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Item No. 11.1.6
Halifax Regional Council
January 13, 2015

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY:

Original signed by 

Richard Butts, Chief Administrative Officer

Original Signed

Jane Fraser, Acting Deputy Chief Administrative Officer

DATE: 13 January 2015

SUBJECT: Proposed By-Law S-608, Respecting the Amendment of By-Law S-600, the Solid Waste Resource Collection & Disposal By-law S-600

ORIGIN

January 14, 2014, Motion of Halifax Regional Council Committee of the Whole (COW) directed staff to initiate the process to amend By-law S-600 to evolve the solid waste management system.

December 2, 2014, public hearing related to Solid Waste Resource Collection & Disposal By-law S-600 – Amendments.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, s.335 allowing Council to “make by-laws respecting solid waste” By-law S-600, *Solid Waste Resource Collection and Disposal By-law*.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Give First Reading to By-law S-608, amending By-law S-600, the *Solid Waste Resource Collection and Disposal By-law*, as set out in Attachment B;
2. Adopt By-law S-608, amending By-law S-600, the *Solid Waste Resource Collection and Disposal By-law*, as set out in Attachment B.

BACKGROUND

Background is detailed in full within the December 2, 2014 Council Report “Solid Waste Resource Collection & Disposal By-law S-600 – Amendments” which has been included as Attachment “D”.

DISCUSSION

At the December 2, 2014 public hearing on proposed changes to By-Law S-608, Regional Council made subsequent amendments to the original proposed amendments. The subsequent amendments were substantive in nature and as a result, require a First and Second Reading to amend the By-law. Council's amendments are detailed below.

Amendment 1 - Amend Section 7.2(a) to add (ib) to read: (ib) One single garbage container of the weight including contents, height and diameter indicated in Section 7.2 (a) (ii) (B) may be used as an opaque bag. The garbage in this container shall be bagged in small bags and shall not be loose.

Amendment 2 - Amend 6.1 d) to read: 6.1 d) maximum of four (4) regulation plastic bags per unit including one (1) option privacy bag per unit to a maximum of twenty four (24) per mixed waste collection day as per section 6.1.a (3) The intent of the amendment in regard to multi-unit residential buildings is to include provisions for 4 bags per unit with one being an optional privacy bag.

Amendment 3 - Introduce clause 7.2 a) i) G) clear bags may not contain a privacy bag if they contain any material.

Amendment 4 Amend - 6.1 (a) (i) to: A maximum of six regulation plastic bags per mixed waste collection day per unit including (1) optional privacy bag. And to replace 6.1 (b) as proposed with the following: 6.1 (b) For eligible premises which are single family dwellings or multi-unit residential dwellings, residential home renovation waste materials may be placed for municipal collection to a maximum of five mixed waste regulation containers or bundled materials per unit per mixed waste collection day. The number of bundles shall be included in the six mixed waste regulation bag container limit as provided in Section 6.1 (a) (ii). Such bundled materials may be no more than 1.2 meters in length and 34 kilograms in weight.

The above amendments as well as corresponding changes related to Regional Council's intent for the above amendments have been made to By-law S-608 as written and presented at the December 2, 2014 public hearing and are included within Attachment “D”.

FINANCIAL IMPLICATIONS

Halifax's solid waste strategy is based on source separation and maximizing the capture of resources and the diversion of materials from landfill. Reducing waste delivered to the landfill saves landfill cell capacity and extends the time between the required development of the next cell.

Increasing the capture of recyclables will impact materials recovery facility capacity; this is being included in the ongoing business case analysis of the recycling program. Likewise, increased capture of organics material will necessitate evolution of the organics program. The program requirements and option are also being developed for submission to Regional Council in 2015/16. The evolution of the Solid Waste system is capital intensive and will require additional funding in order to develop new infrastructure.

Funding for this infrastructure and program amendments can be made available through recommendations within the January 14, 2014 Council report “Integrated Solid Waste Resource Management Strategy Review – Final Report”.

Communication and marketing activities to advance changes at the curb were planned for and incorporated into the existing advertising and marketing budget for fiscal year 2014/15 and have been budgeted for 2015/16.

COMMUNITY ENGAGEMENT

A public hearing took place within Council Chambers at 6:00 pm on December 2, 2014. In addition, correspondence was received from residents and circulated to the Mayor and Council.

ENVIRONMENTAL IMPLICATIONS

The increase in diversion from landfill, increased capture of recyclables and organics, and the improvement of compost quality are all environmental priorities and advanced by these program changes.

There are no environmental impacts as a result of these program changes.

ALTERNATIVES

Council could rescind approval of the previously approved program changes.

ATTACHMENTS

Attachment "A" – Showing Proposed Changes By-law S-600

Attachment "B" – Amending By-law S-608

Attachment "C" – Incorporating Proposed Changes By-law S-600

Attachment "D" – December 2, 2014 Council Report "Solid Waste Resource Collection & Disposal By-law S-600 – Amendments"

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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Attachment “A”
(Showing Proposed Changes)

HALIFAX REGIONAL MUNICIPALITY
SOLID WASTE RESOURCE COLLECTION AND DISPOSAL BY-LAW
BY-LAW No. S – 600

1. TITLE

1.1 This By-law shall be known and may be cited as the “*Solid Waste Resource Collection and Disposal By-Law*”.

2. DEFINITIONS

2.1 In this By-Law the following words and phrases shall have the following meanings:

(a) “bulky items” means large items of a household nature including but not limited to furniture, stoves, mattresses, bed springs, barrels, water tanks, dishwashers, pieces of fencing and oil tanks.

(b) “blue bag recyclables” means glass bottles and jars, aluminum, steel and tin cans, high density polyethylene, low density polyethylene, and polyethylene terephthalate plastic bottles, containers and bags, milk and juice cartons, tetra packs and mini-sip containers or other items as designated by Council from time to time.

(c) “boxboard” means cereal, shoe, tissue, detergent, cracker, cookie, baking product and frozen food boxes, toilet paper rolls and paper towel rolls or other similar items.

(ca) “chute” includes a sloping or vertical channel, tube or slide, which is capable of conveying ICI waste from one level or floor to a lower level or floor;

(d) “collectible waste” means material originating from eligible premises and placed by the owner or occupant for collection by a collection contractor or by an agent of the Municipality and includes, without limitation, mixed waste, recyclable materials, and organic materials.

(e) “collection contractor” means any company, person or persons and the agents of such persons under contract with the Municipality to collect collectible waste from eligible premises.

(f) “commercial container” means any container used for the storage of ICI waste or any container used for the storage of organic materials or recyclable materials originating from industrial, commercial or institutional premises on

properties located in the Municipality for collection by a hauler;

(g) “collection day” means any day which is scheduled by the Municipality for municipal collection of collectible waste.

(h) “commercial enterprise” means an enterprise which is commercially assessed for business occupancy tax, a commercial tax rate by the Municipality, or an apartment building having one civic address and more than six (6) units but does not include a business located in a residential dwelling such as, but not limited to, a home occupation or a professional office;

(i) “commercial premises” means any lot of land which contains one or more commercial enterprises.

(ia) “common area containers” means separate containers for the source-separation of organic materials, blue bag recyclables, cardboard, paper and ICI waste located in a common area at industrial, commercial and institutional premises.

(j) “construction and demolition waste” means material generated as a result of construction, demolition, or renovation activities and includes but is not limited to polystyrene or fibreglass insulation, pieces of gyprock and scrap wood.

(ja) “corrugated cardboard” means a paper-based material generally consisting of a fluted corrugated sheet and one or two flat linerboards. It is widely used in the manufacture of corrugated boxes, corrugated shipping containers and other similar products.

(k) “Council” or “council” means the Council of the Halifax Regional Municipality.

(l) “dwelling” means a building, or a unit in a building, occupied or intended to be occupied as a home, residence or sleeping place by one or more persons but does not include a hotel, motel, guesthouse or inn.

(m) “eligible premises” means those properties within the Municipality which are eligible for municipal collection as defined in Section 5.1 of this By-law.

(n) “fibre recyclables” means **boxboard**, mixed paper, corrugated cardboard, newsprint, magazines, catalogues, flyers, telephone and other soft cover books and egg cartons or other similar items designated by Council from time to time.

(o) “food waste” means fruit and vegetable peelings, table scraps, meat, poultry and fish, shellfish, dairy products, cooking oil, grease and fat, bread, grain, rice and pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags or

other similar items.

(p) “front-end processing facility” means a facility designed to receive and sort ICI waste and mixed waste and to recover selected items.

(q) “hauler” means any company, person or persons who transports waste materials including, without limitation, ICI waste, mixed waste, recyclable materials, or organic materials to waste management facilities operated by the Municipality, its contractor(s) or its agents or to other waste management facilities approved under applicable law for disposal of waste materials.

(r) “industrial/commercial/institutional waste” or “ICI waste” means material of similar composition as mixed waste collected within the Municipality other than by municipal collection.

(s) “institutional premises” means any building exclusively used by any corporate body or society for promoting a particular purpose on a non-profit basis and includes public buildings.

(t) “leaf and yard waste” means ~~grass clippings~~ leaves, brush, twigs, house and garden plants, sawdust and wood shavings or other similar items, **excluding grass clippings.**

(u) “Administrator” means a person appointed in writing by the Chief Administrative Officer to administer this by-law, or a person appointed by the Administrator as his designate;

(v) “materials recovery facility” means a facility designed to receive, sort, process, store and ship to market recyclable materials.

(w) “mini-bin” means a small container supplied to eligible premises by the municipality for the collection of organic materials prior to deposit in an organic materials regulation container.

(x) “mixed waste” means and includes all collectible waste other than that which is collected as recyclable materials or organic materials including:

(i) broken bottles, crockery and glassware, floor sweepings, discarded clothing and furnishings, non-recyclable plastic and metal, non-recyclable packaging, non-repairable household goods and other household waste;

(ii) glass that is tightly wrapped in cardboard or other suitable material and clearly marked to prevent injury to collection personnel;

- (iii) bulky items and white goods;
 - (iv) ashes and soot that is completely cold placed in plastic disposable watertight bags securely tied and marked “ashes” or “soot”;
 - (v) residential home renovation waste materials;
 - (vi) other items not specifically designated as mixed waste except as excluded by this By-law.
- (y) “mixed waste regulation container” means a container as specified in Section 7.2 for the collection of mixed waste.
- (z) “municipal collection” means the scheduled collection of collectible waste made by or on behalf of the Municipality, at the expense of the Municipality, for eligible premises.
- (aa) “Municipality” or “municipality” means the Halifax Regional Municipality.
- (bb) “non-collectible waste” means all material other than collectible waste and without limitation includes:
- (i) transient waste;
 - (ii) liquid waste or material that has attained a fluid consistency and has not been drained;
 - (iii) highly combustible or explosive materials, including without limitation, celluloid cuttings, motion picture film, oil or gasoline soaked rags, gas containers, chemicals, acids or other combustible residues, fine dry sawdust, ammunition, dynamite, or other similar material;
 - (iv) material that is considered pathogenic or biomedical including, without limitation, dressings, bandages or other infected material or hypodermic needles discarded in the course of the practice of physicians, surgeons, dentists or veterinarians;
 - (v) trade waste;
 - (vi) carcasses or parts of any animal except food waste;
 - (vii) waste listed or characterized as hazardous by any federal or provincial law;

- (viii) sheet iron, large pieces of scrap metal or machine parts, automobile parts, fuel tanks and bodies;
 - (ix) septic tank pumpings, raw sewage or industrial sludge;
 - (x) radioactive materials;
 - (xi) soil, rock and stumps;
 - (xii) waste material resulting from construction, demolition or renovation activities including planking, siding, bricks, masonry, wood, beams and gyprock left by any contractor or property owner except as permitted herein;
 - (xiii) industrial waste material from factories or other manufacturing processes;
 - (xiv) manure, kennel waste, excreta, fish processing waste;
 - (xv) waste material from commercial containers;
 - (xvi) lead-acid automotive batteries and propane tanks;
 - (xvii) waste material which has not been placed for collection in accordance with the provisions of this By-Law; and
 - (xviii) materials banned from landfill disposal by the Nova Scotia Department of the Environment unless such materials are recyclable materials or organic materials from eligible premises.
- (cc) “oil tanks” means residential oil tanks, cleaned and cut in half, to a maximum size of 200 gallons.
- (dd) “organics collection cart” or “cart” means an aerated cart supplied to eligible premises by the Municipality for the collection of organic materials.
- (ee) “organic materials” means food waste, leaf and yard waste, boxboard, soiled and non-recyclable paper, branches and bushes, natural Christmas trees without decorations and stands and other material of plant or animal origin as designated by Council from time to time.
- (ff) “organic materials regulation container” means a cart or other container as specified in Section 7.2 for the collection of organic materials.
- (ffa) “provincial disposal bans” means materials banned from disposal in landfills

and incinerators under the Solid Waste - Resource Management Regulations of the Environment Act of the Province of Nova Scotia as updated and amended from time to time.

(ffb) “paper” means **boxboard**, mixed paper, newsprint, magazines, catalogues, flyers, telephone books, soft cover books, and paper egg cartons or other similar items designated by Council from time to time.

(ffc) “privacy bag” means a solid colour plastic garbage bag or a single container pursuant to Section 7.2(a)(vi).

(gg) “recyclable materials” means fibre recyclables, blue bag recyclables and other materials of a recyclable nature.

(hh) “recyclable materials regulation container” means a container as specified in Section 7.2 **(c)** for the collection of recyclable materials.

(ii) “regulation container” means a mixed waste regulation container; an organic materials regulation container or a recyclable materials regulation container.

(iia) “residential home renovation waste materials” means construction and demolition waste generated as a result of residential home construction, demolition, or renovation activities and includes pieces of gyprock, pieces of scrap wood, rolled carpet and rigid polystyrene foam or fibreglass insulation;

(jj) “residuals disposal facility” means a facility for the disposal and containment of ICI waste and mixed waste.

(kk) “scale clerk” means the person(s) responsible for the operation of the scale system(s) located at the waste management facilities operated by the Municipality, its contractors or its agents.

(ll) “single family dwelling” means a dwelling as defined herein occupied by a single family unit **and includes a mobile home and a dwelling within a multi-unit residential dwellings in a duplex, rowhouse or townhouse.**

(mm) “soiled and non-recyclable paper” means napkins, paper towels & fast food wrappers, wax paper, ~~file folders, yellow & brown envelopes, wrapping paper, soiled pizza boxes~~, paper plates and cups, damp and soiled newspaper and flyers, sugar, flour & potato paper bags or other similar items.

(nn) “source separated composting facility” means a facility designed to receive, process and compost organic materials.

(oo) “trade waste” means materials accumulated as a result of commercial activities such as packing materials, display boards, rags, paper, and other waste materials resulting from such activities.

(pp) “transfer station” means a facility operated by or on behalf of the Municipality for unloading and consolidating ICI waste and mixed waste from collection vehicles for transport to another waste management facility in larger loads.

(qq) “transient waste” means waste material produced outside the Municipality or produced at a location other than at the building in front of which it was placed for pick up.

(rr) “treasurer” means the Administrator of Treasury for the Municipality, the successor to this position or a person designated by the Administrator of Treasury to act in his/her place.

(ss) “unit” means a self-contained portion of a building occupied as a separate residence.

(tt) “waste disposal fees” means user fees, per tonne fees or per cubic metre fees charged by the Municipality for the acceptance of ICI waste, mixed waste, recyclable materials, and organic materials at designated waste management facilities operated by the Municipality, its contractors or its agents.

(uu) “waste management facilities” means any of the facilities for the management of ICI waste, mixed waste, recyclable materials, and organic materials operated by the Municipality, its contractors or its agents and includes, without limitation, the front end processing facility, materials recovery facility, residuals disposal facility, source-separated composting facility(s), transfer station(s) and waste stabilization facility.

(vv) “waste stabilization facility” means a facility for the stabilization of ICI waste and mixed waste containing residual organic material.

(ww) “white goods” means any large household appliance including but not limited to refrigerators, freezers, air conditioners, stoves, washers, and dryers with the CFC refrigerants removed as required by applicable law, provided that any such item may be no more than 200 kilograms in weight.

3. THE ADMINISTRATOR

3.1 The Administrator shall administer and enforce the provisions of this By-Law and, for this purpose, may:

(a) divide the Municipality into areas for the purposes of collection of collectible

waste from eligible premises on various days of the week;

(b) designate a particular day of the week for collection of collectible waste in each designated collection area;

(c) alter the boundaries of areas as deemed necessary on reasonable notice to the public;

(d) administer and liaise with any collection contractor who may be hired by the Municipality to carry out collection of collectible waste within the Municipality;

(e) assign organics collection carts and mini-bins to eligible premises;

(f) determine the frequency of collection of collectible waste in each designated collection area of the Municipality; and

(g) designate the conditions and guidelines relating to the acceptance of waste materials at waste management facilities.

4. THE PUBLIC

4.1 The owner or occupier of an eligible premises shall:

(a) utilize regulation containers for the storing and collection of mixed waste, recyclable materials, and organic materials;

(b) provide sufficient and adequate regulation containers to contain collectible waste generated at the eligible premises;

(c) maintain such regulation containers in good repair and in a sanitary condition;

(d) ensure that each regulation container is covered and secured at all times except when being emptied or filled;

(e) store collectible waste outside the main building on the eligible premises only in secured regulation containers made inaccessible to pests or animals;

(f) ensure the proper preparation of all collectible waste in accordance with this By-Law;

(g) ensure that collectible waste is placed for collection in accordance with this By-Law;

(h) where reasonably possible, ensure that collectible waste remains behind or

beside the main building on the eligible premises except on collection day; and

(i) source-separate all collectible waste generated from eligible premises at the point of generation so as to comply with the provincial disposal bans and to facilitate their recycling, composting or disposal in accordance with the Municipality's waste resource management system.

5. ELIGIBLE PREMISES

5.1 Eligible premises include the following occupied dwellings, buildings and types of premises, when they have been granted an occupancy permit by the Municipality:

- (a) single family dwellings including mobile homes;
- (b) multi unit residential dwellings that constitute a unit in a duplex, rowhouse or townhouse dwelling having street or road frontage;
- (c) multi-unit apartment or condominium buildings to a maximum of six (6) units;
- (d) small commercial and institutional premises in areas of the Municipality where such premises are designated and serviced with municipal collection according to resolution of Council; and
- (e) condominium buildings with seven (7) or more units where such premises are in areas of the Municipality designated and serviced with municipal collection according to resolution of Council.

5.2 Owners and occupants of properties not defined herein as eligible premises shall not place any waste materials at the curbside of such properties for municipal collection.

5.3 Where a property of the type listed in clauses (a) to (e) of subsection 5.1 does not qualify as eligible premises solely because the premises are not occupied, the owner of the said premises may place waste materials originating from the same premises at the curbside for municipal collection as specified in accordance with this by law.

6. COLLECTIBLE MATERIAL - PREPARATION AND RESTRICTIONS

6.1 No materials shall be placed out or caused to be placed out for municipal collection by any person except in accordance with the following:

- (a) For eligible premises which are single family dwellings ~~or multiple-unit residential dwellings~~, **that have street or road frontage and curbside collection**, mixed waste shall be placed for municipal collection only in accordance with the following limits or conditions:

(i) ~~A maximum of six (6) regulation containers per mixed waste collection day per unit. Repeal.~~

(ii) A maximum of four (4) six (6) regulation clear plastic bags per mixed waste collection day per unit including one (1) optional privacy bag.

(iii) The privacy bag shall be no larger than eighty-eight (88) centimetres by one hundred (100) centimetres in size.

(b) For eligible premises which are single family dwellings or multi unit residential dwellings, residential home renovation waste materials may be placed for municipal collection to a maximum of ~~three~~ five (5) five (5) mixed waste regulation containers or bundled materials per unit per mixed waste collection day. The number of bundles shall be included in the ~~six~~ four (4) six (6) mixed waste regulation clear plastic bag container limit as provided for in Section 6.1 (a) (ii). Such bundled materials may be no more than 1.2 metres in length and 34 kilograms in weight.

(c) For eligible premises which are single family dwellings or multi unit residential dwellings, a maximum of one (1) bulky item not exceeding more than 200 kilograms in weight or one white good per mixed waste collection day per unit.

(d) For eligible premises which are multi-unit apartment and condominium buildings (with six (6) or less units), a maximum of ~~five~~ (5) three (3) four (4) mixed waste regulation clear plastic bags containers per unit including one (1) optional privacy bag per unit to a maximum of ~~thirty~~ (30) eighteen (18) twenty four (24) per mixed waste collection day as per Section 6(1)(a)(iii).

(e) For eligible premises which are multi-unit apartment and condominium buildings (with six (6) or less units), a maximum of two (2) bulky items (each not exceeding more than 200 kilograms in weight) or two (2) white goods per mixed waste collection day per eligible apartment or condominium building.

(f) For commercial or institutional premises designated by the Municipality as eligible for municipal collection, mixed waste shall be placed for municipal collection only in accordance with the following limits or conditions:

(i) ~~A maximum of six (6) regulation containers per mixed waste collection day per eligible commercial or institutional premises. Repeal.~~

(ia) A maximum of four (4) regulation clear plastic bags per mixed waste collection day per eligible commercial or institutional premises, with a maximum of one (1) privacy bag included in the limit of four (4)

mixed waste regulation clear plastic bags. The privacy bag shall be subject to the limit or condition pursuant to 6.1(a)(iii).

(g) For commercial or institutional premises designated by the Municipality as eligible for municipal collection, a maximum of one (1) bulky item not exceeding more than 200 kilograms in weight or one (1) white good per mixed waste collection day per premises.

(h) Construction and demolition waste generated from commercial or institutional premises is not eligible for municipal collection.

(i) Construction and demolition waste generated by eligible premises which are multi-unit apartment and condominium buildings (with six (6) or less units), is not eligible for municipal collection.

(j) Where the Municipality establishes separate municipal collection of organic materials, the following conditions and restrictions shall apply to all such collection:

(i) the weight of an organics collection cart and its contents shall be no more than 100 kilograms;

(ii) a maximum of twenty (20) ~~clear, orange plastic or~~ heavy **kraft** paper bags of leaf and yard waste may be placed for collection on each organic materials collection day for each eligible premises; with each bag and its contents weighing no more than 25 kilograms;

(iii) a maximum of five (5) bundles of branches or bushes may be placed for collection for each organic materials collection day for each eligible premises, with each bundle no more than 1.2 metres in length and 34 kilograms in weight and with no individual piece of material greater than 20 centimetres in diameter.

