



**OFFICE CONSOLIDATION  
WASTE MANAGEMENT BY-LAW  
BY-LAW NUMBER 5422/98**

Passed by Council on December 7, 1998

Amendments:

By-law 6283/04      February 2, 2004      Section 1(1)(iii)

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**THE CORPORATION OF THE TOWN OF PICKERING**

**BY-LAW NO. 5422/98**

*Being a by-law for establishing and  
maintaining a system for the collection and  
removal of garbage, recyclable materials,  
yard waste and other refuse.*

WHEREAS, pursuant to Sections 208.6 (1) and (2) the *Municipal Act*, R.S.O. 1990, chapter M.45, as amended a local municipality may pass by-laws to prohibit or regulate the use of any part of a waste management system;

NOW THEREFORE, the Council of the Corporation of the Town of Pickering HEREBY ENACTS AS FOLLOWS:

**DEFINITIONS**

1. For the purpose of this by-law the term:

- (a) "biomedical waste" shall mean whether solid or liquid, including but not limited to, any animal or human organ or part thereof, bone, muscle, or animal or human tissue or part thereof, used bandages, poultices, dressings, medicines, vitamins, drugs, vaccines, needles, syringes, vials or any other similar material or substance which contains or may contain pathogenic micro-organisms or which may be hazardous or dangerous;

- (b) “building materials” shall mean all waste materials generated from the renovation or repair of a structure;
- (c) “bundle” shall mean a parcel securely tied with string or twine not exceeding one hundred centimeters in length by eighty centimetres in width, depth or diameter weighing not more than 23 kg;
- (d) “collectible garbage” shall mean all manner of domestic dry waste, refuse, ashes and other domestic waste but does not include yard waste, recyclable material or wastes as defined as being non-collectible in this by-law;
- (e) “day of collection” shall mean the day designated for the purpose of collection and removal of collectible solid waste from within a designated area;
- (f) “designated area” shall mean those areas within the Town of Pickering designated from time to time by by-law as areas in which the Corporation of The Town of Pickering shall regularly collect and remove collectible garbage;
- (g) “Director of Public Works” shall mean the Director of Public Works of the Corporation of the Town of Pickering or his or her designate;
- (h) “dwelling unit” shall have the same meaning as that in the zoning by-law of the Town;
- (i) “hazardous waste” shall mean any waste material that is corrosive, flammable, reactive or toxic;
- (j) “item” shall mean any large object such as an appliance or furniture, bundle or a receptacle of collectible garbage as defined and shall pertain to the number of items collected by the Town;
- (k) “non-collectible waste” shall mean the following materials unless otherwise stated and only in such collection programs as defined:
  - (i) swill or organic matter not drained or wrapped;
  - (ii) liquids;
  - (iii) hay and straw;
  - (iv) carcasses or parts of any animal or fowl with the exception of bonafide kitchen waste;
  - (v) human or animal excrement;
  - (vi) industrial or trade waste including abandoned, condemned or rejected product and the stock of any wholesale or retail merchant;
  - (vii) hot ashes, explosives or other incendiary;
  - (viii) sod, earth or stone;
  - (ix) tree stumps, trunks and branches in excess of 50 millimetres in diameter;

