

Bill No. 32
2024

By-law No. WM-12-24_____

A by-law to amend the Municipal Waste &
Resources Collection By-law WM-12.

WHEREAS section 5(3) of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10 of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public, and may pass by-laws respecting the economic, social and environmental well-being of the municipality, and the health, safety and well-being of persons;

AND WHEREAS the Municipal Council wishes to amend By-law No. WM-12, being "A by-law to provide for the Collection of Municipal Waste and Resource Materials in the City of London" to identify additional requirements to implement the Green Bin program and help prevent litter on private property;

NOW THEREFORE the Council of The Corporation of the City of London enacts as follows:

1. Section 1.1 of by-law WM-12 is amended by adding the following new definition of "Business collection calendar" after the definition of "Brush":

Business collection calendar – defined

"Business collection calendar (residential)" shall mean the calendar of dates for collection of commercial waste and other material designated by the City Engineer for commercial premises."

2. Section 1.1 of by-law WM-12 is amended by adding the following new definition of "Collection schedule (residential)" after the definition of "Collection point":

Collection schedule (residential) – defined

"Collection schedule (residential)" shall mean the schedule of dates and weeks for collection of garbage, Green Bin material, municipal waste, recyclable material, rubbish, waste, and yard material and other material designated by the City Engineer for residential curbside premises."

3. Section 1.1 of by-law WM-12 is amended by adding the following new definition of "Green Bin" after the definition of "Grass clippings":

Green Bin – defined

"Green Bin" shall mean a 45 to 50 litre rigid plastic container, the design and dimensions of which is detailed specifically by information obtainable from the City Engineer.

4. Section 1.1 of by-law WM-12 is amended by adding the following new definition of "Green Bin cart" after the definition of "Green Bin":

Green Bin cart – defined

"Green Bin cart" shall mean an 80 litre, 120 litre or 240 litre standard rollout cart with lid on rubber wheels and capable of being lifted by a tipping device installed on a garbage truck, the design and dimensions of which is detailed specifically by information obtainable from the City Engineer.

5. Section 1.1 of by-law WM-12 is amended by adding the following new definition of “Green Bin material” after the definition of “Green Bin liner”:

Green Bin material – defined

“Green Bin material” shall mean material designated from time to time by the City Engineer as compostable or digestible and for which alternative collection regulations apply.

6. Section 1.1 of by-law WM-12 is amended by adding the following new definition of “Non-Green Bin material” after the definition of “Non-collectible waste”:

Non-Green Bin material – defined

“non-Green Bin material” shall include any material that is not Green Bin material as defined herein. From time to time the City Engineer may designate other materials as non-Green Bin material.

7. Section 1.1 of by-law WM-12 is amended by deleting the definition of “Receptacles” and replacing it with the following new definition:

Receptacles – defined

“receptacles” shall include Green Bins, Green Bin carts, recyclable material collection receptacles, waste collection receptacles and yard material collection receptacles.

8. Section 1.1 of by-law WM-12 is amended by deleting the definition of “Resource Materials” and replacing it with the following new definition:

Resource materials – defined

“Resource materials” shall include Green Bin material, recyclable material, yard material and Christmas trees collected from residential curbside premises and collection points.

9. Section 1.1 of by-law WM-12 is amended by deleting the definition of “Waste collection receptacle” and replacing it with the following new definition:

Waste collection receptacles - defined

“waste collection receptacles” shall include metallic or plastic cans, polyethylene bags and metal or plastic bins.

10. Section 2.4 is deleted and replaced with the following new section 2.4:

“2.4 Owners - duty to supply information guides and collection schedules to tenants

All property owners of rented or leased premises, including their agents and/or property management firms, shall ensure that a copy of the applicable and current City collection schedule for residential premises or the City Business collection calendar for commercial premises and related information provided by the City, is located on site for each tenant of the rental or leased premises.”

11. The title of Part 3 is deleted and replaced with the following new title:

“Part 3 Receptacles Regulations for Residential Waste, Resource Materials and Commercial Waste Collection.”

12. Section 3.5 is deleted and replaced with the following new section 3.5:

“Occupants of multi-family building premises may place multi-family waste for collection provided the metal and/or plastic bins conform to the following regulations:

- (a) Multi-family waste at multi-family premises may be set out for collection in a metal and/or plastic bin that has been constructed to the standards specified by the City Engineer.
- (b) Occupants shall keep all metal and plastic bins in a clean and sanitary condition.
- (c) Occupants setting out multi-family waste in metal and plastic bins for collection shall ensure that the bin’s casters are lubricated to allow the bins to be easily maneuvered by one person.”

