Halloween pumpkins, gourds, dried decorative fruits and vegetables, natural wreaths, natural garland, cotton balls, sawdust

And any other materials deemed Household Organic Waste by the Region.

Does not include:

- (i) Aluminum foil;
- (ii) Animal waste;
- (iii) Christmas Trees;
- (iv) Cigarette butts;
- (v) Coffee cups;
- (vi) Cotton swabs;
- (vii) Dead animals;
- (viii) Diapers;
- (ix) Disposable clothes dryer sheets;
- (x) Disposable diapers;
- (xi) Disposable wipes;
- (xii) Feminine hygiene products;
- (xiii) Garbage;
- (xiv) Glass of any kind;
- (xv) Grass Clippings;
- (xvi) Hot Fireplace Ash;
- (xvii) Incontinence products;
- (xviii) Metal of any kind;
- (xix) Municipal Hazardous or Special Waste;
- (xx) Yard Waste;
- (xxi) Plastic/plastic coated products of any kind;
- (xxii) Sod;
- (xxiii) Synthetic corks;
- (xxiv) Topsoil;
- (xxv) Treated wood;
- (xxvi) Vacuum bags and contents;
- (xxvii) Wax cartons or paper;
- (xxviii) Wire or metal ties.

SCHEDULE "G" TO BY-LAW 46-2011

UNACCEPTABLE WASTE FOR CURBSIDE OR ON-SITE COLLECTION

Includes, but is not limited to:

- (i) Agricultural Waste;
- (ii) Liquid Waste;
- (iii) Manure or waste from any animal, save and except for waste from household pets;
- (iv) Industrial, Commercial or Institutional Waste from properties not receiving municipal Waste collection;
- (v) Waste generated as a result of construction, demolition or renovation, including but not limited to soil, sod, plaster, drywall, masonry and any tile not made of Porcelain, bricks, concrete, concrete or cinder blocks, paving stones, asphalt, wood, windows and window glass, shingles, asbestos, and urea formaldehyde;
- (vi) Carpeting;
- (vii) Swimming pools;
- (viii) Hot ashes and any or other waste capable of starting fires;
- (ix) Municipal Hazardous or Special Waste;
- (x) Pathological waste;
- (xi) Bio-medical waste,;
- (xii) Automotive or motorized equipment parts including tires, engines and frames;
- (xiii) Any sharp material or item that may pose a safety hazard to Regional staff or the Contractor;
- (xiv) Dead animals;
- (xv) Railroad ties;
- (xvi) Grass clippings;
- (xvii) Ammunition
- (xviii) Explosives;
- (xix) Municipal Hazardous or Special Waste;
- (xx) Sludge;
- (xxi) Any Waste, not including WEEE, bulky goods and scrap metal, weighing more than 20 kilograms (44 pounds);
- (xxii) Any Waste frozen to approved Receptacles that is not easily removed by shaking;
- (xxiii) Any Waste not Set Out in approved Receptacles;
- (xxiv) Any Waste Set Out in such a manner as to pose a Health and/or Safety hazard to any person;
- (xxv) Any Garbage over the Garbage Bag Limit that is not Tagged;
- (xxvi) Tree stumps and branches with a diameter greater than 116mm (4");
- (xxvii) Yard Waste in plastic bags;
- (xxviii) Household Organics in plastic bags;
- (xxix) Waste Electronic and Electrical Equipment;
- (xxx) Designated Waste that has been banned from landfill or for which reasonable alternative disposal methods are available, as determined by the Region.
- (xxxi) Two piece toilets whose tanks have not been separated from the bowls;
- (xxxii) Broken Porcelain Bathroom Fixtures not packaged in a cardboard box and/weighing more than 20 kilograms (44 pounds);
- (xxxiii) Any other material deemed as prohibited waste by the Region.

(Amended by By-law 59-2013)

SCHEDULE "H" TO BY-LAW 46-2011

RECYCLABLE MATERIALS

Includes, but is not limited to:

Containers	Fibres
Empty aseptic containers (drinking boxes)	Boxboard (cereal and cracker boxes)
Empty metal aerosol cans with lids removed	Corrugated Cardboard
Empty and dry metal paint cans with lids removed	Envelopes, direct mail advertising
Empty and dry plastic paint cans with lids removed	Greeting cards
Aluminum plates, trays and foil	Bristol board, construction paper
Empty glass bottles and jars	All paper and paper products generated by households and home offices
Empty metal beverage and food containers	Fine paper
Metal food and drink lids	Newsprint
Empty plastic bottles and jugs with a twist-off top up to 20 litres in volume including lids	Paper take out food containers
Empty tubs and lids up to 20 litres in volume	Paper towel/toilet paper rolls
Empty spiral wound carton food and beverage containers	Magazines and soft cover books
Empty Rigid Plastic food and beverage tubes	Shredded paper
Empty milk and juice cartons and Tetrapak© containers	Telephone books
Empty Rigid Plastic fruit and vegetable containers and baskets	Hard cover books (covers removed)
Empty Rigid Plastic cold drink cups and lids	
Empty Rigid Plastic non Styrofoam© egg cartons	
Empty Rigid Plastic disposable confectionery item liner trays	
Empty single serve yogurt/pudding cups	
Empty Rigid Plastic non Styrofoam© takeout food containers	
Empty Rigid Plastic bakery item trays (e.g. cake domes and muffin trays)	

And any other material deemed as a Recyclable Material by the Region.

Does not include:

Garbage	Pane glass
Household Organic Waste	Glassware
Yard Waste	Tempered glass
Municipal Hazardous or Special Waste	Textiles
Metal Goods/Appliances	Any acceptable container that held motor oil or body fluids
Scrap Metal	Tissue paper
Waste Electrical and Electronic Equipment	Plastic or foil wrapping paper
Film Plastic (e.g. plastic bags, shrink wrap and over wrap)	Ceramic and porcelain items
Expanded polystyrene (e.g. Styrofoam©)	Straws
Plastic toys	
Durable drink and food containers (e.g. thermos© and travel mugs)	

(Amended by By-law 59-2013)

SCHEDULE "I" TO BY-LAW 46-2011

METAL GOODS/APPLIANCES

Includes, but is not limited to:

- (i) Air conditioners (central and window units);
- (ii) Clothes washers;
- (iii) Clothes dryers;
- (iv) Dehumidifiers;
- (v) Dishwashers;
- (vi) Freezers (chest and upright);
- (vii) Ovens;
- (viii) Refrigerators;
- (ix) Stoves;
- (x) Refrigerated water coolers;
- (xi) Any other items deemed Metal Goods/Appliances by the Region.