(k) There shall be no limit to the amount of blue bag recyclables and fibre recyclables eligible for municipal collection from eligible premises.

(l) In the case of municipal collection of materials containing refrigerant gas, the following items must display a sticker issued by the appropriate authority indicating that the refrigerant gas (CFCs) have been removed before they are eligible for collection:

(A) refrigerators

(B) freezers

- (C) air conditioning units
- (D) dehumidifiers

(m) No person shall place for municipal collection any non-collectible waste.

7. REGULATION PLASTIC BAGS AND CONTAINERS FOR MUNICIPAL COLLECTION

7.1 The owner or occupant of each eligible premises shall be responsible to contain designated collectible waste so as to prevent the escape of waste materials into the environment. The owner or occupant of each eligible premises is responsible to gather waste material placed for collection in front of the eligible property that has escaped from its container onto public or private property. **Plastic bags shall be used. Loose materials placed in containers shall not be collected.**

7.2 Only **plastic bags** ~~containers~~ which meet the following specifications and requirements shall be utilized for the purposes of municipal collection:

(a) mixed waste regulation **plastic bags** ~~containers~~ as follows:

(i) **clear transparent** ~~plastic bag~~ specifications:

(A) bags must be watertight and securely tied with an overall length of between 0.5 metres and 1 metre when empty;

(B) bag weight not to exceed 25 kilograms including contents;

(C) bags must have a thickness of at least 0.375 millimetres so as to prevent breakage, tearing or splitting upon collection; **and**

~~(D) bags must be not be of a yellow, red or transparent blue color. Repeal.~~

(E) clear bags may not contain a privacy bag if they contain any material.

(ii) container specifications:

(A) containers must be watertight, secured with a cover, equipped with handles in good repair and tapered to be as large or larger at the top as at the bottom;

(B) the weight of the container including contents shall not exceed 34 kilograms, the height shall be not less than 46 and not more than 76

centimetres, and the diameter shall be between 38 and 51 centimetres;

(C) containers shall be made of metal, plastic or other impermeable material not less than 0.375 millimetres thick;

(D) containers must be maintained in a neat and sanitary condition and kept in good repair;

(E) cardboard cartons, oil drums, paint cans, or other such containers are not eligible containers for mixed waste.

(F) loose mixed waste placed in the container is not eligible for collection.

(iii) outdoor, roadside boxes or bins are acceptable for storing **plastic bags** ~~containers or bags~~ for mixed waste provided they meet the following specifications:

(A) a box or bin constructed of wood or other material suitable for storing containers or bags of mixed waste as long as the box or bin is rodent and animal proof;

(B) boxes or bins must be affixed with a lid weighing not more than 5 kilograms;

(C) boxes or bins shall at all times be maintained in a neat and sanitary condition and kept in good repair.

(iv) A privacy bag shall comply with paragraphs A, B, and C of subclause (i) of this clause and shall not be of a yellow, red or transparent blue in color.

(v) Plastic bags may be placed for privacy and protective purposes in containers.

(vi) One single container of the weight including contents, height and diameter indicated in Section 7.2(a)(ii)(B) may be used in circumstances where a privacy bag is permitted to be utilized by this By-law. The garbage in this container shall be bagged in small bags and shall not be loose.

(b) organic materials regulation containers:

(i) where the Municipality establishes separate collection of organic

materials, the following organic materials regulation containers shall be used:

- (A) organics collection carts as assigned to eligible premises by the Municipality;
- (B) subject to the limits in this By-Law, where there is excess leaf and yard waste material that does not fit into the organics collection cart, this material may be placed out for collection in ~~clear, orange plastic or~~ heavy **kraft** paper bags suitable to contain the waste without spillage or bag breakage;
- (C) subject to the limits in this By-Law, where there is excess branches or bushes that do not fit in the organics collection cart, this material may be placed out in bundles.

(c) recyclable materials regulation containers:

- (i) the following recyclable materials regulation containers shall be used:
 - (A) blue bag recyclables must be placed in watertight transparent blue bags or clear transparent bags of a thickness of at least 0.375mm, and an overall length of not more than 1 metre when empty;
 - (B) all material must be securely contained so as to prevent material from escaping into the environment;
 - (C) low density polyethylene opaque bags (grocery bags), transparent bags or separate transparent blue bags must be used to contain **paper and boxboard or** fibre recyclables, except corrugated cardboard, **which** may be placed in securely tied bundles weighing no more than 34 kilograms;
 - (D) the weight of each bag, including contents, placed for recyclable materials collection must not exceed 25 kilograms;
 - (E) corrugated cardboard may be tied in bundles not greater than 0.65 metres x 1 metre x 0.20 metres (2 ft x 3 ft x 8 in).

8. ORGANIC COLLECTION CARTS AND MINI-BINS

8.1 Eligible premises must comply with the following provisions with respect to organics collection carts and mini-bins:

- (a) Eligible premises that receive curbside collection will be delivered and assigned organics collection carts and mini-bins by the Municipality. The

Municipality will establish the number of cart(s) and mini-bin(s) assigned to types of eligible premises.

(b) The organics collection cart(s) and mini-bin(s) assigned to eligible premises are to remain with that eligible premises.

(c) Owners or occupants of eligible premises are responsible for the care and cleaning of each organics collection cart and mini-bin which have been assigned to their eligible premises.

(d) The repair of damage or replacement of cart(s) or mini-bin(s) assigned to eligible premises due to misuse, alterations or abuse involving the owner or occupant of the eligible premises shall be the responsibility of the owner or occupant of the eligible premises to which the cart or mini-bin is assigned.

(e) The owner or occupant of eligible premises shall make the cart assigned to the eligible premises available to the Municipality or its contractors or agents within a reasonable time frame upon request for inspection or repair purposes or for identification of the serial number or the radio frequency identification tag number.

(f) Owners of eligible premises are responsible for the cart(s) and mini-bin(s) assigned to the premises and used by tenants who are renting or leasing the premises.

9. PLACEMENT OF MATERIALS

9.1 Collectible waste shall be placed for municipal collection in accordance with this By-Law, including the following:

(a) Collection is at curbside only. All regulation containers must be placed at end of driveway and/or at the edge of the property abutting the street, road or highway without obstructing the street, road or highway.

(b) All materials placed for collection must be placed in front of the eligible premises from which they have accumulated.

(c) Organics collection carts must be placed at the curb in an upright position with the lid closed and the front of the cart facing the street, road or highway.

(d) Recyclable materials must be placed for collection with approximately 1 metre spacing between these materials and mixed waste or organics materials.

(e) Owners or occupants of eligible premises on private streets or roads are eligible for curbside collection on the private street or road if the street or road is

safely passable by a collection vehicle. If the private street or road is not safely passable by a collection vehicle, the collectible waste must be brought to the nearest intersection with a public street or road and placed in accordance with this By-Law, where it shall be collected.

10. COLLECTION TIMES & FREQUENCIES

10.1 The following provisions apply to municipal collection times and frequencies:

(a) Collection will commence at the following times on the collection days designated in the following areas of the municipality

(i) 7:30 a.m. in all areas of the former City of Halifax and the former City of Dartmouth;

(ii) 7:00 a.m. in all areas of the former County of Halifax and the former Town of Bedford.

(b) Collection will be completed by the following times on the collection day designated in the following areas of the municipality:

(i) 5:00 p.m. in all areas of the former City of Halifax and the former City of Dartmouth;

(ii) 4:30 p.m. in all areas of the former County of Halifax and the former Town of Bedford.

(c) No person shall place collectible waste out for collection before 7:00 p.m. the evening of the day prior to the collection day applicable in that area of the Municipality.

(d) Collection of mixed waste and organic materials shall be biweekly (once every two weeks) on alternating weeks for areas where organic collection carts have been assigned by the Municipality.

(e) No person shall place mixed waste out for collection on the organic materials collection day applicable in that section of the Municipality.

(f) No person shall place organic materials out for collection on the mixed waste collection day applicable in that section of the Municipality.

(g) Where an area is designated to receive bi-weekly collection of recyclable materials, no person shall place recyclable materials out for collection on the week not designated as the recyclables material collection week applicable in that section of the Municipality.

(h) Mixed waste collection containers and organic collection carts must be removed from curbside by 9:00 p.m. the day of collection. Any materials not collected must be removed from curbside by 9:00 p.m. the day of collection.

(i) Collectible waste must be placed for collection by the designated commencement time for collection in the area.

(j) When a regularly scheduled day for collection falls on a Federal, Provincial or Civic holiday, the collection may be modified to occur on an alternate day as designated by the Administrator.

(k) Collectible waste shall not be stored on eligible premises for a period of more than fourteen (14) days unless a Federal, Provincial or Civic holiday has occurred on the fourteenth day and the alternate designated collection day is after the fourteenth day.

11. HOUSEHOLD HAZARDOUS WASTE SERVICES

11.1 The Administrator may designate the place and time, including the days and hours of operation and the materials eligible for the collection of household hazardous waste in the Municipality. This includes the operation of a permanent household hazardous waste depot and the operation of mobile depot(s) in the Municipality. Household hazardous waste depots may only be used by residents of the Municipality for the proper disposal of household hazardous waste originating within the Municipality. All persons are prohibited from disposing of industrial, commercial and institutional waste at the permanent depot or the mobile depot(s).

12. INDUSTRIAL, COMMERCIAL, INSTITUTIONAL OR CONSTRUCTION WASTE

12.1 The property owner or occupant of premises which generate the following waste shall, either personally or by employees, contractors or agents, and in compliance with all applicable Federal, Provincial and Municipal laws, promptly remove and dispose of such waste:

(a) all waste generated by any industrial, commercial or institutional premises, facility or operation not eligible for municipal collection pursuant to this By-Law;

(b) all waste resulting from construction of any kind, including renovation or repair, except that waste eligible for municipal collection pursuant to this By-Law;

(c) all waste resulting from the demolition of a building or structure.

12.2 The property owner of an industrial, commercial or institutional premises shall ensure that:

(a) adequate space is provided on the premises to accommodate containers for the collection of source-separated ICI waste, organic materials and recyclable materials generated at the premises. For recyclable materials, adequate space shall be provided to maintain blue bag recyclables, paper and corrugated cardboard all separate from each other.

(b) signage of sufficient size and number is to be posted to provide occupants with specific recycling and organics instructions for proper sorting of blue bag recyclables, fibre recyclables (i.e. paper separate from corrugated cardboard) and organic materials. Signage for the sorting of blue bag recyclables, fibre recyclables (i.e. paper separate from corrugated cardboard) , organic materials and ICI waste is to be located within 3 metres of the commercial container(s);

(c) (i) the location of the commercial container(s) for blue bag recyclables, fibre recyclables (i.e. paper separate from corrugated cardboard) and organic materials shall be within 3 metres of the container(s) for ICI waste; or

(ii) signage is posted adjacent to the container(s) for ICI waste directing persons to the location of the commercial containers on the premises for blue bag recyclables, fibre recyclables (i.e. paper separate from corrugated cardboard), and organic materials; and

(d) where industrial, commercial or institutional premises have a chute, signage is required to be posted on every floor where access to a chute is provided to instruct tenants to the location of commercial containers for blue bag recyclables, fibre recyclables (i.e. paper separate from corrugated cardboard) and organic materials.

12.3 The occupant of an industrial, commercial or institutional premises shall:

(a) source-separate all waste generated in the occupant's unit or portion of the building at the point of generation into ICI waste, organic materials, blue bag recyclables, paper and corrugated cardboard so as to comply with the provincial disposal bans and to facilitate their recycling, composting or disposal in accordance with the Municipality's waste resource management system; and

(b) place for collection source-separated material in containers in accordance with Section 13.1 at the storage areas on the property as designated by the property owner.

12.4 At industrial, commercial and institutional premises where the public is responsible for depositing waste materials such as an enclosed or exterior shopping centre, mall, food court, quick service restaurant, sports arena, office complex or other

commercial premises, the property owner will provide common area containers at such premises which shall be located in a common area within such premises, that is readily and reasonably accessible to the public, tenants, employees and occupants where the contents of said containers are to be collected and placed in commercial containers as required in Sections 13.1 (m) (∞), (ii) and (iii) of this By-Law.

13. COMMERCIAL CONTAINERS

13.1 The following provisions apply to commercial containers:

(a) Any person who makes use of a commercial container for the temporary storage of waste shall ensure that such commercial container:

(i) is sturdily constructed of weather-proof and animal proof material and is capable of containing the material deposited within;

(ii) is equipped with a tight-fitting lid with a positive closing device which shall be kept closed except when the container is being loaded or unloaded;

(iii) meets the performance requirements set out in clause 3 of the American National Standards Institute Z245.3-1977, Safety Requirements for the Stability of Refuse Bins as updated and amended from time to time;

(iv) is placed on a hard level surface and is loaded uniformly and has displayed thereon the following message or similar: "CAUTION: DO NOT PLAY ON OR AROUND";

(v) has displayed thereon the name and telephone number of the owner of the container and the type of material to be deposited therein;

(vi) is cleaned out regularly and periodically, as necessary, to avoid the build-up of odours;

(vii) where tenants are required to place materials in the container, the container shall be designed and situated so as to be reasonably accessible for this purpose.

(viii) has displayed thereon the following message "GARBAGE" or "WASTE" or "REFUSE", where ICI waste is to be deposited in the commercial container;

(ix) has displayed thereon the following message "RECYCLABLES" or "BLUE BAG RECYCLABLES", where blue bag recyclables are to be deposited in the commercial container;

(x) has displayed thereon the following message "PAPER" where paper is to be deposited in the commercial container, and has displayed thereon the following message "CARDBOARD ONLY" or "CARDBOARD" where corrugated cardboard is to be deposited in the commercial container;

(xi) has displayed thereon the following message "ORGANICS" or "COMPOST", where organic materials are to be deposited in the commercial container;

(xiii) any message required by this section that is placed directly on commercial container(s) of less than 365 litres volume shall use lettering that is not less than 5 cm in height and 2.5 cm in width and any message required by this section that is placed on larger commercial container(s) or posted within 3 metres of the commercial container(s) shall use lettering that is not less than 10 cm in height and 4 cm in width.

(xiii) any message required by this section shall use lettering that is not less than 10 centimetres in height and 4 centimetres in width.

(b) The owner of any premises on which a commercial container is placed shall ensure that:

(i) where possible, any such container is kept behind or beside the building which it serves;

(ii) if kept in front of the building due to lot size and/or property configuration, such container is located at least 6 metres from the front property line;

(iii) any such container is reasonably screened so as not to be visible from any street; and

(iv) any such container is kept in a manner that is not unsightly and does not cause a nuisance or health-related problem.

(c) Where it is physically impossible for the owner to comply with the requirements of 13.1 (b) or in the case where the premises does not contain a building, the owner may keep the commercial container at a location on the premises which is not unsightly and does not cause a nuisance or health-related problem.

(d) A commercial container may be placed on a premises for a temporary period of time not longer than one month when the placement is in relation to the

construction or repair of a building or structure, provided the commercial container is removed as soon as the construction or repair ceases or if it is to remain on the premises, the commercial container is made to comply with the provisions of this By-Law.

(e) The owner of any commercial container shall keep such container clean and in good condition and the cover shall be kept in good working order.

(f) No person shall place a commercial container on any surface unless the surface is hard, level and weather-resistant.

(g) No person shall place a commercial container on any public street within the Municipality without the written permission of the Municipality.

(h) The owner of any premises on which a commercial container is located shall be responsible to ensure that any such container is loaded uniformly and is loaded such that waste material is completely contained within the container when closed.

(i) The owner of any premises upon which a commercial container is located shall be responsible to:

(i) keep the area surrounding any such container free from litter and waste;

(ii) cause any such container to be emptied at least once in every seven (7) days or more frequently if the container becomes filled before the seven-day period elapses unless the material is of a nature such that longer storage will not cause a nuisance or health related problem (e.g. dry or inert type materials, recyclables, scrap metals, etc.);

(iii) cause such container to be normally covered while containing waste.

(j) The owner of any industrial, commercial or institutional premises may make use of aerated or other commercial container(s) specifically designed for containing organic materials and commercial container(s) such as wheeled totes for containing blue bag recyclables, transparent plastic bags to contain paper or such other commercial container(s) specifically designed to contain materials and approved by the Administrator for the storage and collection of source-separated organic or recyclable materials from industrial, commercial or institutional premises provided that the owner shall not use any commercial container provided for pursuant to this section for the storage of ICI waste and provided that the owner complies with the other applicable requirements of this Section 13.1.

(k) No person shall place waste in any commercial container without permission of the owner of the container.

(l) The one month time limit in 13.1 (d) above can be extended with permission of the Administrator.

(m) The owner of any industrial, commercial or institutional premises shall ensure that commercial containers on the premises:

- (i) accommodate source-separated waste generated at that location;
- (ii) are designed and constructed such that the waste (i.e. ICI waste, organic materials, blue bag recyclables, paper and corrugated cardboard) remains in a source-separated condition; and
- (iii) are easily accessible to the occupants.

14. PLACING WASTE FROM NON-ELIGIBLE PREMISES CURBSIDE

14.1 No person shall place waste from premises other than eligible premises or other waste that is not collectible waste on municipal property for collection or other reason without written permission from the Administrator.

15. VEHICLES CARRYING WASTE

15.1 The following provisions apply to vehicles carrying waste materials:

- (a) Persons who collect, transport and dispose of waste materials, ICI waste, mixed waste, organic materials and recyclable materials shall do so in a sanitary manner; any fluid matter shall be transported in watertight containers having tight-fitting covers.
- (b) Every vehicle used for the collection and transportation of waste materials, ICI waste, mixed waste, organic materials, and recyclable materials shall have a tailgate or other restraining device and shall be closed or equipped with a tarpaulin, and such tarpaulin shall be used to cover such waste materials, ICI waste, mixed waste, organic materials and/or recyclable materials while the same is being transported.
- (c) All waste materials, ICI waste, mixed waste, organic materials and recyclable materials shall be transported in such a manner that materials shall not spill or scatter from the vehicle containing the same.
- (d) Waste materials, ICI waste, mixed waste and organic materials shall generally not remain in a vehicle overnight but shall be transported and disposed of on the same day as collected except in circumstances such as poor weather conditions, occasional equipment breakdowns, facility closures, etc. where delays shall be minimized and disposal shall occur as soon as reasonably possible.

(e) All vehicles or containers used for the transportation of waste materials, ICI waste, mixed waste and organic materials shall be hosed down as required and kept in a sanitary condition.

(f) All vehicles or containers used for the transportation of recyclable materials shall be kept in a sanitary condition.

(g) The Administrator may inspect vehicles used for the collection or carriage of waste materials at all reasonable times to ensure compliance with this By-Law.

15.2 Persons who collect and transport ICI waste, blue bag recyclables, paper, corrugated cardboard and organic materials that have been placed for collection in accordance with Section 12.3 (b) at industrial, commercial or institutional premises or properties shall transport that ICI waste, blue bag recyclables, paper, corrugated cardboard and organic materials in a source-separated condition and deliver the same material in a source-separated condition to the appropriate receiving facility in accordance with the Municipality's waste resource management system.

16. PROHIBITIONS

16.1 No person shall:

(a) pick over, remove, disturb or otherwise interfere with any waste material that has been set out for municipal collection;

(b) collect waste material placed for municipal collection; or

(c) remove a container or organics collection cart placed at curbside.

16.2 The prohibitions in Section 16.1 do not apply to the person who placed the waste material for collection or to the Municipality, its contractors or authorized Municipal collection contractors.

16.3 No person shall export or remove solid waste material generated within the Municipality outside the boundaries of the Municipality and all such solid waste shall be disposed of within the boundaries of the Municipality and in accordance with this By-law.

16.4 Notwithstanding subsection 16.3, the Municipality may export solid waste materials to licensed disposal facilities outside the boundaries of the Municipality only when the volumes of solid waste delivered to municipal facilities exceed the capacity of the facilities to handle the materials.

16.5 For the purpose of 16.3 and 16.4, solid waste means solid waste materials including but not limited to collectible waste, industrial/commercial/institutional waste,

construction and demolition waste, mixed waste, and organic materials but does not include recyclable materials from industrial, commercial and institutional premises, international waste, pathogenic or biomedical waste, waste dangerous goods, hazardous waste materials, septic tank pumpings, raw sewage, industrial sludge and contaminated soils and solids as defined by appropriate regulatory bodies having jurisdiction from time to time and as determined by the Administrator or person designated to act in place of the Administrator.

17. WASTE DISPOSAL FEE STRUCTURE

17.1 The fees and charges for the depositing of materials by haulers and persons who transport waste materials acceptable for disposal at any waste management facility operated by the Municipality, its contractors or its agents as part of the Municipality's waste management system shall be as prescribed from time by Council by policy in Administrative Order Number 16 of the Municipality.

17.2 Notwithstanding Section 17.1, haulers delivering materials to the Municipality's waste management facilities which require special handling or disposal techniques shall pay the actual costs of such deposit and disposal determined as follows:

- (a) The hauler shall give the Municipality and its contractors or its agents 10 days notice that it requests permission to deposit such wastes for disposal at the waste management facility, stating the properties, characteristics, origins and amounts of such waste materials;
- (b) On receipt of such notice, the Municipality and its contractors or its agents shall advise the hauler whether or not it will accept delivery of such wastes at the waste management facility; and
- (c) If the waste material is acceptable, the Municipality and its contractors or its agents shall advise the hauler of the time when and under what conditions it will accept deposit of such wastes at the waste management facility, provided the hauler pays the Municipality the actual cost of such deposit and disposal plus twenty percent, and further provided that the hauler agrees to save harmless the Municipality and assume full liability for the deposit and disposal of such wastes.

17.3 No waste disposal fee shall apply to collectible waste from eligible premises collected through municipal collection and deposited by collection contractors engaged by the Municipality at waste management facilities operated by the Municipality, its contractors or its agents.

18. VEHICLE REGISTRATION

18.1 Haulers using the Municipality's waste management facilities shall comply with the registration requirements of the Municipality including vehicle registration for such haulers.

18.2 The following provisions apply to vehicle registration for haulers using the Municipality's waste management facilities:

(a) Haulers (other than those users of cars, station wagons, mini-vans, sport utility vehicles and one quarter ton trucks) using the Municipality's waste management facilities shall pre-register identifying information and the tare weight for each vehicle as required by the Municipality from time to time, and separately identify those vehicles to be used in scheduled waste collection services operated on behalf of the Municipality (if the hauler is also a collection contractor).

