

<b>TO:</b>	<b>CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 26, 2017</b>
<b>FROM:</b>	<b>KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR - ENVIRONMENTAL &amp; ENGINEERING SERVICES &amp; CITY ENGINEER</b>
<b>SUBJECT</b>	<b>MUNICIPAL WASTE &amp; RESOURCE MATERIALS COLLECTION BY-LAW AMENDMENTS</b>

### RECOMMENDATION

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the attached proposed by-law (Appendix A) **BE INTRODUCED** at the Municipal Council meeting to be held on October 3, 2017 to amend the Municipal Waste & Resource Collection By-law (WM-12) to:

- a) permit the collection of Christmas trees and other yard waste during a designated Green Week in January; and
- b) update the definition of Garbage to remove the words 'empty dried paint cans, empty aerosol cans' to reflect changes to the recycling program that were made in 2008 when these items were added to the list of accepted recyclable items; it being noted that this update does not reflect a recent program change.

### PREVIOUS REPORTS PERTINENT TO THIS MATTER

Relevant reports that can be found at [www.london.ca](http://www.london.ca) under City Hall (Meetings) include:

- Results of Pilot Project for Curbside Collection and Diversion of Christmas Trees And Recommended Next Steps (March 7, 2017 meeting of the Civic Works Committee (CWC), Item #6)
- Municipal Waste & Resource Materials Collection By-Law Amendments (November 29, 2016 meeting of the CWC, Item # 8)
- Options for Collection and Diversion of Christmas trees (May 10, 2016 meeting of the CWC, Item #5)
- Update: Interim Waste Diversion Plan (2014-2015) and Additions for 2016 (February 2, 2016 meeting of the CWC, Item #15)
- Recommended Changes to the Recycling Program, (March 17, 2008 meeting of the Environment & Transportation Committee (ETC), Item #9)

### STRATEGIC PLAN 2015-2019

Municipal Council has recognized the importance of solid waste management including waste diversion, climate change and other related environmental issues in its 2015-2019 - Strategic Plan for the City of London ([2015 – 2019 Strategic Plan](#)). The addition of another Green Week to incorporate the collection of Christmas trees and other yard waste supports two of the four Areas of Focus:

#### **Building a Sustainable City**

- Strong and healthy environment
- Long-term Waste Management Plan

#### **Leading in Public Service**

- Collaborative, engaged leadership
- Excellent service delivery

## BACKGROUND

### PURPOSE:

The purpose of this report is to provide Civic Works Committee (CWC) and Council with amendments to the Municipal Waste & Resource Collection By-law (WM-12) for the following:

- To facilitate the Council approved curbside collection of Christmas trees and other yard waste by implementing one additional Green Week each year in January; and
- To update the definition of 'Garbage' to reflect the current program. This update is a 'housekeeping' item and does not reflect a recent program change.

### CONTEXT:

#### **Additional Green Week Collection in January for Christmas Trees and other yard waste**

At the March 21, 2017 meeting of Municipal Council, Civic Administration was directed to make changes to the Municipal Waste & Resource Collection By-law to facilitate the curbside collection Christmas trees and other yard waste during one additional Green Week to be scheduled annually following the holiday garbage pickup exemption period as follows:

- *the Civic Administration BE DIRECTED to prepare the necessary amendments to the Municipal Waste and Resource Materials Collection By-law (WM-12) to facilitate curbside collection of Christmas trees and other yard waste as part of the above-noted one Green Week;*

#### **'Garbage' Definition Update**

Empty paint and aerosol cans were added to London's Blue Box recycling program in 2008. The current definition of Garbage in By-law WM-12 does not reflect this change. During the process of reviewing the By-law as it relates to Christmas tree collection, it was noted that this clause did not accurately reflect the City's recycling program. The recommended amendment is included in this report. As noted, this amendment is a housekeeping item required to update language within the By-law to reflect current programs to ensure Council's previous direction is also part of the by-law changes.

## DISCUSSION

#### **Additional Green Week Collection in January for Christmas Trees and other yard waste**

In accordance with Council direction, Christmas trees and other yard waste will be collected curbside for one additional Green Week each January. The Green Week for 2018 will occur January 8 to 13. The week begins the first Monday following the Christmas and New Year holiday garbage pickup exemption period and ends on the Saturday of that week.

