The Corporation of the City of Peterborough

By-Law Number 18-103

Being a By-law to Regulate the Collection of Solid Waste in the City of Peterborough and to repeal By-law 13-113

Now Therefore, The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

Article 1.0 – Definitions

1.1. In this By-law:

a. **City** – means The Corporation of the City of Peterborough.

b. **Container** – means garbage container, a green waste container, or a recyclable material container.

c. **Dwelling unit** – has the same meaning as that in the Zoning By-law of the City.

d. **Garbage** – means any dry waste other than green waste, recyclable material, building materials, automobile parts, hot, explosive or highly combustible material, hazardous waste, as defined in Ontario Regulation 347, Environmental Protection Act, R.S.O. 1990, c.E.19, as amended, or waste resulting from industrial processes.

e. **Garbage container** – means:

   i. A galvanized metal or rigid plastic container with a maximum capacity of 120 litres, being larger at the top than at the bottom, having a handle and fitted lid, and not exceeding 23 kg, including contents; and

   ii. A polyethylene plastic bag of 1.5 gauge minimum thickness, fastened at the top and not weighing in excess of 23 kg, including contents.

f. **Green waste** – means any plant material such as tree branches, shrub trimmings, grass clippings, bedding plants, weeds, or leaves.

g. **Green waste container** – means:

   i. A galvanized metal or rigid plastic container with a maximum capacity of 120 litres, being larger at the top than at the bottom, having a handle and fitted lid, and having two clearly identifiable labels attached defining the contents as “Green Waste” and not exceeding 23 kg, including contents; and

   ii. A wet strength kraft paper bag without ties, having a minimum total wall thickness of 0.23 mm, a flat base when unfolded, and not exceeding 23 kg, including contents; and

   iii. An open, circular wooden basket with handles and tapered sides having a volume of 1 bushel, more or less, and not exceeding 23 kg, including contents; and
iv. Tree branches or shrub trimmings, securely tied in bundles up to 1 m in length and 30 cm in diameter weighing not more than 23 kg.

h. Lodging house – has the same meaning as that in the City’s Business Licensing By-law governing the licensing and regulation of lodging houses.

i. Occupant – means the person in possession of a building or unit, and includes an owner or tenant.

j. Person – includes a corporation, partnership or association.

k. Recyclable material – means any material designated by the City as being acceptable for collection by the City or its agent for the purpose of recovery. Without limiting the generality of the foregoing, it shall include newspaper, unwaxed corrugated cardboard, boxboard, magazines, household fine paper, soft cover books, aluminum foil, and containers made of metal glass and plastics.

l. Recyclable material container – means:
   i. A blue rigid plastic container without a lid, having suitable identification, being larger at the top than at the bottom and not exceeding 23 kg, including contents; and
   ii. A secure bundle of corrugated cardboard not exceeding 76 cm x 76 cm x 20 cm in dimension and not exceeding 23 kg in weight.

m. Solid waste – includes garbage, green waste and recyclable material.

n. Enforcement officer – means such individual as appointed by resolution of Council.

o. Downtown Business Improvement Area (DBIA) – means the area bounded by McDonnel Street to the north, Bethune Street to the west, Dalhousie Street to the south and the Otonabee River to the east.

Article 2.0 – General Provisions

2.1 Materials – prohibited
No person shall place out for collection any material which is not solid waste.

2.2 Solid waste – for collection – container required
No person shall place solid waste out for collection except in a container.

2.3 Garbage containers – maximum permissible
Except as provided in Section 2.4 and 2.5, not more than four garbage containers will be collected from any building or unit on any collection date.

2.4 Garbage containers – maximum permissible – dwelling unit
Not more than two garbage containers will be collected from a dwelling unit on any collection day, excepting the collection day next following December 25 in each calendar year, when not more than four garbage container will be collected.

2.5 Garbage container – maximum permissible – lodging house
Not more than four garbage containers will be collected from a lodging house licensed for less than 10 lodgers on any collection day, excepting the collection day next following December 25 in each calendar year, when not more than six garbage containers will be collected.

2.6 Containers – placement – permissible locations
Containers shall be placed separately by the occupant in front of his or her building or unit, just off the travelled portion of the street so as not to interfere with vehicular or pedestrian traffic.
2.7 **Containers – removal after collection – time**
Any container not collected shall be removed by the occupant by eight o’clock in the afternoon (8:00 p.m.) of the day of collection.

2.8 **Container – placed for collection – times**
Containers shall be placed out for collection by the occupant not later than seven o’clock in the forenoon (7:00 a.m.) of the day of collection and not earlier than six o’clock in the afternoon (6:00 p.m.) of the previous day.

2.9 **Scavenging prohibited**
No person, other than the occupant, or the City or its agent, shall remove the contents of any container placed out for collection pursuant to the provisions of this Chapter.

2.10 **Collection – private property – conditions**
Notwithstanding anything else contained in this Chapter, the City, or its agent, may, under conditions satisfactory to the City Engineer and the City Solicitor respecting access, container locations, and the execution of an indemnification agreement, enter upon private property for the purpose of collecting garbage, green waste or recyclable material.

2.11 **DBIA garbage containers – removal after collection – time**
Any container not collected shall be removed by the occupant by 8:00 o’clock in the forenoon (8:00 a.m.) of the day following collection.

2.12 **DBIA recycling containers – removal after collection – time**
Any container not collected shall be removed by the occupant by 9:00 o’clock in the forenoon (9:00 a.m.) of the day of collection.

2.13 **DBIA – garbage containers - placed for collection – times**
Residents of the DBIA are provided two garbage collection days each week: Tuesday and Thursday evenings. Garbage Containers shall be placed out for collection by the occupant not earlier than 5:00 o’clock in the afternoon (5:00 p.m.) and not later than 10:00 o’clock in the evening (10:00 p.m.) of the day of collection.

2.14 **DBIA – Recycling Containers – placed for collection – times**
Residents of the DBIA are permitted one recycling collection per week: Wednesday mornings. Recycling Containers shall be placed out for collection by the occupant not later then 6:00 o’clock in the forenoon (6:00 a.m.) of the day of collection, and not earlier than 5:00 o’clock in the afternoon (5:00 p.m.) of the previous day.

2.15 **Recyclable carts – maximum permissible – commercial unit**

i. That the maximum number of recyclable carts for any one commercial establishment be 2; or

ii. That the maximum number of blue boxes for any one commercial establishment be 10.

**Article 3.0 – Severability**

3.1 If any section of this Chapter may be bound by any court of law to be illegal or beyond the power of Council to enact, such section shall be deemed to be severable and all other sections of this Chapter shall be deemed to be separate and independent therefrom.

**Article 4.0 Enforcement**

4.1 Every Enforcement Officer shall have the authority to enforce the provision of this Chapter.
4.2 Any person who contravenes this By-law is guilty of an offence and shall be liable upon conviction to a fine imposed by law, and the same shall be recoverable pursuant to the Provincial Offences Act.

Article 5.0 – Effective Date and Repeal

5.1 This by-law comes into effect on the day it receives third reading.

5.2 By-law 13-113 is repealed, effective the date this by-law comes into effect.

By-law read a first, second and third time this 1st day of October, 2018.

(Sgd.) Daryl Bennett, Mayor

(Sgd.) John Kennedy, City Clerk