Does not include:

- (i) Garbage
- (ii) Recyclable Materials
- (iii) Household Organic Materials
- (iv) Yard Waste
- (v) Municipal Hazardous or Special Waste
- (vi) Unacceptable Waste For Curbside Or On-Site Collection
- (vii) Bio-Municipal Hazardous or Special Waste
- (viii) Waste Electrical and Electronic Equipment
- (ix) Motorized vehicles/equipment
- (x) Motorized vehicle/equipment parts
- (xi) Porcelain Bathroom Fixtures

(Amended by By-law 59-2013)

SCHEDULE "J" TO BY-LAW 46-2011

SCRAP METAL

Includes, but is not limited to:

- (i) Barbeques (tanks and charcoal removed);
- (ii) Bicycle frames (tires removed);
- (iii) Central vacuum units;
- (iv) Empty home heating oil tanks (cut in half);
- (v) Empty hot water tanks;
- (vi) Metal Fireplaces and Wood Burning Stoves;
- (vii) Furnaces;
- (viii) Heat pumps/exchangers;
- (ix) Large home safes;
- (x) Metal bath tubs;
- (xi) Metal bed frames and rails;
- (xii) Metal fencing;
- (xiii) Metal filing cabinets (empty);
- (xiv) Metal furniture;
- (xv) Metal shelving units;
- (xvi) Metal sinks;
- (xvii) Metal swing sets;
- (xviii) Metal shower enclosures;
- (xix) Metal tools;
- (xx) Metal tubing and plumbing fixtures;
- (xxi) Pool heaters;
- (xxii) Pots and Pans;
- (xxiii) Range hoods;
- (xxiv) Wheel barrows (metal only);
- (xxv) Metal ladders;
- (xxvi) Waste Electrical and Electronic Equipment
- (xxvii) Any other material deemed Scrap Metal by the Region

Does not include:

- (i) Garbage
- (ii) Recyclable Materials
- (iii) Household Organic Materials
- (iv) Yard Waste
- (v) Municipal Hazardous or Special Waste
- (vi) Unacceptable Waste For Curbside Or On-Site Collection
- (vii) Bio-Municipal Hazardous or Special Waste
- (viii) Metal Goods/Appliances
- (ix) Motorized vehicles/equipment
- (x) Motorized vehicle/equipment parts
- (xi) Porcelain Bathroom Fixtures

(Amended by By-law 59-2013)

SCHEDULE "K" TO BY-LAW 46-2011

YARD WASTE

Includes, but is not limited to:

- (i) Brush;
- (ii) Christmas Trees (natural);
- (iii) Corn stalks;
- (iv) Flowers
- (v) Garden trimmings;
- (vi) Garden fruit (i.e. crab apples, apples, pears, peaches, cherries, etc.);
- (vii) Gourds
- (viii) Halloween pumpkins;
- (ix) Hedge and tree trimmings (branches);
- (x) House and garden plants;
- (xi) Lawn edging (earth removed);
- (xii) Leaves;
- (xiii) Natural woven fibre plant containers;
- (xiv) Peat;
- (xv) Pine needles and cones;
- (xvi) Plant cuttings and roots;
- (xvii) Shrubs;
- (xviii) Thatch;
- (xix) Weeds;
- (xx) Any other material deemed Yard Waste by the Region.

Does not include:

- (i) Sod;
- (ii) Soil;
- (iii) Stones;
- (iv) Stumps;
- (v) Garbage;
- (vi) Recyclables
- (vii) Municipal Hazardous or Special Waste
- (viii) Unacceptable Waste For Curbside Or On-Site Collection
- (ix) Bio-Municipal Hazardous or Special Waste
- (x) Metal Goods/Appliances
- (xi) Waste Electrical and Electronic Waste
- (xii) Motorized vehicles/equipment
- (xiii) Motorized vehicle/equipment parts
- (xiv) Hay bales
- (xv) Grass clippings
- (xvi) Porcelain Bathroom Fixtures

(Amended by By-law 59-2013)

SCHEDULE "L" TO BY-LAW 46-2011

WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE)

Includes, but is not limited to:

Materials designated as WEEE designated in the Minister of the Environment's program request letter received by Waste Diversion Ontario in June 11, 2007 under Ontario's Waste Electrical and Electronic Equipment program plan as approved under Waste Diversion Act, S.O 2002, including;

Phase 1 Products

- (i) Desktop computers, servers, and terminal computers
- (ii) Portable computers (laptops, notebooks, notepads)
- (iii) Computer peripherals (disk drives, optical drives, mice, keyboards)
- (iv) Monitors (Cathode Ray Tube, Liquid Crystal Display, plasma)
- (v) Televisions (Cathode Ray Tube, Liquid Crystal Display, plasma, rear projection)
- (vi) Computer printers (laser, ink jet, dot matrix, dye sublimation, and multi-function units that operate as printers/scanners/copiers/fax machines, bar code printers, label printers, card printers, camera dock printers)

Phase 2 Products

- (i) Computer peripherals, including modems
- (ii) Photocopiers, scanners, typewriters
- (iii) Fax machines
- (iv) Telephones and Cellular phones (physical and accessories) and answering machines
- (v) PDAs and pagers
- (vi) Audio and video players and recorders (mp3, cassette, digital)
- (vii) Cameras (web, digital, analog)
- (viii) Equalizers, amplifiers, preamplifiers
- (ix) Radios, Tuners and Receivers
- (x) Speakers
- (xi) Turntables
- (xii) Video players/projectors/recorders and digital frames
- (xiii) Personal handheld computers

Does not include:

- (i) Garbage;
- (ii) Recyclables;
- (iii) Household Organic Waste
- (iv) Yard Waste;
- (v) Municipal Hazardous or Special Waste;
- (vi) Household Medical and Pathological Waste;
- (vii) Metal Goods/Appliances;
- (viii) Scrap Metal
- (ix) Porcelain Bathroom Fixtures

(Amended by By-law 59-2013)

SCHEDULE "L-1" TO BY-LAW 46-2011

PORCELAIN BATHROOM FIXTURES

Any residential product made from hard, white, translucent ceramic by firing pure clay and then glazing it with variously colored fusible materials.

Includes:

- (i) Toilets;
- (ii) Sinks;
- (iii) Bath Tubs;
- (iv) Bidets;
- (v) Tiles free of mortar, grout, concrete, plaster, drywall, or other adhesive or backing material.

Does not include:

- (vi) Porcelain tiles not free of mortar, grout, concrete, plaster, drywall, or other adhesive or backing material.
- (vii) Any other tile not made of Porcelain.
- (viii) Garbage;
- (ix) Recyclables;
- (x) Household Organic Waste;
- (xi) Yard Waste;
- (xii) Municipal Hazardous or Special Waste;
- (xiii) Household Medical and Pathological Waste;
- (xiv) Metal Goods/Appliances;
- (xv) Scrap Metal;
- (xvi) Enamel or Acrylic bathroom fixtures;
- (xvii) Waste Electrical and Electronic Equipment.

(Amended by By-law 59-2013)

SCHEDULE "M" TO BY-LAW 46-2011

ACCEPTABLE WASTE AT WASTE MANAGEMENT FACILITIES

Includes, but is not limited to:

- (i) Automotive parts;
- (ii) Agricultural bale wrap;
- (iii) Construction and demolition waste;
- (iv) Clean drywall and clean drywall offcuts;
- (v) Expanded polystyrene plastic;
- (vi) Garbage;
- (vii) Leaf and Yard Waste;
- (viii) Metal Goods/Appliances;
- (ix) Motorized equipment with fluids drained;
- (x) Municipal Hazardous or Special Waste
- (xi) Recyclable Materials;
- (xii) Scrap Metal;
- (xiii) Small engines with fluids drained;
- (xiv) Textiles and other items for Re-Use
- (xv) Tires and tire rims;
- (xvi) Waste Electrical and Electronic Equipment;
- (xvii) Wood Waste;
- (xviii) Porcelain Bathroom Fixtures;
- (xix) Any other material deemed by the Region to be Acceptable Waste at Waste Management Facilities.