(b) Haulers who wish to be granted credit privileges with the Municipality must register adequate identifying information with the Municipality. Each hauler and/or each hauler's vehicle will be assigned a unique identification code and/or issued appropriate physical identifying property. The physical identifying property issued shall remain the sole property of the Municipality and shall be returned promptly at the expiration of its use as determined by the Municipality at its sole discretion. Unique identification codes assigned to a hauler's vehicle shall be displayed on the left front of the vehicle in characters at least 10 centimetres high.

(c) Each hauler and hauler's vehicle using the Municipality's waste management facilities which has been granted credit privileges must present the assigned and/or issued identification to the scale operator upon entering the facility. The hauler to whom the assigned and/or issued identification is registered to will be invoiced for all materials delivered under his/her identification.

19. FEE PAYMENT

19.1 The following applies to the payment of fees:

(a) At Halifax Regional Municipality waste management facilities where cash payment is accepted, unless credit privileges have been granted, haulers who transport acceptable material to a facility operated by the Municipality, its contractors or its agents will be required to pay cash at the site in accordance with sections (i) to (iv) below:

(i) Where only one scale is in operation and the tare weight of a vehicle transporting materials has been predetermined, a cash payment is required upon being weighed in accordance with the fee structure prescribed by Administrative Order 16.

(ii) Where only one scale is in operation and the tare weight of a vehicle transporting materials for disposal has not been predetermined, a cash deposit prescribed by Administrative Order 16 is required upon entering the facility. The vehicle will be weighed upon entering the facility and again upon leaving. The hauler will pay the fee prescribed by Administrative Order 16 prior to leaving the facility. If the deposit is greater than the actual fee, the hauler will receive a refund for the difference. If the deposit is less than the actual fee, the hauler will be required to pay the difference in addition to the deposit already paid, prior to leaving the facility.

(iii) Where both inbound and outbound scales are in operation, vehicles entering are required to pay a cash deposit prescribed in Administrative Order 16, upon entering the facility. The vehicle will be weighed upon entering the facility and again upon leaving. The hauler will pay the fee prescribed by Administrative Order 16 prior to leaving the facility. If the deposit is greater than the actual fee, the hauler will receive a refund for the difference. If the deposit is less than the actual fee, the hauler will be required to pay the difference in addition to the deposit already paid, prior to leaving the facility.

(iv) For vehicles such as cars, station wagons, mini-vans, sport utility vehicles and quarter ton trucks with load weights less than 100 kg, a flat cash fee prescribed by Administrative Order 16 will be paid upon entering the noted facility(s). The vehicle will not be weighed upon leaving the facility(s).

(b) At Halifax Regional Municipality waste management facilities where credit privileges have been granted, haulers who transport acceptable material to a facility operated by the Municipality, its contractors or its agents will be required to pay upon invoice in accordance with sections (i) to (iii) below:

(i) Where only one scale is in operation and the tare weight of a vehicle transporting materials has been predetermined, the vehicle will be weighed when entering the facility and a payment upon invoice is required in accordance with the fee structure prescribed by Administrative Order 16.

(ii) Where only one scale is in operation and the tare weight of a vehicle transporting materials for disposal has not been predetermined, the vehicle will be weighed upon entering the facility and again upon leaving. The hauler will pay the fee upon invoice in accordance with the fee structure prescribed by Administrative Order 16.

(iii) Where both inbound and outbound scales are in operation, the vehicle will be weighed upon entering the facility and again upon leaving. The hauler will pay the fee upon invoice in accordance with the fee structure prescribed by Administrative Order 16.

(c) The following provisions apply to haulers who have been granted credit privileges at any waste management facility operated by the Municipality, its contractors or its agents:

(i) Haulers granted credit privileges will receive a monthly Statement of Accounts and payment is due within thirty (30) days of the end of the statement month.

(ii) Where an account for material disposal fees remains unpaid for more than thirty (30) days, a notice of non-payment will be sent by the Municipality. The Municipality may advise that if payment is not received within a specified

period of time after mailing of such notice, the hauler shall be refused admittance to all facilities and/or credit privileges withdrawn until such time as the outstanding amounts, interest and service charges are paid. Scale operators will be notified of all haulers on refused admittance status or credit privileges withdrawn status and will be instructed to deny access to the facilities as applicable. The Municipality may require the posting of a performance bond or any other security acceptable to the Municipality in the event that accounts continue from time to time to be unpaid.

(iii) The interest rate to be charged on all outstanding disposal fee accounts will be applied and administered per Administrative Order 14, Interest Charges on Past Due Accounts.

20. PENALTIES

20.1 Any person who violates any provision of this By-Law is guilty of an offence and is liable on summary conviction to a penalty of not less than \$200.00 and not more than \$5,000.00 and in default of payment thereof to a term of imprisonment for not more than 60 days. Each day that a person commits an offence under this By-Law constitutes a separate offence.

20.2 In addition to any fine or imprisonment imposed pursuant to subsection 20.1, the Court or judge may order the person convicted to pay all expenses incurred in correcting the contravention of the by-law or any damages associated with such contravention.

20.3 Where any person is in contravention of any provision of this by-law, the Administrator may direct in writing that the contravention be remedied by that person in the manner and within the time specified in the written direction.

21. REPEAL

21.1 The following are hereby repealed:

(a) By-Law 24330, "Regional Solid Waste Disposal System By-Law" of the Town of Bedford.

(b) By-Law No. 24331, the "Solid Waste By-Law" enacted by the Town of Bedford on January 28, 1992.

(c) By-Law S-1200, "A By-Law of the City of Dartmouth Respecting Collection and Disposal of Solid Waste" enacted August 29, 1989.

(d) By-Law H-400, "A By-Law Respecting A Regional Solid Waste Management System" of the City of Dartmouth.

(e) By-Law H-500, the "Regional Solid Waste Disposal System By-Law" of the City of Dartmouth.

(f) “Regulations Relating to the Collection and Disposal of Garbage and Refuse”, Board of Health of the City of Halifax.

(g) City of Halifax Ordinance Number 162, “Respecting the Design, Construction and Operation of a Regional Solid Waste Management System”.

(h) Halifax County Municipality By-Law 36, “A By-Law Respecting the Design, Construction and Operation of a Regional Solid Waste Management System”.

(i) Metropolitan Authority Waste Disposal Fee By-Law No. 7.

Done and passed by Council this 19th day of January, A.D. 1999.

Walter Fitzgerald
MAYOR

Vi Carmichael
MUNICIPAL CLERK

**Attachment “B”
(Amending By-law)**

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER S-608
Respecting Amendments to By-Law No. S-600,
*Solid Waste Resource Collection and Disposal By-Law***

BE IT RESOLVED by the Council of the Halifax Regional Municipality, that By-Law S-600, the *Solid Waste Resource Collection and Disposal By-Law*, is further amended as follows:

1. Section 1.1 is amended by adding quotation marks starting before the word “Solid” and after the word “By-law”.
2. (a) Clause (n) of section 2.1 is amended by adding the word and comma “boxboard,” following the word “means” and before the word “mixed”;
- (b) Clause (t) of section 2.1 is amended by
 - (i) striking out the words and comma “grass clippings,” following the words “means” and before the word “leaves”; and
 - (ii) adding a comma and the words “, excluding grass clippings” at the end of the clause before the period.
- (c) Clause (ffb) of section 2.1 is amended by adding the word and comma “boxboard,” following the word “means” and before the words “mixed paper”;
- (d) Clause (ffc) of section 2.1 is added after clause (ffb) as follows:
 - (ffc) “privacy bag” means a solid colour plastic garbage bag or a single container pursuant to Section 7.2(a)(vi).
- (f) Clause hh is amended by adding the bracket and letter “(c)” after the number 7.2;
- (g) Clause (ll) of section 2.1 is amended by adding the words “and includes a mobile home and a dwelling within a multi-unit residential dwellings in a duplex, rowhouse or townhouse” after the word “unit” and before the period;
- (h) Clause (mm) is amended by striking out the words “file folders, yellow & brown envelopes, wrapping paper, soiled pizza boxes,” after the words and comma “wax paper,” and before the word and comma “paper plates,”.

2. Clause (a) of section 6.1 is amended by:
 - (a) striking out the words and comma “or multi-unit residential dwellings, ” after the words “family dwelling” and before the word and struck comma “, mixed”; and
 - (b) adding the words and comma “that have street or road frontage and curbside collection,” after the words “family dwelling” and before the word and comma “, mixed”.
3. Subclause (i) of clause a of section 6.1 (a) is repealed.
4. Subclauses (ii) and (iii) of clause a of section 6.1 are added as follows:
 - (ii) A maximum of six (6) regulation clear plastic bags per mixed waste collection day per unit including one (1) optional privacy bag.
 - (iii) The privacy bag shall be no larger than eighty-eight (88) centimetres by one hundred (100) centimetres in size.
5. Clause b of section 6.1 is amended by:
 - (a) adding the words “clear plastic bag” after “six (6) mixed waste regulation” and before “container”;
 - (b) striking out the word “container” after the newly added words “clear plastic bag” and before the word “limit”.
 - (c) striking out the word “for” after the word “provided” and before the word “in”; and,
 - (d) adding the letter “i” to the reference in subclause (i) in “Section 6.1(a)(i)”.
6. Clause d of section 6.1 is amended by:
 - (a) striking out the word and number “five (5)” after the words “maximum of” and before the words “mixed waste”;
 - (b) adding the word and number “four (4)” after “(with six (6) or less units), a maximum of” and before “mixed waste”;
 - (c) striking out the words “mixed waste” after the newly added word and number “four (4)” and before “regulation”;
 - (d) adding the words “clear plastic bags” after the word “regulation” and before the word “containers”;

- (e) striking out the word “containers” after the newly added words “plastic bags” and before “per unit”;
 - (f) adding “including one (1) optional privacy bag per unit” after “per unit” and before the words “to a maximum of”;
 - (g) striking out the word and number “thirty (30)” after the words “maximum of” and before the words “per mixed waste collection day”;
 - (h) adding the word and number “twenty four (24)” after the words “maximum of” and before the words “per mixed waste collection day”; and,
 - (i) adding “as per Section 6(1)(a)(iii)” immediately after “per mixed waste collection day” and before the period.
7. Subclause (i) of clause f of section 6.1 is repealed.
8. Subclause (ia) of clause f of section 6.1. (f) is added as follows:
- (ia) A maximum of four (4) regulation clear plastic bags per mixed waste collection day per eligible commercial or institutional premises, with a maximum of one (1) privacy bag included in the limit of four (4) mixed waste regulation clear plastic bags. The privacy bag shall be subject to the limit or condition pursuant to 6.1(a)(iii).
9. Subclause (ii) of clause j of section 6.1 is amended by:
- (a) striking out the words and comma “clear, orange plastic or” after the number “twenty (20)” and before the word “heavy”; and
 - (b) adding the word “kraft” after the word “heavy” and before the word “paper”.
10. The header of section 7 is amended by:
- (a) (b)adding the words “Plastic Bags And” after the word “Regulation” and before the word “Containers”.
11. Section 7.1 is amended by adding the following sentences at the end of the section:
- “Plastic bags shall be used. Loose materials placed in containers shall not be collected”.
12. Section 7.2 is amended by:

- (a) striking out the word “containers” after the word “Only” and before the word “which”; and
 - (b) adding the words “plastic bags” after the word “Only” and before the word “which”.
13. Clause a of section 7.2 is amended by:
- (a) striking out the word “containers” after the word “regulation” and before the word “as” in clause a;
 - (b) adding the words “plastic bags” after the word “regulation” and before the word “as”.
14. Clause a of section 7.2 is further amended by:
- (a) striking out the words “plastic bag” at the beginning of subclause (i);
 - (b) adding the words “clear transparent” at the beginning of subclause (i);
 - (c) adding the word “and” at the end of paragraph (C) of subclause (i) of clause (a);
 - (e) repealing paragraph (D) of subclause (i) of clause (a);
 - (d) adding paragraph (E) of subclause (i) as follows:
 - (E) clear bags may not contain a privacy bag if they contain any material.
 - (e) adding paragraph F of subclause ii of clause a after paragraph E as follows:
 - (F) loose mixed waste placed in the container is not eligible for collection.
 - (f) striking out the words “container or bags” after the word “storing” and before the words “for mixed use” in subclause iii of clause a;
 - (g) adding the words “plastic bags” after the word “storing” and before the words “for mixed use” in subclause iii of clause a;
 - (h) adding subclauses (iv),(v) and (vi) after the newly added subclause (iii) of clause a and before clause (b) as follows:
 - (iv) A privacy bag shall comply with paragraphs A,B, and D of subclause (i) of this clause and shall not be of a yellow, red or transparent blue in color.

(v) Plastic bags may be placed for privacy and protective purposes in containers.

(vi) One single container of the weight including contents, height and diameter indicated in Section 7.2(a)(ii)(B) may be used in circumstances where a privacy bag is permitted to be utilized by this By-law. The garbage in this container shall be bagged in small bags and shall not be loose.

(i) amending paragraph B of subclause i of clause b by:

(i) striking out the words and comma “clear, orange, plastic or” after the words “collection in” and before the word “heavy”;

(ii) adding the word “kraft” after the word “heavy” and before the words “paper bags”;

(j) amending paragraph C of subclause i of clause c is amended by:

(i) adding the words “paper and boxboard or” after the word “contain” and before the word “fibre”;

(ii) adding a comma after the word “recyclables” and before the word “except” and adding a comma after the word “cardboard” and before the word “may”; and

(ii) adding the word “which” after the bracket and word “(cardboard)” and before the words “may be placed”.

Attachment “C”
(Incorporating Proposed Changes)

HALIFAX REGIONAL MUNICIPALITY
SOLID WASTE RESOURCE COLLECTION AND DISPOSAL BY-LAW
BY-LAW No. S – 600

1. TITLE

1.1 This By-law shall be known and may be cited as the “*Solid Waste Resource Collection and Disposal By-Law*”.

2. DEFINITIONS

2.1 In this By-Law the following words and phrases shall have the following meanings:

(a) “bulky items” means large items of a household nature including but not limited to furniture, stoves, mattresses, bed springs, barrels, water tanks, dishwashers, pieces of fencing and oil tanks.

(b) “blue bag recyclables” means glass bottles and jars, aluminum, steel and tin cans, high density polyethylene, low density polyethylene, and polyethylene terephthalate plastic bottles, containers and bags, milk and juice cartons, tetra packs and mini-sip containers or other items as designated by Council from time to time.

(c) “boxboard” means cereal, shoe, tissue, detergent, cracker, cookie, baking product and frozen food boxes, toilet paper rolls and paper towel rolls or other similar items.

(ca) “chute” includes a sloping or vertical channel, tube or slide, which is capable of conveying ICI waste from one level or floor to a lower level or floor;

(d) “collectible waste” means material originating from eligible premises and placed by the owner or occupant for collection by a collection contractor or by an agent of the Municipality and includes, without limitation, mixed waste, recyclable materials, and organic materials.

(e) “collection contractor” means any company, person or persons and the agents of such persons under contract with the Municipality to collect collectible waste from eligible premises.

(f) “commercial container” means any container used for the storage of ICI waste or any container used for the storage of organic materials or recyclable materials originating from industrial, commercial or institutional premises on properties located in the Municipality for collection by a hauler;

(g) “collection day” means any day which is scheduled by the Municipality for municipal collection of collectible waste.

(h) “commercial enterprise” means an enterprise which is commercially assessed for business occupancy tax, a commercial tax rate by the Municipality, or an apartment building having one civic address and more than six (6) units but does not include a business located in a residential dwelling such as, but not limited to, a home occupation or a professional office;

(ii) “commercial premises” means any lot of land which contains one or more commercial enterprises.

(ia) “common area containers” means separate containers for the source-separation of organic materials, blue bag recyclables, cardboard, paper and ICI waste located in a common area at industrial, commercial and institutional premises.

(j) “construction and demolition waste” means material generated as a result of construction, demolition, or renovation activities and includes but is not limited to polystyrene or fibreglass insulation, pieces of gyprock and scrap wood.

(ja) “corrugated cardboard” means a paper-based material generally consisting of a fluted corrugated sheet and one or two flat linerboards. It is widely used in the manufacture of corrugated boxes, corrugated shipping containers and other similar products.

(k) “Council” or “council” means the Council of the Halifax Regional Municipality.

(l) “dwelling” means a building, or a unit in a building, occupied or intended to be occupied as a home, residence or sleeping place by one or more persons but does not include a hotel, motel, guesthouse or inn.

(m) “eligible premises” means those properties within the Municipality which are eligible for municipal collection as defined in Section 5.1 of this By-law.

(n) “fibre recyclables” means boxboard, mixed paper, corrugated cardboard, newsprint, magazines, catalogues, flyers, telephone and other soft cover books and egg cartons or other similar items designated by Council from time to time.

(o) “food waste” means fruit and vegetable peelings, table scraps, meat, poultry and fish, shellfish, dairy products, cooking oil, grease and fat, bread, grain, rice and pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags or other similar items.

(p) “front-end processing facility” means a facility designed to receive and sort ICI waste and mixed waste and to recover selected items.

(q) “hauler” means any company, person or persons who transports waste materials including, without limitation, ICI waste, mixed waste, recyclable materials, or organic materials to waste management facilities operated by the Municipality, its contractor(s) or its agents or to other waste management facilities approved under applicable law for disposal of waste materials.

(r) “industrial/commercial/institutional waste” or “ICI waste” means material of similar composition as mixed waste collected within the Municipality other than by municipal collection.

(s) “institutional premises” means any building exclusively used by any corporate body or society for promoting a particular purpose on a non-profit basis and includes public buildings.

(t) “leaf and yard waste” means leaves, brush, twigs, house and garden plants, sawdust and wood shavings or other similar items, excluding grass clippings.

(u) “Administrator” means a person appointed in writing by the Chief Administrative Officer to administer this by-law, or a person appointed by the Administrator as his designate;

(v) “materials recovery facility” means a facility designed to receive, sort, process, store and ship to market recyclable materials.

(w) “mini-bin” means a small container supplied to eligible premises by the municipality for the collection of organic materials prior to deposit in an organic materials regulation container.

(x) “mixed waste” means and includes all collectible waste other than that which is collected as recyclable materials or organic materials including:

(i) broken bottles, crockery and glassware, floor sweepings, discarded clothing and furnishings, non-recyclable plastic and metal, non-recyclable packaging, non-repairable household goods and other household waste;

(ii) glass that is tightly wrapped in cardboard or other suitable material and clearly marked to prevent injury to collection personnel;

(iii) bulky items and white goods;

(iv) ashes and soot that is completely cold placed in plastic disposable watertight bags securely tied and marked “ashes” or “soot”;

- (v) residential home renovation waste materials;
- (vi) other items not specifically designated as mixed waste except as excluded by this By-law.
- (y) “mixed waste regulation container” means a container as specified in Section 7.2 for the collection of mixed waste.
- (z) “municipal collection” means the scheduled collection of collectible waste made by or on behalf of the Municipality, at the expense of the Municipality, for eligible premises.
- (aa) “Municipality” or “municipality” means the Halifax Regional Municipality.
- (bb) “non-collectible waste” means all material other than collectible waste and without limitation includes:
 - (i) transient waste;
 - (ii) liquid waste or material that has attained a fluid consistency and has not been drained;
 - (iii) highly combustible or explosive materials, including without limitation, celluloid cuttings, motion picture film, oil or gasoline soaked rags, gas containers, chemicals, acids or other combustible residues, fine dry sawdust, ammunition, dynamite, or other similar material;
 - (iv) material that is considered pathogenic or biomedical including, without limitation, dressings, bandages or other infected material or hypodermic needles discarded in the course of the practice of physicians, surgeons, dentists or veterinarians;
 - (v) trade waste;
 - (vi) carcasses or parts of any animal except food waste;
 - (vii) waste listed or characterized as hazardous by any federal or provincial law;
 - (viii) sheet iron, large pieces of scrap metal or machine parts, automobile parts, fuel tanks and bodies;
 - (ix) septic tank pumpings, raw sewage or industrial sludge;

- (x) radioactive materials;
 - (xi) soil, rock and stumps;
 - (xii) waste material resulting from construction, demolition or renovation activities including planking, siding, bricks, masonry, wood, beams and gyprock left by any contractor or property owner except as permitted herein;
 - (xiii) industrial waste material from factories or other manufacturing processes;
 - (xiv) manure, kennel waste, excreta, fish processing waste;
 - (xv) waste material from commercial containers;
 - (xvi) lead-acid automotive batteries and propane tanks;
 - (xvii) waste material which has not been placed for collection in accordance with the provisions of this By-Law; and
 - (xviii) materials banned from landfill disposal by the Nova Scotia Department of the Environment unless such materials are recyclable materials or organic materials from eligible premises.
- (cc) “oil tanks” means residential oil tanks, cleaned and cut in half, to a maximum size of 200 gallons.
- (dd) “organics collection cart” or “cart” means an aerated cart supplied to eligible premises by the Municipality for the collection of organic materials.
- (ee) “organic materials” means food waste, leaf and yard waste, boxboard, soiled and non-recyclable paper, branches and bushes, natural Christmas trees without decorations and stands and other material of plant or animal origin as designated by Council from time to time.
- (ff) “organic materials regulation container” means a cart or other container as specified in Section 7.2 for the collection of organic materials.
- (ffa) “provincial disposal bans” means materials banned from disposal in landfills and incinerators under the Solid Waste - Resource Management Regulations of the Environment Act of the Province of Nova Scotia as updated and amended from time to time.
- (ffb) “paper” means boxboard, mixed paper, newsprint, magazines, catalogues, flyers, telephone books, soft cover books, and paper egg cartons or other similar

items designated by Council from time to time.

(ffc) “privacy bag” means a solid colour plastic garbage bag or a single container pursuant to Section 7.2(a)(vi).

(gg) “recyclable materials” means fibre recyclables, blue bag recyclables and other materials of a recyclable nature.

(hh) “recyclable materials regulation container” means a container as specified in Section 7.2 (c) for the collection of recyclable materials.

(ii) “regulation container” means a mixed waste regulation container; an organic materials regulation container or a recyclable materials regulation container.

