

By-Law No 17-007

of

The Regional Municipality of Waterloo

A By-law to Govern the Collection of Waste and the Provision of Waste Management Facilities in The Regional Municipality of Waterloo and to Repeal By-law 98-87, as amended, and By-law 02-011 of The Regional Municipality of Waterloo

Whereas the Council of The Regional Municipality of Waterloo is authorized by Part II of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, to pass by-laws for regulating, prohibiting and requiring persons to do things respecting waste management;

Now Therefore, the Council of The Regional Municipality of Waterloo hereby enacts as follows:

Part I – Definitions

1. The following terms are defined for purposes of this By-law:
 - (1) **“Blue Box Container”** means a blue, durable, reusable, rigid plastic container that does not exceed 61 centimeters in height and 91 litres in volume designed for Ontario’s recycling program specifically to contain Blue Box Material;
 - (2) **“Blue Box Material”** means the Blue Box Material listed in Schedule “A” of this By-law;
 - (3) **“Bulky Item”** means the Bulky Items listed in Schedule “A” of this By-law that cannot fit into a Garbage Container;
 - (4) **“Cart” and “Cart Recycling Container”** means a reusable, rigid, blue or grey container, with a volume of 360 litres that is equipped with wheels and designed to work with the Cart Recycling Container collection truck;
 - (5) **“Cart Material”** has the same meaning as Blue Box Material;
 - (6) **“Christmas Tree”** means a naturally grown evergreen tree used for the purpose of celebrating Christmas;
 - (7) **“Collectable Material”** means Blue Box Material, Christmas Trees, Green Bin Material, Large Metal Items, Yard Waste Material, Bulky Items and Garbage;
 - (8) **“Container”** includes a Blue Box Container, Cart Recycling Container, Garbage Container, Green Bin Container and Yard Waste Container;
 - (9) **“Council”** means the Council of the Region;

- (10) “**Curbside**” means the area directly in front of a Premises and within its extended property lines of the untraveled portion of the municipal road allowance;
- (11) “**Curbside Collection**” means the collection of Collectable Material at a Curbside in the Region;
- (12) “**Curbside Premises**” means Small Residential Premises, Multi-Residential Premises On A Roadway, Downtown City Premises and Downtown Township Premises in the Region;
- (13) “**Director**” means the Director of Waste Management or any successor position, or his or her designate;
- (14) “**Downtown City Premises**” means any commercial premises that lie upon a municipal roadway within the designated downtown areas in bold as set out in Schedule “B” of this By-law;
- (15) “**Downtown Township Premises**” means any commercial premises that lie upon a municipal roadway within the designated downtown areas in bold as set out in Schedule “C” of this By-law;
- (16) “**Educational Premises**” means any public or private school, college or university;
- (17) “**Fees and Charges By-law**” means the Region’s Fees and Charges By-law and any successor by-laws thereto;
- (18) “**Garbage**” means solid, residual waste which does not fall within any other class of Collectable Material, but does not include Non-Collectable Material;
- (19) “**Garbage Container**” means:
- (a) A reusable, rigid container:
 - (i) not exceeding 48 centimetres in diameter, 84 centimetres in height and 121 litres in volume;
 - (ii) handles that are attached or molded to the exterior of the container which accommodate lifting, carrying and emptying;
 - (iii) having a top diameter that is not less than the bottom diameter; and
 - (iv) having an unattached and removable lid; or
 - (b) A plastic, disposable, water-proof bag:
 - (i) not less than 1.5 millimetres in thickness and 65 centimetres by 90 centimetres when empty;
 - (ii) having the capability to be securely closed or tied when filled; and
 - (iii) of sufficient durability to support a weight of 23 kilograms when lifted without tearing;
- (20) “**Garbage Tag**” means a Garbage Tag as issued by the Director pursuant to this By-law;