Does not include;

- (i) Household Medical Waste not properly packaged and labeled
- (ii) Liquid Waste other than that which is included in Municipal Hazardous and Special Waste
- (iii) Medical and liquid waste including cultures of infectious agents, blood and blood products, pathological waste, sharps, animal wastes contaminated with organisms that are infectious to humans not properly packaged and labeled
- (iv) Pathological Waste not properly packaged and labeled
- (v) Radioactive waste
- (vi) Sewage

(Amended by By-law 59-2013)

SCHEDULE "N" TO BY-LAW 46-2011

LANDFILL RESTRICTIONS

The following Waste shall not be deposited at any private Waste disposal transfer facility or Regional Waste Management Facility for disposal by the Region in a landfill site:

- (i) Christmas Trees
- (ii) Empty material handling drums
- (iii) Grass clippings
- (iv) Home Healthcare Waste not properly packaged and labeled
- (v) Household Organic Waste
- (vi) Liquid Waste
- (vii) Medical and liquid waste including cultures of infectious agents, blood and blood products, pathological waste, sharps, animal wastes contaminated with organisms that are infectious to humans not properly packaged and labeled
- (viii) Metal Goods/Appliances
- (ix) Municipal Hazardous or Special Waste
- (x) Pathological Waste
- (xi) Radioactive Waste
- (xii) Recyclable Materials
- (xiii) Sewage
- (xiv) Waste Electrical and Electronic Equipment
- (xv) Whole motor vehicle tires
- (xvi) Yard Waste
- (xvii) Porcelain Bathroom Fixtures
- (xviii) Any other material or item for which the Region provides a waste disposal alternative program

(Amended by By-law 59-2013)

**SCHEDULE "O" TO BY-LAW 46-2011
APPROVED REGIONAL RESIDENTIAL CURBSIDE LEVELS OF WASTE COLLECTION SERVICES**

Municipality	Location	Type & Level of Collection Service						
		Recycling Curbside Collection	Green Bin Curbside Collection	Garbage Curbside Collection	Leaf & Yard Waste Curbside Collection	Bulky Goods Curbside Collection	Metal Goods/Appliances Curbside Collection	WEEE & Porcelain Bathroom Fixtures Curbside Collection
Town of Ajax	Eligible Property	Weekly	Weekly	Bi-weekly 4 Bag / Container Limit Max. 20 kg / 44 lbs. weight per bag / container	24 Collections Per Year Max. 20 kg / 44 lbs. weight per Yard Waste Receptacle 2 Christmas Tree Collections / Yr	No Appointment Required Two (2) Bulky Goods	Appointment Required No maximum limit	Appointment Required No maximum limit
Township of Brock	Eligible Property	Weekly	Weekly	Bi-weekly 4 Bag / Container Limit Max. 20 kg / 44 lbs. weight per bag / container	24 Collections Per Year Max. 20 kg / 44 lbs. weight per Yard Waste Receptacle 2 Christmas Tree Collections / Yr	Appointment Required Two (2) Bulky Goods	Appointment Required No maximum limit	Appointment Required No maximum limit
Municipality of Clarington	Eligible Property	Weekly	Weekly	Bi-weekly, Tuesday to Friday 4 Bag / Container Limit Max. 20 kg / 44 lbs. weight per bag / container	24 Collections Per Year Max. 20 kg / 44 lbs. weight per Yard Waste Receptacle 2 Christmas Tree Collections / Yr	Appointment Required Two (2) Bulky Goods	Appointment Required No maximum limit	Appointment Required No maximum limit
City of Pickering	Eligible Property	Weekly	Weekly	Bi-weekly, Tuesday to Friday 4 Bag / Container Limit Max. 20 kg / 44 lbs. weight per bag / container	24 Collections Per Year Max. 20 kg / 44 lbs. weight per Yard Waste Receptacle 2 Christmas Tree Collections / Yr	No Appointment Required Two (2) Bulky Goods	Appointment Required No maximum limit	Appointment Required No maximum limit
Township of Scugog	Eligible Property	Weekly	Weekly	Bi-weekly, Tuesday to Friday 4 Bag / Container Limit Max. 20 kg / 44 lbs. weight per bag / container	24 Collections Per Year Max. 20 kg / 44 lbs. weight per Yard Waste Receptacle 2 Christmas Tree Collections / Yr	Appointment Required Two (2) Bulky Goods	Appointment Required No maximum limit	Appointment Required No maximum limit

**SCHEDULE "O" TO BY-LAW 46-2011
APPROVED REGIONAL RESIDENTIAL CURBSIDE LEVELS OF WASTE COLLECTION SERVICES**

Municipality	Location	Type & Level of Collection Service						
		Recycling Curbside Collection	Green Bin Curbside Collection	Garbage Curbside Collection	Leaf & Yard Waste Curbside Collection	Bulky Goods Curbside Collection	Metal Goods/Appliances Curbside Collection	WEEE & Porcelain Bathroom Fixtures Curbside Collection
Township of Uxbridge	Eligible Property	Weekly	Weekly	Bi-weekly, Tuesday to Friday 4 Bag / Container Limit Max. 20 kg / 44 lbs. weight per bag / container	24 Collections Per Year Max. 20 kg / 44 lbs. weight per Yard Waste Receptacle 2 Christmas Tree Collections / Yr	Appointment Required Two (2) Bulky Goods	Appointment Required No maximum limit	Appointment Required No maximum limit
Town of Whitby	Eligible Property	Weekly						
City of Oshawa	Eligible Property	Weekly						

Note: Collection Days for each service area are noted within Solid Waste Management Calendars distributed to residents and included on the Region's website, as amended from time to time to ensure route efficiencies and quality service Region-wide. The Region reserves the right to implement minimum quantities for the collection of Waste.

(Amended by By-law 59-2013)

TECHNICAL AND RISK MANAGEMENT GUIDELINES FOR WASTE COLLECTION SERVICES



**Technical and Risk Management
Guidelines For Waste Collection
Services on Private Property**

Table of Contents

Introduction	47
Site Plan Requirements	47
Definitions	47
General Waste Collection Requirements	49
Requirements for High Rise Buildings	49
Requirements for Townhouse Properties	51
Submission Process	51
APPENDIX “F”	62
THE REGIONAL CERTIFICATE OF INSURANCE	62

Appendix

- “A”. Waste Collection Vehicle and Container Dimensions
- “B”. Dimensions for a “T” Turnaround
- “C”. Dimensions for a Cul-de-sac Turnaround
- “D”. Application for Waste Collection Services On Private Property
- “E”. Application Checklist for Waste Collection Services On Private Property
- “F”. Certificate of Insurance

Introduction

The purpose of this document is to ensure that owners, planners, developers and contractors of high rise buildings or townhouse complexes are familiar with proper waste collection and waste storage systems and further that the provision for these are considered in the development of all residential multi residential projects. These requirements must be met before the Region will consider private property waste collection services to any development. In addition to the requirements set out in this document, Municipal and Region site plan requirements, Waste Collection By-law, Building and Fire Codes and any other applicable Regulations are also required.