(iia) “residential home renovation waste materials” means construction and demolition waste generated as a result of residential home construction, demolition, or renovation activities and includes pieces of gyprock, pieces of scrap wood, rolled carpet and rigid polystyrene foam or fibreglass insulation;

(jj) “residuals disposal facility” means a facility for the disposal and containment of ICI waste and mixed waste.

(kk) “scale clerk” means the person(s) responsible for the operation of the scale system(s) located at the waste management facilities operated by the Municipality, its contractors or its agents.

(ll) “single family dwelling” means a dwelling as defined herein occupied by a single family unit and includes a mobile home and a dwelling within a multi-unit residential dwellings in a duplex, rowhouse or townhouse.

(mm) “soiled and non-recyclable paper” means napkins, paper towels & fast food wrappers, wax paper, paper plates and cups, damp and soiled newspaper and flyers, sugar, flour & potato paper bags or other similar items.

(nn) “source separated composting facility” means a facility designed to receive, process and compost organic materials.

(oo) “trade waste” means materials accumulated as a result of commercial activities such as packing materials, display boards, rags, paper, and other waste materials resulting from such activities.

(pp) “transfer station” means a facility operated by or on behalf of the Municipality for unloading and consolidating ICI waste and mixed waste from collection vehicles for transport to another waste management facility in larger loads.

(qq) “transient waste” means waste material produced outside the Municipality or produced at a location other than at the building in front of which it was placed for pick up.

(rr) “treasurer” means the Administrator of Treasury for the Municipality, the successor to this position or a person designated by the Administrator of Treasury to act in his/her place.

(ss) “unit” means a self-contained portion of a building occupied as a separate residence.

(tt) “waste disposal fees” means user fees, per tonne fees or per cubic metre fees charged by the Municipality for the acceptance of ICI waste, mixed waste, recyclable materials, and organic materials at designated waste management facilities operated by the Municipality, its contractors or its agents.

(uu) “waste management facilities” means any of the facilities for the management of ICI waste, mixed waste, recyclable materials, and organic materials operated by the Municipality, its contractors or its agents and includes, without limitation, the front end processing facility, materials recovery facility, residuals disposal facility, source-separated composting facility(s), transfer station(s) and waste stabilization facility.

(vv) “waste stabilization facility” means a facility for the stabilization of ICI waste and mixed waste containing residual organic material.

(ww) “white goods” means any large household appliance including but not limited to refrigerators, freezers, air conditioners, stoves, washers, and dryers with the CFC refrigerants removed as required by applicable law, provided that any such item may be no more than 200 kilograms in weight.

3. THE ADMINISTRATOR

3.1 The Administrator shall administer and enforce the provisions of this By-Law and, for this purpose, may:

(a) divide the Municipality into areas for the purposes of collection of collectible waste from eligible premises on various days of the week;

(b) designate a particular day of the week for collection of collectible waste in each designated collection area;

(c) alter the boundaries of areas as deemed necessary on reasonable notice to the public;

(d) administer and liaise with any collection contractor who may be hired by the

Municipality to carry out collection of collectible waste within the Municipality;

- (e) assign organics collection carts and mini-bins to eligible premises;
- (f) determine the frequency of collection of collectible waste in each designated collection area of the Municipality; and
- (g) designate the conditions and guidelines relating to the acceptance of waste materials at waste management facilities.

4. THE PUBLIC

4.1 The owner or occupier of an eligible premises shall:

- (a) utilize regulation containers for the storing and collection of mixed waste, recyclable materials, and organic materials;
- (b) provide sufficient and adequate regulation containers to contain collectible waste generated at the eligible premises;
- (c) maintain such regulation containers in good repair and in a sanitary condition;
- (d) ensure that each regulation container is covered and secured at all times except when being emptied or filled;
- (e) store collectible waste outside the main building on the eligible premises only in secured regulation containers made inaccessible to pests or animals;
- (f) ensure the proper preparation of all collectible waste in accordance with this By-Law;
- (g) ensure that collectible waste is placed for collection in accordance with this By-Law;
- (h) where reasonably possible, ensure that collectible waste remains behind or beside the main building on the eligible premises except on collection day; and
- (i) source-separate all collectible waste generated from eligible premises at the point of generation so as to comply with the provincial disposal bans and to facilitate their recycling, composting or disposal in accordance with the Municipality's waste resource management system.

5. ELIGIBLE PREMISES

5.1 Eligible premises include the following occupied dwellings, buildings and types of premises, when they have been granted an occupancy permit by the Municipality:

- (a) single family dwellings including mobile homes;
- (b) multi unit residential dwellings that constitute a unit in a duplex, rowhouse or townhouse dwelling having street or road frontage;
- (c) multi-unit apartment or condominium buildings to a maximum of six (6) units;
- (d) small commercial and institutional premises in areas of the Municipality where such premises are designated and serviced with municipal collection according to resolution of Council; and
- (e) condominium buildings with seven (7) or more units where such premises are in areas of the Municipality designated and serviced with municipal collection according to resolution of Council.

5.2 Owners and occupants of properties not defined herein as eligible premises shall not place any waste materials at the curbside of such properties for municipal collection.

5.3 Where a property of the type listed in clauses (a) to (e) of subsection 5.1 does not qualify as eligible premises solely because the premises are not occupied, the owner of the said premises may place waste materials originating from the same premises at the curbside for municipal collection as specified in accordance with this by law.

6. COLLECTIBLE MATERIAL - PREPARATION AND RESTRICTIONS

6.1 No materials shall be placed out or caused to be placed out for municipal collection by any person except in accordance with the following:

- (a) For eligible premises which are single family dwellings that have street or road frontage and curbside collection, mixed waste shall be placed for municipal collection only in accordance with the following limits or conditions:
 - (i) Repealed.
 - (ii) A maximum of six (6) regulation clear plastic bags per mixed waste collection day per unit including one (1) optional privacy bag.
 - (iii) The privacy bag shall be no larger than eighty-eight (88) centimetres by one hundred (100) centimetres in size.
- (b) For eligible premises which are single family dwellings or multi unit residential dwellings, residential home renovation waste materials may be placed for

municipal collection to a maximum of five (5) mixed waste regulation containers or bundled materials per unit per mixed waste collection day. The number of bundles shall be included in the six (6) mixed waste regulation clear plastic bag limit as provided in Section 6.1 (a) (ii). Such bundled materials may be no more than 1.2 metres in length and 34 kilograms in weight.

(c) For eligible premises which are single family dwellings or multi unit residential dwellings, a maximum of one (1) bulky item not exceeding more than 200 kilograms in weight or one white good per mixed waste collection day per unit.

(d) For eligible premises which are multi-unit apartment and condominium buildings (with six (6) or less units), a maximum of four (4) regulation clear plastic bags per unit including one (1) optional privacy bag per unit to a maximum of twenty four (24) per mixed waste collection day as per Section 6(1)(a)(iii).

(e) For eligible premises which are multi-unit apartment and condominium buildings (with six (6) or less units), a maximum of two (2) bulky items (each not exceeding more than 200 kilograms in weight) or two (2) white goods per mixed waste collection day per eligible apartment or condominium building.

(f) For commercial or institutional premises designated by the Municipality as eligible for municipal collection, mixed waste shall be placed for municipal collection only in accordance with the following limits or conditions:

(i) Repealed.

(ia) A maximum of four (4) regulation clear plastic bags per mixed waste collection day per eligible commercial or institutional premises, with a maximum of one (1) privacy bag included in the limit of four (4) mixed waste regulation clear plastic bags. The privacy bag shall be subject to the limit or condition pursuant to 6.1(a)(iii).

(g) For commercial or institutional premises designated by the Municipality as eligible for municipal collection, a maximum of one (1) bulky item not exceeding more than 200 kilograms in weight or one (1) white good per mixed waste collection day per premises.

(h) Construction and demolition waste generated from commercial or institutional premises is not eligible for municipal collection.

(i) Construction and demolition waste generated by eligible premises which are multi-unit apartment and condominium buildings (with six (6) or less units), is not eligible for municipal collection.

(j) Where the Municipality establishes separate municipal collection of organic

materials, the following conditions and restrictions shall apply to all such collection:

- (i) the weight of an organics collection cart and its contents shall be no more than 100 kilograms;
- (ii) a maximum of twenty (20) heavy kraft paper bags of leaf and yard waste may be placed for collection on each organic materials collection day for each eligible premises; with each bag and its contents weighing no more than 25 kilograms;
- (iii) a maximum of five (5) bundles of branches or bushes may be placed for collection for each organic materials collection day for each eligible premises, with each bundle no more than 1.2 metres in length and 34 kilograms in weight and with no individual piece of material greater than 20 centimetres in diameter.
- (k) There shall be no limit to the amount of blue bag recyclables and fibre recyclables eligible for municipal collection from eligible premises.
- (l) In the case of municipal collection of materials containing refrigerant gas, the following items must display a sticker issued by the appropriate authority indicating that the refrigerant gas (CFCs) have been removed before they are eligible for collection:
 - (A) refrigerators
 - (B) freezers
 - (C) air conditioning units
 - (D) dehumidifiers
- (m) No person shall place for municipal collection any non-collectible waste.

7. REGULATION PLASTIC BAGS AND CONTAINERS FOR MUNICIPAL COLLECTION

7.1 The owner or occupant of each eligible premises shall be responsible to contain designated collectible waste so as to prevent the escape of waste materials into the environment. The owner or occupant of each eligible premises is responsible to gather waste material placed for collection in front of the eligible property that has escaped from its container onto public or private property. Plastic bags shall be used. Loose materials placed in containers shall not be collected.

7.2 Only plastic bags which meet the following specifications and requirements shall be utilized for the purposes of municipal collection:

- (a) mixed waste regulation plastic bags as follows:
 - (i) clear transparent specifications:
 - (A) bags must be watertight and securely tied with an overall length of between 0.5 metres and 1 metre when empty;
 - (B) bag weight not to exceed 25 kilograms including contents;
 - (C) bags must have a thickness of at least 0.375 millimetres so as to prevent breakage, tearing or splitting upon collection; and
 - (D) Repealed.
 - (E) bags shall be non-coloured transparent bags.
 - (ii) container specifications:
 - (A) containers must be watertight, secured with a cover, equipped with handles in good repair and tapered to be as large or larger at the top as at the bottom;
 - (B) the weight of the container including contents shall not exceed 34 kilograms, the height shall be not less than 46 and not more than 76 centimetres, and the diameter shall be between 38 and 51 centimetres;
 - (C) containers shall be made of metal, plastic or other impermeable material not less than 0.375 millimetres thick;
 - (D) containers must be maintained in a neat and sanitary condition and kept in good repair;
 - (E) cardboard cartons, oil drums, paint cans, or other such containers are not eligible containers for mixed waste.
 - (F) loose mixed waste placed in the container is not eligible for collection.
 - (iii) outdoor, roadside boxes or bins are acceptable for storing plastic bags for mixed waste provided they meet the following specifications:
 - (A) a box or bin constructed of wood or other material suitable for storing containers or bags of mixed waste as long as the box or bin is rodent and animal proof;

(B) boxes or bins must be affixed with a lid weighing not more than 5 kilograms;

(C) boxes or bins shall at all times be maintained in a neat and sanitary condition and kept in good repair.

(iv) A privacy bag shall comply with paragraphs A,B, and D of subclause (i) of this clause and shall not be of a yellow, red or transparent blue in color.

(v) Plastic bags may be placed for privacy and protective purposes in containers.

(vi) One garbage container of the weight including contents, height and diameter indicated in Section 7.2(a)(ii)(B) may be used in circumstances where a privacy bag is permitted to be utilized by this By-law. The garbage in this container shall be bagged in small bags and shall not be loose.

(b) organic materials regulation containers:

(i) where the Municipality establishes separate collection of organic materials, the following organic materials regulation containers shall be used:

(A) organics collection carts as assigned to eligible premises by the Municipality;

(B) subject to the limits in this By-Law, where there is excess leaf and yard waste material that does not fit into the organics collection cart, this material may be placed out for collection heavy kraft paper bags suitable to contain the waste without spillage or bag breakage;

(C) subject to the limits in this By-Law, where there is excess branches or bushes that do not fit in the organics collection cart, this material may be placed out in bundles.

(c) recyclable materials regulation containers:

(i) the following recyclable materials regulation containers shall be used:

(A) blue bag recyclables must be placed in watertight transparent blue bags or clear transparent bags of a thickness of at least 0.375mm, and an overall length of not more than 1 metre when empty;

(B) all material must be securely contained so as to prevent material from escaping into the environment;

(C) low density polyethylene opaque bags (grocery bags), transparent bags or separate transparent blue bags must be used to contain paper and boxboard or fibre recyclables, except corrugated cardboard, which may be placed in securely tied bundles weighing no more than 34 kilograms;

(D) the weight of each bag, including contents, placed for recyclable materials collection must not exceed 25 kilograms;

(E) corrugated cardboard may be tied in bundles not greater than 0.65 metres x 1 metre x 0.20 metres (2 ft x 3 ft x 8 in).

8. ORGANIC COLLECTION CARTS AND MINI-BINS

8.1 Eligible premises must comply with the following provisions with respect to organics collection carts and mini-bins:

(a) Eligible premises that receive curbside collection will be delivered and assigned organics collection carts and mini-bins by the Municipality. The Municipality will establish the number of cart(s) and mini-bin(s) assigned to types of eligible premises.

(b) The organics collection cart(s) and mini-bin(s) assigned to eligible premises are to remain with that eligible premises.

(c) Owners or occupants of eligible premises are responsible for the care and cleaning of each organics collection cart and mini-bin which have been assigned to their eligible premises.

(d) The repair of damage or replacement of cart(s) or mini-bin(s) assigned to eligible premises due to misuse, alterations or abuse involving the owner or occupant of the eligible premises shall be the responsibility of the owner or occupant of the eligible premises to which the cart or mini-bin is assigned.

(e) The owner or occupant of eligible premises shall make the cart assigned to the eligible premises available to the Municipality or its contractors or agents within a reasonable time frame upon request for inspection or repair purposes or for identification of the serial number or the radio frequency identification tag number.

(f) Owners of eligible premises are responsible for the cart(s) and mini-bin(s) assigned to the premises and used by tenants who are renting or leasing the premises.

9. PLACEMENT OF MATERIALS

9.1 Collectible waste shall be placed for municipal collection in accordance with this By-Law, including the following:

- (a) Collection is at curbside only. All regulation containers must be placed at end of driveway and/or at the edge of the property abutting the street, road or highway without obstructing the street, road or highway.
- (b) All materials placed for collection must be placed in front of the eligible premises from which they have accumulated.
- (c) Organics collection carts must be placed at the curb in an upright position with the lid closed and the front of the cart facing the street, road or highway.
- (d) Recyclable materials must be placed for collection with approximately 1 metre spacing between these materials and mixed waste or organics materials.
- (e) Owners or occupants of eligible premises on private streets or roads are eligible for curbside collection on the private street or road if the street or road is safely passable by a collection vehicle. If the private street or road is not safely passable by a collection vehicle, the collectible waste must be brought to the nearest intersection with a public street or road and placed in accordance with this By-Law, where it shall be collected.

10. COLLECTION TIMES & FREQUENCIES

10.1 The following provisions apply to municipal collection times and frequencies:

- (a) Collection will commence at the following times on the collection days designated in the following areas of the municipality
 - (i) 7:30 a.m. in all areas of the former City of Halifax and the former City of Dartmouth;
 - (ii) 7:00 a.m. in all areas of the former County of Halifax and the former Town of Bedford.
- (b) Collection will be completed by the following times on the collection day designated in the following areas of the municipality:
 - (i) 5:00 p.m. in all areas of the former City of Halifax and the former City of Dartmouth;
 - (ii) 4:30 p.m. in all areas of the former County of Halifax and the former Town of Bedford.
- (c) No person shall place collectible waste out for collection before 7:00 p.m. the

evening of the day prior to the collection day applicable in that area of the Municipality.

(d) Collection of mixed waste and organic materials shall be biweekly (once every two weeks) on alternating weeks for areas where organic collection carts have been assigned by the Municipality.

(e) No person shall place mixed waste out for collection on the organic materials collection day applicable in that section of the Municipality.

(f) No person shall place organic materials out for collection on the mixed waste collection day applicable in that section of the Municipality.

(g) Where an area is designated to receive bi-weekly collection of recyclable materials, no person shall place recyclable materials out for collection on the week not designated as the recyclables material collection week applicable in that section of the Municipality.

(h) Mixed waste collection containers and organic collection carts must be removed from curbside by 9:00 p.m. the day of collection. Any materials not collected must be removed from curbside by 9:00 p.m. the day of collection.

(i) Collectible waste must be placed for collection by the designated commencement time for collection in the area.

(j) When a regularly scheduled day for collection falls on a Federal, Provincial or Civic holiday, the collection may be modified to occur on an alternate day as designated by the Administrator.

(k) Collectible waste shall not be stored on eligible premises for a period of more than fourteen (14) days unless a Federal, Provincial or Civic holiday has occurred on the fourteenth day and the alternate designated collection day is after the fourteenth day.

11. HOUSEHOLD HAZARDOUS WASTE SERVICES

11.1 The Administrator may designate the place and time, including the days and hours of operation and the materials eligible for the collection of household hazardous waste in the Municipality. This includes the operation of a permanent household hazardous waste depot and the operation of mobile depot(s) in the Municipality. Household hazardous waste depots may only be used by residents of the Municipality for the proper disposal of household hazardous waste originating within the Municipality. All persons are prohibited from disposing of industrial, commercial and institutional waste at the permanent depot or the mobile depot(s).

12. INDUSTRIAL, COMMERCIAL, INSTITUTIONAL OR CONSTRUCTION WASTE

12.1 The property owner or occupant of premises which generate the following waste shall, either personally or by employees, contractors or agents, and in compliance with all applicable Federal, Provincial and Municipal laws, promptly remove and dispose of such waste:

- (a) all waste generated by any industrial, commercial or institutional premises, facility or operation not eligible for municipal collection pursuant to this By-Law;
- (b) all waste resulting from construction of any kind, including renovation or repair, except that waste eligible for municipal collection pursuant to this By-Law;
- (c) all waste resulting from the demolition of a building or structure.

12.2 The property owner of an industrial, commercial or institutional premises shall ensure that:

- (a) adequate space is provided on the premises to accommodate containers for the collection of source-separated ICI waste, organic materials and recyclable materials generated at the premises. For recyclable materials, adequate space shall be provided to maintain blue bag recyclables, paper and corrugated cardboard all separate from each other.
- (b) signage of sufficient size and number is to be posted to provide occupants with specific recycling and organics instructions for proper sorting of blue bag recyclables, fibre recyclables (i.e. paper separate from corrugated cardboard) and organic materials. Signage for the sorting of blue bag recyclables, fibre recyclables (i.e. paper separate from corrugated cardboard) , organic materials and ICI waste is to be located within 3 metres of the commercial container(s);
- (c)
 - (i) the location of the commercial container(s) for blue bag recyclables, fibre recyclables (i.e. paper separate from corrugated cardboard) and organic materials shall be within 3 metres of the container(s) for ICI waste; or
 - (ii) signage is posted adjacent to the container(s) for ICI waste directing persons to the location of the commercial containers on the premises for blue bag recyclables, fibre recyclables (i.e. paper separate from corrugated cardboard), and organic materials; and
- (d) where industrial, commercial or institutional premises have a chute, signage is required to be posted on every floor where access to a chute is provided to instruct tenants to the location of commercial containers for blue bag recyclables, fibre recyclables (i.e. paper separate from corrugated cardboard) and organic

materials.

12.3 The occupant of an industrial, commercial or institutional premises shall:

(c) source-separate all waste generated in the occupant's unit or portion of the building at the point of generation into ICI waste, organic materials, blue bag recyclables, paper and corrugated cardboard so as to comply with the provincial disposal bans and to facilitate their recycling, composting or disposal in accordance with the Municipality's waste resource management system; and

(d) place for collection source-separated material in containers in accordance with Section 13.1 at the storage areas on the property as designated by the property owner.

12.4 At industrial, commercial and institutional premises where the public is responsible for depositing waste materials such as an enclosed or exterior shopping centre, mall, food court, quick service restaurant, sports arena, office complex or other commercial premises, the property owner will provide common area containers at such premises which shall be located in a common area within such premises, that is readily and reasonably accessible to the public, tenants, employees and occupants where the contents of said containers are to be collected and placed in commercial containers as required in Sections 13.1 (m) (i), (ii) and (iii) of this By-Law.

13. COMMERCIAL CONTAINERS

13.1 The following provisions apply to commercial containers:

(a) Any person who makes use of a commercial container for the temporary storage of waste shall ensure that such commercial container:

(i) is sturdily constructed of weather-proof and animal proof material and is capable of containing the material deposited within;

(ii) is equipped with a tight-fitting lid with a positive closing device which shall be kept closed except when the container is being loaded or unloaded;

(iii) meets the performance requirements set out in clause 3 of the American National Standards Institute Z245.3-1977, Safety Requirements for the Stability of Refuse Bins as updated and amended from time to time;

(iv) is placed on a hard level surface and is loaded uniformly and has displayed thereon the following message or similar: "CAUTION: DO NOT PLAY ON OR AROUND";

(v) has displayed thereon the name and telephone number of the owner of the container and the type of material to be deposited therein;

(vi) is cleaned out regularly and periodically, as necessary, to avoid the build-up of odours;

(vii) where tenants are required to place materials in the container, the container shall be designed and situated so as to be reasonably accessible for this purpose.

(viii) has displayed thereon the following message "GARBAGE" or "WASTE" or "REFUSE", where ICI waste is to be deposited in the commercial container;

(ix) has displayed thereon the following message "RECYCLABLES" or "BLUE BAG RECYCLABLES", where blue bag recyclables are to be deposited in the commercial container;

(x) has displayed thereon the following message "PAPER" where paper is to be deposited in the commercial container, and has displayed thereon the following message "CARDBOARD ONLY" or "CARDBOARD" where corrugated cardboard is to be deposited in the commercial container;

(xi) has displayed thereon the following message "ORGANICS" or "COMPOST", where organic materials are to be deposited in the commercial container;

(xiii) any message required by this section that is placed directly on commercial container(s) of less than 365 litres volume shall use lettering that is not less than 5 cm in height and 2.5 cm in width and any message required by this section that is placed on larger commercial container(s) or posted within 3 metres of the commercial container(s) shall use lettering that is not less than 10 cm in height and 4 cm in width.

