

Being a by-law to regulate the collection and disposal of waste material in the City of Oshawa (the “City”).

Whereas Ontario’s Food and Organic Policy Statement requires municipalities to achieve the following waste reduction objectives:

- a) 70 per cent waste reduction and resource recovery of food and organic waste generated by single-family dwellings in urban settlement areas by 2023; and,
- b) 50 per cent waste reduction and resource recovery of food and organic waste generated at multi-residential properties by 2025; and,

Whereas in March 2023, the Regional Municipality of Durham authorized an “Enhanced Green Bin” that allows for the processing of diapers, personal sanitary products, adult incontinence products, pet waste, pet litter, and any other material deemed processible by the Regional Municipality of Durham, which is set to commence on July 1, 2024, and,

Whereas on December 22, 2023, Regional Council endorsed the recommendations contained in Report #2023-WR-9 “Organics Management Plan – Multi-Residential Enhanced Green Bin Program” to extend the source separated organics collection program to multi-residential sources; and,

Whereas the City is responsible for the collection of organics and enforcement of the proposed Waste Collection By-law; and,

Whereas pursuant to Report CO-23-34 dated June 7, 2023, and Report CO-24-26 dated April 10, 2024, concerning the Enhanced Green Bin Program, the City’s Waste Collection By-law needs to address these changes and expand the requirements to multi-residential sources; and,

Whereas housekeeping changes are required to the Waste Collection By-law; and,

Whereas the City’s Waste Collection By-law requires updates to align with new provincial regulations as per O. Reg. 391/21 under the Resource Recovery and Circular Economy Act, 2016, and Bill 23, More Homes Built Faster Act, 2022;

Therefore it is enacted as a by-law of The Corporation of the City of Oshawa as follows:

1.0 Short Title

- 1.1 The short title of this By-law is the “Waste Collection By-law”

2.0 Definitions

In this By-law:

“Ashes” means the solid residue of any household fuel after such fuel has been consumed by fire, but does not include soot.

“Bag Limit” means the limit approved by Council on the number of Residual Waste Bags for residential or commercial curbside collection without a Residual Waste Bag Tag affixed.

“Bag Tag” means an approved tag distributed by the City for sale to be affixed on all Residual Waste Bags exceeding the bag limit.

“Biomedical Waste” means Waste that is generated by:

- (i) human health care and residential facilities;

- (ii) animal health care facilities;
- (iii) medical research and medical teaching establishments;
- (iv) veterinary research and veterinary teaching establishments;
- (v) health care teaching establishments for human health care;
- (vi) health care teaching establishments for animal health care;
- (vii) clinical testing or research laboratories;
- (viii) the professional office of a health professional within the meaning of the *Regulated Health Professions Act, 1991*;
- (ix) the professional office of a member of the College of Veterinarians of Ontario;
- (x) mortuaries and funeral establishments, including any similar establishments for pets and other animals;
- (xi) facilities involved in the production and testing of vaccines;
- (xii) facilities involved in mobile health care for humans; or
- (xiii) facilities involved in mobile health care for animals, 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 clauses (i) to (xii).

“Blue Box Materials” means any waste or material designated as such under the Blue Box Regulation (O. Reg. 391/21) to be collected by producers of the material separately from other waste.

“Blue Box Receptacle” has the same meaning as found in the Blue Box Regulation (O. Reg. 391/21);

“Bulk Collection” means Residential Waste collection services provided to Multi-Residential Properties where shared storage and Set Out areas are approved by the Director, Operations Services.

“Bulk Container” means an approved plastic or metal receptacle, such as front-end bins, bulk bins, totes or other similar receptacles used at locations approved by the Director, Operations Services to receive municipal Bulk Collection services.

“Bulky Items” means items that do not fit in a standard residual waste bag including, but not limited to, furniture, rugs, carpets, sofas, mattresses, barbecues, small appliances, audio-visual equipment, television sets and microwave ovens.

