



The Corporation of the Town of Whitby

Waste Collection By-law # 7812-21

Consolidated Version

A By-law to regulate waste collection in the Town of Whitby.

This document has been reproduced for convenience only and is a consolidation of "Waste Collection By-law # 7812-21", adopted by the Council of the Town of Whitby on November 29, 2021.

As amended by By-laws:

By-law Number	Date Passed:
8244-25	December 15, 2025

Individual copies of any of the above by-laws are available from the Office of the Town Clerk of the Town of Whitby. For legal purposes, copies of the original by-laws should be obtained.

Waste Collection By-law

Being a By-law to regulate waste collection in the Town of Whitby.

Whereas Subsection 11(3) of the Municipal Act, 2001, S.O. 2001, c. 25 (the “Municipal Act”), provides authority for lower and upper-tier municipalities to pass by-laws respecting waste management; and,

Whereas the Table at section 11 of the Municipal Act provides that the Regional Municipality of Durham has exclusive jurisdiction over the whole sphere of waste management, except waste collection; and,

Whereas the Council of the Corporation of the Town of Whitby considers it necessary and expedient to pass a by-law regulating waste collection;

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

1. Definitions

- 1.1. **“Accessory Apartment”** means a self-contained unit with a separate kitchen and bathroom facilities within a house, rendering the house a two-unit residential property;
- 1.2. **“Animal Waste”** means feces from any household pet including, but not limited to, dogs, cats, and birds and also includes all material that has come into direct contact with the feces and all material contaminated with the feces;
- 1.3. **“Approved Receptacle”** means designated container (or bag) approved by the Town and required for the collection of Residual Garbage, Blue Box Recycling, Yard Waste or Green bin Organics;
- 1.4. **“Ashes”** means the solid residue of any household fuel after such fuel has been consumed by fire, but does not include soot;
- 1.5. **“Bag Tag”** means a tag, sold by the Town to an Owner/Occupant to enable that person to set out additional Garbage Bags that exceed the limits set out in Schedule A;
- 1.6. **“Biomedical or Pathological Waste”** means Waste that is generated by biomedical or healthcare related activities and includes Waste generated by:
 - a) Human health care and residential facilities;

- b) Animal health care facilities;
 - c) Medical research and medical teaching establishments;
 - d) Veterinary research and veterinary teaching establishments;
 - e) Health care teaching establishments for human health care;
 - f) Health care teaching establishments for animal health care;
 - g) Clinical testing or research laboratories;
 - h) The professional office of a health professional within the meaning of the Regulated Health Professions Act, 1991;
 - i) The professional office of a member of the College of Veterinarians of Ontario;
 - j) Mortuaries and funeral establishments, including any similar establishments for pets and other animals;
 - k) Facilities involved in the production and testing of vaccines;
 - l) Facilities involved in mobile health care for humans;
 - m) Facilities involved in mobile health care for animals; and
 - n) But does not include waste that is from animal husbandry; controlled in accordance with the Health of Animals Act (Canada), the Dead Animal Disposal Act (Ontario), the Meat Inspection Act (Ontario), or the Meat Inspection Act (Canada), or generated in food production, general building maintenance or office administration at one of the facilities mentioned in paragraphs (a) to (m).
- 1.7. **“Blue Box”** means the designated Approved Receptacle for containing Recyclable Material and which meets the requirements of the Region for the municipal collection of the Blue Box Program;
- 1.8. **“Blue Box Program”** means the Provincial program established for the recovery of source separated recyclable Waste from approved sources using an Approved Receptacle designated by the Region;
- 1.9. **“Bulky Item”** means any item listed in subsection 1 of Schedule B and includes Metal Goods;
- 1.10. **“Bulk Front-End Container”** means a large metal waste receptacle approved by the Town for holding waste to be emptied by the Town and/or its subcontracted designate;

- 1.11. **“Certified Compostable Bag”** means a liner bag that meets or exceeds the requirements of the ASTM D-6400 or ASTM 6868 standard for a certified compostable bag and is specifically designed to both contain source separated organics and also breakdown into organic material within the prescribed aerobic digestion processing time;
- 1.12. **“Christmas Tree”** means any natural coniferous tree used for the purpose of celebrating Christmas;
- 1.13. **“Collection Point”** means the part of a property eligible to receive waste collection services that has been designated by the Town for the setting out and collection of Waste;
- 1.14. **“Commercial Property”** means a property zoned as commercial in accordance with the Town’s Zoning By-laws;
- 1.15. **“Commissioner”** means the Commissioner of the Public Works Department for the Town of Whitby, or his or her designate;
- 1.16. **“Condominium Corporation”** means a legal entity, representing and managing a condominium building within the framework of the *Condominium Act, 1998*, S.O. 1998, c.19, as amended or any successor legislation;
- 1.17. **“Contamination”** means the mixing of one of the types of Waste defined in this by-law with another:
- a) Recyclable Materials;
 - b) Residual Garbage;
 - c) Yard Waste;
 - d) Organic Materials; or
 - e) Prohibited Waste;
- 1.18. **“Contractor”** means any individual, firm, company or corporation and the employees of any such individual, firm, company or corporation with whom the Town or the Region has entered into a contract or agreement for the collection, processing, handling, haulage, marketing or disposal of Waste;
- 1.19. **“Council”** means the Council for The Corporation of the Town of Whitby;
- 1.20. **“Curbside Collection”** means the municipal collection of Waste from approved Collection Points, either abutting a property or as close as possible to the edge of the street without obstructing it or adjacent sidewalks or pathways, and not extending beyond the frontage of the property;