(xiii) any message required by this section shall use lettering that is not less than 10 centimetres in height and 4 centimetres in width.

(b) The owner of any premises on which a commercial container is placed shall ensure that:

(i) where possible, any such container is kept behind or beside the building which it serves;

- (ii) if kept in front of the building due to lot size and/or property configuration, such container is located at least 6 metres from the front property line;
 - (iii) any such container is reasonably screened so as not to be visible from any street; and
 - (iv) any such container is kept in a manner that is not unsightly and does not cause a nuisance or health-related problem.
- (c) Where it is physically impossible for the owner to comply with the requirements of 13.1 (b) or in the case where the premises does not contain a building, the owner may keep the commercial container at a location on the premises which is not unsightly and does not cause a nuisance or health-related problem.
- (d) A commercial container may be placed on a premises for a temporary period of time not longer than one month when the placement is in relation to the construction or repair of a building or structure, provided the commercial container is removed as soon as the construction or repair ceases or if it is to remain on the premises, the commercial container is made to comply with the provisions of this By-Law.
- (e) The owner of any commercial container shall keep such container clean and in good condition and the cover shall be kept in good working order.
- (f) No person shall place a commercial container on any surface unless the surface is hard, level and weather-resistant.
- (g) No person shall place a commercial container on any public street within the Municipality without the written permission of the Municipality.
- (h) The owner of any premises on which a commercial container is located shall be responsible to ensure that any such container is loaded uniformly and is loaded such that waste material is completely contained within the container when closed.
- (i) The owner of any premises upon which a commercial container is located shall be responsible to:
- (i) keep the area surrounding any such container free from litter and waste;
 - (ii) cause any such container to be emptied at least once in every seven (7)

days or more frequently if the container becomes filled before the seven-day period elapses unless the material is of a nature such that longer storage will not cause a nuisance or health related problem (e.g. dry or inert type materials, recyclables, scrap metals, etc.);

(iii) cause such container to be normally covered while containing waste.

(j) The owner of any industrial, commercial or institutional premises may make use of aerated or other commercial container(s) specifically designed for containing organic materials and commercial container(s) such as wheeled totes for containing blue bag recyclables, transparent plastic bags to contain paper or such other commercial container(s) specifically designed to contain materials and approved by the Administrator for the storage and collection of source-separated organic or recyclable materials from industrial, commercial or institutional premises provided that the owner shall not use any commercial container provided for pursuant to this section for the storage of ICI waste and provided that the owner complies with the other applicable requirements of this Section 13.1.

(k) No person shall place waste in any commercial container without permission of the owner of the container.

(l) The one month time limit in 13.1 (d) above can be extended with permission of the Administrator.

(m) The owner of any industrial, commercial or institutional premises shall ensure that commercial containers on the premises:

(j) accommodate source-separated waste generated at that location;

(ii) are designed and constructed such that the waste (i.e. ICI waste, organic materials, blue bag recyclables, paper and corrugated cardboard) remains in a source-separated condition; and

(iii) are easily accessible to the occupants.

14. PLACING WASTE FROM NON-ELIGIBLE PREMISES CURBSIDE

14.1 No person shall place waste from premises other than eligible premises or other waste that is not collectible waste on municipal property for collection or other reason without written permission from the Administrator.

15. VEHICLES CARRYING WASTE

15.1 The following provisions apply to vehicles carrying waste materials:

(a) Persons who collect, transport and dispose of waste materials, ICI waste,

mixed waste, organic materials and recyclable materials shall do so in a sanitary manner; any fluid matter shall be transported in watertight containers having tight-fitting covers.

(b) Every vehicle used for the collection and transportation of waste materials, ICI waste, mixed waste, organic materials, and recyclable materials shall have a tailgate or other restraining device and shall be closed or equipped with a tarpaulin, and such tarpaulin shall be used to cover such waste materials, ICI waste, mixed waste, organic materials and/or recyclable materials while the same is being transported.

(c) All waste materials, ICI waste, mixed waste, organic materials and recyclable materials shall be transported in such a manner that materials shall not spill or scatter from the vehicle containing the same.

(d) Waste materials, ICI waste, mixed waste and organic materials shall generally not remain in a vehicle overnight but shall be transported and disposed of on the same day as collected except in circumstances such as poor weather conditions, occasional equipment breakdowns, facility closures, etc. where delays shall be minimized and disposal shall occur as soon as reasonably possible.

(e) All vehicles or containers used for the transportation of waste materials, ICI waste, mixed waste and organic materials shall be hosed down as required and kept in a sanitary condition.

(f) All vehicles or containers used for the transportation of recyclable materials shall be kept in a sanitary condition.

(g) The Administrator may inspect vehicles used for the collection or carriage of waste materials at all reasonable times to ensure compliance with this By-Law.

15.2 Persons who collect and transport ICI waste, blue bag recyclables, paper, corrugated cardboard and organic materials that have been placed for collection in accordance with Section 12.3 (b) at industrial, commercial or institutional premises or properties shall transport that ICI waste, blue bag recyclables, paper, corrugated cardboard and organic materials in a source-separated condition and deliver the same material in a source-separated condition to the appropriate receiving facility in accordance with the Municipality's waste resource management system.

16. PROHIBITIONS

16.1 No person shall:

(a) pick over, remove, disturb or otherwise interfere with any waste material that has been set out for municipal collection;

- (b) collect waste material placed for municipal collection; or
- (c) remove a container or organics collection cart placed at curbside.

16.2 The prohibitions in Section 16.1 do not apply to the person who placed the waste material for collection or to the Municipality, its contractors or authorized Municipal collection contractors.

16.3 No person shall export or remove solid waste material generated within the Municipality outside the boundaries of the Municipality and all such solid waste shall be disposed of within the boundaries of the Municipality and in accordance with this By-law.

16.4 Notwithstanding subsection 16.3, the Municipality may export solid waste materials to licensed disposal facilities outside the boundaries of the Municipality only when the volumes of solid waste delivered to municipal facilities exceed the capacity of the facilities to handle the materials.

16.5 For the purpose of 16.3 and 16.4, solid waste means solid waste materials including but not limited to collectible waste, industrial/commercial/institutional waste, construction and demolition waste, mixed waste, and organic materials but does not include recyclable materials from industrial, commercial and institutional premises, international waste, pathogenic or biomedical waste, waste dangerous goods, hazardous waste materials, septic tank pumpings, raw sewage, industrial sludge and contaminated soils and solids as defined by appropriate regulatory bodies having jurisdiction from time to time and as determined by the Administrator or person designated to act in place of the Administrator.

17. WASTE DISPOSAL FEE STRUCTURE

17.1 The fees and charges for the depositing of materials by haulers and persons who transport waste materials acceptable for disposal at any waste management facility operated by the Municipality, its contractors or its agents as part of the Municipality's waste management system shall be as prescribed from time by Council by policy in Administrative Order Number 16 of the Municipality.

17.2 Notwithstanding Section 17.1, haulers delivering materials to the Municipality's waste management facilities which require special handling or disposal techniques shall pay the actual costs of such deposit and disposal determined as follows:

- (a) The hauler shall give the Municipality and its contractors or its agents 10 days notice that it requests permission to deposit such wastes for disposal at the waste management facility, stating the properties, characteristics, origins and amounts of such waste materials;
- (b) On receipt of such notice, the Municipality and its contractors or its agents

shall advise the hauler whether or not it will accept delivery of such wastes at the waste management facility; and

(c) If the waste material is acceptable, the Municipality and its contractors or its agents shall advise the hauler of the time when and under what conditions it will accept deposit of such wastes at the waste management facility, provided the hauler pays the Municipality the actual cost of such deposit and disposal plus twenty percent, and further provided that the hauler agrees to save harmless the Municipality and assume full liability for the deposit and disposal of such wastes.

17.3 No waste disposal fee shall apply to collectible waste from eligible premises collected through municipal collection and deposited by collection contractors engaged by the Municipality at waste management facilities operated by the Municipality, its contractors or its agents.

18. VEHICLE REGISTRATION

18.1 Haulers using the Municipality's waste management facilities shall comply with the registration requirements of the Municipality including vehicle registration for such haulers.

18.2 The following provisions apply to vehicle registration for haulers using the Municipality's waste management facilities:

(a) Haulers (other than those users of cars, station wagons, mini-vans, sport utility vehicles and one quarter ton trucks) using the Municipality's waste management facilities shall pre-register identifying information and the tare weight for each vehicle as required by the Municipality from time to time, and separately identify those vehicles to be used in scheduled waste collection services operated on behalf of the Municipality (if the hauler is also a collection contractor).

(b) Haulers who wish to be granted credit privileges with the Municipality must register adequate identifying information with the Municipality. Each hauler and/or each hauler's vehicle will be assigned a unique identification code and/or issued appropriate physical identifying property. The physical identifying property issued shall remain the sole property of the Municipality and shall be returned promptly at the expiration of its use as determined by the Municipality at its sole discretion. Unique identification codes assigned to a hauler's vehicle shall be displayed on the left front of the vehicle in characters at least 10 centimetres high.

(c) Each hauler and hauler's vehicle using the Municipality's waste management facilities which has been granted credit privileges must present the assigned and/or issued identification to the scale operator upon entering the facility. The hauler to whom the assigned and/or issued identification is registered to will be invoiced for all materials delivered under his/her identification.

19. FEE PAYMENT

19.1 The following applies to the payment of fees:

(a) At Halifax Regional Municipality waste management facilities where cash payment is accepted, unless credit privileges have been granted, haulers who transport acceptable material to a facility operated by the Municipality, its contractors or its agents will be required to pay cash at the site in accordance with sections (I) to (iv) below:

(i) Where only one scale is in operation and the tare weight of a vehicle transporting materials has been predetermined, a cash payment is required upon being weighed in accordance with the fee structure prescribed by Administrative Order 16.

(ii) Where only one scale is in operation and the tare weight of a vehicle transporting materials for disposal has not been predetermined, a cash deposit prescribed by Administrative Order 16 is required upon entering the facility. The vehicle will be weighed upon entering the facility and again upon leaving. The hauler will pay the fee prescribed by Administrative Order 16 prior to leaving the facility. If the deposit is greater than the actual fee, the hauler will receive a refund for the difference. If the deposit is less than the actual fee, the hauler will be required to pay the difference in addition to the deposit already paid, prior to leaving the facility.

(iii) Where both inbound and outbound scales are in operation, vehicles entering are required to pay a cash deposit prescribed in Administrative Order 16, upon entering the facility. The vehicle will be weighed upon entering the facility and again upon leaving. The hauler will pay the fee prescribed by Administrative Order 16 prior to leaving the facility. If the deposit is greater than the actual fee, the hauler will receive a refund for the difference. If the deposit is less than the actual fee, the hauler will be required to pay the difference in addition to the deposit already paid, prior to leaving the facility.

(iv) For vehicles such as cars, station wagons, mini-vans, sport utility vehicles and quarter ton trucks with load weights less than 100 kg, a flat cash fee prescribed by Administrative Order 16 will be paid upon entering the noted facility(s). The vehicle will not be weighed upon leaving the facility(s).

(b) At Halifax Regional Municipality waste management facilities where credit privileges have been granted, haulers who transport acceptable material to a facility operated by the Municipality, its contractors or its agents will be required to pay upon invoice in accordance with sections (I) to (iii) below:

(i) Where only one scale is in operation and the tare weight of a vehicle transporting materials has been predetermined, the vehicle will be weighed when entering the facility and a payment upon invoice is required in

accordance with the fee structure prescribed by Administrative Order 16.

(ii) Where only one scale is in operation and the tare weight of a vehicle transporting materials for disposal has not been predetermined, the vehicle will be weighed upon entering the facility and again upon leaving. The hauler will pay the fee upon invoice in accordance with the fee structure prescribed by Administrative Order 16.

(iii) Where both inbound and outbound scales are in operation, the vehicle will be weighed upon entering the facility and again upon leaving. The hauler will pay the fee upon invoice in accordance with the fee structure prescribed by Administrative Order 16.

(c) The following provisions apply to haulers who have been granted credit privileges at any waste management facility operated by the Municipality, its contractors or its agents:

(i) Haulers granted credit privileges will receive a monthly Statement of Accounts and payment is due within thirty (30) days of the end of the statement month.

(ii) Where an account for material disposal fees remains unpaid for more than thirty (30) days, a notice of non-payment will be sent by the Municipality. The Municipality may advise that if payment is not received within a specified period of time after mailing of such notice, the hauler shall be refused admittance to all facilities and/or credit privileges withdrawn until such time as the outstanding amounts, interest and service charges are paid. Scale operators will be notified of all haulers on refused admittance status or credit privileges withdrawn status and will be instructed to deny access to the facilities as applicable. The Municipality may require the posting of a performance bond or any other security acceptable to the Municipality in the event that accounts continue from time to time to be unpaid.

(iii) The interest rate to be charged on all outstanding disposal fee accounts will be applied and administered per Administrative Order 14, Interest Charges on Past Due Accounts.

20. PENALTIES

20.1 Any person who violates any provision of this By-Law is guilty of an offence and is liable on summary conviction to a penalty of not less than \$200.00 and not more than \$5,000.00 and in default of payment thereof to a term of imprisonment for not more than 60 days. Each day that a person commits an offence under this By-Law constitutes a separate offence.

20.2 In addition to any fine or imprisonment imposed pursuant to subsection 20.1, the

Court or judge may order the person convicted to pay all expenses incurred in correcting the contravention of the by-law or any damages associated with such contravention.

20.3 Where any person is in contravention of any provision of this by-law, the Administrator may direct in writing that the contravention be remedied by that person in the manner and within the time specified in the written direction.

21. REPEAL

21.1 The following are hereby repealed:

- (a) By-Law 24330, "Regional Solid Waste Disposal System By-Law" of the Town of Bedford.
- (b) By-Law No. 24331, the "Solid Waste By-Law" enacted by the Town of Bedford on January 28, 1992.
- (c) By-Law S-1200, "A By-Law of the City of Dartmouth Respecting Collection and Disposal of Solid Waste" enacted August 29, 1989.
- (d) By-Law H-400, "A By-Law Respecting A Regional Solid Waste Management System" of the City of Dartmouth.
- (e) By-Law H-500, the "Regional Solid Waste Disposal System By-Law" of the City of Dartmouth.
- (f) "Regulations Relating to the Collection and Disposal of Garbage and Refuse", Board of Health of the City of Halifax.
- (g) City of Halifax Ordinance Number 162, "Respecting the Design, Construction and Operation of a Regional Solid Waste Management System".
- (h) Halifax County Municipality By-Law 36, "A By-Law Respecting the Design, Construction and Operation of a Regional Solid Waste Management System".
- (i) Metropolitan Authority Waste Disposal Fee By-Law No. 7.

Done and passed by Council this **19th** day of **January**, A.D. **1999**.

Walter Fitzgerald
MAYOR

Vi Carmichael
MUNICIPAL CLERK



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada


Item No. 9.1

**Halifax Regional Council
September 23, 2014**

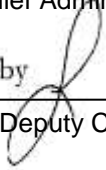
December 2, 2014

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY:

Original signed by 

Richard Butts, Chief Administrative Officer

Original Signed by 

Mike Labrecque, Deputy Chief Administrative Officer

DATE: August 21, 2014

SUBJECT: Solid Waste Resource Collection & Disposal By-law S-600 - Amendments

ORIGIN

January 14, 2014, Motion of Halifax Regional Council Committee of the Whole (COW) directed staff to initiate the process to amend By-law S-600 to evolve the solid waste management system.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Section.335 allowing Council to "make by-laws respecting solid waste" By-law S-600, *Solid Waste Resource Collection and Disposal By-law*.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Give First Reading to By-law S-608, amending By-law S-600, the *Solid Waste Resource Collection and Disposal By-law*, as set out in Attachment B;
2. Set a date for a Public Hearing respecting changes to municipal collection services respecting clear bags for garbage with privacy option and reduced bag limits; and
3. Adopt By-law S-608, amending By-law S-600, the *Solid Waste Resource Collection and Disposal By-law*, as set out in Attachment B.

BACKGROUND

In 1995, the path to development of the Halifax Solid Waste Management Program was guided by three fundamental objectives to 1) Maximize reduction, reuse and recycling of waste resources; 2) Maximize environmental and fiscal sustainability of the waste program; and, 3) Foster public stewardship and conservation. These objectives continue today to guide the Solid Waste program evolution.

At the January 14, 2014 COW session, Council unanimously endorsed these fundamental strategy objectives and provided direction to staff to initiate By-law amendment to enable next steps to evolve the existing waste programs.

At this session, specifically the following two Recommendations were approved and require changes to the By-law S-600 "Solid Waste Resource Collection and Disposal By-law" to mandate program changes:

Recommendation 3: Initiate By-law amendments to improve organics collection, processing and finished compost product quality for residential source separated organics by:

- a. removing boxboard as a mandated green bin product (while still permitted as a kitchen scrap material catcher);
- b. mandating use of Kraft paper bags for separate collection of leaf and yard waste; and,
- c. banning grass clippings from collection.

Recommendation 5: Initiate By-law amendments to:

- a. mandate clear bags (with one nested opaque bag) for residential collection; and,
- b. reduce garbage bag limits from six (6) to four (4).

Council requested a public hearing to occur for Recommendation 5.

DISCUSSION

These recommendations primarily focus on change occurring in the organic and recycling waste programs, with five intended outcomes:

- 1) Maximize efficiencies in the organics process
 - This outcome yields both financial and environmental benefits to the Halifax program. With the re-directing of excess boxboard fibre away from compost plant operations, benefits accrue in terms of the lower per tonne processing costs. System performance of aerobic compost plants can be improved without the presence of grass clippings, measured in enhanced operations throughputs and retention time curing reduced.
- 2) Provide for system capacity opportunities
 - Achievement of this outcome is measured in the quantity of boxboard received at the recycling facility providing alternative capacity at the compost plants. Leaf and yard waste is targeted for re-direction for processing at windrow leaf and yard waste facility- a financial benefit in reduced organics processing costs.
- 3) Foster citizen stewardship management of materials
 - Citizen environmental stewardship occurs with onsite management of materials- activities such as backyard composting and grasscycling where residents tap into the environmental benefits of the resource value of materials by managing materials onsite. Citizen's stewardship also occurs with the separation of leaf and yard material using kraft paper bags can ensure compost end product is a value added end product.

- 4) Improve material quality
 - Re-directing boxboard fibre and grass clippings assists to achieve compost maturity guidelines. Utilization of kraft paper bags enhances material quality and end use value realization in product with a low cost processing option.
- 5) Divert materials away from landfill disposal
 - Both environmental and financial benefits accrue as less waste arrives for landfill processing and disposal. When waste tonnages are reduced there is a cost avoidance realized in not constructing new cells at the current rate and minimizing our environmental footprint. Less waste required for landfill processing is a measureable outcome achieved with the changing of the color of a bag to clear and is a valuable diversion strategy.

The areas of change in By-law S-600 impact the following sections:

Section 2: "Definitions";
Section 6: "Collectible Material- Preparation and Restrictions"; and,
Section 7: "Regulation Containers for Municipal Collection".

Attachment A identifies the areas of change and is tracked and highlighted. Amendments are formulated and are reflected as amendments in Attachment B, known as By-law S- 608.

Recommendation 3: Recycling and Organics Program

Recycling Program Changes – Boxboard

The proposed approved change shifts boxboard to the recycling stream (to be included in paper and cardboard recycling collection) while still allowing it to be used in the organics program to contain wet food waste as a mini bin liner.

Boxboard is the packaging used for cracker, cereal, granola and other product boxes commonly found on grocery and retail store shelves. It is currently promoted in the green cart program to help deal with messy wet material by absorbing wet food waste residue in the cart and keeping green carts cleaner. Moving boxboard to the fibre (paper and cardboard) recycling program is to free up capacity at the HRM compost plants, provide flexibility within the materials management system and improve compost quality. This change will enable two options for boxboard: residents can continue to use boxboard to contain wet food waste in their green cart, and they can also put excess board with their paper or cardboard for recycling.

Shifting excess boxboard to the recycling process presents opportunity to resource organics plant capacity and cost savings. Currently the compost system receives an estimated 1,540 tonnes of boxboard material annually. In the organic stream, the cost is \$160-165/ tonne to process and uses valuable compost capacity. Supporting a shift to the recycling program will free up capacity as well as provide for a lower cost processing option at the recycling facility. The average net cost to the Halifax recycling plan for recyclables processing is \$55.00/ tonne. With the cost of collections being higher for recyclables, it is estimated that there will be a net zero impact to the operating budget, however additional capacity will be made available at the compost plants.

Excess boxboard in the compost process also has a negative impact on processing operations, slowing the maturation process. Boxboard is not able to break down as quickly as food waste and has an impact on the C: N ratio suppressing microbial activity and decomposition.

The amendment affects Section 2 of the By-law, Definitions, Clause 2.1 (n) to add boxboard as a fibre recyclable and to recognize boxboard in Clause 2.1 (ffb) as paper for collection.

Organics Program Changes – Leaf and Yard Waste – Grass Clippings

The inclusion of grass clippings in compost facility processing contributes to the production of leachate and odours. During peak grass cutting season, approximately 70 tonnes of grass clipping are collected weekly, which equates to an estimated range of 500- 800 tonnes/ year based on capture during an 8-12 week peak season. Currently in the system grass clippings are processed at a cost of \$80,000- \$128,000 annually at the compost plants. Opportunity for both capacity and cost savings can be realized with grass clippings not permitted in the green cart for curbside collection.

Grass clippings can be managed onsite by citizens. An example of citizen stewardship in management of resource materials onsite is already embraced by Halifax residents where backyard composting programs are in place and continue to thrive in the community. Residents properly managing grass clippings on their property are considered a best practice in lawn care across the country and are referred to as "Grasscycling". This can also be considered good citizen environmental stewardship where this material can be managed onsite as a resource- in this case to support a healthy lawn. Environmental benefits can also accrue as there would be less trucking required and benefits in the compost plant operations. As noted above both capacity and cost saving opportunities are available with grass clippings being diverted away from curbside collection.

Proper and effective grasscycling requires communication and education programming delivered to residents; communication to residents to adjust the height of their lawnmower to accommodate leaving clippings on the lawn. This returns nutrients to the soil and helps build root growth and strength contributing to a healthy lawn. When managed properly, clippings return valuable nutrients, like nitrogen, potassium and phosphorus, to the soil and reduce fertilizer requirements.