“City” means The Corporation of the City of Oshawa.

“Commercial Complex” means a building or buildings on a property or adjoining properties, under one ownership or under the ownership of a condominium corporation, containing one or more commercial businesses and which may include, in addition, residential uses.

“Commercial Establishment” means an individual commercial business with its own direct access to the street for which no parking is provided on the Property or for which parking is provided exclusively for the use of that business and its customers.

“Compostable Liner Bag” means

- (i) A liner bag that meets or exceeds the requirements of the ASTM D6400 or ASTM 6868 standard, and that are certified by Canada’s Bureau de Normalisation du Quebec Standard for Compostable Plastic Bags P9011-911-5, and/or by the Biodegradable Products Institute of the USA, and that is used for placement of household organics in a Green Bin;
- (ii) A kraft paper bag used to line a Green Bin;
- (iii) Another liner bag as may be deemed acceptable by the Region;

“Contractor” means any individual, firm, company or corporation and the employees of any such individual, firm, company or corporation with whom the City has entered into a contract or agreement for the collection of waste.

“Council” means the Council of the Corporation of the City of Oshawa.

“Director” means the Director, Municipal Law Enforcement and Licensing Services.

“Director, Operations Services” means the Director, or their designate, of the City’s Branch responsible for municipal Waste collection services within the City of Oshawa.

“Dwelling Unit” means a unit consisting of one or more rooms, which unit contains toilet and cooking facilities and which is designed for use as a single housekeeping establishment.

“Eligible Property” means a Residential Dwelling Unit or Residential Property that has been approved for municipal Waste collection services by the Director, Operations Services, as well as any grandfathered Multi-residential Property, Mixed Commercial/Residential location, or Industrial, Commercial and Institutional Property that was deemed eligible for collection prior to 1975 for which the Owner/Occupant has entered into an agreement for Waste collection services with the City if required by the Director, Operations Services.

“General Fees and Charges By-law” means the General Fees and Charges By-law 13-2003, as amended and may be further amended from time to time;

“Green Bin” means an approved container used as part of the City’s Green Bin Program or other container determined by the Director, Operations Services, as acceptable for setting out Household Organics and described as having a plastic, lidded bin, with or without wheels, which is compatible with the City’s requirements for the provision of Household Organics collection.

“Green Bin Program” means a program for the collection of Household Organics collected separately for the purpose of organics processing by the Region.

“Guidelines for Municipal Waste Collection Services” is a document maintained by the City that outlines the minimum design criteria for Multi-residential Complexes and new residential developments to receive municipal waste collection services.

“Highway” means a common and public highway, street, avenue, or parkway any part of which is intended for use by the general public for the passage of vehicles and includes the area between the lateral property lines including any boulevard.

“Home Health Care Waste” means sponges, catheters, disposable products, dialysis waste, intravenous bags & tubing, casts, gastric and nasal tubes, empty and rinsed out colostomy bags, used for personal home health care, but does not include Biomedical or Pathological Waste.

“Household Hazardous Waste” means:

- i) Explosive waste, including, but not limited to, wastes that may also produce deadly fumes or vapours when exposed to air or mixed with other materials, and wastes such as aerosol cans (full or partially full) and propane cylinders and tanks;
- ii) Flammable waste, including, but not limited to, gasoline, motor oil, barbecue starter fluid, Varsol, paint thinner and other solvent, and finger-nail polish and remover;
- iii) Toxic waste including, but not limited to, wastes that are poisonous or lethal if swallowed or inhaled, paint (full or partially full cans), pesticides, motor oil, over-the-counter and prescription medicine and household cleaners;
- iv) Corrosive waste including, but not limited to, batteries (household and automotive), drain opener, oven cleaner, acid, and photographic solution;
- v) Bio-medical waste including, but not limited to, sharps, hypodermic needles, syringes, and medical dressings/bandages or any material that comes in contact with bodily fluids;
- vi) Hazardous waste, as defined in Regulation 347, “General – Waste Management”, R.R.O. 1990, as amended, to the *Environmental Protection Act*, R.S.O. 1990, c. E19, as amended; and vii) PCB waste as defined in Regulation 362, “Waste Management – PCB’s”, R.R.O. 1990, as amended, to the of the Revised Regulations of Ontario, 1990, *Environmental Protection Act*, R.S.O. 1990, c. E19, as amended, but does not include Home Health Care Waste.