- 1.21. **“Department”** means the Town’s Operational Services Division of the Public Works Department;
- 1.22. **“Downtown BIA”** means the Downtown Whitby Business Improvement Area as set out in the Establishment of the Downtown Whitby BIA By-law 7268-17 as amended or any successor by-law, and any other downtown business improvement area as may be established by by-law from time to time;
- 1.23. **“Dwelling Unit”** means a place of residence designed or intended for the 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 there;
- 1.24. **“Electronic Waste”** means “electrical and electronic equipment” as defined under Ontario Regulation 522/20: Electrical and Electronic Equipment and as designated by the Ministry of the Environment under the Resource Recovery and Circular Economy Act, 2016, as amended.
- 1.25. **“Eligible Property”** means a Residential Dwelling Unit or Residential Property that has been approved for municipal Waste collection services by the Commissioner, as well as any Private Road Residence, Multi-Residential Property, Mixed Commercial/Residential location, or Industrial, Commercial and Institutional Property that has been deemed eligible by the Department, and for which the Owner/Occupant has entered into an agreement for Waste collection services with the Town if required by the Department;
- 1.26. **“Front-end Containerized Collection Service”** means the bulk collection of Waste by means of a front-end collection vehicle;
- 1.27. **“Garbage Bag”** means a plastic bag used to contain Residual Garbage and which measures not more than 66 centimetres by 90 centimetres (26 inches by 36 inches) at the time of purchase and is capable of supporting 20 kilograms (44 pounds) without tearing or breaking when lifted;
- 1.28. **“Green Bin”** means an Approved Receptacle supplied by the Town or Region for the setting out of source separated organics;
- 1.29. **“Green Bin Program”** means the program for the curbside collection of source separated Organics Materials from residential sources using Approved Receptacles supplied by the Town or Region;
- 1.30. **“Hazardous and Special Products”** means waste defined under Ontario Regulation 449/21, as amended, and any other items referred to as Hazardous Wastes listed in Schedule C of this By-law;

- 1.31. **“Home Health Care Waste”** means any incontinence products, sponges, catheters, disposable products, dialysis waste, intravenous bags and tubing, casts, gastric and nasal tubes, empty and rinsed out colostomy bags, used for personal home health care, but does not include needles, syringes, Biomedical or Pathological Waste;
- 1.32. **“Home Renovation Waste”** means all waste materials including but not limited to waste generated from constructing, renovating and repairing of any structure or landscaping of a property;
- 1.33. **“Industrial, Commercial or Institutional Waste”** means any Waste originating from Industrial, Commercial or Institutional Property including but not limited to:
- a) A business or institutional establishment;
 - b) An enterprise or activity involving warehousing, storage or industrial, manufacturing, or commercial processes or operations;
 - c) Research or an experimental enterprise or activity;
 - d) Clinics that provide medical diagnosis or treatment;
 - e) Laboratories or hospitals;
 - f) Hotels and motels;
 - g) An enterprise or activity where goods or materials are kept for sale, or offered for sale, to the general public; and
 - h) Construction or demolition projects or home renovations;
- 1.34. **“Industrial Property”** means a property zoned as industrial in accordance with the Town’s Zoning By-laws;
- 1.35. **“Institutional Property”** means a building that is a seniors' home, place of worship, day care, community shelter, school, or other buildings with similar uses;
- 1.36. **“Item”** means any waste material as identified in Schedule B, D and E and shall pertain to the number of items collected by the Town in each of the solid waste collection programs;
- 1.37. **“Kraft Paper Bag”** means a compostable paper bag designed and manufactured specifically for the handling of Yard Waste;
- 1.38. **“Metal Goods”** means Bulky Items made predominantly of metals, including refrigerators, freezers, air conditioners, stoves, washers, dryers, dishwashers, hot water tanks, metal bed frames, and metal shelves, but

does not include Home Renovation Waste such as copper plumbing, steel framing/corner bead, electrical boxes/fixtures/wiring, aluminum/steel siding etc.;

- 1.39. **“Mixed Commercial/Residential”** means a location that includes both Residential and Commercial Property;
- 1.40. **“Multi-Residential Property”** means building used for residential purposes that contains six (6) or more Residential Dwelling Units. This includes but is not limited to applicable high-rise apartment buildings, condominium properties, townhouse complexes and co-op properties, but does not include a Commercial, Institutional, or Industrial Property or a residential care facility, lodging house, student residence, hotel, hospital, nursing home, or other similar facilities;
- 1.41. **“Owner/Occupant”** means any person who is an owner, lessee, tenant, or occupier of any land or building in the Town;
- 1.42. **“Officer”** means a Municipal Law Enforcement Officer appointed by the Town;
- 1.43. **“Organic Materials”** means any household kitchen food waste and any other compostable household materials that are accepted in the Green Bin Program and set out in Schedule D;
- 1.44. **“Person”** means any individual, corporation, partnership, trust, heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law;
- 1.45. **“Private Road Residence”** means any Residential Property located at a private or unassumed road;
- 1.46. **“Private Property”** means any land or building that is not Public Property;
- 1.47. **“Prohibited Waste”** means any waste items referred to in Schedule C;
- 1.48. **“Public Property”** means any land or building that is owned or leased by a Municipality, Local Board as defined in the Municipal Act, a Conservation Authority, the Crown in Right of Ontario, the Crown in Right of Canada or any emanations thereof;
- 1.49. **“Recyclable Materials”** means any “blue box waste” as that term is defined in Ontario Regulation O. Reg. 391/21, as amended, or any other Waste otherwise designated by the Province of Ontario (or the Province’s authorized designate) as material to be collected separately from other Waste for the purpose of recycling;