- (21) **“Green Bin Container”** means a reusable, rigid, green container, equipped with wheels, a handle, a watertight lid, designed for the purpose of collection of Green Bin Material;
- (22) **“Green Bin Material”** means the Green Bin Material as listed in Schedule “A” of this By-law;
- (23) **“Household Hazardous Waste”** means the Household Hazardous Waste as listed in Schedule “E” of this By-law;
- (24) **“Large Apartment Buildings”** means any apartment building, condominium complex, townhouse complex, co-operative complex or other similar complex that has seven or more Self-contained Units;
- (25) **“Large Metal Item”** means the Large Metal Items as listed in Schedule “A” of this By-law;
- (26) **“Motor Vehicle”** includes an automobile, a motorcycle, a motor-assisted bicycle, and any other vehicle propelled or driven otherwise than by muscular power;
- (27) **“Multi-Residential Premises On A Roadway”** means any apartment building, condominium complex, townhouse complex, co-operative complex or other similar complex that has between three and six Self-contained Units, provided that all such units lie upon a municipal roadway;
- (28) **“Multi-Residential Premises Not On A Roadway”** means any apartment building, condominium complex, townhouse complex, co-operative complex or other similar complex where not all of the Self-contained Units lie upon a municipal roadway;
- (29) **“Municipal Law Enforcement Officer”** means a municipal law enforcement officer as appointed by the Region;
- (30) **“Municipal Premises”** means any premises that are owned or operated by a municipality;
- (31) **“Non-Collectable Material”** means the Non-Collectable Material as listed in Schedule “A” of this By-law;
- (32) **“Non-Curbside Collection”** means the collection of Collectable Material or Cart Material pursuant to section 26 of this By-law;
- (33) **“Non-Curbside Premises”** means Large Apartment Buildings, Multi-Residential Premises Not On A Roadway, Educational Premises, Nursing Home Premises and Municipal Premises in the Region;
- (34) **“Non-Waste Facility Material”** means the Non-Waste Facility Material as listed in Schedule “E” of this By-law;

- (35) **“Nursing Home Premises”** means any home or other facility that is regulated pursuant to the Long-Term Care Homes Act, 2007, S.O. 2007, c. 8 or Retirement Homes Act, 2010, S.O. 2010, c. 11, or any successor legislation thereto;
- (36) **“Owner”** means a person who owns, rents, leases or occupies a Premises or any other person in charge, management or control of a Premises;
- (37) **“Police Officer”** means a police officer as appointed by The Regional Municipality of Waterloo Police Service;
- (38) **“Premises”** means a building or any part of it, together with its land and outbuildings, located in the Region;
- (39) **“Prior Approval Material”** means Prior Approval Material as listed in Schedule “E” of this By-law;
- (40) **“Region”** means The Regional Municipality of Waterloo as a municipal corporation, its Council, members, employees, agents and representatives and, where the context requires, its geographic area;
- (41) **“Registered Owner”** means the person or persons registered on title as the owner of the Premises and, in the case of a condominium development, the condominium corporation;
- (42) **“Self-contained Unit”** means a place of residence designed or intended for habitation by one or more persons with its own culinary and sanitary facilities which are provided for the exclusive use of the person or persons who reside therein;
- (43) **“Small Residential Premises”** means:
- (a) a single detached house, semi-detached house or duplex that lies upon a municipal roadway;
 - (b) a commercial business located in a building that is a converted house or that has a residential unit as part of the business; or
 - (c) a place of worship located in a residential area;
- (44) **“Special Handling Material”** means the Special Handling Material as listed in Schedule “E” of this By-law;
- (45) **“Statutory Holiday”** means New Year’s Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, the Civic Monday, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day and any other day fixed as a holiday by proclamation of the Governor General of Canada or Lieutenant Governor of Ontario;
- (46) **“Waste”** means any material, substance or byproduct eliminated or discarded and includes Collectable Material, Non-Collectable Material, Waste Facility Material and Non-Waste Facility Material;