These guidelines are the minimum requirements only and the Region reserves the right to enact additional requirements during their review of development projects. The Region also reserve the right to designate the type of collection to be provided, access and storage required on a case by case basis. If the Region determines that a development does not meet the requirements contained within this document then Regional waste collection services will not be considered or approved.

The Provincial 3Rs Regulations require residential multi-unit developments to implement source separation programs for standard Blue Box recyclable materials that are generated within the facility.

When planning waste management facilities, consideration should be given to a design that encourages recycling and other waste reduction programs.

The Region has introduced aggressive waste reduction programs such as Blue Box recycling and kitchen food waste Green Bin composting in our communities. It is imperative these types of recycling and composting programs should be easy to use and readily accessible to all residents.

Building and site plans should also provide adequate and efficient waste handling and storage facilities for all wastes and be located conveniently within the building structure or on the property site for easy and barrier free access by residents and collection vehicles.

Site Plan Requirements

To ensure site plans have incorporated all guidelines as they pertain to waste collection services, applicants must include information that describes the following:

- a. Proposed waste handling system for recyclables, compostables and garbage
- b. Access routes for waste collection vehicles on private property;
- c. Waste collection area;
- d. Garbage rooms, containers and storage facilities;
- e. Recycling rooms, containers and storage facilities;
- f. Food waste rooms, containers and storage facilities;
- g. Size, number and type of waste containers/totes to be used;
- h. Above ground features such as parking areas in relation to the access route;
- i. Number of dwelling units and number of stories.

The applicant must submit a completed “Application for Waste Collection Services on Private Property and Indemnification Form”, a copy of which is attached as Appendix “D” to the Region’s Waste Management Division for review and consideration before any collection of waste will commence.

The Region will inspect and evaluate the details in an “Application for Waste Collection Service on Private Property and Indemnification Form”. Before any application is approved, the development must be more than 75% fully occupied and construction completed. If and when the Region approves a development for waste collection on private property, service will be scheduled to commence in approximately 4 to 6 weeks at the beginning of a new month.

Definitions

- I. “**Blue Box Recyclables**” means a household item as described in Schedule “H” of Durham Region Waste Management By-law 46-2011, as amended.
- II. “**Collectible**” means any residential waste material which may be collected pursuant to Region and/or Municipal by-law.
- III. “**Collection Pad**” means an external level-surface concrete pad used as a waste collection point.
- IV. “**Collection Area**” means a location on private property designated exclusively for collection of residential waste materials.
- V. “**Commercial Property**” means an establishment used for the purpose of retail, service, entertainment, recreation or offices and includes an institution.

- VI. **“Contractor”** means any person or business which has entered into a contract with the Region for the collection of waste on behalf of the Region.
- VII. **“Front-End Collection”** means the collection of waste materials from containers/totes using a Front-End collection vehicle.
- VIII. **“Garbage”** means solid, non-hazardous Waste other than Recyclable Materials, Household Organics, Municipal Hazardous or Special Waste, Metal Goods/Appliances, Bulky Items, Scrap Metal, Yard Waste, Waste Electrical and Electronic Equipment, Porcelain Bathroom Fixtures and Unacceptable Waste as described in the Schedules of Durham Region Waste Management By-law 46-2011, as amended.
- IX. **“Green Bin Compostables”** means those residential wastes designated by the Region as part of the Green Bin kitchen food waste program and which are not to be collected as garbage or as a recyclable.
- X. **“Multi-residential Complex”** means an apartment building, condominium complex, townhouse complex, co-op complex or other similar residential complex containing more than six (6) self contained dwelling units.
- XI. **“Municipality”** or **“Municipal”** means the municipality of the Region of Durham or any of the following area municipalities Municipality of Clarington, Township of Uxbridge, Township of Scugog, Township of Brock, City of Oshawa, Town of Ajax, Town of Whitby and the City of Pickering.
- XII. **“On-site Waste Collection”** means the collection of Waste from containers and waste storage areas on Private property.
- XIII. **“Porcelain Bathroom Fixtures”** means the items included in Schedule “L-1” of Durham Region Waste Management By-law 46-2011, as amended, and any other Waste material designated as Porcelain Bathroom Fixtures by the Region.
- XIV. **“Recyclable Materials”** means any material mandated under Ontario Reg. 101/94 or subsequently designated by the Region.
- XV. **“Region”** means the Regional Municipality of Durham or an authorized representative of the Regional Municipality of Durham.
- XVI. **“Rigid Plastic”** means a hard plastic item as described in Schedule “H” of Durham Region Waste Management By-law 46-2011, as amended, and any other Waste material designated as acceptable Rigid Plastic by the Region.
- XVII. **“Scrap Metal”** means a household item as described in Schedule “J” of Durham Region Waste Management By-law 46-2011, as amended.
- XVIII. **“Set Out”** means to place, or permit to be placed, waste at any location on private property for the purpose of waste collection.
- XIX. **“Street”** means any public highway, road, street, avenue, parkway, lane, alley or square.
- XX. **“T-turnaround”** means a “T” shaped area that allows vehicles to reverse direction through a 3-point turn.
- XXI. **“Turning Radius”** means the minimum area required for a vehicle to turn around.
- XXII. **“Waste”** means residential Blue Box recyclables, Green Bin compostables and residual Garbage materials.
- XXIII. **“Waste Diversion Program”** means Recyclable Materials, Household Organic Waste, Yard Waste, Bulky Items, Metal goods/Appliances, Scrap Metal, Waste Electrical and Electronic Equipment, Porcelain Bathroom Fixtures as described in the Schedules of Durham Region Waste Management By-law 46-2011, as amended.
- XXIV. **“Waste Electrical and Electronic Equipment”** or **“WEEE”** means Waste defined under Ontario Regulation 393/04 and as described in Schedule “L” of Durham Region Waste Management By-law 46-2011, as amended.

General Waste Collection Requirements

The following are the general conditions for the collection of residential garbage, recyclables and compostable materials. Applicants should refer to the applicable Municipal and Region By-laws for additional or specific collection requirements.

- a) The Region will only collect residential waste materials and reserves the right to revoke collection services to any residential multi-unit development that does not meet the guidelines outlined in this document or the Region's Waste By-law;
- b) The property owners are responsible for the design and construction of proper and safe residential waste handling systems for their residents on private property including access routes, storage facilities, collection areas, and with direct access to a municipal street that does not require the collection vehicle to back onto the municipal street;
- c) The design of the collection area and the access road, as outlined in this document, shall be provided exclusive of any onsite parking spaces;
- d) All residential waste materials must be securely stored inside an enclosed structure, so as to contain any litter, and be easily accessible by residents in a well lit, secure and barrier free environment;
- e) All residential waste containers must be stored inside until the scheduled collection day and, after collection, must be returned to the storage area immediately following collection;
- f) Waste information and collection procedure signs must be installed in appropriate locations to ensure a safe and clean environment around the waste collection areas and access routes. Property owners must be responsible for actively promoting Blue Box recycling, and Green Bin composting as a means of reducing of Garbage waste;
- g) Private access roads must be constructed of a suitable material such as asphalt or concrete and be structurally adequate to prevent damage by and support a fully loaded waste collection vehicle;
- h) The property owner is exclusively responsible for any damage on private access roads and/or storage areas from waste collection vehicles;
- i) The property owner is responsible for moving all waste containers out to the designated collection area on the designated collection day;
- j) The property owner is responsible for obtaining, designing, implementing, constructing and maintaining safe waste handling systems in accordance with the Region's "Technical and Risk Management Guidelines For Waste Collection Services On Private Property";
- k) The property owner is responsible for collection, processing, composting, haulage and disposal of all waste from the property until such time as the site is approved for collection services.
- l) As instructed by the Region, the property owner may have to demonstrate their commitment to the Region's diversion programs through waste audits at their expense, which are to be provided by a reputable waste consultant. The results are to be forwarded to the Region for review, and must be in accordance with the Region's diversion mandate to continue to receive waste collection services.