- 1.50. **“Region”** means the Regional Municipality of Durham and includes its officers, elected officials, employees, agents, Contractors, and assigns;
- 1.51. **“Residential Dwelling Unit”** means a Dwelling Unit permitted by law for a permanent residency that is:
- a) A single family detached residence;
 - b) A semi-detached residence;
 - c) A unit in a duplex, triplex, four-plex or five-plex;
 - d) A unit in an Multi-Residential Property;
 - e) An approved Accessory Apartment; or
 - f) Other similar residential property which is considered an Eligible Property under this by-law;
 - g) But does not include a Commercial, Institutional, or Industrial Property or a residential care facility, lodging house, student residence, hotel, hospital, nursing home, or other similar facilities;
- 1.52. **“Residential Property”** means a property used mainly for residential purposes containing five (5) or fewer Residential Dwelling Units;
- 1.53. **“Residual Garbage”** means all manner of waste which is not Recyclable Materials, Organic Materials, Yard Waste, Household Hazardous Waste, Bulky Items, Electronic Waste, Porcelain Waste, or Prohibited Waste;
- 1.54. **“Scavenge”** means the uncontrolled or unauthorized removal of reusable material from waste at any location or facility;
- 1.55. **“Set Out”** means to place, cause or permit to be placed Waste at any location for the purpose of municipal waste collection;
- 1.56. **“Special Collection”** means a service provided by the Town for the collection of Bulky Items as set out in Schedule B;
- 1.57. **“Street”** means any public highway, road, lane, alley, street, avenue, parkway, driveway, square, place, crescent or court where any part of which is intended for or used by the general public for the passage of vehicles within the jurisdiction of the Town;
- 1.58. **“Technical and Risk Management Guidelines for Waste Collection Services on Private Residential Property”** or **“Technical Guidelines for Waste Collection Services”** are the documents maintained and amended by the Town of Whitby that outlines the minimum design criteria for multi-

residential and private road developments to receive municipally provided waste collection services;

- 1.59. **“Town”** means The Corporation of the Town of Whitby and includes its officers, elected officials, employees, agents, Contractors, and assigns;
- 1.60. **“Waste”** means anything discarded for collection from any source, and includes Recyclable Materials, Organics Materials, Yard Waste, Residual Garbage, and Bulky Items;
- 1.61. **“Yard Waste”** means any items included in Schedule E and any other waste material designated as Yard Waste by the Town or Region;
- 1.62. **“Yard Waste Program”** means the program for the curbside collection of Yard Waste from residential sources using Yard Waste Receptacles;
- 1.63. **“Yard Waste Receptacle”** means an Approved Receptacle that is a ridged open-top container with an external height of no greater than 90 centimetres and an external width of 66 centimetres that has two suitable handles, or a Kraft Paper Bag, or a bushel basket, but does not include a blue box meant for Recyclable Materials or plastic bag.

2. Interpretation

- 2.1. The necessary grammatical changes required to make the provisions of this by-law apply to corporations, partnerships, trusts, and individuals, and to include the singular or plural meaning where the context so requires, will be assumed as though fully expressed.
- 2.2. The use of headings and division of this by-law into sections, subsections and clauses are for convenience or reference only and shall not affect the interpretation of this by-law.

3. Regulation

3.1. Eligibility for Waste Collection Services

- 3.1.1. Subject to any directives issued by Council, the Town shall collect Waste from Eligible Properties in accordance with this by-law.
- 3.1.2. Subject to section 4.9, Private Road Residences and Multi-Residential Properties are not eligible for Town waste collection services.
- 3.1.3. Subject to section 4.10, Industrial, Commercial and Institutional Properties are not eligible for Town waste collection services.

3.2. Frequency of Collection

- 3.2.1. The Town shall collection Waste at the frequency set out in Schedule A.

3.3. Authority of the Commissioner

- 3.3.1. The Commissioner has the authority to discontinue or refuse Waste collection services to any Owner/Occupant whose property does not meet the requirements of this by-law or is deemed unsafe by the Commissioner.
- 3.3.2. The Commissioner has the authority to suspend, discontinue or refuse Waste collection services to any Owner/Occupant who is not participating in Town and Region waste reduction programs or who has violated this by-law.
- 3.3.3. The Commissioner has the authority to change, modify or adjust the frequency of the waste collection services to any Eligible Property as the Commissioner may deem appropriate.

3.4. Scavenging

- 3.4.1. No Person other than the Town, the Region, the Occupant/Owner or Person that Set Out the Waste, or other Persons authorized by law to do so, shall scavenge, pick over, sort through, collect, interfere with, disturb or remove any Waste Set Out for collection, whether contained in receptacles or otherwise.

3.5. Level of Service

- 3.5.1. Service levels for Eligible Properties are set out in Schedule A.
- 3.5.2. The Commissioner shall designate specific Waste collection days for Eligible Properties.
- 3.5.3. Except as may be permitted by the Commissioner or in accordance with section 4.9 of this by-law, no Waste shall be collected by entry of a collection vehicle onto Private Property.
- 3.5.4. Any collection of Waste from Private Property may be subject to conditions as determined by the Commissioner.
- 3.5.5. The Commissioner shall not permit the collection of Waste from Private Property unless the Commissioner deems it feasible for the Town to do so and all the requirements of this by-law and the Town's policies and procedures have been met.