- (47) **“Waste Facility”** means the waste management facilities operated by the Region, or any one of them, as listed in section 33 of this By-law;
- (48) **“Waste Facility Material”** means the Waste Facility Material as listed in Schedule “E” of this By-law;
- (49) **“Waste Facility Services”** means the receipt of Waste Facility Material at a Waste Facility;
- (50) **“Yard Waste Container”** means:
 - (a) a Garbage Container identified with a large visible ribbon, bag tied to the handle or Yard Waste Sticker identifying that it contains Yard Waste Material; or
 - (b) a paper, yard-waste bag sold for the purpose of containing Yard Waste Material;
- (51) **“Yard Waste Material”** means the Yard Waste Material as listed in Schedule "A" of this By-law; and
- (52) **“Yard Waste Sticker”** means a Yard Waste Sticker as issued or designated by the Director pursuant to this By-law.

Part II – Curbside Collection

General Collection Provision

- 2. The Region shall provide for the collection of Collectable Material from Curbside Premises in accordance with the terms and conditions of this By-law.

Classes for Curbside Collection

- 3. The classes of Curbside Premises for the purposes of this By-law are as follows:
 - (1) Small Residential Premises;
 - (2) Multi-Residential Premises On A Roadway;
 - (3) Downtown City Premises; and
 - (4) Downtown Township Premises.
- 4. The classes of Curbside Material for the purposes of this By-law are as follows:
 - (1) Recyclable Materials:
 - (a) Blue Box Material;
 - (b) Christmas Trees;
 - (c) Green Bin Material;
 - (d) Large Metal Items; and
 - (e) Yard Waste Material.
 - (2) Non-Recyclable Materials:
 - (a) Bulky Items; and
 - (b) Garbage.

Separate According to Class and Class Provisions

5. Every Owner of a Curbside Premises shall separate Collectable Material according to its class as set out in section 4 of this By-law when placing the Collectable Material for Curbside Collection.

Blue Box Material

6. Every Owner of a Curbside Premises shall prepare Blue Box Material as follows when placing the Blue Box Material for Curbside Collection:
 - (1) all Blue Box Material shall be placed in a Blue Box Container;
 - (2) no Blue Box Container containing Blue Box Material shall exceed 23 kilograms in weight;
 - (3) no Blue Box Container shall include broken glass or other sharp objects;
 - (4) no Blue Box Material in a Blue Box Container shall exceed the limits of the top of the Blue Box Container;
 - (5) all plastic bags and outer wrap shall be dry and clean and placed in a grocery-type bag and tied shut;
 - (6) all newspapers, magazines, books, fine paper and boxboard shall be separated from other Blue Box Material;
 - (7) all cardboard shall be flattened and be free of plastic bags or any other wrappings, securely tied in a bundle not exceeding 75 centimetres by 75 centimetres by 20 centimetres;
 - (8) all other Blue Box Material, including metal cans, glass jars, rigid plastic containers, aluminum foil, tetra packs, gable top containers, aerosol spray cans and metal paint cans, shall be empty and separated from other Blue Box Materials; and
 - (9) no Blue Box Container shall include material that is not Blue Box Material.

Christmas Trees

7. Every Owner of a Curbside Premises shall prepare a Christmas Tree as follows when placing a Christmas Tree for Curbside Collection:
 - (1) each Christmas Tree shall be without tinsel, decorations, ornaments, lights, wrapping, wire or bagging; and
 - (2) each Christmas Tree that is 1.8 metres or more in height shall be cut in half.

Green Bin Material

8. Every Owner of a Curbside Premises shall prepare Green Bin Material as follows when placing Green Bin Material for Curbside Collection:
 - (1) all Green Bin Material shall be placed in a Green Bin Container;
 - (2) no Green Bin Container containing Green Bin Material shall exceed 23 kilograms in weight; and
 - (3) no Green Bin Container shall include material that is not Green Bin Material.