13. Part 3 of by-law WM-12 is amended by adding the following new section:
“Section 3.10 Receptacles – Green Bin - Green Bin carts – requirements for Green Bin materials – residential curbside premises
Occupants of residential curbsides premises may place Green Bin material for collection provided the Green Bins or Green Bin carts conform to the following regulations:
- (a) Only Green Bin material from residential curbside premises may be set out for collection in a Green Bin or Green Bin cart that meets the standards specified by the City Engineer.
 - (b) Occupants shall keep all Green Bin carts in a clean and sanitary condition.
 - (c) Green Bins or Green Bin carts containing materials other than Green Bin material will not be collected.”
14. Part 3 of by-law WM-12 is amended by adding the following new section:
“Section 3.11 Liners – Green Bin and kitchen container – requirements for Green Bin materials
Occupants may use liners for the Green Bin, Green Bin carts or kitchen containers provided the liners conform to the following regulations:
- (a) The liners are certified as compostable by the Biodegradable Products Institute (BPI) US Composting Council or Bureau de normalisation du Québec (BNQ).”
15. Subsection 4.1.2 is deleted and replaced with the following new subsection 4.1.2:
- “(1) during the annual exemption periods as listed on the Collection schedule;
or
 - (2) if the City Engineer exempts the occupant in writing based on compelling medical grounds.”
16. Section 4.2 is deleted and replaced with the following new section 4.2:
“4.2 Placement for collection - residential waste, Green Bin material and recyclable material - times - restrictions
Occupants shall ensure that all residential waste collection receptacles, Green Bins, Green Bin carts and recyclable material collection receptacles except for metal and plastic bins, containing residential waste for removal by the collector, shall be placed to the edge of the roadway for day collection before 7:00 a.m. local time on the date fixed for collection, and for night collection before 7:00 p.m. local time on the day of the date fixed for collection, but in no case shall they be so placed before 6:00 p.m. local time on the day prior to the date fixed for collection.”
17. Section 4.3 is deleted and replaced with the following new section 4.3:
“4.3 City Engineer - designate – Green Bin material - recyclable material - yard material
From time to time the City Engineer may designate specific types of items as Green Bin material, recyclable material or yard material and whether recyclable material is considered a paper product or container and may direct those items so designated be set out for collection in a separate receptacle provided for such purpose or as otherwise directed.”
18. Section 4.7 is deleted and replaced with the following new section 4.7:
“4.7 Placement for collection - residential waste, Green Bin material and recyclable material - late - City not responsible
The City is not responsible for the collection of residential waste, Green Bin material and recyclable material placed at the edge of the roadway after 7:00 a.m. local time on the day fixed for day collection, or after 7:00 p.m. local time on the day of the date fixed for night collection.”

19. Section 5.4 is deleted and replaced with the following new section 5.4:
The City Engineer may designate or authorize a specific location on a private property as a collection point. The City Engineer may consider the following factors in deciding to residential waste or resource materials' collection from private property and/or designating a collection point:
- (a) the availability of a collection point that is freely accessible for collection vehicles;
 - (b) the configuration of the private streets and roadways in a townhouse or condominium complex and the ability of collection vehicles to manoeuvre on such streets and roadways;
 - (c) the desirability of an enclosure for the storage of waste collection receptacles or polyethylene bags as well as the availability of a freely accessible site for such an enclosure;
 - (d) the desire to prevent litter blowing from private property onto adjacent private and public property;
 - (e) requirements under the Site Plan Control Area By-law.
20. Section 5.9 is deleted and replaced with the following new section 5.9:
Occupants shall ensure that all collection points are maintained free of residential waste or resource materials of any kind except during the period of time for setting out residential waste, Green Bin material or recyclable material as authorized by this by-law.
21. Section 5.11 is deleted and replaced with the following new section 5.11:
Occupants shall ensure that waste collection receptacle enclosures are constructed as approved by the City Engineer and maintained in a clean and sanitary manner, free from loose waste, rats, vermin and scavenging animals, and regularly maintained to prevent litter.
22. Section 5.13 is deleted and replaced with the following new section 5.13:
"Occupants for whom a collection point has been approved or designated shall ensure that all waste collection receptacles containing residential waste for removal by the collector, recyclable material collection receptacles containing recyclable material or Green Bin containing Green Bin materials, shall be placed at the collection point for day collection before 7:00 a.m. local time, on the day fixed for collection, and for night collection, before 7:00 p.m. local time, on the day of the date fixed for collection, but in no case shall they be so placed before 6:00 p.m. local time on the day prior to the date fixed for collection."
23. Part 5 of by-law WM-12 is amended by adding the following new section:
"Section 5.16 Collection point – maintained – litter prevention
Occupants shall ensure that collection points are regularly maintained to prevent litter on private and public property.
24. The title of Part 6 is deleted and replaced with the following new title:
"Part 6 Collection Regulations for Multi-family Waste and Resource Materials – Private Property"
25. Section 6.1 is deleted and replaced with the following new section 6.1:
"The City Engineer may authorize the collection of multi-family waste, Green Bin materials and recyclable material from private property at multi-family building premises."
26. Section 6.2 is deleted and replaced with the following new section 6.2:
"6.2 Metal and plastic bins, Green Bins, Green Bin carts and recycling storage carts - location - requirements
Occupants shall ensure that all metal and plastic bins, Green Bins, Green Bin carts and recycling storage carts are set on a level, smooth hard surface