4. General

4.1. Waste Collection

- 4.1.1. No Person shall Set Out Waste except in accordance with this by-law.
- 4.1.2. No Person shall Set Out Prohibited Waste as set out in Schedule C.
- 4.1.3. No Owner/Occupant shall set out Hazardous and Special Products for curbside collection except, in the case of household batteries, where the Town of Whitby has permitted designated battery collection days scheduled in advance.
- 4.1.4. No Owner/Occupant is eligible for Town waste collection services unless their Waste is Set Out in accordance with this By-law.
- 4.1.5. No Person shall store their Waste in a manner that attracts rodents, vermin, pests or other disturbances.
- 4.1.6. No Person shall Set Out Waste that contains Contamination.
- 4.1.7. No Person shall Set Out a Garbage Bag, Green Bin, or Yard Waste Receptacle that weighs more than 20 kilograms.
- 4.1.8. No Person shall dispose of Waste on a Street or Public Property.
- 4.1.9. No Person shall place Waste on Public Property for any reason other than for municipal Waste collection in accordance with this by-law.
- 4.1.10. Except for Waste Set Out for Special Collection and Front-end Containerized Collection Service, no Person shall Set Out Waste unless it is contained within an Approved Receptacle.
- 4.1.11. No Person shall collect waste unless they have the necessary licences and comply with all relevant Federal, Provincial and municipal legislation, regulations and by-laws.

4.2. Residual Garbage

- 4.2.1. No Person shall Set Out Residual Garbage unless it is contained within a Garbage Bag.
- 4.2.2. No Person shall Set Out more Garbage Bags than what is permitted in Schedule A unless the additional Garbage Bags are affixed with a Bag Tag.

4.2.3. No Person shall counterfeit, resell or otherwise transfer a Bag Tag that they have purchased to another person.

4.2.4. No Person shall Set Out Animal Waste unless:

- a) It is placed in a separate, sealed, leak proof bag that is placed inside a Garbage Bag; and
- b) It represents no more than 10 percent of the contents of the Garbage Bag.

4.2.5. No Person shall Set Out Home Health Care Waste unless:

- a) Liquids are drained from any dialysis or intravenous tubing, tubing is rinsed with saline solution and left uncapped; and
- b) It is double-bagged in two Garbage Bags.

4.2.6. No Person shall Set Out any broken or sharp item that poses a safety hazard to Town staff unless it is placed in a puncture resistant container labeled "Sharp Object".

4.2.7. No Person shall Set Out Home Renovation Waste or Waste generated from Industrial, Commercial or Institutional locations.

4.3. Blue Box Recycling

4.3.1. The Setting Out and collection of Recyclable Materials is governed by the Region's waste management by-law(s). The Region and/or any designate or service provider acting on behalf of the Region, shall be responsible for the collection of all Blue Box Recyclable Materials from Eligible Properties.

4.4. Green Bin

4.4.1. No Person shall Set Out a Green Bin containing anything other than Organic Materials as set out in Schedule D.

4.4.2. No Person shall Set Out Organic Materials that are not contained within a Certified Compostable Bag that is contained within a Green Bin.

4.4.3. No Person shall Set Out a Green Bin weighing in excess of 20 kilograms.

4.5. Yard Waste

4.5.1. No Person shall Set Out a Yard Waste Receptacle containing anything other than Yard Waste as set out in Schedule E.

- 4.5.2. No Person shall Set Out Yard Waste, except for a Christmas Tree, unless it is in a Yard Waste Receptacle or tied in a bundle in accordance with section 4.5.3.
- 4.5.3. No Person shall Set Out tree branches or shrub limbs, unless they are less than 10 centimetres in diameter, shorter than 1 metre in length, and securely tied into bundles no more than 20 kilograms in weight.
- 4.5.4. No Person shall Set Out a Christmas Tree other than during the Christmas Tree collection week(s) in January designated by the Commissioner, provided the Christmas Tree is less than 3 metres in length and free from all decorations, plastic wrap and stands.
- 4.5.5. No Person shall Set Out more than 16 Yard Waste Receptacles or bundles for a given collection with the months of April to September.

4.6. Special Collections

- 4.6.1. No Person shall Set Out a Bulky Item unless a Special Collection is scheduled in advance.
- 4.6.2. The terms of Special Collection service are set out in Schedules A and B.
- 4.6.3. Anyone who schedules a Special Collection from the Town may be subject to a fee as determined by the Commissioner and published in Fees and Charges By-law # 7220-17 as amended or any successor by-law.
- 4.6.4. No Person shall Set Out more Bulky Items for Special Collection than are permitted by Schedules A and B.
- 4.6.5. Persons setting out Metal Goods for Special Collection shall ensure that;
 - a) All doors have either been removed or securely taped closed on any Bulky Item before it is placed out for collection;
 - b) All contents have been removed and liquids have been drained from any Metal Goods before collection; and
 - c) No additional Waste has been put inside any Metal Goods.

4.7. Set Out Locations

- 4.7.1. No Person shall Set Out any Waste in a location except as prescribed by this by-law.
- 4.7.2. Every Owner/Occupant who Sets Out Waste shall do so as close as possible to the traveled portion of the Street directly in front of the Owner/Occupant's Private Property.
- 4.7.3. No Person shall Set Out Waste that obstructs the traveled portion of a Street or sidewalk.
- 4.7.4. No Person shall Set Out Waste unless that Person is the Owner/Occupant of the Property from which that Waste originates, unless with the Owner/Occupant's consent.
- 4.7.5. Any Waste Set Out is deemed to have been Set Out by the Owner/Occupant of the Property.
- 4.7.6. The Commissioner has the authority to designate an alternate Set Out location at their sole discretion.