Amendments to By-law WM-12 are required to facilitate the new curbside collection program approved by Council earlier this year. In 2016, the By-law was amended to facilitate collection of Christmas trees under a Council-approved one-year pilot project (implemented in January 2017). Collection during the pilot project occurred on a designated collection day, whereas going forward, collection will occur on a designated week, similar to how collection of yard waste is currently scheduled Green Week. To do this, Christmas trees will be added to the By-law definition of Yard Material. With this amendment, Section 8.3(i) and Section 10.3 will now also apply to Christmas trees.

Section 8.3 (m) and Section 10.16 which are specific to Christmas trees only, will become redundant and may be deleted. Sections 8.3 (i) and (m) permit the collector to not collect yard material/Christmas trees placed for collection at a time other than the time designated for collection. Sections 10.3 and 10.16 require that yard material/Christmas trees not be placed at the curb in advance of the time permitted under the by-law.

Christmas trees that are not placed for collection during the new Green Week in January, may be taken to an EnviroDepot, or held until the next curbside collection of yard waste. To provide additional depot service, the EnviroDepots will open on three additional days in late December/early January.

**ACKNOWLEDGEMENTS**

This report was prepared with the assistance of Anne Boyd, Manager, Waste Diversion Programs. The by-law amendments have been reviewed by Legal Services.

<b>PREPARED BY:</b>	<b>PREPARED BY:</b>
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<b>PREPARED AND SUBMITTED BY:</b>	<b>RECOMMENDED BY:</b>
<b>JAY STANFORD, M.A., M.P.A. DIRECTOR, ENVIRONMENT, FLEET &amp; SOLID WASTE</b>	<b>KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL &amp; ENGINEERING SERVICES &amp; CITY ENGINEER</b>

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

## Appendix A

Bill No.  
2017

By-law No.

A by-law to amend the 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 allow Christmas trees and other yard waste to be collected during an additional Green Week in January and to update the definition of the term 'Garbage' to accurately reflect current program practices.

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

1. By-law WM-12 is hereby amended in Section 1.1 – Definitions by deleting the definition of Garbage and by replacing it with the following new definition:

**Garbage - defined**

"garbage" shall include all drained animal and vegetable waste material from the preparation of food, sweepings, ashes, discarded household utensils and wearing apparel, ceramics, multi-material products and packages, non-recyclable glass containers, dog, cat and other pet feces and litter placed inside a sealed and leak-free bag, diapers placed in a sealed and leak-free bag, and other materials as designated by the City Engineer from time to time.

2. By-law WM-12 is hereby further amended in Section 1.1 – Definitions by deleting the definition of Yard Material and by replacing it with the following new definition:

**Yard material - defined**

"yard material" shall mean material designated from time to time by the City Engineer as compostable and for which alternative collection regulations apply. Yard material shall include garden trimmings, hedge trimmings, leaves, fall leaves, brush, Christmas trees, and vegetable and plant matter. Yard material does not include grass clippings.

3. By-law WM-12 is hereby further amended by deleting Section 4.9 – Placement for collection – Christmas trees – times – restrictions in its entirety and by replacing it with the following new section 4.9:

**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 on the Monday of the designated collection week for Christmas trees and other yard material as identified by the City Engineer.

4. By-law WM-12 is hereby further amended by deleting Section 4.10 – Placement for collection – Christmas trees – late – City not responsible in its entirety and by replacing it with the following new section 4.10:

**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 Monday of the designated collection week for Christmas trees and other yard material as identified by the City Engineer.

5. By-law WM-12 is hereby further amended by deleting Section 5.15 – Placement of Christmas trees at collection point – times – restrictions in its entirety and by replacing it with the following new section 5.15.

**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 on the Monday of the designated collection week for Christmas trees and other yard material as identified by the City Engineer.

6. By-law WM-12 is hereby further amended by deleting section 8.3 (m) in its entirety.
7. By-law WM-12 is hereby amended by deleting section 10.16 in its entirety.
8. This by-law shall come into force and effect on the day it is passed.

Passed in Open Council on October 3, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 3, 2017  
Second Reading – October 3, 2017  
Third Reading – October 3, 2017