Requirements for High Rise Buildings

For multi-residential high-rise buildings with more than 6 units, waste collection design and services are to be as follows:

1. Storage Area

- a) The development must have internal waste collection storage rooms of sufficient size to receive and accommodate all garbage, food waste and recycling wastes from residents and further to store such wastes in containers in a safe manner.
- b) Storage rooms should provide for easy access for residents to use conveniently as well as for the movement of waste containers to and from the storage room to the collection area.
- c) The storage room must be ventilated, well lit, secure, rodent-proof and separated from the living space and in accordance with local zoning By-laws, building and fire codes;
- d) The storage room must have adequately sized roll up overhead doors, leading to the collection area. Waste containers must have heavy duty wheels.

- e) Large multi-residential developments with greater than 30 units must use compactors for all garbage waste.
- f) Cross contamination of waste materials is not acceptable and it is the responsibility of the property owner to ensure appropriate internal collection procedures and waste handling systems are in place to minimize contamination.
- g) Waste handling systems must include separate containers for each of the applicable Waste Diversion Program materials and garbage. Consideration should be given to an adequately sized chute system (to accommodate for each of the following Waste streams: Garbage, compostables, containers, fibres) adjacent to the building elevators or an acceptable equivalent whereby residents can leave their source separated Wastes near their units or in another convenient location;
- h) Consideration must be given in the design stage of the units to accommodate for the various Waste storage receptacles to be utilized in the Region's Waste Diversion Programs and collection. This includes designated internal storage space under sinks with sliders, and within closets that would include the ability to stack receptacles if necessary;

2. Collection Area

- a) The development must have a waste collection area located on private property with direct and safe access for collection vehicles entering from and exiting to the municipal street;
- b) The collection area must consist of a level reinforced concrete pad suitably sized to accommodate all waste containers to be serviced.
- c) The collection vehicle must be able to empty and return containers to the collection area without requiring containers to be shuffled either manually or mechanically.
- d) Collection vehicles must be able to safely drive out onto the street and not back out in order to turn around;
- e) The collection area must be kept clear of all obstructions and clearly marked as a "No Stopping" or "No Parking" area;
- f) Along the collection access route and in the collection area, an overhead clearance of 7 metres must be provided from all obstructions such as wires, balconies and trees.

3. Access Routes

- a) The internal roadways must be a minimum of 6.5 metres in width, use a minimum of 13 metres in turning radii and the approach to the collection area is to be designed with a minimum 18.0 metres straight approach;
- b) Where the requirement for a continuous drive-through access and exit cannot be achieved, a "T" type turnaround or cul de sac type turnaround will be permitted. See specifications listed in Appendix "B" and "C";
- c) Where the access route used by the collection vehicle travels over the deck of an underground parking garage, the applicant must provide a letter to the Region certified by an Engineer that confirms the structural capability of the deck to support a fully loaded waste collection vehicle.

4. Frequency of Service

- a) The Region's waste collection service will be limited as follows:

Blue Box recyclables: weekly
 Garbage waste: weekly
 Green Bin food wastes: weekly (optional service)
 Waste Electrical and Electronic Equipment: (as applicable)
 Porcelain Bathroom Fixtures: (as applicable)
 Metal Goods/Appliances: (as applicable)
 Scrap Metal: (as applicable)

Requirements for Townhouse Properties

For single family dwellings and multi-residential townhouse type developments with an internal private road, waste collection design and services are to be as follows:

1. Storage Area

- a) The development must be designed to accommodate waste materials storage inside the single family dwellings and/or internal street type townhouse units;

Consideration must be given in the design stage of the units to accommodate for the various waste storage receptacles to be utilized in the Region's waste collection and Region's Waste Diversion Programs. This includes designated internal storage space under sinks with sliders, and within closets that would include the ability to stack receptacles if necessary.

2. Collection Area

- a) The collection area must be along the internal access route of the development in front of each and every dwelling unit. It is the responsibility of the residents to properly place their waste materials out for waste collection on the designated day of the week; as per the Region's Waste Collection By-law.
- b) The collection area must be kept clear of all obstructions and clearly marked as a "No Stopping" or "No Parking" area;
- c) Along the collection access route and in the collection area, an overhead clearance of 7 metres must be provided from all obstructions such as wires, balconies and trees.

3. Access Routes

- a) The internal roadways must be a minimum of 6.5 metres in width and use a minimum of 13 metres in turning radii;
- b) Where a continuous drive-through route cannot be achieved, a "T" type turnaround or cul de sac type turnaround will be permitted. See specifications listed in Appendix "B" and "C";
- c) The internal access route must be designed to structurally withstand the weight of fully loaded waste collection vehicles;

4. Frequency of Service

- a) The Region's curbside waste collection service will be limited as follows:

Blue Box recyclables: weekly
Green Bin food wastes: weekly
Garbage waste: bi-weekly (every other week)
Waste Electrical and Electronic Equipment: (as applicable)
Porcelain Bathroom Fixtures: (as applicable)
Metal Goods/Appliances: (as applicable)
Scrap Metal: (as applicable)

Submission Process

The applicant must submit a formal letter, along with detailed site plan requirements as per Section 1, requesting Regional waste collection services along with a completed "Application for Waste Collection Services on Private Property and Indemnification Form", a copy of which is attached as Appendix "D", a completed "Application Checklist", a copy of which is attached as Appendix "E" and a "Certificate of Insurance" to the Region's Waste Management Services Department for review and consideration before any collection of waste will commence.

Once completed, please mail to:

Director of Waste Management Services
Regional Municipality of Durham, 4th Floor
605 Rossland Road East, PO Box 623
Whitby, Ontario L1N 6A3

The Region will respond in writing to the applicant acknowledging that the application has been received for further review.

Revisions to the Waste Collection Guidelines

The Region may from time to time review, revise and update its “Guidelines For Waste Collection Services On Private Property”.

Any revisions to this document will require the approval of the Director of Waste Management Services or designate.

Distribution of Waste Collection Guidelines

The Region will distribute current copies of the “Guidelines For Waste Collection Services On Private Property” upon request to interested parties. Any subsequent revisions will automatically be forwarded to such parties.

It is the intent of the Region to provide realistic and workable “Guidelines For Waste Collection Services On Private Property” to strengthen and benefit proper waste management practices in our communities.