“Household Organics” means kitchen food waste and any other organic material collected separately for the purpose of organics processing as determined by the Region and identified in Schedule “A” of this By-law.

“Industrial, Commercial or Institutional Waste” means waste originating from any business or Institutional Establishment including waste originating from:

- i) an enterprise or activity involving warehousing, storage or industrial, manufacturing, or commercial processes or operations;
- ii) an enterprise or activity where goods or materials are kept for sale, or offered for sale, to the general public;
- iii) research or an experimental enterprise or activity;
- iv) clinics that provide medical diagnosis or treatment;
- v) laboratories or hospitals; or
- vi) construction or demolition projects, or home renovations.

“Institutional Establishment” includes, but is not limited to, a building or part of a building that is a senior’s home, place of worship, daycare, community shelter, private school, public & separate schools, or community college or university, including student residences.

“Multi-residential Property” means an apartment building, condominium complex, townhouse complex, co-op complex or other similar residential complex containing three or more self-contained Dwelling Units.

“Owner” means each owner and occupier of property.

“Officer” means a Municipal Law Enforcement Officer appointed to enforce the By-laws of the City.

“Pathological Waste” means”:

- (i) any part of the human body, including tissues and bodily fluids, but excluding fluids, extracted teeth, hair, nail clippings and the like, that are not infectious;
- (ii) any part of the carcass of an animal infected with a communicable disease or suspected by a licensed veterinary practitioner to be infected with a communicable disease;
- (iii) non-anatomical waste infected with communicable disease;
- (iv) a mixture of a waste referred to in subclause (i), (ii) or (iii) and any other Waste or material; or
- (v) a Waste derived from a waste referred to in subclause (i), (ii) or (iii).

“Person” includes an individual, association, firm, partnership, corporation, trust, organization, trustee, or agent, and their heirs, executors, or legal representatives.

“Pet 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 such as bedding, cage lining and kitty litter;

“Proper Receptacle” means a Residual Waste Bag, Blue Box Receptacle, Yard Waste Receptacle, Bulk Container, Green Bin or any other container approved by the City or other entity responsible for collection of material from the receptacle.

“Property” means any land, including the buildings and structures thereon, registered to a person on title in the Land Registry Office or Land Titles Division, as the case may be.

“Region” means the Regional Municipality of Durham.

“Residential Waste” means waste that is discarded for collection that originates from a Dwelling Unit and includes, but is not limited to, Bulky Items, White Goods, Yard Waste, Household Organics, Residual Waste and Blue Box Material.

“Residual Waste” means all waste which is not Blue Box Material, Household Organics, Yard Waste, or Household Hazardous Waste.

“Residual Waste Bag” means a plastic bag for Residual Waste which measures not more than 66 centimetres by 90 centimetres (26 inches by 36 inches) and is capable of supporting 20 kilograms (44 pounds) without tearing or breaking when lifted.

“Set Out” means to place, cause or permit to be placed Waste at any location on Private or public property for the purpose of Waste collection by the City or the Region or the City’s Contractors, and “Setting Out” has a corresponding meaning.

“Scheduled Collection Day” means the day of residential waste collection scheduled for a particular geographic area within the City as approved by Council.

“Sharps” means needles, broken glass, nails, spikes or other objects with a blade or point and includes medical or veterinary implements and equipment intended to be sharp for the purpose of cutting or piercing.