4.8. Set Out Times

- 4.8.1. No Person shall Set Out Waste earlier than 6:00 p.m. on the day before the scheduled collection and not later than 7:00 a.m. on the day of collection.
- 4.8.2. No Person shall permit any receptacles or uncontrolled waste to remain at the Set Out location after 8:00 p.m. on the scheduled collection day.

4.9. Multi-Residential and Private Road Residences

- 4.9.1. Multi-Residential Properties and Private Road Residences will only be considered for municipal collection if they meet requirements set out in the Town's Technical Guidelines for Waste Collection Services or unless deemed eligible by the Commissioner.
- 4.9.2. The Town shall not provide municipal waste collection to Private Road Residences or a Multi-Residential Properties unless the Owner or Condominium Corporation has also agreed to and participates in all available waste diversion programs including but not limited to; Blue Box recycling, Green Bin organics, E-Waste, Porcelain and Battery recycling programs.

- 4.9.3. Multi-Residential Properties and Private Road Residences are not eligible for Waste collection services unless deemed eligible by the Commissioner.
- 4.9.4. No Person shall Set Out Waste from a Multi-Residential Property or Private Road Residence unless deemed eligible by the Commissioner.
- 4.9.5. No Person shall Set Out Waste from a Multi-Residential Property or Private Road Residence other than at the location designated by the Commissioner.
- 4.9.6. The Town shall not collect Waste from a Bulk Front-End Container unless it is at the Set Out location and accessible upon arrival of the collection vehicle.
- 4.9.7. Every Multi-Residential Property owner shall ensure that their Bulk Front-End Containers and Bulk Front-End Container enclosures remain secure from unauthorized access.
- 4.9.8. The Town shall not collect Waste from a Bulk Front-End Container unless the container is deemed structurally sound and is in a state of good repair and is deemed compatible with equipment utilized by the Town or it's contractors for Bulk Front-End collection, at the sole discretion of the Town.

4.10. Industrial, Commercial and Institutional Properties

- 4.10.1. Industrial, Commercial, and Institutional Properties are not eligible for Waste collection services unless deemed eligible by the Commissioner.
- 4.10.2. No Person shall Set Out Industrial, Commercial or Institutional Waste unless deemed eligible by the Commissioner and that Person has a pre-existing agreement with the Town for Waste collection services.

4.11. Unacceptable Waste

- 4.11.1. Contractors acting on behalf of the Town shall not collect unacceptable waste nor allow unacceptable waste to be collected.
- 4.11.2. An unacceptable set out tag may be placed on waste indicating the presence of unacceptable waste.

5. Schedule(s)

Schedule A: Service levels for Eligible Properties

Table 1 – Curbside Collection

Table 2 – Containerized Front-End Collection

Schedule B: Special Collection Service

Schedule C: Prohibited Waste

Schedule D: Organic Materials

Schedule E: Yard Waste

6. Enforcement and Penalties

6.1. Enforcement

- 6.1.1. Every Person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine in the amount provided for in Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33 as amended or any successor legislation in substitution therefore.
- 6.1.2. Any Officer, at any reasonable time may enter onto any property, without warrant or notice for the purpose of determining if there is compliance with the By-law.
- 6.1.3. No person shall hinder, obstruct or interfere with an Officer carrying out an inspection under this By-law.
- 6.1.4. Where a person contravenes any provision of this By-law, an Officer may, by written notice require such person to comply with this By-law by issuing an order indicating the following:
 - a) The reasonable particulars of the offence;
 - b) The work to be done to remedy the offence and the date by which the work must be completed by;
 - c) The municipal address and/or legal description of the property.
- 6.1.5. The Town may, at its sole discretion and upon written notification, suspend waste collection service where Owner/Occupants have not been in compliance with the provisions of this By-law.

- 6.1.6. In the event that the Town suspends or discontinues municipal waste collection services to an Owner/Occupant, the affected Owner/Occupant shall obtain private collection services at the same or greater frequency to that of the municipal service, all at the Owner/Occupant's sole cost and expense.
- 6.1.7. Every person who contravenes or fails to comply with a provision of this By-Law is guilty of an offence and is liable to the penalty as set out in Schedule "F" to this By-Law.
- 6.1.8. Tiered and Escalating Penalties: If a person receives a Penalty Notice in accordance with the Town's Administrative Penalty By-law for an offence, the person shall be liable to pay to the Town a tier one (1) administrative penalty amount for that offence as specified in **Schedule "F"** to this By-law. If a person receives an additional Penalty Notice for the same offence within ninety (90) calendar days or less from the date of the Penalty Notice containing a tier one (1) administrative penalty amount, the person shall be liable to pay to the Town a tier two (2) administrative penalty amount for that offence as specified in Schedule "F" to this By-law. If the person receives a subsequent Penalty Notice for the same offence within ninety (90) calendar days or less of the Penalty Notice containing a tier two (2) administrative penalty amount, the person shall be liable to pay to the Town a tier three (3) administrative penalty amount for that offence as specified in Schedule "F" to this By-law. If the person receives any subsequent Penalty Notices for the same offence within one hundred and eighty (180) calendar days or less from the date of the Penalty Notice containing a tier three (3) administrative penalty amount, the person shall be liable to pay to the Town a tier three (3) administrative penalty amount for that offence as specified in Schedule "F" to this By-law.

6.2. No Liability

- 6.2.1. In the event that Waste is not collected in accordance with this by-law, the Town shall not be liable to any Person for any damages, costs or expenses related to such Waste not being collected.