- (xi) grass clippings
  - (xii) automotive parts;
  - (xiii) building material or building rubbish;
  - (xiv) biomedical wastes; and
  - (xv) hazardous wastes.
- (l) "receptacle" shall mean:
- (i) a reusable receptacle shall be of such design that the receptacle shall have smooth internal surfaces, have two (2) suitable handles, be not greater than eighty centimetres in height and not more than fifty centimetres in width or diameter, weigh not more than twenty-three (23) kilograms with contents, and have a bottom surface not wider than the top opening;
  - (ii) heavy-duty plastic bags shall not be greater than eighty centimeters in height by sixty-five centimeters in width, be properly sealed, have a volume not exceeding 0.1 cubic metres, a weight not exceeding twenty-three (23) kilograms with contents, and be sufficiently durable to withstand lifting without breaking open;
  - (iii) only clear transparent, heavy-duty plastic bags, returnable bushel baskets or open top reusable receptacles shall be used for yard waste until March 31, 2004. Only multi-layer kraft type paper bags, sufficiently durable to withstand lifting without breaking open not greater than 90 centimetres in height by 70 centimetres in width, returnable bushel baskets or open top reusable receptacles shall be used for yard waste commencing April 1, 2004;
  - (iv) recyclable materials shall be placed at the curb in blue boxes or any other returnable container not greater in volume than the blue box;
  - (v) bulk roll-out receptacles of a volume and configuration as specified by the Director of Public Works shall be used for the storage and collection of garbage from multi-dwelling unit residential buildings; and
  - (vi) roll-out receptacles of a size and configuration as specified by the Director of Public Works shall be used for multi-dwelling unit residential recycling programs.
- (m) "recyclable material" shall mean any waste material designated by the Town or Region of Durham as being acceptable for collection and without limiting the generality of the foregoing includes newsprint and inserts, unwaxed corrugated cardboard, magazines, boxboards, type 1 polyethylene terephthalate containers and beverage or food receptacles made of glass or metal;
- (n) "solid waste" shall mean garbage, yard waste, recyclable material, rubbish and debris, but does not include any material not collected by the Town;
- (o) "Town" shall mean the Corporation of the Town of Pickering;

- (p) “yard waste” shall mean any organic compostable waste designated by the Town as being acceptable for collection for the purposes of composting and without limiting the generality of the foregoing includes brush, hedge and shrub clippings, leaves, flowers and vegetable plants;

### **RESPONSIBILITIES**

- 2. (a) In designated areas, the Town shall collect and remove, or cause to be collected or removed, collectible garbage, recyclables and yard waste at regular intervals subject to the provisions of this By-law, and from time to time designate certain days for the collection of specific types of material.
- (b) The decision of the Director of Public Works shall be final as to quantities and types of solid waste to be collected and the procedures employed for collection.
- (c) Except when specifically authorized by the Town no collection vehicle owned or leased by the Town or by any person, business or company for the benefit of the Town shall enter upon any private property for the purpose of collecting or removing any material and no handler employed by the Town or any of its agents, representatives or contractors shall be required to enter into or upon any building or structure located on private property for the purpose of collecting or removing any material.

### **COLLECTION PROCEDURES**

- 3. Every person required to use or making use of collection and removal services shall comply with the prescribed procedures for collection:
  - (a) solid waste shall be set out in the prescribed receptacles, items or bundles for garbage, yard waste and recycling collections, and shall be placed on the public property abutting the front yard of the premises as close to the edge of the roadway as possible without obstructing the passage of vehicles, pedestrians or both and the Director of Public Works may further specify the exact location where solid waste may be placed to facilitate collection;
  - (b) collectable garbage, recyclable materials and yard waste shall be distinctly separated from each other at the prescribed location to facilitate collection;
  - (c) solid waste shall be set out for collection at the prescribed location not earlier than 6:00 p.m. on the day immediately preceding the day of collection and not later than 7:00 a.m. on the designated day of collection;
  - (d) every person who has placed any material for collection on any public property shall remove from that public property any receptacle and any material remaining for any reason on that public property before 8:00 p.m. on the day of collection, whether or not waste collection services have occurred;
  - (e) No person shall sweep, throw, drop or place, or cause to be swept, thrown, dropped or placed any material onto any lane, street, creek, roadway, walkway or other public property in the Town except for collection as hereinafter provided;

- (f) No person shall permit any material to be swept, thrown, or dropped from premises occupied by him or from a vehicle owned or operated by him onto any lane, street, creek, roadway, walkway or other public property in the Town;
- (g) No person shall keep on his premises or elsewhere a dump, receptacle or repository for any material in such a condition that the dump, receptacle or repository, as the case may be, or its contents, is a nuisance or emits foul or offensive odours or harbours or attracts rats, other vermin or insects;
- (h) where the Town has contracted for the collection and removal of solid waste other than by manual collection from a public roadway, such collection and removal shall be effected only if such waste is placed in receptacles approved for the purpose by the Director of Public Works and the approved receptacles are placed in locations similarly approved; and
- (i) owners and occupiers of premises containing three or more residential, commercial or industrial units, or a combination thereof, shall keep and store receptacles and bundles only in enclosed compartments or structures, the location specifications and construction of which have been approved in advance by the Director of Public Works.