Raising the wheels (blade) on the mower and cutting grass in stages helps prevent visible grass from being left on the lawn. Though it can require an extra pass or two after a heavy rain, there is no extra work to raking or bagging. A mulch mower or mulching blade for a mower can also assist in managing grass clippings, but is not required.

Removal of grass clippings collection from the green cart program requires amendment to Section 2 of the By-law, "Definitions", clause 2.1 (t) has been revised to remove "grass clippings", it is no longer a part of the "leaf and yard waste" definition and not part of materials acceptable for collection.

Organics Program Changes – Leaf and Yard Waste - Kraft Paper Bags

The approved change requires the use of only kraft paper bags for all leaf and yard waste and bans the use of plastic in the organics program. Plastic does not decompose and therefore becomes unsightly and challenging to manage as a contaminant in the organic compost the municipality is trying to produce. Plastic shreds end up in the finished compost and are unsightly for the end user, significantly reducing its value and use.

The use of plastic bags introduces numerous costly, labour intensive efforts at the compost processing plants as bags have to be split open and emptied. There is currently some estimated 7,000 tonnes of leaf and yard green cart program material processed at the Halifax compost plants. The majority of separate leaf and yard waste collections are done during peak seasonal demand through dedicated leaf and yard waste trucks which facilitates processing cost savings. During non-peak times the material is co-collected with organics. With the adoption of kraft bags, there may be an opportunity for cost savings with regards to the operation of the compost plants as labour intensive activities can be minimized.

Separation into kraft paper bags will enable opportunities for capacity and cost savings to be realized as this material can be re-directed to facilities of lower cost processing designed specifically for leaf and yard waste materials. In this process- a windrow operation- paper bags are introduced directly into the process as an organic product that will break down easily in the process. This option is at a lower cost

based on current pricing of \$28.55/ tonne and can free up capacity at the Halifax compost plants to process green cart food waste materials. Consultants conclude that it makes no economic sense to combine green cart food waste with leaf and yard material into the same processing waste stream facility.

With respect to durability in all weather conditions, kraft paper bags are designed to contain leaf and yard waste outdoors, in all climates. When kraft paper bags are filled properly and folded closed, they are weather resistant. Paper bags are mandated in other jurisdictions in the Maritime Provinces and have proven to function very well. The price of bags varies, but they are available at most department, grocery and hardware stores.

Shifting from plastic to paper bags requires amendments to Section 6 and 7 of By-law S-600. Specifically Section 6.1(j) (ii) where the municipality established separate leaf and yard collection, a maximum of twenty (20) heavy paper bags is permitted – reference to plastic bags has been omitted. Also amended Section 7.2 (b) (i) (B)) to recognize only paper bags for collection of leaf and yard waste material.

Recommendation 5: Clear Bags and Collection

Clear Bags with Privacy Options

Changing the color of a bag to clear is proven to be a powerful diversion strategy. It has a positive impact on behavioural change to increase and improve source separation of recyclables and organics. In the first six months of the clear bag program in Cape Breton Regional Municipality (CBRM), the region saw a 16% decrease in garbage destined for landfill. In the case of Colchester County's waste program, the municipality disposed of 18,000 fewer tonnes of garbage in its landfill facility as compared to the previous year, which it attributes to the clear bag program. The City of Markham, ON, measured an increase in residential diversion rates in the first year of the clear bag program implementation going from 72% to 81% diversion rate- a 9% overall performance improvement in an already successful diversion program. Clear bags were proven successful as the next step to enhancing system performance.

Halifax also has an opportunity to improve its current 52% residential diversion rate. Based on experiences in jurisdictions having implemented clear bag programs, Halifax has the opportunity to reduce waste going to landfill by 16% to 24% in the first year. This has a net positive impact on the system mass balance, to enhance residential diversion rates to at least 58% in the first year of clear bag program implementation. Reducing waste to landfill conserves landfill cell capacity and fosters the objective of environmental sustainability and conserves society values.

Users of clear garbage bags support implementation more than non-users. Support for clear bags was 81% among Nova Scotians who live in municipalities that already have clear bag programs, as compared to 50% among Nova Scotians who live in municipalities that do not have clear bag programs. This suggests that concerns for clear bag programs exist prior to their implementation, but following implementation, those concerns become largely unfounded. Once residents become users of clear bags, public opinion shifts to support the program.

A shift from black bags to clear bags will also include provision for a privacy bag for municipal garbage collection. This requires amendment to sub-clause 7.2 (a) (i) "Regulation Container for Municipal Collection" to add "clear transparent" to the plastic bag specifications. As well further defined in paragraph 7.2(a) (i) (D) is revised to recognize bags must be non-colored transparent.

Privacy Bag – 1 Solid Color Bag to Contain All Privacy Items

Halifax residents have expressed concern that nesting bags in bags is more work to sort the trash whereas 1 black bag for all privacy items is more convenient. Data from other municipalities that have implemented clear bag programs (46 of the 54 NS municipalities), shows the prevailing preference is to

utilize 1 standard sized solid color privacy bag rather than the initially recommended multiple nested bags. Based on this feedback, staff recommends changing “one (1) nested bag per clear bag” privacy option to “one (1) standard size black bag” privacy option.

Of note, data also indicates, as with the improved program support change, residents eventually stop buying solid coloured bags and just use clear bags. The ability to continue to use garbage containers to hold the plastic bags seems to provide the desired level of privacy.

Mandated clear bags with one (1) single large coloured privacy bag requires an amendment to sub-clause 6.1(a) (i) as one (1) large privacy bag in the limit of four (4) mixed waste regulation container.

In addition, amendments are required to the “Definitions” clause 2.1 (ffc) is a new defined term for “Privacy Bag” to mean a solid color bag.

Staff received feedback from residents with particular interest in how to manage pet waste in the clear bag program. Residents are advised that there would be no change to how residents manage pet waste. Pet waste should be placed in bags just as they do now. Pet waste should not be placed loosely in garbage cans or the clear plastic bags and should never be placed in the green carts.

For residents who choose to use garbage containers, bags are now required for collection. This relates to the four (4) bag quantity limit addressed in this program change. Materials not bagged become scattered upon collection from these containers and contribute to litter. As well, loose un-bagged material make it significantly more challenging to identify materials not eligible for collection. Therefore, an amendment is required to add a new Section paragraph 7.2(a) (ii) (F) “Loose material is not eligible for collection”.

Of note, currently in the retail marketplace there are large wheeled garbage storage containers and totes in different sizes that can hold multiple standard size bags. In the current collection system, if a container is used to store multiple bags, the permissible number of bags remains four (4) and bags are counted individually as part of the bag limit. This practice will not change with the bag limit change. Where the larger containers and totes are being utilized (over 120 litre capacity), collection crews will not over extend to reach inside the oversized toter as it introduces OH&S risks. Therefore, only bags that can be reasonably and safely reached will be removed and collected. This is not a change from the current program.

Recommendation 5: Bag Limit

Bag Limit Change from Six (6) to Four (4) Bags for Garbage

Currently, the majority of residents (80% based on residential curbside monitoring) put out four (4) or less bags of garbage curbside for municipal collection. However, almost 50% of the material collected curbside that ends up in the landfill should have been recycled or composted. Curbside monitoring data confirms that there remain a lot of residents who are not participating and or doing a poor job of source separation. Reducing the garbage bag limit to four (4) bags is a proven measure, combined with clear bags to encourage those who are not currently recycling and composting to do so and assist staff in identifying resident who may require additional education support to improve their source separation practices. Most jurisdictions that reduce bags limits experience an incremental change in diversion and reach those residents who are not participating in diversion programs currently.

To be clear, HRM is not reducing service. Residents are permitted to put out as many blue bags, bags of paper recyclables and bundles of cardboard as they wish on their regular recycling collection day. The organics program (green cart and leaf and yard waste) also provides sufficient room for any organics materials generated. The program adjustment is intended to improve the proper and mandated capture of waste resources which continue to be sent to the landfill.

The change to the residential curbside bag limit from six (6) to four (4) is enabled through the amendment

to subclause 6.1(a) (i) to recognize a maximum of four (4) regulation plastic bag containers per mixed waste collection day per residential unit.

Multi-residential (six units or less) and condominium properties that receive curbside collection services will also have their bag limit reduced by an equivalent one third reduction in bag limit from the current five (5) to three (3) bags per unit. This change is an amendment to Clause 6.1 (d) to recognize a maximum of three (3) mixed waste regulation plastic bag containers per unit to a maximum of eighteen (18) per mixed waste collection day for a building of six units.

Home Renovation C&D Materials

Currently included in the residential bag limit is the inclusion of home renovation waste materials. With the reduction in the bag limit from six (6) to four (4), the home renovation limit will also change proportionally from the currently five (5) bags/ bundles in the six (6) bag limit to three (3) bags/ bundles included in the four (4) bag limit. All renovation materials should be delivered to a licensed C&D Recycling Facility. However, it is recognized that many residents do not have this capability, and therefore the program currently supports this minimal, non-commercial, collection of small quantities of home renovation materials curbside. This amendment affects clause 6.1(b) for eligible properties, residential home renovation materials may be placed for municipal collection to a maximum of three (3) in the four (4) mixed waste regulation container limit.

There has been resident feedback inquiring about increasing the permitted size plastic garbage bag. A change of this nature would defeat the purpose of reducing the bag limit. Lower bag limits are meant to encourage residents to more effectively source separate and improve recycling and organic materials capture. Therefore, no change to the bag size is intended. The size of a "standard plastic bag" acceptable for collection is one metre (39.3 inches) in length. This is not a program change. The bi-weekly collection limit for garbage in standard size plastic bags will be four (4), regardless of how many garbage containers are employed. Residents using larger size bags will have these left at the curb, uncollected.

Special circumstances, such as spring and fall clean outs has been raised by residents as a concern. The existing curbside collection program for garbage provides for a large item (couch, chair and other large items) curbside every garbage week (26 times per year). HRM also encourages residents to donate any reusable items whenever possible to donation centres and charities. There are also the twice annual "Curbside Giveaway" events where residents can place out items for others to acquire, rather than them ending up in the landfill. A list of organizations that accept items for donation is posted on the Halifax website. Finally, where excess waste exceeds the bi-weekly bag limit, residents may drop off at the waste processing facility directly at a nominal flat fee of \$5.00 for up to 100 kg (220 lbs) of garbage.

Implementation of Program Changes – Proposed Education and Communications Program

An effective education, communication and marketing campaign is critical to the success of any change to a program model. Once the approved changes are amended in the By-law staff intends to implement a 6 month phased-in approach to provide public education and communication prior to enforcement of changes at the curb. This is a similar model which proved very successful following the last program change.

The six-month, phased-in approach is designed to give residents and retailers time to learn about and understand the program changes and provide for the opportunity to use any existing products before the switch to clear bags is enforced. Following the approval of this recommended program change, staff met with bag manufacturers and confirmed that there is a wide range of sizes, density and strength of clear and paper bags available. As occurred in other jurisdictions, manufacturers will partner with Halifax to provide mail-out samples of clear bags with educational information.

The proposed 6 month phase campaign includes the following elements:

Communication/Marketing & Education

A public communication/marketing and education campaign will be implemented for the 6 month period leading up to implementation of the new program and include:

- A new Solid Waste Program mobile device information application (app),
- Householder Clear Bag Sample and Information Pack Mail-Outs,
- Print and radio campaign messages/advertisements,
- HRM website advertisements and interactive links to materials and program information,
- Social Media Site Messaging (Halifax Recycles Facebook & @hfxgov Twitter),
- Information via 311 ,
- Councillor Newsletters,
- Home visit requests:
 - This program will enable residents to call and request assistance through a home visit to help residents better understand “What Goes Where” in source separation and what should be the garbage being generated in the home as well as to discuss any special circumstances,
- Collection company crew and supervisor workshops to fully explain program requirements and ensure curbside monitoring and any rejections are properly managed,
- Retailer letter of Notification re: advising of the changes and providing transition time to stock clear/ kraft paper bags for retail shelving,
- Letters to Property Management Groups and condo corporations receiving municipal collection services.

Hauler Curbside Monitoring – Targeted Communication

During this phase, staff, through support from contracted collection crews will identify residences which are not utilizing clear bags or exceed the bag limit. This program will include:

- Curbside monitoring: this occurs where residential collection crews identify residential properties still using all solid bags or exceeding the bag limit. Once identified through their collection log sheets, staff will initiate targeted communication with the residential property which will include letters (Dear Resident, we noticed....) along with an accompanying sample package of clear and blue bags and a “What Goes Where Guide”. This effort could then lead to staff visits for those residences which continue to have problems meeting program guidelines.

Program Compliance Enforcement (Proposed Effective April 6, 2015)

Following the communication and proactive education campaign, as of the effective date, collection crews will be advised to reject non-clear bags (except for the privacy bag) and excessive bags and only take the limit of four (4) bags per residence.

Non program bags/ containers will be left behind with education stickers to inform residents of why the materials/containers were left behind. The stickers include a contact number to request information on proper source separation practices.

FINANCIAL IMPLICATIONS

Halifax’s solid waste strategy is based on source separation and maximizing the capture of resources and the diversion of materials from landfill. Reducing waste delivered to the landfill saves landfill cell capacity and extends the time between the required development of the next cell.

Increasing the capture of recyclables will impact materials recovery facility capacity, and this is being included in the ongoing business case analysis of the recycling program. Likewise, increased capture of organics material will necessitate evolution of the organics program. The program requirements and option are also being developed for submission to Council in fall 2014. The evolution of the Solid Waste system is capital intensive and will require additional funding in order to develop new infrastructure. Funding for this infrastructure and program amendments can be made available through recommendations within the January 14, 2014 Council report “Integrated Solid Waste Resource

Management Strategy Review – Final Report”.

Communication and marketing activities to advance changes at the curb were planned for and incorporated into the existing advertising and marketing budget for fiscal year 14/15.

COMMUNITY ENGAGEMENT

Extensive consultation was undertaken as part of the Solid Waste System review. A public hearing was requested and is programmed into the amendment process for Recommendation 5.

ENVIRONMENTAL IMPLICATIONS

The increase in diversion from landfill, increased capture of recyclables and organics, and the improvement of compost quality are all environmental priorities and advanced by these program changes.

There are no environmental impacts as a result of these program changes.

ALTERNATIVES

Council could rescind approval of the previously approved program changes.

ATTACHMENTS

Attachment A: By-law S-600 Tracked Changes Highlighted

Attachment B: Amendments as By-law S-608

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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ATTACHMENT A
(showing proposed changes)

HALIFAX REGIONAL MUNICIPALITY
SOLID WASTE RESOURCE COLLECTION AND DISPOSAL BY-LAW
BY-LAW No. S – 600

1. TITLE

1.1 This By-law shall be known and may be cited as the **“Solid Waste Resource Collection and Disposal By-Law”**.

2. DEFINITIONS

2.1 In this By-Law the following words and phrases shall have the following meanings:

(a) “bulky items” means large items of a household nature including but not limited to furniture, stoves, mattresses, bed springs, barrels, water tanks, dishwashers, pieces of fencing and oil tanks.

(b) “blue bag recyclables” means glass bottles and jars, aluminum, steel and tin cans, high density polyethylene, low density polyethylene, and polyethylene terephthalate plastic bottles, containers and bags, milk and juice cartons, tetra packs and mini-sip containers or other items as designated by Council from time to time.

(c) “boxboard” means cereal, shoe, tissue, detergent, cracker, cookie, baking product and frozen food boxes, toilet paper rolls and paper towel rolls or other similar items.

(ca) “chute” includes a sloping or vertical channel, tube or slide, which is capable of conveying ICI waste from one level or floor to a lower level or floor;

(d) “collectible waste” means material originating from eligible premises and placed by the owner or occupant for collection by a collection contractor or by an agent of the Municipality and includes, without limitation, mixed waste, recyclable materials, and organic materials.

(e) “collection contractor” means any company, person or persons and the agents of such persons under contract with the Municipality to collect collectible waste from eligible premises.

(f) “commercial container” means any container used for the storage of ICI waste or any container used for the storage of organic materials or recyclable materials originating from industrial, commercial or institutional premises on properties located in the Municipality for collection by a hauler;

(g) “collection day” means any day which is scheduled by the Municipality for municipal collection of collectible waste.

(h) “commercial enterprise” means an enterprise which is commercially assessed for business occupancy tax, a commercial tax rate by the Municipality, or an apartment building having one civic address and more than six (6) units but does not include a business located in a residential dwelling such as, but not limited to, a home occupation or a professional office;

(i) “commercial premises” means any lot of land which contains one or more commercial enterprises.

(ia) “common area containers” means separate containers for the source-separation of organic materials, blue bag recyclables, cardboard, paper and ICI waste located in a common area at industrial, commercial and institutional premises.

(j) “construction and demolition waste” means material generated as a result of construction, demolition, or renovation activities and includes but is not limited to polystyrene or fibreglass insulation, pieces of gyprock and scrap wood.

(ja) “corrugated cardboard” means a paper-based material generally consisting of a fluted corrugated sheet and one or two flat linerboards. It is widely used in the manufacture of corrugated boxes, corrugated shipping containers and other similar products.

(k) “Council” or “council” means the Council of the Halifax Regional Municipality.

(l) “dwelling” means a building, or a unit in a building, occupied or intended to be occupied as a home, residence or sleeping place by one or more persons but does not include a hotel, motel, guesthouse or inn.

(m) “eligible premises” means those properties within the Municipality which are eligible for municipal collection as defined in Section 5.1 of this By-law.

(n) “fibre recyclables” means **boxboard**, mixed paper, corrugated cardboard, newsprint, magazines, catalogues, flyers, telephone and other soft cover books and egg cartons or other similar items designated by Council from time to time.

(o) “food waste” means fruit and vegetable peelings, table scraps, meat, poultry and fish, shellfish, dairy products, cooking oil, grease and fat, bread, grain, rice and pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags or other similar items.

(p) “front-end processing facility“ means a facility designed to receive and sort ICI waste and mixed waste and to recover selected items.

(q) “hauler” means any company, person or persons who transports waste materials including, without limitation, ICI waste, mixed waste, recyclable materials, or organic materials to waste management facilities operated by the Municipality, its contractor(s) or its agents or to other waste management facilities approved under applicable law for disposal of waste materials.

(r) “industrial/commercial/institutional waste” or AICI waste@ means material of similar composition as mixed waste collected within the Municipality other than by municipal collection.

(s) “institutional premises” means any building exclusively used by any corporate body or society for promoting a particular purpose on a non-profit basis and includes public buildings.

(t) “leaf and yard waste” means ~~grass clippings~~ leaves, brush, twigs, house and garden plants, sawdust and wood shavings or other similar items, **excluding grass clippings.**

(u) “Administrator” means a person appointed in writing by the Chief Administrative Officer to administer this by-law, or a person appointed by the Administrator as his designate;

(v) “materials recovery facility” means a facility designed to receive, sort, process, store and ship to market recyclable materials.

(w) “mini-bin” means a small container supplied to eligible premises by the municipality for the collection of organic materials prior to deposit in an organic materials regulation container.

(x) “mixed waste” means and includes all collectible waste other than that which is collected as recyclable materials or organic materials including:

(i) broken bottles, crockery and glassware, floor sweepings, discarded clothing and furnishings, non-recyclable plastic and metal, non-recyclable packaging, non-repairable household goods and other household waste;

(ii) glass that is tightly wrapped in cardboard or other suitable material and clearly marked to prevent injury to collection personnel;

(iii) bulky items and white goods;

- (iv) ashes and soot that is completely cold placed in plastic disposable watertight bags securely tied and marked ~~Asashes@~~ or ~~Asoot@~~;
- (v) residential home renovation waste materials;
- (vi) other items not specifically designated as mixed waste except as excluded by this By-law.
- (y) “mixed waste regulation container” means a ~~container~~ **a plastic container** as specified in Section 7.2 for the collection of mixed waste.
- (z) “municipal collection” means the scheduled collection of collectible waste made by or on behalf of the Municipality, at the expense of the Municipality, for eligible premises.
- (aa) “Municipality” or “municipality” means the Halifax Regional Municipality.
- (bb) “non-collectible waste” means all material other than collectible waste and without limitation includes:
 - (i) transient waste;
 - (ii) liquid waste or material that has attained a fluid consistency and has not been drained;
 - (iii) highly combustible or explosive materials, including without limitation, celluloid cuttings, motion picture film, oil or gasoline soaked rags, gas containers, chemicals, acids or other combustible residues, fine dry sawdust, ammunition, dynamite, or other similar material;
 - (iv) material that is considered pathogenic or biomedical including, without limitation, dressings, bandages or other infected material or hypodermic needles discarded in the course of the practice of physicians, surgeons, dentists or veterinarians;
 - (v) trade waste;
 - (vi) carcasses or parts of any animal except food waste;
 - (vii) waste listed or characterized as hazardous by any federal or provincial law;
 - (viii) sheet iron, large pieces of scrap metal or machine parts, automobile parts, fuel tanks and bodies;

- (ix) septic tank pumpings, raw sewage or industrial sludge;
 - (x) radioactive materials;
 - (xi) soil, rock and stumps;
 - (xii) waste material resulting from construction, demolition or renovation activities including planking, siding, bricks, masonry, wood, beams and gyprock left by any contractor or property owner except as permitted herein;
 - (xiii) industrial waste material from factories or other manufacturing processes;
 - (xiv) manure, kennel waste, excreta, fish processing waste;
 - (xv) waste material from commercial containers;
 - (xvi) lead-acid automotive batteries and propane tanks;
 - (xvii) waste material which has not been placed for collection in accordance with the provisions of this By-Law; and
 - (xviii) materials banned from landfill disposal by the Nova Scotia Department of the Environment unless such materials are recyclable materials or organic materials from eligible premises.
- (cc) “oil tanks” means residential oil tanks, cleaned and cut in half, to a maximum size of 200 gallons.
- (dd) “organics collection cart” or “cart” means an aerated cart supplied to eligible premises by the Municipality for the collection of organic materials.
- (ee) “organic materials” means food waste, leaf and yard waste, boxboard, soiled and non-recyclable paper, branches and bushes, natural Christmas trees without decorations and stands and other material of plant or animal origin as designated by Council from time to time.
- (ff) “organic materials regulation container” means a cart or other container as specified in Section 7.2 for the collection of organic materials.
- (ffa) “provincial disposal bans” means materials banned from disposal in landfills and incinerators under the Solid Waste - Resource Management Regulations of the Environment Act of the Province of Nova Scotia as updated and amended from time to time.