containing a mechanism to ensure that the metal bins do not roll away, in a location that is easily and safely accessible to the collection vehicle.”

27. Section 6.3 is deleted and replaced with the following new section 6.3:

6.3 Metal and plastic bins, Green Bins, Green Bin carts and recycling storage carts - area - maintained - accessible -safe

Occupants shall ensure that the area surrounding the metal and plastic bins, Green Bins, Green Bin carts and recycling storage carts is kept clear of snow, ice, or any other obstructions including vehicles so that collection vehicles have proper access to the bins and carts.

28. Section 6.4 is deleted and replaced with the following new section 6.4:

“The City Engineer may designate or authorize a specific location on a private property as a collection point. The City Engineer may consider the following factors in deciding to authorize multi-family waste, Green Bin material or recyclable material collection from private property and/or designating a collection point:

- (a) the availability of a collection point that is freely accessible for collection vehicles;
- (b) the configuration of the private streets and roadways in a multi-family building premise and the ability of collection vehicles to manoeuvre on such streets and roadways;
- (c) the desirability of an enclosure for the storage of waste collection receptacles or polyethylene bags as well as the availability of a freely accessible site for such an enclosure;
- (d) the desire to prevent litter blowing from private property onto adjacent private and public property;
- (e) requirements under the Site Plan Control Area By-law.”

29. Section 6.5 is deleted and replaced with the following new section 6.5:

“Occupants shall ensure that a designated or authorized collection point is maintained free from snow, ice and any other obstructions which may impede access to the multi-family waste, Green Bin material or recyclable material by collection vehicles and crew.”

30. Section 6.8 is deleted and replaced with the following new section 6.8:

“Occupants shall ensure that multi-family waste or recyclable material for collection is placed at a collection point after such location receives the approval of the City Engineer and that multi-family waste, Green Bin material or recyclable material is not placed at any other location for collection.”

31. Section 6.9 is deleted and replaced with the following new section 6.9:

“Occupants shall ensure that all collection points are maintained free of multi-family waste, Green Bin material or recyclable material of any kind except during the period of time for setting out multi-family waste or recyclable material as authorized by this by-law.”

32. Section 6.11 is deleted and replaced with the following new section 6.11:

“Occupants shall ensure that waste collection receptacle enclosures are constructed as approved by the City Engineer and maintained in a clean and sanitary manner, free from loose waste, rats, vermin and scavenging animals, and regularly maintained to prevent litter.”

33. Section 6.13 is deleted and replaced with the following new section 6.13:

“6.13 Placement of multi-family waste or Green Bin material or recyclable material at collection point

Occupants for whom a collection point has been approved or designated shall ensure that all waste collection receptacles containing residential waste or multi-

family waste for removal by the collector, Green Bins containing Green Bin materials or recyclable material collection receptacles containing recyclable material, shall be placed at the collection point on the day determined by the City Engineer.”

34. Part 6 of by-law WM-12 is amended by adding the following new section:

“Section 6.14 Storage – enclosure – collection point - maintained – litter prevention

Occupants shall ensure that storage areas and enclosures are regularly maintained to prevent litter on private and public property.”