“Special Collection” means the prescheduled collection of Bulky Items and/or White Goods.

“Waste” means anything discarded for collection from any source, and includes Blue Box Material, Household Organics, Yard Waste, Residual Waste, Bulky Items, and White Goods.

“White Goods” include, but are not limited to, refrigerators, freezers, air conditioners, stoves, washers, dryers, dishwashers, hot water tanks, metal bathtubs, metal sinks, metal shower enclosures and oil tanks, but do not include these materials when discarded as a result of renovations to a Multi-residential Property.

“Wood Waste” means wood scraps, including painted, treated and coated wood from wood work residues, interior doors and household furniture, but does not include wood or wood scraps generated from construction, demolition, renovation or commercial purposes.

“Yard Waste” includes, but is not limited to Christmas trees, leaves, roots, weeds, hedge and shrub trimmings, brush cuttings, twigs and branches, and pumpkins, but shall exclude sod, soil and grass clippings.

“Yard Waste Receptacle” means a rigid open container with an external height no greater than 90 centimetres (36 inches) and an external width or diameter no greater than 66 centimetres (26 inches) that has two suitable handles, a Kraft paper yard waste bag, a Compostable Liner Bag or bushel basket, but does not include a Blue Box Receptacle or plastic bag.

3.0 Severability

If any or part of a provision of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative on particular circumstances, the balance of this By-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

4.0 Compliance with Other By-Laws and Regulations

- 4.1 This By-law shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the City or by any governmental authority having jurisdiction to make such restrictions or regulations.
- 4.2 If there is a conflict between a provision of this By-law and a provision of any other City By-law, the provision that establishes the higher standard to protect the health and safety of the public and to maintain clean and tidy conditions on the Highway shall apply.

5.0 Measurements

Where the By-law provides metric and imperial units of measure, the metric unit of measure shall prevail. For convenience only, approximate imperial measurements may have been provided in parentheses but are of no force or effect. The abbreviation “mm” stands for millimeters, “cm” stands for centimeters, “m” stands for metres, “in” stands for inches and “ft” stands for feet.

6.0 Eligibility for Waste Collection Services

- 6.1 Subject to any directives issued by Council, the City shall collect Waste from Eligible Properties in accordance with this By-law.
- 6.2 Subject to section 10, Multi-residential Properties are not eligible for City waste collection services unless deemed eligible by the Director, Operations Services, to receive municipal waste collection services.
- 6.3 Subject to section 11, Industrial, Commercial and Institutional Properties are not eligible for City waste collection services.

6.4 The Director, Operations Services, will determine the collection type and frequency of collection subject to the terms and conditions contained in this by-law and the Guidelines for Municipal Waste Collection Services.

7.0 General

7.1 No Owner or Person shall Set Out or cause or permit the Setting Out of Waste except as permitted by this By-law.

7.2 No Owner or Person shall Set Out or cause or permit the setting out of Unacceptable Waste in accordance with Schedule "B".

7.3 The City shall not collect any Waste that is not Set Out as prescribed by this By-law.

7.4 The City shall not collect Residential Waste from properties adjacent to private, unassumed roads unless authorized by the Director, Operations Services.

8.0 Scavenging

No Person other than the City, its employees or Contractors while collecting for the City, the Region, the 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.

9.0 Waste Collection

9.1 General

9.1.1 No Person shall Set Out or cause or permit the Setting Out of Residential Waste in anything other than a Proper Receptacle.

9.1.2 No Person shall Set Out or cause or permit the Setting Out of Waste in anything other than a Proper Receptacle.

9.1.3 No Person shall Set Out or cause or permit the Setting Out of Waste which is:

- (i) emitting a foul or offensive odour;
- (ii) harbouring rats or other vermin; or
- (iii) packed in such a manner that Waste falls out or protrudes from it.

9.1.4 No Person shall Set Out or cause or permit the Setting Out of Waste in such a manner that it may be blown from its receptacle by the wind.