Large Metal Items

9. Every Owner of a Curbside Premises shall prepare Large Metal Items as follows when placing Large Metal Items for Curbside Collection:

- (1) each Large Metal Item shall be residential in nature;
- (2) each Large Metal Item shall weigh no more than 90 kilograms;
- (3) each Large Metal Item shall be no longer or higher than 213 centimeters;
- (4) each Large Metal Item shall be in a contained state;
- (5) no other material or object shall be placed on top of a Large Metal Item; and
- (6) each moving door on a Large Metal Item shall be removed or secured shut.

Yard Waste Material

10. Every Owner of a Curbside Premises shall prepare Yard Waste Material as follows when placing Yard Waste Material for Curbside Collection:
 - (1) all Yard Waste Material shall be placed in a Yard Waste Container or packaged in bundles, free of any plastic bags, where each individual piece of Yard Waste Material shall not exceed 8 centimeters in diameter and 92 centimeters in length;
 - (2) no Yard Waste Container that contains Yard Waste Material or bundle as permitted in subsection (1) of this section shall weigh more than 23 kilograms; and
 - (3) no Yard Waste Container or bundle as permitted in subsection (1) of this section shall include material that is not Yard Waste Material.

Bulky Items

11. Every Owner of a Curbside Premises shall prepare Bulky Items as follows when placing Bulky Items for Curbside Collection:
 - (1) all Bulky Items shall be in a contained state;
 - (2) all carpet, rugs, mats, underlay, drywall, counter tops, flooring and wood shall be securely tied in bundles no greater than 92 centimeters by 50 centimeters by 50 centimeters and not exceeding 23 kilograms in weight; and
 - (3) no other material or object shall be placed on top of Bulky Items.

Garbage

12. Every Owner of a Curbside Premises shall prepare Garbage as follows when placing Garbage for Curbside Collection:
 - (1) all Garbage shall be placed in a Garbage Container;
 - (2) no Garbage in a Garbage Container shall exceed the limits of the top of the Garbage Container;
 - (3) no Garbage Container that contains Garbage shall weigh more than 23 kilograms;
 - (4) any devices used to tie down or secure any lids for a Garbage Container shall be removed prior to collection; and
 - (5) no Garbage Container shall include material that is not Garbage.

Curbside Collection Limits

13. (1) No Owner of a Curbside Premises shall place a number of Containers, Bulky Items or Large Metal Items for Curbside

Collection that exceeds the limit for the class of Curbside Premises as set out in Schedule "D" of this By-law.

- (2) Notwithstanding subsection (1) of this section, an Owner of a Curbside Premises may place a number of Garbage Containers for Curbside Collection that exceeds the limit for the class of Curbside Premises as set out in Schedule "D" of this By-law if the Owner acquires, at a fee as set out in the Fees and Charges By-law, and attaches a Garbage Tag to each additional Garbage Container in the following locations:
 - (a) for a garbage bag, on the outer neck of the bag; or
 - (b) for a rigid garbage container, on the top Garbage item inside the Garbage Container;in a location clearly visible to the collection person.
- (3) Notwithstanding subsection (1) of this section, an Owner of a Curbside Premises may place a number of Garbage Containers for Curbside Collection that exceeds the limit for the type of Curbside Premises as set out in Schedule "D" of this By-law if the Director designates such as a result of a Statutory Holiday or severe weather event.

Curbside Collection Location

14. (1) The Owner of a Curbside Premises shall set out Collectable Material for Curbside Collection by placing it at Curbside within the extension of the property lines of the Curbside Premises as close as possible to the travelled portion of the road without obstructing or interfering with the travelled portion of the road.
- (2) No Owner of a Curbside Premises shall set out Collectable Material for Curbside Collection:
 - (a) at a Curbside except at their own Premises;
 - (b) that is not clearly visible or directly accessible;
 - (c) on top of a snow drift or other pile of snow created by snowplows or other snow clearing operation; or
 - (d) that cannot be freely discharged from its Container when tipped because it is stuck or frozen to the Container.
- (3) Notwithstanding subsections (1) and (2) of this section, the Director may designate an alternative location for Curbside Collection as a result of construction, road closures, or other route requirements and this section shall apply with necessary modification.