(ffb) “paper” means **boxboard**, mixed paper, newsprint, magazines, catalogues, flyers, telephone books, soft cover books, and paper egg cartons or other similar items designated by Council from time to time.

(ffc) “privacy bag” means solid colour plastic garbage bag.

(gg) “recyclable materials” means fibre recyclables, blue bag recyclables and other materials of a recyclable nature.

(hh) “recyclable materials regulation container” means a container as specified in Section 7.2 **(c)** for the collection of recyclable materials.

(ii) “regulation container” means a mixed waste regulation container; an organic materials regulation container or a recyclable materials regulation container.

(iia) “residential home renovation waste materials” means construction and demolition waste generated as a result of residential home construction, demolition, or renovation activities and includes pieces of gyprock, pieces of scrap wood, rolled carpet and rigid polystyrene foam or fibreglass insulation;

(jj) “residuals disposal facility” means a facility for the disposal and containment of ICI waste and mixed waste.

(kk) “scale clerk” means the person(s) responsible for the operation of the scale system(s) located at the waste management facilities operated by the Municipality, its contractors or its agents.

(ll) “single family dwelling” means a dwelling as defined herein occupied by a single family unit **and includes a mobile home and a dwelling within a multi-unit residential dwellings in a duplex, rowhouse or townhouse.**

(mm) “soiled and non-recyclable paper” means napkins, paper towels & fast food wrappers, wax paper, ~~file folders, yellow & brown envelopes, wrapping paper, soiled pizza boxes,~~ paper plates and cups, damp and soiled newspaper and flyers, sugar, flour & potato paper bags or other similar items.

(nn) “source separated composting facility” means a facility designed to receive, process and compost organic materials.

(oo) “trade waste” means materials accumulated as a result of commercial activities such as packing materials, display boards, rags, paper, and other waste materials resulting from such activities.

(pp) “transfer station” means a facility operated by or on behalf of the Municipality for unloading and consolidating ICI waste and mixed waste from collection vehicles for transport to another waste management facility in larger loads.

(qq) “transient waste” means waste material produced outside the Municipality or produced at a location other than at the building in front of which it was placed for pick up.

(rr) “treasurer” means the Administrator of Treasury for the Municipality, the successor to this position or a person designated by the Administrator of Treasury to act in his/her place.

(ss) “unit” means a self-contained portion of a building occupied as a separate residence.

(tt) “waste disposal fees” means user fees, per tonne fees or per cubic metre fees charged by the Municipality for the acceptance of ICI waste, mixed waste, recyclable materials, and organic materials at designated waste management facilities operated by the Municipality, its contractors or its agents.

(uu) “waste management facilities” means any of the facilities for the management of ICI waste, mixed waste, recyclable materials, and organic materials operated by the Municipality, its contractors or its agents and includes, without limitation, the front end processing facility, materials recovery facility, residuals disposal facility, source-separated composting facility(s), transfer station(s) and waste stabilization facility.

(vv) “waste stabilization facility” means a facility for the stabilization of ICI waste and mixed waste containing residual organic material.

(ww) “white goods” means any large household appliance including but not limited to refrigerators, freezers, air conditioners, stoves, washers, and dryers with the CFC refrigerants removed as required by applicable law, provided that any such item may be no more than 200 kilograms in weight.

3. THE ADMINISTRATOR

3.1 The Administrator shall administer and enforce the provisions of this By-Law and, for this purpose, may:

(a) divide the Municipality into areas for the purposes of collection of collectible waste from eligible premises on various days of the week;

(b) designate a particular day of the week for collection of collectible waste in each designated collection area;

- (c) alter the boundaries of areas as deemed necessary on reasonable notice to the public;
- (d) administer and liaise with any collection contractor who may be hired by the Municipality to carry out collection of collectible waste within the Municipality;
- (e) assign organics collection carts and mini-bins to eligible premises;
- (f) determine the frequency of collection of collectible waste in each designated collection area of the Municipality; and
- (g) designate the conditions and guidelines relating to the acceptance of waste materials at waste management facilities.

4. THE PUBLIC

4.1 The owner or occupier of an eligible premises shall:

- (a) utilize regulation containers for the storing and collection of mixed waste, recyclable materials, and organic materials;
- (b) provide sufficient and adequate regulation containers to contain collectible waste generated at the eligible premises;
- (c) maintain such regulation containers in good repair and in a sanitary condition;
- (d) ensure that each regulation container is covered and secured at all times except when being emptied or filled;
- (e) store collectible waste outside the main building on the eligible premises only in secured regulation containers made inaccessible to pests or animals;
- (f) ensure the proper preparation of all collectible waste in accordance with this By-Law;
- (g) ensure that collectible waste is placed for collection in accordance with this By-Law;
- (h) where reasonably possible, ensure that collectible waste remains behind or beside the main building on the eligible premises except on collection day; and
- (i) source-separate all collectible waste generated from eligible premises at the point of generation so as to comply with the provincial disposal bans and to facilitate their recycling, composting or disposal in accordance with the Municipality's waste resource management system.

5. ELIGIBLE PREMISES

5.1 Eligible premises include the following occupied dwellings, buildings and types of premises, when they have been granted an occupancy permit by the Municipality:

- (a) single family dwellings including mobile homes;
- (b) multi unit residential dwellings that constitute a unit in a duplex, rowhouse or townhouse dwelling having street or road frontage;
- (c) multi-unit apartment or condominium buildings to a maximum of six (6) units;
- (d) small commercial and institutional premises in areas of the Municipality where such premises are designated and serviced with municipal collection according to resolution of Council; and
- (e) condominium buildings with seven (7) or more units where such premises are in areas of the Municipality designated and serviced with municipal collection according to resolution of Council.

5.2 Owners and occupants of properties not defined herein as eligible premises shall not place any waste materials at the curbside of such properties for municipal collection.

5.3 Where a property of the type listed in clauses (a) to (e) of subsection 5.1 does not qualify as eligible premises solely because the premises are not occupied, the owner of the said premises may place waste materials originating from the same premises at the curbside for municipal collection as specified in accordance with this by law.

6. COLLECTIBLE MATERIAL - PREPARATION AND RESTRICTIONS

6.1 No materials shall be placed out or caused to be placed out for municipal collection by any person except in accordance with the following:

(a) For eligible premises which are single family dwellings ~~or multiple unit residential dwellings~~, **that have street or road frontage and curbside collection**, mixed waste shall be placed for municipal collection only in accordance with the following limits or conditions:

(i) ~~A maximum of six (6) regulation containers per mixed waste collection day per unit.~~ **Repeal.**

(ii) **A maximum of four (4) regulation plastic bags per mixed waste collection day per unit including one (1) optional privacy bag.**

(iii) **The privacy bag shall be no larger than eighty-eight (88) centimetres by one hundred (100) centimetres in size.**

(b) For eligible premises which are single family dwellings or multi unit residential dwellings, residential home renovation waste materials may be placed for municipal collection to a maximum of ~~five~~ **three (53)** mixed waste regulation containers or bundled materials per unit per mixed waste collection day. The number of bundles shall be included in the ~~six~~ **four (64)** mixed waste regulation **plastic bag container** limit as provided for in Section 6.1 (a) (i). Such bundled materials may be no more than 1.2 metres in length and 34 kilograms in weight.

(c) For eligible premises which are single family dwellings or multi unit residential dwellings, a maximum of one (1) bulky item not exceeding more than 200 kilograms in weight or one white good per mixed waste collection day per unit.

(d) For eligible premises which are multi-unit apartment and condominium buildings (with six (6) or less units), a maximum of ~~five~~ **(5) three (3)** mixed waste regulation **clear plastic bags containers** per unit to a maximum of ~~thirty~~ **(30) eighteen (18)** per mixed waste collection day.

(e) For eligible premises which are multi-unit apartment and condominium buildings (with six (6) or less units), a maximum of two (2) bulky items (each not exceeding more than 200 kilograms in weight) or two (2) white goods per mixed waste collection day per eligible apartment or condominium building.

(f) For commercial or institutional premises designated by the Municipality as eligible for municipal collection, mixed waste shall be placed for municipal collection only in accordance with the following limits or conditions:

(i) ~~A maximum of six (6) regulation containers per mixed waste collection day per eligible commercial or institutional premises.~~ **Repeal.**

(ia) A maximum of four (4) regulation clear plastic bags per mixed waste collection day per eligible commercial or institutional premises. with a maximum of one (1) privacy bag included in the limit of four (4) mixed waste plastic bags. The privacy bag shall be subject to the limit or condition pursuant to 6.1(a)(iii).

(g) For commercial or institutional premises designated by the Municipality as eligible for municipal collection, a maximum of one (1) bulky item not exceeding more than 200 kilograms in weight or one (1) white good per mixed waste collection day per premises.

(h) Construction and demolition waste generated from commercial or institutional premises is not eligible for municipal collection.

(i) Construction and demolition waste generated by eligible premises which are multi-unit apartment and condominium buildings (with six (6) or less units), is not eligible for municipal collection.

(j) Where the Municipality establishes separate municipal collection of organic materials, the following conditions and restrictions shall apply to all such collection:

(i) the weight of an organics collection cart and its contents shall be no more than 100 kilograms;

(ii) a maximum of twenty (20) ~~clear, orange plastic or~~ heavy **kraft** paper bags of leaf and yard waste may be placed for collection on each organic materials collection day for each eligible premises; with each bag and its contents weighing no more than 25 kilograms;

(iii) a maximum of five (5) bundles of branches or bushes may be placed for collection for each organic materials collection day for each eligible premises, with each bundle no more than 1.2 metres in length and 34 kilograms in weight and with no individual piece of material greater than 20 centimetres in diameter.

(k) There shall be no limit to the amount of blue bag recyclables and fibre recyclables eligible for municipal collection from eligible premises.

(l) In the case of municipal collection of materials containing refrigerant gas, the following items must display a sticker issued by the appropriate authority indicating that the refrigerant gas (CFCs) have been removed before they are eligible for collection:

- (A) refrigerators
- (B) freezers
- (C) air conditioning units
- (D) dehumidifiers

(m) No person shall place for municipal collection any non-collectible waste.

7. REGULATION **PLASTIC BAGS CONTAINERS FOR MUNICIPAL COLLECTION**

7.1 The owner or occupant of each eligible premises shall be responsible to contain designated collectible waste so as to prevent the escape of waste materials into the environment. The owner or occupant of each eligible premises is responsible to gather waste material placed for collection in front of the eligible property that has escaped

from its container onto public or private property. **Plastic bags shall be used. Loose materials placed in garbage cans shall not be collected.**

7.2 Only **plastic bags** ~~containers~~ which meet the following specifications and requirements shall be utilized for the purposes of municipal collection:

(a) mixed waste regulation **plastic bags** ~~containers~~ as follows:

(i) **clear transparent** ~~plastic bag~~ specifications:

(A) bags must be watertight and securely tied with an overall length of between 0.5 metres and 1 metre when empty;

(B) bag weight not to exceed 25 kilograms including contents;

(C) bags must have a thickness of at least 0.375 millimetres so as to prevent breakage, tearing or splitting upon collection;

~~(D) bags must be not be of a yellow, red or transparent blue color. Repeal.~~

(E) bags shall be non-coloured transparent bags;

(F) privacy bags shall not be of a yellow, red or transparent blue in color.

(ia) Plastic bags may be placed for privacy and protective purposes in containers.

(ii) container specifications:

(A) containers must be watertight, secured with a cover, equipped with handles in good repair and tapered to be as large or larger at the top as at the bottom;

(B) the weight of the container including contents shall not exceed 34 kilograms, the height shall be not less than 46 and not more than 76 centimetres, and the diameter shall be between 38 and 51 centimetres;

(C) containers shall be made of metal, plastic or other impermeable material not less than 0.375 millimetres thick;

(D) containers must be maintained in a neat and sanitary condition and kept in good repair;

(E) cardboard cartons, oil drums, paint cans, or other such containers are not eligible containers for mixed waste.

(F) loose mixed waste placed in the container is not eligible for collection.

(iii) outdoor, roadside boxes or bins are acceptable for storing **plastic bags** ~~containers or bags~~ for mixed waste provided they meet the following specifications:

(A) a box or bin constructed of wood or other material suitable for storing containers or bags of mixed waste as long as the box or bin is rodent and animal proof;

(B) boxes or bins must be affixed with a lid weighing not more than 5 kilograms;

(C) boxes or bins shall at all times be maintained in a neat and sanitary condition and kept in good repair.

(b) organic materials regulation containers:

(i) where the Municipality establishes separate collection of organic materials, the following organic materials regulation containers shall be used:

(A) organics collection carts as assigned to eligible premises by the Municipality;

(B) subject to the limits in this By-Law, where there is excess leaf and yard waste material that does not fit into the organics collection cart, this material may be placed out for collection in **clear, orange plastic or** heavy **kraft** paper bags suitable to contain the waste without spillage or bag breakage;

(C) subject to the limits in this By-Law, where there is excess branches or bushes that do not fit in the organics collection cart, this material may be placed out in bundles.

(c) recyclable materials regulation containers:

(i) the following recyclable materials regulation containers shall be used:

(A) blue bag recyclables must be placed in watertight transparent blue bags or clear transparent bags of a thickness of at least 0.375mm, and an overall length of not more than 1 metre when empty;

(B) all material must be securely contained so as to prevent material from escaping into the environment;

(C) low density polyethylene opaque bags (grocery bags), transparent bags or separate transparent blue bags must be used to contain **paper and boxboard or** fibre recyclables, except corrugated cardboard, **which** may be placed in securely tied bundles weighing no more than 34 kilograms;

(D) the weight of each bag, including contents, placed for recyclable materials collection must not exceed 25 kilograms;

(E) corrugated cardboard may be tied in bundles not greater than 0.65 metres x 1 metre x 0.20 metres (2 ft x 3 ft x 8 in).

8. ORGANIC COLLECTION CARTS AND MINI-BINS

8.1 Eligible premises must comply with the following provisions with respect to organics collection carts and mini-bins:

(a) Eligible premises that receive curbside collection will be delivered and assigned organics collection carts and mini-bins by the Municipality. The Municipality will establish the number of cart(s) and mini-bin(s) assigned to types of eligible premises.

(b) The organics collection cart(s) and mini-bin(s) assigned to eligible premises are to remain with that eligible premises.

(c) Owners or occupants of eligible premises are responsible for the care and cleaning of each organics collection cart and mini-bin which have been assigned to their eligible premises.

(d) The repair of damage or replacement of cart(s) or mini-bin(s) assigned to eligible premises due to misuse, alterations or abuse involving the owner or occupant of the eligible premises shall be the responsibility of the owner or occupant of the eligible premises to which the cart or mini-bin is assigned.

(e) The owner or occupant of eligible premises shall make the cart assigned to the eligible premises available to the Municipality or its contractors or agents within a reasonable time frame upon request for inspection or repair purposes or for identification of the serial number or the radio frequency identification tag number.

- (f) Owners of eligible premises are responsible for the cart(s) and min-bin(s) assigned to the premises and used by tenants who are renting or leasing the premises.

9. PLACEMENT OF MATERIALS

9.1 Collectible waste shall be placed for municipal collection in accordance with this By-Law, including the following:

- (a) Collection is at curbside only. All regulation containers must be placed at end of driveway and/or at the edge of the property abutting the street, road or highway without obstructing the street, road or highway.
- (b) All materials placed for collection must be placed in front of the eligible premises from which they have accumulated.
- (c) Organics collection carts must be placed at the curb in an upright position with the lid closed and the front of the cart facing the street, road or highway.
- (d) Recyclable materials must be placed for collection with approximately 1 metre spacing between these materials and mixed waste or organics materials.
- (e) Owners or occupants of eligible premises on private streets or roads are eligible for curbside collection on the private street or road if the street or road is safely passable by a collection vehicle. If the private street or road is not safely passable by a collection vehicle, the collectible waste must be brought to the nearest intersection with a public street or road and placed in accordance with this By-Law, where it shall be collected.

10. COLLECTION TIMES & FREQUENCIES

10.1 The following provisions apply to municipal collection times and frequencies:

- (a) Collection will commence at the following times on the collection days designated in the following areas of the municipality
 - (i) 7:30 a.m. in all areas of the former City of Halifax and the former City of Dartmouth;
 - (ii) 7:00 a.m. in all areas of the former County of Halifax and the former Town of Bedford.
- (b) Collection will be completed by the following times on the collection day designated in the following areas of the municipality:
 - (i) 5:00 p.m. in all areas of the former City of Halifax and the former City of Dartmouth;

- (ii) 4:30 p.m. in all areas of the former County of Halifax and the former Town of Bedford.
- (c) No person shall place collectible waste out for collection before 7:00 p.m. the evening of the day prior to the collection day applicable in that area of the Municipality.
- (d) Collection of mixed waste and organic materials shall be biweekly (once every two weeks) on alternating weeks for areas where organic collection carts have been assigned by the Municipality.
- (e) No person shall place mixed waste out for collection on the organic materials collection day applicable in that section of the Municipality.
- (f) No person shall place organic materials out for collection on the mixed waste collection day applicable in that section of the Municipality.
- (g) Where an area is designated to receive bi-weekly collection of recyclable materials, no person shall place recyclable materials out for collection on the week not designated as the recyclables material collection week applicable in that section of the Municipality.
- (h) Mixed waste collection containers and organic collection carts must be removed from curbside by 9:00 p.m. the day of collection. Any materials not collected must be removed from curbside by 9:00 p.m. the day of collection.
- (i) Collectible waste must be placed for collection by the designated commencement time for collection in the area.
- (j) When a regularly scheduled day for collection falls on a Federal, Provincial or Civic holiday, the collection may be modified to occur on an alternate day as designated by the Administrator.
- (k) Collectible waste shall not be stored on eligible premises for a period of more than fourteen (14) days unless a Federal, Provincial or Civic holiday has occurred on the fourteenth day and the alternate designated collection day is after the fourteenth day.

11. HOUSEHOLD HAZARDOUS WASTE SERVICES

11.1 The Administrator may designate the place and time, including the days and hours of operation and the materials eligible for the collection of household hazardous waste in the Municipality. This includes the operation of a permanent household hazardous waste depot and the operation of mobile depot(s) in the Municipality. Household hazardous waste depots may only be used by residents of the Municipality for the

proper disposal of household hazardous waste originating within the Municipality. All persons are prohibited from disposing of industrial, commercial and institutional waste at the permanent depot or the mobile depot(s).

12. INDUSTRIAL, COMMERCIAL, INSTITUTIONAL OR CONSTRUCTION WASTE

12.1 The property owner or occupant of premises which generate the following waste shall, either personally or by employees, contractors or agents, and in compliance with all applicable Federal, Provincial and Municipal laws, promptly remove and dispose of such waste:

- (a) all waste generated by any industrial, commercial or institutional premises, facility or operation not eligible for municipal collection pursuant to this By-Law;
- (b) all waste resulting from construction of any kind, including renovation or repair, except that waste eligible for municipal collection pursuant to this By-Law;
- (c) all waste resulting from the demolition of a building or structure.

12.2 The property owner of an industrial, commercial or institutional premises shall ensure that:

- (a) adequate space is provided on the premises to accommodate containers for the collection of source-separated ICI waste, organic materials and recyclable materials generated at the premises. For recyclable materials, adequate space shall be provided to maintain blue bag recyclables, paper and corrugated cardboard all separate from each other.
- (b) signage of sufficient size and number is to be posted to provide occupants with specific recycling and organics instructions for proper sorting of blue bag recyclables, fibre recyclables (i.e. paper separate from corrugated cardboard) and organic materials. Signage for the sorting of blue bag recyclables, fibre recyclables (i.e. paper separate from corrugated cardboard) , organic materials and ICI waste is to be located within 3 metres of the commercial container(s);
- (c)
 - (i) the location of the commercial container(s) for blue bag recyclables, fibre recyclables (i.e. paper separate from corrugated cardboard) and organic materials shall be within 3 metres of the container(s) for ICI waste; or
 - (ii) signage is posted adjacent to the container(s) for ICI waste directing persons to the location of the commercial containers on the premises for blue bag recyclables, fibre recyclables (i.e. paper separate from corrugated cardboard), and organic materials; and

(d) where industrial, commercial or institutional premises have a chute, signage is required to be posted on every floor where access to a chute is provided to instruct tenants to the location of commercial containers for blue bag recyclables, fibre recyclables (i.e. paper separate from corrugated cardboard) and organic materials.

12.3 The occupant of an industrial, commercial or institutional premises shall:

(a) source-separate all waste generated in the occupant's unit or portion of the building at the point of generation into ICI waste, organic materials, blue bag recyclables, paper and corrugated cardboard so as to comply with the provincial disposal bans and to facilitate their recycling, composting or disposal in accordance with the Municipality's waste resource management system; and

(b) place for collection source-separated material in containers in accordance with Section 13.1 at the storage areas on the property as designated by the property owner.

12.4 At industrial, commercial and institutional premises where the public is responsible for depositing waste materials such as an enclosed or exterior shopping centre, mall, food court, quick service restaurant, sports arena, office complex or other commercial premises, the property owner will provide common area containers at such premises which shall be located in a common area within such premises, that is readily and reasonably accessible to the public, tenants, employees and occupants where the contents of said containers are to be collected and placed in commercial containers as required in Sections 13.1 (m) (∞), (ii) and (iii) of this By-Law.

13. COMMERCIAL CONTAINERS

13.1 The following provisions apply to commercial containers:

(a) Any person who makes use of a commercial container for the temporary storage of waste shall ensure that such commercial container:

(i) is sturdily constructed of weather-proof and animal proof material and is capable of containing the material deposited within;

(ii) is equipped with a tight-fitting lid with a positive closing device which shall be kept closed except when the container is being loaded or unloaded;

(iii) meets the performance requirements set out in clause 3 of the American National Standards Institute Z245.3-1977, Safety Requirements for the Stability of Refuse Bins as updated and amended from time to time;

(iv) is placed on a hard level surface and is loaded uniformly and has displayed thereon the following message or similar: "CAUTION: DO NOT PLAY ON OR AROUND";

(v) has displayed thereon the name and telephone number of the owner of the container and the type of material to be deposited therein;

(vi) is cleaned out regularly and periodically, as necessary, to avoid the build-up of odours;

(vii) where tenants are required to place materials in the container, the container shall be designed and situated so as to be reasonably accessible for this purpose.