35. The title of Part 8 is deleted and replaced with the following new title:

“Part 8 Non-Collectible Waste, Non-Green Bin Material and Non-Recyclable Material”

36. Section 8.1 is deleted and replaced with the following new section 8.1:

“Occupants shall forthwith remove all non-collectible waste, non-Green Bin material and non-recyclable material from the edge of a roadway or a collection point, that the collector refuses to collect under the terms of this by-law.”

37. Section 8.2 is deleted and replaced with the following new section 8.2:

“Occupants, who fail to remove non-collectible waste, non-Green Bin material and non-recyclable material from the edge of the roadway or a collection point, shall be notified in writing by the City Engineer that the City may remove the non-collectible waste, Non-Green Bin material and non-recyclable material at the occupant's expense.”

38. Section 8.3 is deleted and replaced with the following new section 8.3:

“The collector may not collect the following municipal waste and/or resource materials from any premises:

- (a) non-collectable waste, Non-Green Bin material and non-recyclable material as defined by this by-law;
- (b) municipal waste contained in a waste collection receptacle that does not conform to the regulations of this by-law;
- (c) municipal waste contained in a metal bin or waste receptacle enclosure that is deemed to be inaccessible or for which the access is deemed to be hazardous to the collector;
- (d) municipal waste that is placed at a collection point that is deemed to be inaccessible to the collector;
- (e) animal or vegetable waste resulting from the preparation or consumption of food that is not thoroughly drained and packaged;
- (f) dog, cat and pet feces and litter that is not placed inside a sealed and leak-free bag and placed in a waste collection receptacle;
- (g) sharps not packaged and labelled in rigid containers;
- (h) broken glass, and other sharp objects that are not properly packaged inside cardboard and tape;
- (i) yard material that is placed for collection on a date other than the week designated by the City Engineer for yard material collection;
- (j) residential waste, multi-family waste or resource materials that are not placed at either the edge of the roadway or at a designated collection point;
- (k) municipal waste that is packaged in a manner that presents a hazard to persons involved in any part of the collection process on behalf of the City.
- (l) Recyclable material that has not been sorted into paper products and containers.
- (m) Resource materials that are placed for collection in non-authorized collection receptacles as per this by-law;
- (n) surgical and non-surgical masks, gloves, wipes, tissues, napkins, paper towel, not placed inside a sealed and leak-free bag;

- (o) sawdust, cigarette ash, fireplace ash and vacuum dust, not placed inside a sealed bag”
39. Section 10.2 is deleted and replaced with the following new section 10.2:
“10.2 Municipal waste and resources materials - placement for collection – in advance
No person shall place or cause to be placed municipal waste or resource materials for collection by the collector at a collection point or at the edge of the roadway before 6:00 p.m. local time on the day prior to the day fixed for collection of such waste by the City Engineer.”
40. Section 10.6 is deleted and replaced with the following new section 10.6:
“No person shall place or cause to be placed non-collectable waste in the same receptacle as brush, yard material, recyclable material, Green Bin material, commercial waste, garbage or rubbish.”
41. Section 10.7 is deleted and replaced with the following new section 10.7:
“10.7 Metal or plastic bin - non-complying
No person shall use a metal or plastic bin that does not conform to the required by-law standards.”
42. Section 10.8 is deleted and replaced with the following new section 10.8:
“10.8 Metal or plastic bin - private - failure to maintain
No person shall fail to maintain a privately owned metal or plastic bin in accordance with regulations of this by-law.”
43. Section 10.12 is deleted and replaced with the following new section 10.12:
10.12 Green Bin materials and Recyclable material - no removal except by collector
No person, other than the collector, shall remove Green Bin material or recyclable material that has been placed in or beside a recyclable material collection receptacle, after such materials have been placed at the edge of the roadway or at a collection point for collection by the collector.
44. Section 10.13 is deleted and replaced with the following new section 10.13:
Despite section 6.12, an occupant of the premise where the Green Bin material or recyclable material originated may retrieve recyclable material that they have set out for collection, prior to its collection by the collector.
3. This by-law shall come into force and effect on the day it is passed.

Passed in Open Council on January 23, 2024.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – January 23, 2024
Second Reading – January 23, 2024
Third Reading – January 23, 2024