Curbside Collection Time

15. (1) No Owner of a Curbside Premises shall set out Collectable Material for Curbside Collection earlier than 5 p.m. on the day before the designated collection day and not later than 7 a.m. on the designated collection day.
- (2) Notwithstanding subsection (1) of this section, no Owner of a Downtown City Premises or Downtown Township Premises shall set out Collectable Material for Curbside Collection earlier than 5 p.m. on the day before the designated collection day and not later than 6 a.m. on the designated collection day.

16. Every Owner of a Curbside Premises shall remove all Containers, together with any material that was not collected for any reason, from the Curbside as soon as possible after collection, but not later than 9 a.m. on the day following the designated collection day.

Curbside Collection Restrictions and Responsibilities

17. No Owner of a Curbside Premises shall set out or permit to be set out Non-Collectable Material at a Curbside for the Owner's Premises.
18. No Owner of a Premises that is not a Curbside Premises shall set out or permit to be set out Collectable Material or Non-Collectable Material at a Curbside for the Owner's Premises.
19. No person other than an employee of the Region or authorized agent of the Region shall remove a Garbage Tag affixed to or in any Garbage Container.
20. No person shall sell or offer to sell Garbage Tags without the express written permission of the Region authorizing such sale or offer to sell.
21. No Owner of a Curbside Premises shall set out or permit to be set out Collectable Material at a Curbside for the Owner's Curbside Premises except on the days designated for the Premises by the Director pursuant to this By-law.
22. No Owner of a Curbside Premises shall set out or permit to be set out Collectable Material at a Curbside for the Owner's Curbside Premises if the Collectable Material was generated at another Premises.
23. No Owner of a Curbside Premises shall set out or permit to be set out for Curbside Collection any Container which is not:
 - (1) of sufficient quality to withstand normal collection activities and use;
 - (2) maintained in a safe and efficient condition for collection;
 - (3) intact, as required, to prevent leaking, spillage or breakage during collection;
 - (4) sealed, as required, to prevent the attraction of animals and the release of odours; or
 - (5) free of excess water, ice and snow or other substances which may interfere with collection.
24. No Owner of a Curbside Premises shall permit Collectable Material set out for Curbside Collection to become uncontained for any reason, including weather, animals or birds.

Suspension

25. (1) If the Owner of a Curbside Premises fails to comply with the requirements as set out in this By-law, the Region, at the discretion of the Director and upon written notice to the Owner, may suspend Curbside Collection until such time that the Owner is in compliance with this By-law.

- (2) Any notice to an Owner for the purposes of subsection (1) of this section shall be provided by regular mail and by posting the notice on the Curbside Premises in a conspicuous location.

Part III – Non-Curbside Collection

General Collection Provision

26. (1) Notwithstanding any other section of this By-law, the Region may provide for the collection of Collectable Material or Cart Material from Non-Curbside Premises in accordance with the terms and conditions of this Part if the Registered Owner of the Non-Curbside Premises applies to the Region and satisfies the following conditions, as applicable:
 - (a) The Region has determined that the private roadways for the Non-Curbside Premises to be used by collection vehicles on behalf of the Region:
 - (i) have sufficient widths, turning radii, means of access and means of egress;
 - (ii) have overhead clearance meeting or exceeding the standards prescribed in the Highway Traffic Act, R.S.O. 1990, Ch. H.8. or any successor legislation;
 - (iii) allow collection vehicles to drive through the property without reversing; and
 - (iv) provide direct unobstructed access to the designated locations for collection; and
 - (b) The Registered Owner of the Non-Curbside Premises has entered into a written agreement with the Region, in the form as prescribed by the Director, that allows the Region and its contractors to enter onto private roadways within the Non-Curbside Premises.
- (2) For the purposes of subsection (1) of this section, the Director shall determine whether or not to provide for the collection of Collectable Material or Cart Material, or a combination of both, based on the nature and accessibility of the Non-Curbside Premises.