Waste Collection Guideline Inquiries can be directed to the Regional Municipality of Durham Waste Management Services Department by:

Phone: **905-668-7711** or **1-800-372-1102**

E-mail: **wasteguidelines@durham.ca**

APPENDIX

Appendix “A”

Waste Collection Vehicles and Container Dimensions

The following table illustrates typical vehicle dimensions for typical waste collection vehicles. The dimensions are approximate and may vary from actual. All measurements are in metres:

Vehicle Type	Length	Width	Height	Turning Radius
1. Recycling	10.76 m	2.77 m	3.69 m 5.08 m with bucket up	11.50 m
2. Front-end	9.85 m	2.77 m	4.31 m 6.15 m with forks extended	11.50 m
3. Rear Packer	11.54 m	2.77 m	3.69 m	13.00 m
4. Side Packer	10.46 m	2.98 m	3.85 m	13.00 m

The following table illustrates approximate dimensions for typical recycling carts and front-end collected waste bins*:

Capacity	Length	Width	Height**	Recommended Footprint
95 Gallon Recycling Cart	0.88 m 2.9 ft	0.67 m 2.2 ft	1.15 m 3.8 ft	1 cubic m 3.3 ft x 3.3 ft
2 Cubic Yard Bin	1.82 m 6.0 ft	0.91 m 3 ft	0.91 m 3 ft	2 m x 1.2 m 6.5 ft x 4 ft
3 Cubic Yard Bin	1.82 m 6.0 ft	1.03 m 3.4 ft	1.21 m 4.0 ft	2 m x 1.4 m 6.5 ft x 4.5 ft
4 Cubic Yard Bin	1.82 m 6.0 ft	1.37 m 4.5 ft	1.22 m 4.0 ft	2 m x 1.7 m 6.5 ft x 5.5 ft
6 Cubic Yard Bin	1.82 m 6.0 ft	1.82 m 6.0 ft	1.6 m 5.25 ft	2 m x 2.1 m 6.5 ft x 7 ft
8 Cubic Yard Bin	1.82 m 6.0 ft	2.1 m 7.0 ft	1.82 m 6.0 ft	2 m x 2.4 m 6.5 ft x 8 ft

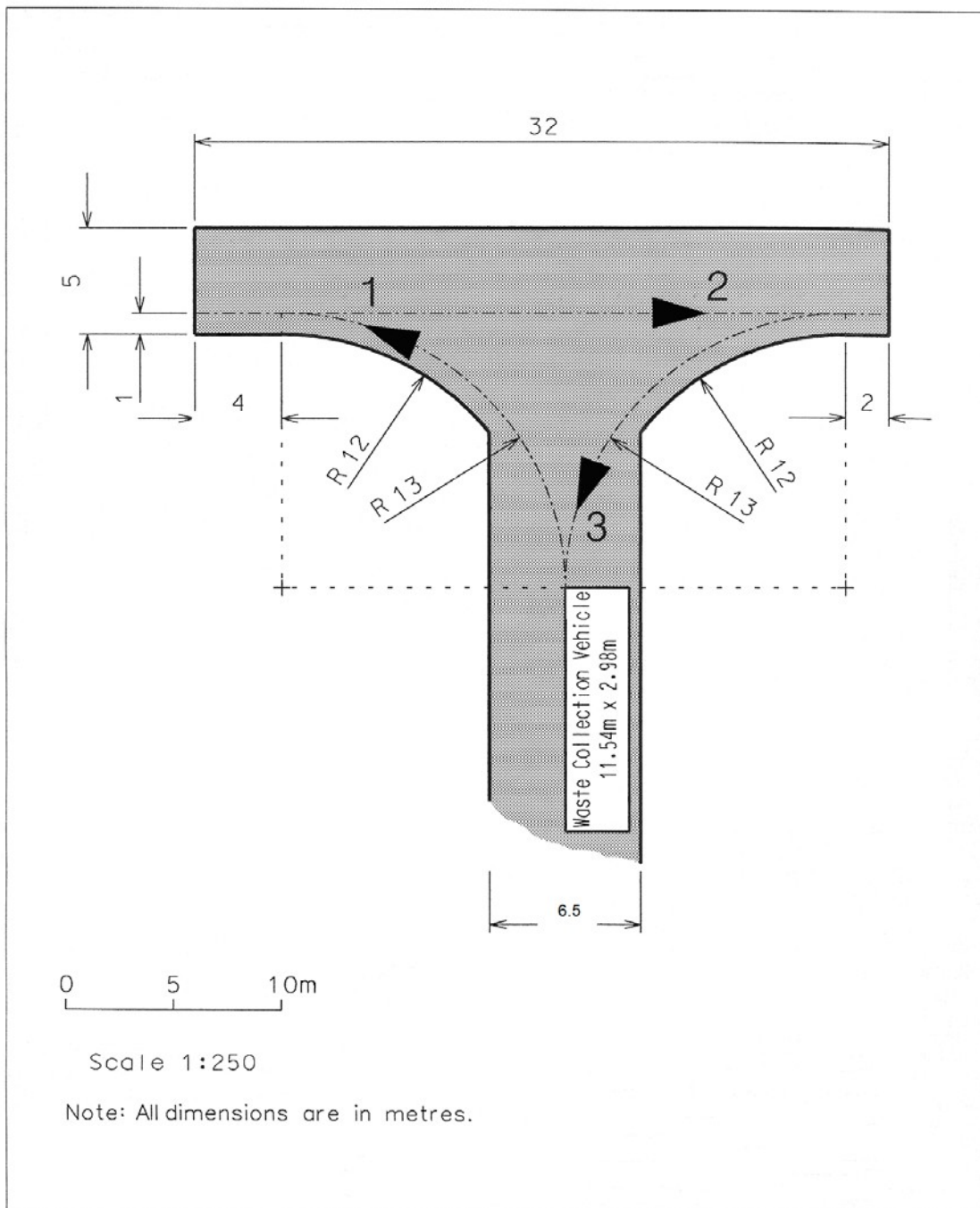
*Note: front-end waste bins contain protruding side brackets to facilitate lifting by collection truck lift arms. Extra space on either side of such bins has been incorporated into the recommended footprint column for space planning purposes.

**Note: height of front-end bins does not include castors (wheels), which are optional on bins and could add 6 to 8 inches.

Typical recommended recycling cart ratio to multi-residential building units is 1 cart for every 7 units. Recycling carts are required for each recycling stream: Containers, Papers and Cardboard/Boxboard.