7. Short Title

- 7.1. This By-law may be referred to as the Waste Collection By-law.

8. Repeal of Existing By-law

8.1. By-law # 5795-06 is hereby repealed in its entirety effective January 1, 2022.

9. Effective Date

9.1. This by-law shall come into force and effect on January 1, 2022.

By-law read and passed this 29th day of November, 2021.

Original Approved and Signed.

Don Mitchell, Mayor

Original Approved and Signed.

Christopher Harris, Town Clerk

Schedule A: Service levels for Eligible Properties

- 1) The Town shall collect Waste from Eligible Properties, except Multi-Residential Properties, in accordance with the Table to this section.

Table 1

Curbside Collection Service	Collection Frequency	Limit	Weight Restrictions	Container Type
Blue Box Recycling	**See the Region of Durham By-law # 46-2011			
Residual Garbage	Bi-weekly	4 Bag Limit	Max. 20 kg/44 lbs weight per bag	Garbage Bag 66 cm 90 cm (26 in x 36 in)
Residual Garbage	Weekly 1. (Downtown BIA Mixed Commercial/Residential properties only)	2 Bag Limit	Max. 20 kg/44 lbs weight per bag	Garbage Bag 66 cm 90 cm (26 in x 36 in)
Green Bin Organics	Weekly	No Maximum Limit	Max. 20 kg/44 lbs. weight per Green Bin	Green Bin
Leaf and Yard Waste	18 Collections/year (Apr – Dec)	16 Bag Limit (Apr. – Sept.) (Oct – Nov) No Maximum Limit	Max. 20 kg/44 lbs. weight per Yard Waste Receptacle	Kraft Yard Waste Bag or Approved Yard Waste Receptacle
Leaf and Yard Waste	1 Christmas Tree Collection (January)	16 Bag Limit (Apr. – Sept.) (Oct – Nov) No Maximum Limit	Max. 20 kg/44lbs weight per Yard Waste Receptacle	Kraft Yard Waste Bag or Approved Yard Waste Receptacle
Special Collection	Booking Appointment Required	12 items per booking per Eligible Property¹ (or as determined by Public Works). (booking fees apply) ²	See Schedule B	Not Applicable

¹. Mixed Commercial/Residential locations approved by the Commissioner as an Eligible Property and located in a Downtown BIA may receive waste services listed in this Table at the sole discretion of the Commissioner.

². Subject to Special Collection booking fee.

The Town shall collect Waste from Eligible Multi-Residential Properties in accordance with the Table to this section.

Table 2

Curbside Collection Service	Collection Frequency	Limit	Weight Restrictions	Container Type
Blue Box Recycling	** See the Region of Durham By-law # 46-2011			
Residual Garbage	Once per week	Less than 9 units	2 cubic yards 4 cubic yards 6 cubic yards (containers size determined by Public Works Department)	Bulk Front End Container
Residual Garbage	Maximum of twice per week	More than 9 units	2 cubic yards 4 cubic yards 6 cubic yards (containers size determined by Public Works Department)	Bulk Front End Container
Special Collection	Booking Appointment Required	12 items per booking per Eligible Multi-Residential Property (or as determined by Public Works) ¹ .	See Schedule B	Not Applicable

¹. Subject to Special Collection booking fee.

Schedule B: Special Collection Service

(1) The Town shall provide Special Collection services to owners with respect to the following items:

- (a) Air conditioners;
- (b) Barbecues;
- (c) Carpet (small quantity only. No more than 3 rolls per collection);
- (d) Chairs;
- (e) Clothes dryers;
- (f) Dehumidifiers;
- (g) Dishwashers;
- (h) Electronic Waste;
- (i) Freezers;
- (j) Furniture;
- (k) Metal Goods;
- (l) Porcelain;
- (m) Refrigerators;
- (n) Stoves;
- (o) Sofas;
- (p) Tables;
- (q) Washing machines;
- (r) Any other item as designated by the Commissioner.

(2) Construction or Home Renovation Waste is not accepted in the Special Collections Program.

(3) Special Collection bookings are based on availability as determined in advance by the Department.

(4) Any Special Collection item weighing greater than 20 kilograms will be collected at the sole discretion of the Commissioner.

(5) No Person shall set out loose items for Special Collection unless they are securely tied into manageable bundles not greater than 76 centimetres in length and 36 centimetres in width and height.

(6) Toilets being placed out for a Porcelain collection must have the tank separated from the bowl on all two piece toilets. Two (2) piece toilets that have not been separated for collection will not be collected.

(7) It is the responsibility of residents to erase personal information from hard drives and SIM cards before setting out any Electronic Waste materials for a Special Collection.

Schedule C: Prohibited Waste

1) The following items are Prohibited Waste:

- (a) Batteries, unless household batteries designated for curbside collection on days as specified in advance by the Town;
- (b) Electric Vehicle Batteries for electric bicycles, scooters, automobiles or trucks;
- (c) Explosives;
- (d) Railway Ties
- (e) Sliding glass doors;
- (f) Swimming Pools and hot tubs;
- (g) Acute hazardous waste chemicals;
- (h) Hazardous waste chemicals;
- (i) Corrosive waste;
- (j) Hazardous industrial waste;
- (k) Ignitable waste;
- (l) Polychlorinated biphenyls (PCB) waste;
- (m) Radioactive waste;
- (n) Reactive waste;
- (o) Severely toxic waste;
- (p) Leachate toxic waste;
- (q) Biomedical or Pathological Waste, including "pathological waste" as defined in R.R.O. 1990, Regulation 347, as amended, under the Environmental Protection Act, R.S.O. 1990, c. E19., or any successor legislation, including but not limited to biomedical waste, whether solid or liquid, including but not limited to any animal or human organ or part thereof: bone, muscle or other animal or human tissue or part thereof; used bandages, poultices, dressings, medicines, vitamins, drugs, vaccines, needles, syringes, vials or any other similar material or substance which contains or may contain pathogenic micro-organisms or which may be hazardous or dangerous;
- (r) any household product, material or item labelled as "corrosive", "toxic", "reactive", "explosive", "oxidizing", "poisonous", "infectious" or "flammable", including but not limited to the following:
 - (i) Aerosol containers;
 - (ii) Antifreeze;
 - (iii) Automotive batteries;
 - (iv) Brake and transmission fluid;
 - (v) Drain, oven, toilet and carpet cleaning solutions;
 - (vi) Engine oil;
 - (vii) Fire extinguishers;
 - (viii) Flea collars and powders;
 - (ix) Fungicides;

- (x) Insect killers;
 - (xi) Laundry bleach;
 - (xii) Moth balls;
 - (xiii) Ni-Cd rechargeable batteries;
 - (xiv) Oil-based and latex paints;
 - (xv) Other gas tanks, including lighters;
 - (xvi) Paint thinner and paint remover;
 - (xvii) Pool or photographic chemicals;
 - (xviii) Propane tanks;
 - (xix) Rat and mouse poison;
 - (xx) Weed Killer;
 - (xxi) Wood preservatives.
- (s) Waste generated as a result of construction, demolition or renovation, including but not limited to soil, plaster, drywall, masonry and tile, bricks, concrete, concrete or cinder blocks, paving stones, asphalt, wood, windows and window glass, shingles, scrap metal, insulation (such as fibreglass or Styrofoam), asbestos, urea formaldehyde;
 - (t) Scrap wood or carpeting, unless it is cut, broken or securely tied into bundles or pieces less than 120 centimetres by 80 centimetres and free of all nails and staples, or as may otherwise be designated by the Commissioner;
 - (u) Hay, straw, manure or any Animal Waste, except as permitted by subsection 4.2.4 of the by-law;
 - (v) Any Waste in liquid form including but not limited to swill or other organic matter not properly drained and securely wrapped;
 - (w) Tires provided for car and light truck tires, automotive parts;
 - (x) Waste produced by a person or organization involved in the processing or fabrication of products;
 - (y) Waste produced by a person or organization as a result of commercial or retail activity;
 - (z) Any material which has become frozen to or otherwise attached to its regulation container that cannot be removed by shaking;
 - (aa) Hot ashes or any other Waste capable of starting fires;
 - (bb) Any sharp material or item that poses a safety hazard to Town staff that includes but is not limited to: broken glass, nails, spikes, objects with a blade or point, any medical or veterinary implements and equipment intended to be sharp for the purpose of cutting or piercing;
 - (cc) Any Waste Set Out in such a manner as to pose a Health and Safety hazard to any person;
 - (dd) Designated materials and other items that have been banned from landfill or for which reasonable alternative disposal methods are available, as determined by the Commissioner;
 - (ee) Grass clippings, sod, soil and rock;
 - (ff) Two piece toilets whose tanks have not been separated from the bowls;

(gg) broken porcelain bathroom fixtures not packaged in a cardboard box or weighing more than 20 kilograms;

(hh) any Waste Set Out which is:

- (i) Emitting a foul or offensive odour;
- (ii) Harboring rats or other vermin; or
- (iii) Packed in such a manner that Waste falls out or protrudes from it or may be blown by the wind and become litter;

(ii) Any other item or thing designated as Prohibited Waste by the Commissioner.

Schedule D: Organic Materials

1) The Items in the Table to this section are permitted Organic Materials in the Town's Green Bin Program.

Table

Organic Waste Type	Description/Examples
Food Waste	All vegetables (cooked/raw/whole/peelings), corn cobs and husks, all fish and fish products (cooked/raw), all fruits (cooked/raw), tea bags, bones, all meat and meat products (cooked/raw), all shellfish and shellfish products (cooked/raw), seasonings and spice, frozen foods, breads, cakes, cookies, grains, pasta, coffee grounds, paper coffee filters, mayonnaise, popcorn.
Plate Scrapings	All food leftovers, gravies and sauces.
Baking Waste	Flour, eggs, egg shells, grease/lard, margarine, spices, sugar, cereals, oats, grains, nuts.
Dairy Products	Cream, butter, yogurts, cheeses, ice cream.
Paper Fibre Waste	Molded paper egg cartons, molded paper beverage trays, paper towels, tissue, napkins, paper plates, compostable paper cups (no lids), soiled paper food containers and wraps (i.e. frozen food boxes, pizza boxes, fast food boxes, special events paper food containers, muffin paper, butcher-block paper, paper table-cloth.
Other Wastes	Hair, sawdust, wood shavings, wooden stir stick, wooden cutlery, bedding from pet cages, cold fireplace ash, pet fur, animal waste, diapers, and feminine hygiene products.

2) The following Items are not permitted in the Town's Green Bin Program:

- (a) Aluminum foil;
- (b) Christmas Trees;
- (c) Cigarette butts;
- (d) Coffee cups;
- (e) Cotton swabs;
- (f) Dead animals;
- (g) Dryer sheets;
- (h) Disposable wipes;
- (i) Garbage;
- (j) Glass;
- (k) Grass clippings;
- (l) Hot fireplace ash;
- (m) Incontinence products;
- (n) Metal;

- (o) Plastic;
- (p) Stickers from produce;
- (q) Synthetic cork;
- (r) Treated wood;
- (s) Vacuum bag contents;
- (t) Wax cartons or wax paper;
- (u) Wire.

