

BY-LAW NUMBER 22-2017
OF THE
REGIONAL MUNICIPALITY OF DURHAM

being a by-law to amend By-law Number 46-2011 (the "By-law) being A By-law To Regulate the Provision of the Waste Management Services Under the Jurisdiction of The Regional Municipality of Durham.

WHEREAS Regional Council wishes to amend the By-law.

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

1. That Appendix "D" of Schedule "P" of By-law 46-2011, the "Application for Waste Collections Services on Private Property and Indemnification Form", be deleted and the form attached hereto as Schedule "A" be substituted therefore.
2. Schedule "A" attached hereto forms part of this by-law.
3. This by-law shall come into effect on the date it is approved by the Council of The Regional Municipality of Durham.

BY-LAW read and passed this 12th day of April, 2017.

R. Anderson, Regional Chair & CEO

R. Walton, Regional Clerk

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 by not limited to any damages to structures that may be located on or about the premises, as a result of any waste material collection equipment entering the property, save and except any such actions, suits, claims and demands resulting from any fault, default, negligence, act or omission of the Region, or its waste collection contractors or any other Person for whom the Region is in law responsible.
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: YES / NO If not, why not: _____

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

Date Approved: _____

Rev: Feb.2015