

Bill No. 4  
2017

By-law No. WM-12-17\_\_\_\_\_

A by-law 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”.

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 define Christmas trees, garbage tags and General Manager, include Christmas trees in the definition of Resource Materials, change the maximum permitted number of garbage receptacles to be set out for collection on public and private property from 4 receptacles per collection to 3 receptacles per collection, and to allow for the use of a purchased garbage tag for receptacles placed out for collection above the maximum permitted on public or private property;

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

1. By-law WM-12 is hereby amended by adding the following new definitions to Part 1 Definitions Section 1.1:

**“Christmas tree(s) – defined**

“Christmas trees” shall mean natural (as opposed to artificial) coniferous trees less than 3 metres (10 feet) in height, and free of all decorations and coverings.

**Garbage tag – defined**

“garbage tag” shall mean a purchased sticker, tab, tie or label approved by the City Engineer for the purpose of identifying a garbage receptacle set out for collection in accordance with Sections 4.1.3 and 5.1.3.”

2. WM-12 is hereby amended by deleting all references to “General Manager” and by replacing them with the term “City Engineer”.

3. By-law WM-12 is hereby amended by deleting the definition of Resource materials and by replacing it with the following new definition:

**“Resource materials - defined**

“resource materials” shall include recyclable material, yard material and Christmas trees collected from residential curbside premises.”

4. By-law WM-12 is hereby amended by adding a new section, section 2.6 to Part 2 General Provisions – Administrative Matters as follows:

**“2.6 Garbage tag form – as approved by City Engineer**

The form of the garbage tag used to identify garbage receptacles set out for collection that exceed the maximum permitted in sections 4.1.1 (a) and 5.1.1 (a) shall be approved by the City Engineer. Use of an item to identify a garbage receptacle set out for collection that exceeds the maximum permitted in sections 4.1.1 (a) and 5.1.1 (a) other than a garbage tag in the form approved by the City Engineer is prohibited. The City Engineer may change the approved form of garbage tag as required.”

5. By-law WM-12 is hereby amended by deleting section 4.1 (a) in its entirety and by replacing it with the following new section 4.1 (a):

“(a) Effective January 1, 2017 and subject to sections 4.1.2, 4.1.3 and 4.1.4, the total amount of garbage that will be collected from any residential curbside premises shall be limited to:

- (i) three receptacles of garbage per Dwelling Unit per collection; or
- (ii) one receptacle of garbage per Lodging Unit per collection.”

6. By-law WM-12 is hereby amended by deleting section 4.1.1 (a) in its entirety and by replacing it with the following new section 4.1.1 (a):

“(a) Effective January 1, 2017 and subject to sections 4.1.2, 4.1.3 and 4.1.4 no occupant of residential curbside premises shall set out more than:

- (i) three receptacles of garbage per Dwelling Unit per collection; or
- (ii) one receptacle of garbage per Lodging Unit per collection.”

7. By-law WM-12 is hereby amended by adding a new section 4.1.3 as follows:

**“4.1.3 Collection – maximum permitted – use of garbage tag**

Effective January 16, 2017, garbage receptacles set out for collection above the limits outlined in subsection 4.1.1 (a) shall be collected if a purchased garbage tag, of a form approved by the City Engineer, is used for each garbage receptacle set out for collection above the limits described in subsections 4.1.1 (a) and in the following way:

- (1) Where receptacles as defined in section 3.1 are used, the garbage tag shall be affixed in a visible location to the top item in the receptacle;
- (2) Where receptacles as defined in Section 3.2 are used, the garbage tag shall be affixed in a visible location on the receptacle.”

8. By-law WM-12 is hereby amended by adding a new section 4.1.4 as follows:

**“4.1.4 Collection – maximum permitted – phased-in compliance period**

Subject to section 4.1.2, the phased-in compliance period shall end January 16, 2017. During the phased-in compliance period one additional garbage receptacle set out for collection above the limits outlined in subsection 4.1.1 (a) shall be collected.”

9. By-law WM-12 is hereby amended by adding a new section 4.9 as follows:

**“4.9 Placement for collection – Christmas trees – times – restrictions**

Occupants shall ensure that Christmas trees for removal by the collector, shall be placed to the edge of the roadway for collection before 7:00 a.m. local time of the designated collection day for Christmas trees as identified by the City Engineer.”

10. By-law WM-12 is hereby amended by adding a new section 4.10 as follows:

**“4.10 Placement for collection – Christmas trees – late – City not responsible**

The City is not responsible for the collection of Christmas trees placed at the edge of the roadway after 7:00 a.m. local time on the designated collection day for Christmas trees as identified by the City Engineer.”

11. By-law WM-12 is hereby amended by deleting section 5.1.1 (a) in its entirety and by replacing it with the following new section 5.1.1 (a):

“(a) Subject to sections 5.1.2, 5.1.3 and 5.1.4, no occupant of a townhouse complex or condominium complex shall set out more than three receptacles of garbage per Dwelling Unit per collection.”

12. By-law WM-12 is hereby amended by adding a new section 5.1.3 as follows:

**“5.1.3 Collection – maximum permitted – use of garbage tag**

Effective January 16, 2017, garbage receptacles set out for collection above the limits outlined in subsection 5.1.1 (a) shall be collected if a purchased garbage tag in a form approved by the City Engineer is used for each garbage receptacle set out for collection above the limits described in subsection 5.1.1 (a) and in the following way:

- (1) Where Receptacles as defined in section 3.1 are used, the garbage tag shall be affixed in a visible location to the top item in the receptacle;
- (2) Where Receptacles as defined in Section 3.2 are used, the garbage tag shall be affixed in a visible location on the receptacle.”

13. By-law WM-12 is hereby amended by adding a new section 5.1.4 as follows:

**“5.1. 4 Collection – maximum permitted – phased-in compliance period**

Subject to section 5.1.2, the phased-in compliance period shall end January 16, 2017. During the phased-in compliance period one additional garbage receptacle set out for collection above the limits outlined in subsection 5.1.1 (a) shall be collected.”

14. By-law WM-12 is hereby amended by adding a new section, section 5.15 as follows:

**“5.15 Placement of Christmas trees at collection point – times – restrictions**

Occupants shall ensure that Christmas trees for removal by the collector, shall be placed at the collection point for collection before 7:00 a.m. local time of the designated collection day for Christmas trees as identified by the City Engineer.”

15. By-law WM-12 is hereby amended by adding a new subsection 8.3 (m) as follows:

“(m) Christmas trees placed for collection on a date other than the day designated by the City Engineer for Christmas tree collection.”

16. By-law WM-12 is hereby amended by adding a new section 10.16 as follows:

**“10.16 Christmas Trees – placement for collection – in advance**

No person shall place or cause to be placed Christmas trees 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 fixed day for collection by the City Engineer.”

17. This by-law shall come into force and effect on the day it is passed.

Passed in Open Council on December 6, 2016.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – December 6, 2016  
Second Reading – December 6, 2016  
Third Reading – December 6, 2016