Schedule E: Yard Waste

1 The following Items are permitted Yard Waste in the Town's Yard Waste Program:

- (a) Brush;
- (b) Christmas Trees (natural);
- (c) Corn stalks;
- (d) Flowers;
- (e) Garden fruit (apples, pears, peaches, cherries etc.);
- (f) Garden trimmings;
- (g) Gourds;
- (h) Halloween pumpkins;
- (i) Hedge and tree trimmings;
- (j) Leaves;
- (k) Natural woven fiber plant containers;
- (l) Peat;
- (m) Pine needles and cones;
- (n) Plant cuttings and roots;
- (o) Shrubs;
- (p) Thatch;
- (q) Weeds.

2 The following Items are not permitted in the Town's Yard Waste Program:

- (a) Artificial plants;
- (b) Grass clippings;
- (c) Hay bales;
- (d) Plastic plant containers;
- (e) Recyclable Materials, Organic Materials, and Residual Garbage;
- (f) Sod;
- (g) Soil;
- (h) Stones;
- (i) Stumps.

Schedule F: Administrative Penalties

Item	Description	By-law Section	Tier 1 (one)	Tier 2 (two)	Tier 3 (three)
1.	Scavenge/pick over/interfere with/disturb/remove any waste Set out for collection.	3.4.1.	\$205.00	\$350.00	\$450.00
2.	Set Out any Prohibited Waste listed in Schedule C.	4.1.2.	\$350.00	\$500.00	\$750.00
3.	Set Out Hazardous and Special Products	4.1.3.	\$205.00	\$350.00	\$450.00
4.	Storing waste in a manner that attracts vermin/other disturbances.	4.1.5	\$205.00	\$350.00	\$450.00
5.	Set Out Waste that contains Contamination.	4.1.6.	\$205.00	\$350.00	\$450.00
6.	Set Out Garbage Bag/Green Bin/Yard Waste Receptacle weighing greater than 20 kilograms.	4.1.7.	\$205.00	\$350.00	\$450.00
7.	Dispose Waste on a Street/Public Property.	4.1.8.	\$205.00	\$350.00	\$450.00
8.	Failure to Set Out Waste in an Approved Receptacle.	4.1.10.	\$205.00	\$350.00	\$450.00
10.	Set Out more Residual Garbage w/o Bag Tag affixed	4.2.2.	\$205.00	\$350.00	\$450.00
11.	Counterfeiting, reselling or unauthorized transfer of Bag Tags.	4.2.3.	\$205.00	\$350.00	\$450.00
12.	Failure to Set Out Animal Waste double-bagged and in a leak proof bag.	4.2.4. (a)	\$205.00	\$350.00	\$450.00
13.	Failure to Set Out Home Health Care Waste rinsed/drained/uncapped and double bagged.	4.2.5.	\$205.00	\$350.00	\$450.00

Item	Description	By-law Section	Tier 1 (one)	Tier 2 (two)	Tier 3 (three)
14.	Set Out broken or sharp items that pose a safety hazard.	4.2.6.	\$350.00	\$500.00	\$750.00
15.	Set Out Home Renovation Waste/ any Waste generated from Industrial, Commercial or Institutional locations.	4.2.7.	\$205.00	\$350.00	\$450.00
16.	Set Out Organic Materials not contained within a Certified Compostable Bag and within a Green Bin.	4.4.2.	\$205.00	\$350.00	\$450.00
17.	Set Out unacceptable Yard Waste	4.5.1.	\$205.00	\$350.00	\$450.00
18.	Failure to Set Out Yard Waste in acceptable bundles	4.5.3.	\$205.00	\$350.00	\$450.00
19.	Setting out greater than 16 Yard Waste Receptacles or bundles outside of collection season.	4.5.5.	\$205.00	\$350.00	\$450.00
20.	Set Out Bulky Items without scheduling a Special Collection in advance.	4.6.1.	\$205.00	\$350.00	\$450.00
21.	Set Out more Bulky Items than permitted.	4.6.4.	\$205.00	\$350.00	\$450.00
22.	Failure to remove or securely tape doors closed on Metal Goods items.	4.6.5. (a)	\$350.00	\$500.00	\$750.00
23.	Failure to remove loose contents from Metal Goods before collection.	4.6.5. (b)	\$205.00	\$350.00	\$450.00
24.	Improper Waste Set Out location	4.7.1.	\$205.00	\$350.00	\$450.00
25.	Obstruct traveled portion of Street/Sidewalk	4.7.3.	\$205.00	\$350.00	\$450.00
26.	Set out Waste other than where it originated from	4.7.4.	\$205.00	\$350.00	\$450.00
27.	Setting Out Waste prior to 6:00 pm on the day prior to the scheduled collection day.	4.8.1.	\$205.00	\$350.00	\$450.00

Item	Description	By-law Section	Tier 1 (one)	Tier 2 (two)	Tier 3 (three)
28.	Leave Waste Set Out past 8:00 pm on the scheduled collection day.	4.8.2.	\$205.00	\$350.00	\$450.00
29.	Failure to secure Bulk Front-End Container enclosure from unauthorized access.	4.9.7.	\$205.00	\$350.00	\$450.00
30.	Hinder/Obstruct/interfere with an Officer	6.1.3.	\$500.00	\$750.00	\$1000.00