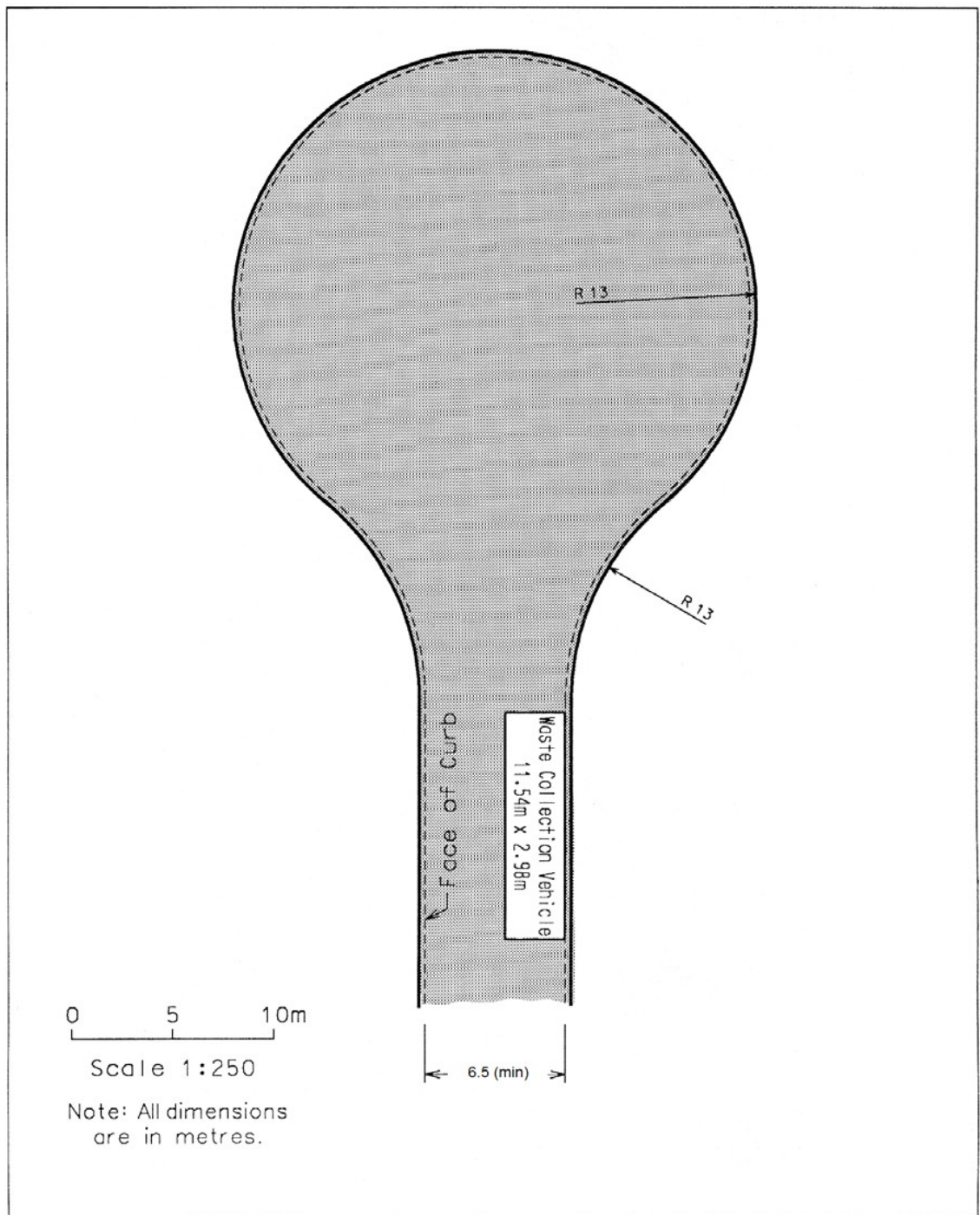
Appendix "B"

Dimensions for a "T" Turnaround



Appendix "C"

Dimensions for a Cul-de-sac Turnaround



Application for Waste Collection Services on Private Property and Indemnification Form

Date: _____/_____/_____
 YYYY MM DD

The undersigned requests the extended “on site waste collection services on private property” as provided by the Regional Municipality of Durham.

Applicant Details:

Applicant: _____ Property Owner: _____

Address of Owner: _____

City: _____ Postal Code: _____ Phone: _____ - _____ - _____

E-mail Address: _____ Cell: _____ - _____ - _____

Collection requested at:

Name of Property: _____ Contact: _____

Address of Property: _____

Phone: _____ - _____ - _____ E-mail Address: _____

Details of Location:

Type of Building (Townhouses, High Rise Building): _____

Expected date of completion (YYYY/MM/DD): _____

Site Plan Number: _____ Condominium Plan Number: _____

No. of Units: _____ Number of Floors: _____

Units Occupied to Date: _____ As of Date (YYYY/MM/DD): _____

Comments:

Region of Durham Works Department
Waste Management Services
605 Rossland Road East, PO Box 623
Whitby, ON, L1N 6A3

**Application for Waste Collection Services on
Private Property and Indemnification Form - Cont'd**

Terms and Conditions:

1. The undersigned, being the owner, or agent of the owner of the above property, acknowledges that it is agreed that the Region's collection vehicles or its agents shall be permitted to enter onto the above property for the purpose of collecting waste materials from the premises.
2. The owner, or where applicable, its signing officer, shall ensure that in the event of a change in ownership for the above property, they will inform the new owner of this application.
3. The undersigned further agrees to indemnify and hold harmless the Region and its waste collection contractors on private property against all actions, suits, claims and demands, direct or indirect, which may arise as a result of the provision of these services to the property, including but not limited to any damages to structures that may be located on or about the premises, as a result of any waste materials collection equipment entering the property indicated above.
4. The undersigned shall at its sole cost and expense, shall take out, maintain and annually provide the Region of Durham and its waste collection contractors on private property an insurance certificate evidencing:
 - i) Commercial general liability insurance pertaining to liability to others in respect of injury, death or damage to property occurring upon, or about its operations in an amount not less than two million dollars (\$2,000,000.00) for claims arising out of one occurrence.
 - ii) The commercial general liability policies shall be in the name of the undersigned and shall name the Region of Durham as an additional insured there under.
 - iii) The owner, or where applicable, shall ensure that all internal roadways on private property are suitably maintained for collection services throughout the year, as well as ensuring that there are no parked cars on the internal roadways that could be deemed as obstructions.

Dated: _____ Authorized Signature: _____

Printed Name: _____ Title: _____

I have the authority to bind the corporation

OFFICE USE

Date application received: _____ Date site inspected: _____

Site complies with Guidelines: _____ If not, why not: _____

Signatures of approval: _____ Date service is to start: _____

Date Approved: _____

Appendix “E”

Application Checklist for Waste Collection Services on Private Property

General Requirements

Checklist

The property owners are responsible for the design and construction of proper and safe residential waste handling systems for their residents on private property including access routes, storage facilities, collection areas, and with direct access to a municipal street that does not require the collection vehicle to back onto the municipal street;	
The design of the collection area and the access road, as outlined in this document, shall be provided exclusive of any onsite parking spaces;	
All garbage, organic and recyclable material containers must be securely stored inside until the scheduled collection day and must be returned to the storage area immediately following collection.	
Waste information and collection procedure signs must be installed in appropriate locations to ensure a safe and clean environment around the waste collection areas and access routes. Property owners must be responsible for actively promoting Blue Box recycling, and Green Bin composting as a means of reducing of Garbage waste;	
Private access roads must be constructed of a suitable material such as asphalt or concrete and structurally adequate to prevent damage by and support a fully loaded garbage collection vehicle of approximately 30 tonnes;	
The property owner/manager is responsible for moving all non-compacted garbage, organic and recycling storage containers out to the designated collection area on the designated collection day(s). Front-end collected garbage containers that cannot be accessed from within the collection vehicle will not be collected;	