#### **GARBAGE COLLECTION**

4. Every person required to use or making use of regular garbage collection shall comply with the following:
- (a) no person shall mix or place out for garbage collection any material which is defined by the Town as recyclable, compostable, hazardous or non-collectible and where it is found to be mixed it shall not be collected;
  - (b) collectible garbage placed out for collection shall be set out in a receptacle only as defined in this by-law;
  - (c) effective January 18, 1999, a combination of not more than six (6) receptacles or items shall be collected from any dwelling unit on the day of collection.
  - (d) effective November 1, 1999, clause 4 (c) of this by-law shall be revoked and substituted with:  
  
“a combination of not more than four (4) receptacles or items shall be collected from any dwelling unit on the day of collection”.

#### **RECYCLING COLLECTION**

5. Every person required to use or making use of recycling collection service shall comply with the following:
- (a) recyclable materials shall not be mixed with other non-recyclable or compostable waste materials and where it is found to be mixed it shall not be collected;
  - (b) where curbside blue box recycling collection is provided, recyclable materials shall be separated at source and prepared for collection as defined by the Town;

- (c) where recycling collection is provided to multi-residential buildings the following shall apply:
  - (i) recyclable materials shall be source separated and placed into designated recycling receptacles as defined by the Town;
  - (ii) the owner of each multi-residential building shall designate and maintain an area for the storage or placement of the receptacles, it being understood that the storage area shall conform to the standards as specified by the Town; and
  - (iii) where it is found that the recyclable materials are not being recycled or are not source separated as specified, the Director of Public Works may terminate recycling and garbage collection services;

### **YARD WASTE COLLECTION**

- 6. Every person required to use or making use of the yard waste collection service shall comply with the following:
  - (a) yard waste shall not be mixed with other non-compostable waste materials or with any compostable waste material identified as non-collectible and where it is found to be mixed it shall not be collected;
  - (b) yard waste shall be source separated and set out in a receptacle only as defined in this by-law; and
  - (c) branches, brush, limbs must be cut and securely tied into bundles.

### **GENERAL PROVISIONS**

- 7. The provisions of this by-law shall not relieve any person from complying with the provisions of the Health Protection and Promotion Act, R.S.O. 1990, c. H.7, and the regulations made there under as may be amended from time to time.
- 8. No person shall pick over, interfere with, disturb, remove or scatter any solid waste placed out for collection other than the person who so placed it, his agent or representative, or a waste handler employed by the Town or any of its agents, representatives or contractors.
- 9. Notwithstanding anything else contained in this by-law, the Town may, under conditions satisfactory to the Director of Public Works and the Council, provide a higher level of service for solid waste collection, it being understood that an additional charge may be levied for such service and this additional charge shall be as determined by the Director of Public Works and approved by the Council.
- 10. No person shall deposit or place out solid or non-collectable waste for collection on a property not owned or occupied by that person.
- 11. No person shall offer or give to any waste handler employed by the Town, and no waste handler employed by the Town shall solicit, accept or receive any fee or gratuity, in addition to his wages, for garbage handling services rendered to or to be rendered.

**SHORT TITLE**  
**PENALTIES**

12. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction thereof is liable to a fine of not more than \$5,000, exclusive of costs, which shall be recoverable under the provisions of the Provincial Offences Act and all the provisions of the said Act shall apply to any prosecution for any offence under the provisions of this by-law.
13. This by-law may be referred to as the Waste Management By-law.

**REPEAL OF EXISTING BY-LAWS**

14. By-law 385/76, as amended, is hereby repealed.

**EFFECTIVE DATE**

15. The provisions of this by-law shall come into force and take effect upon the final passing thereof.

BY-LAW read a first, second and third time and finally passed this 7th day of December, 1998.

(signed) Wayne Arthurs

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Wayne Arthurs, Mayor

(signed) Bruce Taylor

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Bruce Taylor, Clerk