Classes of Non-Curbside Premises

27. The classes of Non-Curbside Premises for the purposes of this By-law are as follows:
 - (1) Educational Premises;
 - (2) Large Apartment Buildings;
 - (3) Multi-Residential Premises Not On A Roadway;
 - (4) Municipal Premises; and
 - (5) Nursing Home Premises.

Cart Material at Non-Curbside Premises

28. Every Registered Owner of a Non-Curbside Premises that has entered into an agreement pursuant to section 26 of this By-law for Cart Material shall separate the Cart Material as follows when placing the Cart Material for Non-Curbside Collection:

- (1) Place inside the Container Cart, not exceeding the limits of the top, only metal cans, glass jars, rigid plastic containers, aluminum foil, tetra packs, gable top containers, aerosol spray cans and paint cans, with no bags or broken glass.
 - (2) Place inside the Cardboard Cart, not exceeding the limits of the top, only corrugated cardboard that is flattened.
 - (3) Place inside the Paper Cart, not exceeding the limits of the top, only newspapers, magazines, books, fine paper, boxboard, plastic bags and outer wrap.
29. Every Registered Owner of a Non-Curbside Premises that has entered into an agreement pursuant to section 26 of this By-law for Cart Material shall place a Cart Recycling Container for Non-Curbside Collection in the location prescribed in the agreement.

Collectable Material at Non-Curbside Premises

30. Every Registered Owner of a Non-Curbside Premises shall comply and cause any condominium owner, member, tenant or other occupier of the Non-Curbside Premises to comply with the requirements of Part II of this By-law, as applicable and with such necessary modification, when placing Collectable Material for Non-Curbside Collection.

Suspension

31. (1) If the Registered Owner of a Non-Curbside Premises fails to comply with the requirements as set out in this By-law and has received two written notices of non-compliance from the Region in the preceding calendar year, the Region, at the discretion of the Director and upon written notice to the Registered Owner, may suspend Non-Curbside Collection from the Non-Curbside Premises for a period of 6 months followed by a period of probation for 6 months wherein Non-Curbside Collection may be terminated on a permanent basis for any further non-compliance.
- (2) Notwithstanding subsection (1) of this section, the Director may, upon written notice to the Registered Owner, immediately suspend Non-Curbside Collection from a Non-Curbside Premises if there is a health and safety risk.
- (3) Any notice to a Registered Owner for the purposes of subsections (1) and (2) of this section shall be provided by regular mail.

Part IV – Rebate

32. The Region shall provide a rebate each year, at a rate as set from time to time by Council, to the Registered Owner of Large Apartment Buildings and Multi-Residential Premises Not On A Roadway that is based on each Self-contained Unit within the Large Apartment Buildings or Multi-Residential Premises Not On A Roadway that does not receive the collection of all Collectable Material by the Region.

Part V – Waste Facility Services

Requirements For Service

33. The Region shall provide Waste Facility Services at the following locations in accordance with the terms and conditions of this By-law:
- (1) 925 Erb Street West, Waterloo; and
 - (2) 201 Savage Drive, Cambridge.
34. (1) The Region shall only provide Waste Facility Services to persons that are residents of the Region and only for Waste Facility Materials that are generated in the Region.
- (2) Notwithstanding subsection (1) of this section, the Region may provide Waste Facility Services to commercial haulers that are not resident in the Region provided that the Waste Facility Material is generated in the Region.

Hours of Operation

35. The hours of operation for each Waste Facility shall be determined by the Director and shall be posted at the Waste Facility.

Fees

36. The fees for the deposit of Waste Facility Material at a Waste Facility shall be in accordance with the Fees and Charges By-law.
37. (1) The Director may allow persons to be invoiced after the deposit of Waste Facility Material at a Waste Facility subject to such criteria and terms and conditions as set by the Director from time to time.
- (2) The Region may deny any person, or any employee, agent or motor vehicle of the person, access to a Waste Facility or to any Waste Facility Services if the person fails to pay any account invoiced pursuant to subsection (1) of this section with such suspension continuing for a period of 14 calendar days after payment is made.