High Rise Buildings

For multi-residential high rise buildings with more than 6 units, waste collection design and services are to be as follows:

a) Storage

Checklist

The development must have internal garbage and recycling storage room of sufficient size to accommodate all required garbage and recycling containers. Such space should provide for easy access and movement of containers to and from the storage room. The storage room must be ventilated, rodent-proof and separated from the living space and in accordance with local zoning By-laws, building and fire codes;	
The storage room must have a roll up overhead door a minimum size of 4.0 metres wide and 4.0 metres high, leading to the collection area.	
Large multi-residential developments greater than 30 units must mechanically compact garbage waste. Waste handling systems must include separate containers for recyclables, compostables and garbage waste. Consideration should be given to an adequately sized four chute system (one for each of: garbage, compostables, containers, papers) adjacent to the building elevators or an acceptable equivalent whereby residents can leave their source separated wastes near their units or in another convenient location;	

Application Checklist for Waste Collection Services on Private Property - Cont'd

High Rise Buildings Cont'd

b) Collection Area

Checklist

The development will require a collection area on private property with direct and safe access entering from and exiting to the municipal street;	
The collection area is to be directly accessible to the waste and recycling collection vehicles;	
The collection area must be level with the access roadway;	
The collection area must consist of a level concrete pad and apron with a minimum width of 3.0 meters for every garbage bin and 1 metre for every recycling bin required. The minimum depth of the collection area is 3 metres;	
The collection area must be designed to prevent the containers from rolling from the collection area;	
The collection vehicle must be able to empty and return containers The collection vehicle must be able to empty and return containers to the collection area without requiring containers to be shuffled either manually or mechanically; Collection vehicles must be able to safely drive out onto the street and not back out in order to turn around;	
The collection area must be kept clear of all obstructions and clearly marked as a NO STOPPING area;	
In the collection area, an overhead clearance of 7 metres must be provided from obstructions such as wires, balconies and trees.	

c) Access Routes

Checklist

The internal roadway shall be a minimum of 6.5 metres in width, use a minimum of 13 metres in turning radii and the approach to the collection area is to be designed with a minimum of 18 metres straight approach;	
The internal roadway shall be designed to permit continuous collection without reversing onto the municipal street. Continuous drive through access is preferred;	
Where the requirement for a continuous drive-through access and exit cannot be met, a "T" type turnaround will be permitted that includes the length of the collection vehicle plus the length of the collection area and is in accordance with the specification listed in Appendix B;	
Where the access route used by the collection vehicle travels over the deck of an underground parking garage, the applicant must provide a letter to the Region and/or Municipality, certified by an Engineer that confirms the structural capability of the deck to support a fully loaded waste collection vehicle.	

Application Checklist for Waste Collection Services on Private Property - Cont'd

Townhouse Properties

For single family dwellings and multi-residential townhouse type developments with an internal private road, waste collection design and services are to be as follows:

a) Storage Area

Checklist

The development must be designed to accommodate waste materials storage inside the single family dwellings and/or internal street type townhouse units;	
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b) Collection Area

Checklist

The collection area must be along the internal access route of the development in front of each and every dwelling unit. It is the responsibility of the residents to properly place their waste materials out for waste collection on the designated day of the week;	
The collection area must be kept clear of all obstructions and clearly marked as a "No Stopping" or "No Parking" area;	
Along the collection access route and in the collection area, an overhead clearance of 7 metres must be provided from all obstructions such as wires, balconies and trees.	

c) Access Routes

Checklist

The internal road layout is designed to permit continuous collection of garbage, organic and recyclable material without reversing;	
The internal roadways must be a minimum of 6.5 metres in width and use a minimum of 13 metres in turning radii;	
Where a continuous drive-through route cannot be achieved, a "T" type turnaround or cul de sac type turnaround will be permitted. See specifications listed in Appendix "B" and "C";	
The internal access route must be designed to structurally withstand the weight of fully loaded waste collection vehicles;	

APPENDIX "F"

**THE REGIONAL
MUNICIPALITY
OF DURHAM**

CERTIFICATE OF INSURANCE



**PROOF OF LIABILITY INSURANCE WILL BE ACCEPTED ON THIS FORM ONLY
THIS FORM MUST BE COMPLETED AND SIGNED BY YOUR AGENT, BROKER OR INSURER
ALL INSURERS SHOWN MUST BE LICENSED TO OPERATE IN CANADA**

This is to certify that the Named Insured hereon is insured as described below

Named Insured	Address of Named Insured
Location and Operations of the Named Insured for which Certificate is issued With respect to the agreement with the Region of Durham for the Collection and Disposal of Waste	

AUTOMOBILE LIABILITY INSURANCE

INSURING COMPANY	POLICY NUMBERS	LIMIT OF COVERAGE	EFFECTIVE DATE	EXPIRY DATE
	Automobile Liability	Deductible, if any:	D/M/Y	D/M/Y
	Excess Auto Liability (if applicable)		D/M/Y	D/M/Y

The above policy(ies) must cover all vehicles owned in whole or in part and licensed in the name of the insured including all vehicles leased on a long term basis for which the insured is required by contract to provide bodily injury and property damage insurance.

COMMERCIAL GENERAL LIABILITY

INSURING COMPANY	POLICY NUMBERS	LIMIT OF COVERAGE	EFFECTIVE DATE	EXPIRY DATE
	COMMERCIAL GENERAL LIABILITY	Per Claim / Annual Aggregate Deductible, if any	D/M/Y	D/M/Y
	Excess Liability (if applicable)	Per Claim / Annual Aggregate	D/M/Y	D/M/Y
	Professional Liability (if applicable)	Per Claim / Annual Aggregate Deductible, if any	D/M/Y	D/M/Y
Provisions of Amendments or Endorsements of Listed Policy(ies)				

COMMERCIAL GENERAL LIABILITY is issued on an 'occurrence' basis form and is extended to include Personal Injury Liability, Contractual Liability, Non-Owned Automobile Liability, Owner's and Contractor's Protective Coverage, Products/Completed Operations, Contingent Employer's Liability, Cross Liability Clause and Severability of Interest Clause.

With respect to Commercial General Liability Insurance, THE REGIONAL MUNICIPALITY OF DURHAM is added as an Additional Insured but only with respect to its liability arising out of the operations of the Named Insured.

The policy(ies) identified above shall apply as primary insurance and not excess to any other insurance available to The Regional Municipality of Durham.

If cancelled or changed so as to reduce the coverage as outlined on this certificate, during the period of coverage as stated herein, thirty (30) days, prior written notice by registered mail will be given by the Insurer(s) to:

**The Regional Municipality of Durham
Attention: Risk Management Department
Finance Department, 605 Rossland Road East
Whitby, Ontario L1N 6A3**

I certify that the insurance is in effect as stated in this certificate and that I have authorization to issue this certificate for and on behalf of the insurer(s).

Date	Name, Address, Fax and Telephone Number of Certifying Party	Signature of Authorized Representative or Official
		Print Name of above Authorized Representative or Official

Issue date: February 14, 2011

MG\INSPool\regional certificate of insurance