9.1.5 Proper Receptacles shall be kept clean and maintained in a manner that allows for safe and efficient collection.

9.2 Residual Waste

9.2.1 No Person shall Set Out or cause or permit the Setting Out of Residual Waste unless it is contained within a Residual Waste Bag.

9.2.2 Subject to subsection 9.2.3, no Person shall Set Out or cause or permit the Setting Out of more than four (4) Residual Waste Bags per Dwelling Unit per scheduled collection.

9.2.3 A Person may Set Out Residual Waste Bags in excess of the limit prescribed by subsection 9.2.2 provided that each excess Residual Waste Bag has been affixed with a Bag Tag.

9.2.4 No Person shall Set Out or cause or permit the Setting Out of Home Health Care Waste unless it is double-bagged in two Residual Waste Bags.

9.3 Yard Waste

9.3.1 No Person shall Set Out or cause or permit the Setting Out of Yard Waste unless it is in a Yard Waste Receptacle.

9.3.2 No Person shall Set Out or cause or permit the Setting Out of a Yard Waste Receptacle containing anything other than Yard Waste.

9.3.3 Notwithstanding anything in this By-law, a Person shall only Set Out tree and shrub limbs where such limbs are no more than 10 centimetres (4 inches) in diameter and 1.2 metres (4 feet) in length, and are securely tied into compact bundles or parcels no more than 20 kilograms (44 pounds) in weight.

9.3.4 Notwithstanding anything in this By-law, a Person shall only Set Out a Christmas tree during the week in January designated by the Director, Operations Services, provided the tree is less than 1.8 metres (6 feet) in length, and free of all decorations, plastic wrap and stands.

9.4 Household Organics

9.4.1 No Person shall Set Out or cause or permit the Setting Out of a Green Bin containing anything other than Household Organics.

9.4.2 No Person shall Set Out or cause or permit the Setting Out of Household Organics other than within a Compostable Liner Bag placed within a Green Bin.

9.4.3 No Person shall Set Out or cause or permit the Setting Out of a Green Bin weighing in excess of 20 kilograms (44 pounds).

9.5 White Goods/Bulky Items

9.5.1 Every Person may Set Out Bulky Items or White Goods without complying with subsection 9.5.2 provided such Waste is securely tied into compact bundles or parcels measuring not more than 76 centimetres (30 inches) in length and 36 centimetres (14 inches) in width and height and not exceeding 20 kilograms (44 pounds) in weight.

9.5.2 Notwithstanding anything in this By-law, but subject to subsection 10.1.3, a Person residing in a Dwelling Unit, including Persons residing in a Multi-residential Property, may Set Out, subject to a fee as determined by City Council as set out in General Fees and Charges By-law, any combination of the following, provided the Person has scheduled and confirmed a collection date with the City:

- (i) White Goods, provided all doors have been removed, all liquids have been drained, and the items are not heavier than 70 kilograms (154 pounds) each or more than 1.8 metres (6 feet) in length each; and
- (ii) Bulky Items, provided the items are not heavier than 45 kilograms (100 pounds) each or more than 1.8 metres (6 feet) in length each.

9.6 Set Out Location

9.6.1 No Person shall Set Out Residential Waste, or cause or permit Residential Waste to be Set Out, in a location except as prescribed by this By-law.

- 9.6.2 Every Person shall Set Out Residential Waste as close as possible to the traveled portion of the Highway directly in front of the Owner's Private Property
- 9.6.3 No Person shall Set Out or cause or permit the Setting Out of Residential Waste that obstructs the traveled portion of the Highway or a sidewalk.
- 9.6.4 No Person shall Set Out Waste unless that Person is the Owner of the Property from which that Waste originates, unless with the Owners consent.
- 9.6.5 Waste Set Out shall be deemed to have been Set Out by the Owner of the Property directly in front of the location where the Waste is located unless proven to the contrary on a balance of probabilities, the onus of which proof lies on the Owner.