Inspection

38. The Region may inspect or require documentation from any person attempting to use Waste Facility Services in order to satisfy the requirements set out in this By-law.
39. The Region may refuse to accept any material at a Waste Facility that is questionable in relation to its nature or origin.

Re-Use

40. All Waste Facility Material deposited at any Waste Facility shall become the property of the Region and may be salvaged, reclaimed, recycled, composted, processed, disposed of, or otherwise dealt with by the Region as the Director deems fit.

Part VI – Waste Facility Restrictions

41. The classes of Waste Facility Material for the purposes of this By-law are as follows:
- (1) Collectable Material;
 - (2) Compostable Material;
 - (3) Diversion and Beneficial Use Programs;
 - (4) Household Hazardous Waste;
 - (5) Prior Approval Material; and
 - (6) Special Handling Material.
42. No person shall:
- (1) transport any Waste Facility Material or other material in a Motor Vehicle at a Waste Facility that is not properly secured;
 - (2) deposit Non-Waste Facility Material at any Waste Facility;
 - (3) deposit Waste Facility Material or enter any Waste Facility outside the hours of operation for the Waste Facility;
 - (4) deposit Waste Facility Material at a Waste Facility other than at the locations designated for the specific class of the Waste Facility Material type and in the manner required for the class of the Waste Facility Material type;
 - (5) disobey any direction of any person employed by the Region at a Waste Facility;
 - (6) deposit more than 25 litres of Household Hazardous Waste at any one time at a Waste Facility;
 - (7) deposit Household Hazardous Waste at a Waste Facility in a loose state or in containers larger than 24 litres;
 - (8) deposit Special Handling Material at a Waste Facility unless the person has given 24 hours prior notice to the Director and complies with all standard operating procedures for such;
 - (9) deposit Prior Approval Material at a Waste Facility unless the person has the prior approval of the Director and complies with all standard operating procedures for such;
 - (10) scavenge, collect, pick over, interfere with, remove or scatter any Waste Facility Material that has been deposited at a Waste Facility;
 - (11) enter with or operate any off-road vehicle of any type on any part of a Waste Facility;
 - (12) operate a Motor Vehicle at a Waste Facility other than on designated roadways or driveways;
 - (13) operate a Motor Vehicle at a Waste Facility without due care and attention; or
 - (14) operate a Motor Vehicle at a Waste Facility at greater than the posted rate of speed.
43. No person shall operate a privately owned waste disposal site or other operation for the disposal of Waste Facility Material, either for its own use or for the use of other persons, without having first applied for authorization therefore from Council. In giving authorization, the Region may impose such conditions as may seem fit and the applicant shall thereafter maintain its operation in conformity with these conditions.

Part VII – Further Restrictions

Illegal Dumping

44. No person shall deposit any Waste:
- (1) on any private or public property within the Region without the authority from the Owner; or
 - (2) at the entrance to or around the perimeter of a Waste Facility.

Scavenging

45. No person, except a Municipal Law Enforcement Officer, a Police Officer or an employee or agent of the Region, shall disturb, remove or scatter any Collectable Material after it has been placed for Curbside Collection.

Part VIII – Order

46. (1) If the Director or a Municipal Law Enforcement Officer is satisfied that a contravention of this By-law has occurred, the Director or Municipal Law Enforcement Officer may make an order requiring the person who contravened this By-law or who caused or permitted the contravention to discontinue the contravening activity.
- (2) An order under subsection (1) of this section shall set out,
- (a) reasonable particulars of the contravention adequate to identify the contravention and the location of the Premises on which the contravention occurred; and
 - (b) the date by which there must be compliance with the order.

Part IX – Enforcement

Enforcement

47. This By-law may be enforced by the Director, a Municipal Law Enforcement Officer, a Police Officer or other person as designated from time to time by the Director.