(viii) has displayed thereon the following message "GARBAGE" or "WASTE" or "REFUSE", where ICI waste is to be deposited in the commercial container;

(ix) has displayed thereon the following message "RECYCLABLES" or "BLUE BAG RECYCLABLES", where blue bag recyclables are to be deposited in the commercial container;

(x) has displayed thereon the following message "PAPER" where paper is to be deposited in the commercial container, and has displayed thereon the following message "CARDBOARD ONLY" or "CARDBOARD" where corrugated cardboard is to be deposited in the commercial container;

(xi) has displayed thereon the following message "ORGANICS" or "COMPOST", where organic materials are to be deposited in the commercial container;

(xiii) any message required by this section that is placed directly on commercial container(s) of less than 365 litres volume shall use lettering that is not less than 5 cm in height and 2.5 cm in width and any message required by this section that is placed on larger commercial container(s) or posted within 3 metres of the commercial container(s) shall use lettering that is not less than 10 cm in height and 4 cm in width.

(xiii) any message required by this section shall use lettering that is not less than 10 centimetres in height and 4 centimetres in width.

(b) The owner of any premises on which a commercial container is placed shall ensure that:

(i) where possible, any such container is kept behind or beside the building which it serves;

(ii) if kept in front of the building due to lot size and/or property configuration, such container is located at least 6 metres from the front property line;

(iii) any such container is reasonably screened so as not to be visible from any street; and

(iv) any such container is kept in a manner that is not unsightly and does not cause a nuisance or health-related problem.

(c) Where it is physically impossible for the owner to comply with the requirements of 13.1 (b) or in the case where the premises does not contain a building, the owner may keep the commercial container at a location on the premises which is not unsightly and does not cause a nuisance or health-related problem.

(d) A commercial container may be placed on a premises for a temporary period of time not longer than one month when the placement is in relation to the construction or repair of a building or structure, provided the commercial container is removed as soon as the construction or repair ceases or if it is to remain on the premises, the commercial container is made to comply with the provisions of this By-Law.

(e) The owner of any commercial container shall keep such container clean and in good condition and the cover shall be kept in good working order.

(f) No person shall place a commercial container on any surface unless the surface is hard, level and weather-resistant.

(g) No person shall place a commercial container on any public street within the Municipality without the written permission of the Municipality.

(h) The owner of any premises on which a commercial container is located shall be responsible to ensure that any such container is loaded uniformly and is loaded such that waste material is completely contained within the container when closed.

(i) The owner of any premises upon which a commercial container is located shall be responsible to:

(i) keep the area surrounding any such container free from litter and waste;

(ii) cause any such container to be emptied at least once in every seven (7) days or more frequently if the container becomes filled before the seven-day period elapses unless the material is of a nature such that longer storage will not cause a nuisance or health related problem (e.g. dry or inert type materials, recyclables, scrap metals, etc.);

(iii) cause such container to be normally covered while containing waste.

(j) The owner of any industrial, commercial or institutional premises may make use of aerated or other commercial container(s) specifically designed for containing organic materials and commercial container(s) such as wheeled totes for containing blue bag recyclables, transparent plastic bags to contain paper or such other commercial container(s) specifically designed to contain materials and approved by the Administrator for the storage and collection of source-separated organic or recyclable materials from industrial, commercial or institutional premises provided that the owner shall not use any commercial container provided for pursuant to this section for the storage of ICI waste and provided that the owner complies with the other applicable requirements of this Section 13.1.

(k) No person shall place waste in any commercial container without permission of the owner of the container.

(l) The one month time limit in 13.1 (d) above can be extended with permission of the Administrator.

(m) The owner of any industrial, commercial or institutional premises shall ensure that commercial containers on the premises:

(i) accommodate source-separated waste generated at that location;

(ii) are designed and constructed such that the waste (i.e. ICI waste, organic materials, blue bag recyclables, paper and corrugated cardboard) remains in a source-separated condition; and

(iii) are easily accessible to the occupants.

14. PLACING WASTE FROM NON-ELIGIBLE PREMISES CURBSIDE

14.1 No person shall place waste from premises other than eligible premises or other waste that is not collectible waste on municipal property for collection or other reason without written permission from the Administrator.

15. VEHICLES CARRYING WASTE

15.1 The following provisions apply to vehicles carrying waste materials:

(a) Persons who collect, transport and dispose of waste materials, ICI waste, mixed waste, organic materials and recyclable materials shall do so in a sanitary manner; any fluid matter shall be transported in watertight containers having tight-fitting covers.

(b) Every vehicle used for the collection and transportation of waste materials, ICI waste, mixed waste, organic materials, and recyclable materials shall have a tailgate or other restraining device and shall be closed or equipped with a tarpaulin, and such tarpaulin shall be used to cover such waste materials, ICI waste, mixed waste, organic materials and/or recyclable materials while the same is being transported.

(c) All waste materials, ICI waste, mixed waste, organic materials and recyclable materials shall be transported in such a manner that materials shall not spill or scatter from the vehicle containing the same.

(d) Waste materials, ICI waste, mixed waste and organic materials shall generally not remain in a vehicle overnight but shall be transported and disposed of on the same day as collected except in circumstances such as poor weather conditions, occasional equipment breakdowns, facility closures, etc. where delays shall be minimized and disposal shall occur as soon as reasonably possible.

(e) All vehicles or containers used for the transportation of waste materials, ICI waste, mixed waste and organic materials shall be hosed down as required and kept in a sanitary condition.

(f) All vehicles or containers used for the transportation of recyclable materials shall be kept in a sanitary condition.

(g) The Administrator may inspect vehicles used for the collection or carriage of waste materials at all reasonable times to ensure compliance with this By-Law.

15.2 Persons who collect and transport ICI waste, blue bag recyclables, paper, corrugated cardboard and organic materials that have been placed for collection in accordance with Section 12.3 (b) at industrial, commercial or institutional premises or properties shall transport that ICI waste, blue bag recyclables, paper, corrugated cardboard and organic materials in a source-separated condition and deliver the same material in a source-separated condition to the appropriate receiving facility in accordance with the Municipality's waste resource management system.

16. PROHIBITIONS

16.1 No person shall:

(a) pick over, remove, disturb or otherwise interfere with any waste material that has been set out for municipal collection;

(b) collect waste material placed for municipal collection; or

(c) remove a container or organics collection cart placed at curbside.

16.2 The prohibitions in Section 16.1 do not apply to the person who placed the waste material for collection or to the Municipality, its contractors or authorized Municipal collection contractors.

16.3 No person shall export or remove solid waste material generated within the Municipality outside the boundaries of the Municipality and all such solid waste shall be disposed of within the boundaries of the Municipality and in accordance with this By-law.

16.4 Notwithstanding subsection 16.3, the Municipality may export solid waste materials to licensed disposal facilities outside the boundaries of the Municipality only when the volumes of solid waste delivered to municipal facilities exceed the capacity of the facilities to handle the materials.

16.5 For the purpose of 16.3 and 16.4, solid waste means solid waste materials including but not limited to collectible waste, industrial/commercial/institutional waste, construction and demolition waste, mixed waste, and organic materials but does not include recyclable materials from industrial, commercial and institutional premises, international waste, pathogenic or biomedical waste, waste dangerous goods, hazardous waste materials, septic tank pumpings, raw sewage, industrial sludge and

contaminated soils and solids as defined by appropriate regulatory bodies having jurisdiction from time to time and as determined by the Administrator or person designated to act in place of the Administrator.

17. WASTE DISPOSAL FEE STRUCTURE

17.1 The fees and charges for the depositing of materials by haulers and persons who transport waste materials acceptable for disposal at any waste management facility operated by the Municipality, its contractors or its agents as part of the Municipality's waste management system shall be as prescribed from time by Council by policy in Administrative Order Number 16 of the Municipality.

17.2 Notwithstanding Section 17.1, haulers delivering materials to the Municipality's waste management facilities which require special handling or disposal techniques shall pay the actual costs of such deposit and disposal determined as follows:

- (a) The hauler shall give the Municipality and its contractors or its agents 10 days notice that it requests permission to deposit such wastes for disposal at the waste management facility, stating the properties, characteristics, origins and amounts of such waste materials;
- (b) On receipt of such notice, the Municipality and its contractors or its agents shall advise the hauler whether or not it will accept delivery of such wastes at the waste management facility; and
- (c) If the waste material is acceptable, the Municipality and its contractors or its agents shall advise the hauler of the time when and under what conditions it will accept deposit of such wastes at the waste management facility, provided the hauler pays the Municipality the actual cost of such deposit and disposal plus twenty percent, and further provided that the hauler agrees to save harmless the Municipality and assume full liability for the deposit and disposal of such wastes.

17.3 No waste disposal fee shall apply to collectible waste from eligible premises collected through municipal collection and deposited by collection contractors engaged by the Municipality at waste management facilities operated by the Municipality, its contractors or its agents.

18. VEHICLE REGISTRATION

18.1 Haulers using the Municipality's waste management facilities shall comply with the registration requirements of the Municipality including vehicle registration for such haulers.

18.2 The following provisions apply to vehicle registration for haulers using the Municipality's waste management facilities:

(a) Haulers (other than those users of cars, station wagons, mini-vans, sport utility vehicles and one quarter ton trucks) using the Municipality's waste management facilities shall pre-register identifying information and the tare weight for each vehicle as required by the Municipality from time to time, and separately identify those vehicles to be used in scheduled waste collection services operated on behalf of the Municipality (if the hauler is also a collection contractor).

(b) Haulers who wish to be granted credit privileges with the Municipality must register adequate identifying information with the Municipality. Each hauler and/or each hauler's vehicle will be assigned a unique identification code and/or issued appropriate physical identifying property. The physical identifying property issued shall remain the sole property of the Municipality and shall be returned promptly at the expiration of its use as determined by the Municipality at its sole discretion. Unique identification codes assigned to a hauler's vehicle shall be displayed on the left front of the vehicle in characters at least 10 centimetres high.

(c) Each hauler and hauler's vehicle using the Municipality's waste management facilities which has been granted credit privileges must present the assigned and/or issued identification to the scale operator upon entering the facility. The hauler to whom the assigned and/or issued identification is registered to will be invoiced for all materials delivered under his/her identification.

19. FEE PAYMENT

19.1 The following applies to the payment of fees:

(a) At Halifax Regional Municipality waste management facilities where cash payment is accepted, unless credit privileges have been granted, haulers who transport acceptable material to a facility operated by the Municipality, its contractors or its agents will be required to pay cash at the site in accordance with sections (i) to (iv) below:

(i) Where only one scale is in operation and the tare weight of a vehicle transporting materials has been predetermined, a cash payment is required upon being weighed in accordance with the fee structure prescribed by Administrative Order 16.

(ii) Where only one scale is in operation and the tare weight of a vehicle transporting materials for disposal has not been predetermined, a cash deposit prescribed by Administrative Order 16 is required upon entering the facility. The vehicle will be weighed upon entering the facility and again upon leaving. The hauler will pay the fee prescribed by Administrative Order 16 prior to leaving the facility. If the deposit is greater than the actual fee, the hauler will receive a refund for the difference. If the deposit is less than the

actual fee, the hauler will be required to pay the difference in addition to the deposit already paid, prior to leaving the facility.

(iii) Where both inbound and outbound scales are in operation, vehicles entering are required to pay a cash deposit prescribed in Administrative Order 16, upon entering the facility. The vehicle will be weighed upon entering the facility and again upon leaving. The hauler will pay the fee prescribed by Administrative Order 16 prior to leaving the facility. If the deposit is greater than the actual fee, the hauler will receive a refund for the difference. If the deposit is less than the actual fee, the hauler will be required to pay the difference in addition to the deposit already paid, prior to leaving the facility.

(iv) For vehicles such as cars, station wagons, mini-vans, sport utility vehicles and quarter ton trucks with load weights less than 100 kg, a flat cash fee prescribed by Administrative Order 16 will be paid upon entering the noted facility(s). The vehicle will not be weighed upon leaving the facility(s).

(b) At Halifax Regional Municipality waste management facilities where credit privileges have been granted, haulers who transport acceptable material to a facility operated by the Municipality, its contractors or its agents will be required to pay upon invoice in accordance with sections (i) to (iii) below:

(i) Where only one scale is in operation and the tare weight of a vehicle transporting materials has been predetermined, the vehicle will be weighed when entering the facility and a payment upon invoice is required in accordance with the fee structure prescribed by Administrative Order 16.

(ii) Where only one scale is in operation and the tare weight of a vehicle transporting materials for disposal has not been predetermined, the vehicle will be weighed upon entering the facility and again upon leaving. The hauler will pay the fee upon invoice in accordance with the fee structure prescribed by Administrative Order 16.

(iii) Where both inbound and outbound scales are in operation, the vehicle will be weighed upon entering the facility and again upon leaving. The hauler will pay the fee upon invoice in accordance with the fee structure prescribed by Administrative Order 16.

(c) The following provisions apply to haulers who have been granted credit privileges at any waste management facility operated by the Municipality, its contractors or its agents:

(i) Haulers granted credit privileges will receive a monthly Statement of Accounts and payment is due within thirty (30) days of the end of the statement month.

(ii) Where an account for material disposal fees remains unpaid for more than thirty (30) days, a notice of non-payment will be sent by the Municipality. The Municipality may advise that if payment is not received within a specified period of time after mailing of such notice, the hauler shall be refused admittance to all facilities and/or credit privileges withdrawn until such time as the outstanding amounts, interest and service charges are paid. Scale operators will be notified of all haulers on refused admittance status or credit privileges withdrawn status and will be instructed to deny access to the facilities as applicable. The Municipality may require the posting of a performance bond or any other security acceptable to the Municipality in the event that accounts continue from time to time to be unpaid.

(iii) The interest rate to be charged on all outstanding disposal fee accounts will be applied and administered per Administrative Order 14, Interest Charges on Past Due Accounts.

20. PENALTIES

20.1 Any person who violates any provision of this By-Law is guilty of an offence and is liable on summary conviction to a penalty of not less than \$200.00 and not more than \$5,000.00 and in default of payment thereof to a term of imprisonment for not more than 60 days. Each day that a person commits an offence under this By-Law constitutes a separate offence.

20.2 In addition to any fine or imprisonment imposed pursuant to subsection 20.1, the Court or judge may order the person convicted to pay all expenses incurred in correcting the contravention of the by-law or any damages associated with such contravention.

20.3 Where any person is in contravention of any provision of this by-law, the Administrator may direct in writing that the contravention be remedied by that person in the manner and within the time specified in the written direction.

21. REPEAL

21.1 The following are hereby repealed:

(a) By-Law 24330, "Regional Solid Waste Disposal System By-Law" of the Town of Bedford.

(b) By-Law No. 24331, the "Solid Waste By-Law" enacted by the Town of Bedford on January 28, 1992.

(c) By-Law S-1200, "A By-Law of the City of Dartmouth Respecting Collection and Disposal of Solid Waste" enacted August 29, 1989.

(d) By-Law H-400, "A By-Law Respecting A Regional Solid Waste Management System" of the City of Dartmouth.

(e) By-Law H-500, the "Regional Solid Waste Disposal System By-Law" of the City of Dartmouth.

(f) "Regulations Relating to the Collection and Disposal of Garbage and Refuse", Board of Health of the City of Halifax.

(g) City of Halifax Ordinance Number 162, "Respecting the Design, Construction and Operation of a Regional Solid Waste Management System".

(h) Halifax County Municipality By-Law 36, "A By-Law Respecting the Design, Construction and Operation of a Regional Solid Waste Management System".

(i) Metropolitan Authority Waste Disposal Fee By-Law No. 7.

Done and passed by Council this 19th day of January, A.D. 1999.

Walter Fitzgerald
MAYOR

Vi Carmichael
MUNICIPAL CLERK

**Attachment “B”
(Amending By-law)**

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER S-608
Respecting Amendments to By-Law No. S-600,
*Solid Waste Resource Collection and Disposal By-Law***

BE IT RESOLVED by the Council of the Halifax Regional Municipality, that By-Law S-600, the *Solid Waste Resource Collection and Disposal By-Law*, is further amended as follows:

1. Section 1.1 is amended by adding quotation marks starting before the word “Solid” and after the word “By-law”.
2. (a) Clause (n) of section 2.1 is amended by adding the word and comma “boxboard,” following the word “means” and before the word “mixed”;
- (b) Clause (t) of section 2.1 is amended by
 - (i) striking out the words and comma “grass clippings,” following the words “means” and before the word “leaves”; and
 - (ii) adding a comma and the words “, excluding grass clippings” at the end of the clause before the period.
- (c) Clause y is amended by striking out the word “container” after the word “a” and before the word “as” and adding the words “a plastic container” after the word “a” and before the word “as”;
- (d) Clause (ffb) of section 2.1 is amended by adding the word and comma “boxboard,” following the word “means” and before the words “mixed paper”;
- (e) Clause (ffc) of section 2.1 is added after clause (ffb) as follows:
 - (ffc) “privacy bag” means a solid colour plastic garbage bag;
- (f) Clause hh is amended by adding the bracket and letter “(c)” after the number 7.2;
- (g) Clause (ll) of section 2.1 is amended by adding the words “and includes a mobile home and a dwelling within a multi-unit residential dwellings in a duplex, rowhouse or townhouse” after the word “unit” and before the period;

- (h) Clause (mm) is amended by striking out the words “file folders, yellow & brown envelopes, wrapping paper, soiled pizza boxes,” after the words and comma “wax paper,” and before the word and comma “paper plates,”.
2. Clause (a) of section 6.1 is amended by:
- (a) striking out the words and comma “or multi-unit residential dwellings,” after the words “family dwelling” and before the word and comma “, mixed”; and
- (b) adding the words and comma “that have street or road frontage and curbside collection,” after the words “family dwelling” and before the word and comma “, mixed”.
3. Subclause (i) of clause a of section 6.1 (a) is repealed.
4. Subclauses (ii) and (iii) of clause f of section 6.1 is added as follows::
- (ii) A maximum of four (4) regulation plastic bags per mixed waste collection day per unit including one (1) optional privacy bag.
- (iii) The privacy bag shall be no larger than eighty-eight (88) centimetres by one hundred (100) centimetres in size.
5. Clause b of section 6.1 is amended by:
- (a) striking out the word and number “five (5)” after the words “maximum of” and before the word “mixed”;
- (b) adding the word and number “three (3)” after the words “maximum of” and before the word “mixed”;
- (c) striking out the word and number “six (6)” after the words “in the” and before the word “mixed”;
- (d) adding the word and number “four (4)” after the words “in the” and before the word “mixed”;
- (e) striking out the word “container” after the word “regulation” and before the word “limit”; and
- (f) adding the words “plastic bag” after the word “regulation” and before the word “limit”.

6. Clause d of section 6.1 is amended by:
 - (a) striking out the word and number “five (5)” after the words “maximum of” and before the words “mixed waste”;
 - (b) adding the word and number “three (3)” after the words “maximum of” and before the words “mixed waste”;
 - (c) striking out the word “container” after the word “regulation” and before the words “per unit”;
 - (d) adding the words “clear plastic bags” after the word “regulation” and before the words “per unit”;
 - (e) striking out the word and number “thirty (30)” after the words “maximum of” and before the words “per mixed”; and
 - (f) adding the word and number “eighteen (18)” after the words “maximum of” and before the words “per mixed”.
7. Subclause (i) of clause f of section 6.1 is repealed.
8. Subclauses (ia) and (ii) of clause f of section 6.1. (f) are added as follows:
 - (ia) A maximum of four (4) regulation containers per mixed waste collection day per eligible commercial or institutional premises, with a maximum of one (1) privacy bag included in the limit of four (4) mixed waste plastic bags. The privacy bag shall be subject to the limit or condition pursuant to 6.1(a)(iii).
9. Subclause (ii) of clause j of section 6.1 is amended by:
 - (a) striking out the words and comma “clear, orange plastic or” after the number “twenty (20)” and before the word “heavy”; and
 - (b) adding the word “kraft” after the word “heavy” and before the word “paper”.
10. The header of section 7 is amended by:
 - (a) striking out the word “Containers” after the word “Regulation” and before the word “For”; and
 - (b) adding the words “Plastic Bags” after the word “Regulation” and before the

word “For”.

11. Section 7.1 is amended by adding the following sentences at the end of the section:

“Plastic bags shall be used. Loose materials placed in garbage cans shall not be collected”.

12. Section 7.2 is amended by:

(a) striking out the word “containers” after the word “Only” and before the word “which”; and

(b) adding the words “plastic bags” after the word “Only” and before the word “which”.

13. Clause a of section 7.2 is amended by:

(a) striking out the word “containers” after the word “regulation” and before the word “as” in clause a;

(b) adding the words “plastic bags” after the word “regulation” and before the word “as”.

14. Clause a of section 7.2 is further amended by:

(a) striking out the words “plastic bag” at the beginning of subclause (i);

(b) adding the words “clear transparent” at the beginning of subclause (i);

(c) repealing paragraph (D) of subclause (i) of clause (a);

(d) adding paragraphs (E) and (F) of subclause i as follows:

(E) bags shall be non-coloured transparent bags;

(F) privacy bags shall not be of a yellow, red or transparent blue in color.

(e) adding subclause (ia) after subclause (i) and before subclause (ii) as follows:
Plastic bags may be placed for privacy and protective purposes in containers.

(f) adding paragraph F of subclause ii of clause i after paragraph E as follows:
(F) loose mixed waste placed in the container is not eligible for collection.

(g) striking out the words “container or bags” after the word “storing” and before

the words “for mixed use” in subclause iii of clause a;

(h) adding the words “plastic bags” after the word “storing” and before the words “for mixed use” in subclause iii of clause a;

(i) amending paragraph B of subclause i of clause b by:

(i) striking out the words and comma “clear, orange, plastic or” after the words “collection in” and before the word “heavy”;

(ii) adding the word “kraft” after the word “heavy” and before the words “paper bags”;

(j) amending paragraph C of subclause i of clause c is amended by:

(i) adding the words “paper and cardboard or” after the word “contain” and before the word “fibre”;

(ii) adding a comma after the word “recyclables” and before the word “except” and adding a comma after the word “cardboard” and before the word “may”; and

(ii) adding the word “which” after the bracket and word “(cardboard)” and before the words “may be placed”.

Signature lines to be added upon approval.