Offense

48. Every person who contravenes any provision of this By-law or an order made pursuant to Part VIII of this By-law, and every director or officer of a corporation who knowingly concurs in the contravention by the corporation, is guilty of an offence.

Penalties

49. (1) Upon conviction, every person who contravenes any provision in this By-law or an order made pursuant to Part VIII of this By-law is liable to a fine not exceeding five thousand dollars (\$5,000), exclusive of costs, for each offence, recoverable under the provisions of the Provincial Offences Act, R.S.O. 1990, Chapter P.33 or any successor legislation thereto.
- (2) Upon conviction, every director or officer of a corporation who knowingly permits the contravention of a provision of this By-law or

an order pursuant to Part VIII of this By-law is liable to a fine not exceeding five thousand dollars (\$5,000), exclusive of costs, for each offence, recoverable under the provisions of the Provincial Offences Act, R.S.O. 1990, Chapter P.33 or any successor legislation thereto.

- (3) In addition to subsections (1) and (2) of this section, there shall be a minimum fine of three hundred dollars (\$300), exclusive of costs, upon conviction of section 44 of this By-law.

Prohibition Order

50. If any section of this By-law or an order made pursuant to Part VIII of this By-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the By-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

Remedial Action

51. Where any person contravenes this By-law or an order made pursuant to Part VIII of this By-law, the Region may take remedial actions at the sole cost of the person contravening this By-law or an order made pursuant to Part VIII of this By-law to ensure that this By-law is complied with, and the Region may recover the costs of such remedial work, by court action or in like manner as property taxes.

Part X – General

Administration

52. (1) The Director is responsible for the administration of this By-law and shall have all necessary authority to administer this By-law.
- (2) Without limiting subsection (1) of this section, the Director shall have the authority to:
- (a) prescribe administrative forms;
 - (b) prescribe hours of operation for Waste Facilities;
 - (c) prescribe special operating procedures for Special Handling Material and Prior Approval Material;
 - (d) prescribe and issue Garbage Tags and Yard Waste Stickers;
 - (e) designate collection days for Curbside Collection;
 - (f) vary, suspend or supplement Curbside Collection or Waste Facility Services because of special circumstances;
 - (g) designate times when Owners may place additional Garbage Containers for Curbside Collection because of a Statutory Holiday or severe weather event;
 - (h) implement pilot projects that vary or supplement Curbside Collection or Waste Facility Services;
 - (i) prescribe the agreement, times and locations for Non-Curbside Collection; and
 - (j) prescribe the conditions for person to be invoiced on credit for Waste Facility Services.

Schedules

53. The Schedules to this By-law form an integral part of this By-law.

Environmental Compliance Approval

54. The provisions of this By-law shall be subject, as applicable, to the terms and conditions of any Environmental Compliance Approval or Approvals, or any successors thereto, for the Region.

Conflict of Laws

55. Where a provision of this By-law conflicts with a provision of another By-law in force in the Region, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.

Severability

56. If any provision of this By-law is declared invalid for any reason by a court of competent jurisdiction, only that invalid portion of the By-law shall be severed and the remainder of the By-law shall still continue in force.

Cumulative

57. The various restrictions and remedies of this By-law are cumulative and not mutually self-exclusive.

Short Title of By-Law

58. This By-law may be cited as the "Waste By-law".

Force and Effect Date

- 59. (1) This By-law shall come into force and effect on March 6, 2017.
- (2) By-laws 98-87, as amended, and 02-011 of the Region shall be repealed effective on the coming into force of this By-law.
- (3) Notwithstanding subsection (2) of this section, By-laws 98-87, as amended, and 02-011 of the Region shall continue to apply to proceedings in respect of offences that occurred before their repeal, as applicable.

By-law read a first, second and third time and finally passed in the Council Chamber at the Regional Municipality of Waterloo this 22nd day of February, 2017.

Regional Clerk

Regional Chair