9.7 Collection Times

- 9.7.1 No Person shall Set Out or cause or permit the Setting Out of Residential Waste before 6:00 p.m. on the day immediately preceding the scheduled collection day or after 7:00 a.m. on the scheduled collection day.
- 9.7.2 No Person shall permit any receptacles or uncollected Waste to remain at the Set Out location after 8:00 p.m. on the scheduled collection day.

9.8 Level of Service

- 9.8.1 The levels and standards of services to be provided under this By-law shall be as set out in Schedules "C", "D" and "E" to this By-law, which Schedules form an integral part of this By-law. Any Owner requiring a higher level of service than provided by the City shall have the entire service provided, privately, at their own expense.
- 9.8.2 Waste collection under this By-law shall be provided on the day or days designated by Council.
- 9.8.3 Except by order of the Director, Operations Services or otherwise as permitted by this By-law, no Waste shall be collected by entry of a collection vehicle onto private property. Such an order shall not be issued unless it is deemed feasible and economical for the City to do so and all the requirements of this By-law and the City's policies and procedures have been met.

10.0 Waste Collection – Multi-Residential Properties

10.1 General

- 10.1.1 For the purposes of Section 10 "Waste Collection – Multi-residential Properties" only, the term "owner" shall not include the term "occupier" but shall only refer to the legal owner as shown in the records of the Land Registry Office, or Land Titles Division, as the case may be, for the Regional Municipality of Durham.
- 10.1.2 Waste collection from a Multi-residential Property located on private property shall only be provided for those properties approved by the Director, Operations Services.
- 10.1.3 Notwithstanding subsection 9.5.2, Persons residing in a Multi-residential Property shall only Set Out Bulky Items and White Goods where the Owner of the Multi-residential Property has arranged a coordinated multi-residential collection date with the City's Operations Services Branch.

10.1.4 Owners who do not participate fully in the City's waste collection services or collection as regulated under the Blue Box Regulation (O. Reg. 391/21) may not be eligible to receive any City provided waste collection services unless otherwise determined by the Director, Operations Services, and shall be responsible for the provision of private waste collection and disposal services at their own expense.

10.1.5 No Person or Owner of a Multi-residential Property shall be eligible to receive waste collection services, unless the Owner or Person complies with all relevant requirements contained in this By-law and in the City's Guidelines for Municipal Waste Collection Services, as amended, and approved by Director, Operations Services.

10.2 Set Out Location

10.2.1 The Director, Operations Services, may designate a location for the Set Out of Waste at a Multi-residential Property.

10.2.2 Where the Director, Operations Services, has designated a location for the Set Out of Waste on the Multi-residential Property no Person shall Set Out or cause or permit the Setting Out of Waste at a location other than the location designated by the General Manager.

10.2.3 No Person shall Set Out Waste at a Multi-residential Property designated Set Out location unless that Person is an Owner of the Multi-Residential Property.

10.2.4 Waste Set Out at a Multi-residential Property shall be deemed to have been Set Out by the Owner of the Multi-Residential Property unless proven to the contrary on a balance of probabilities, the onus of which proof lies on the Owner.

10.2.5 The Director, Operations Services, may determine the method of Waste collection at a Multi-residential Property the Director, Operations Services, shall advise the Multi-residential Complex Owner, as indicated on the most recent revised tax assessment roll, of the method of waste collection.

10.3 Collection Times

10.3.1 Every Multi-residential Property Owner shall ensure that enclosures for Bulk Containers are unlocked and make all Proper Receptacles accessible to the collection vehicle no later than 7:00 a.m. on the scheduled collection day. Failure to do so shall result in no collection on that scheduled collection day.

10.3.2 No Multi-residential Property Owner shall cause or permit enclosures for Bulk Containers to be unlocked and unattended on a day which is not a scheduled collection day.

11.0 Industrial, Commercial and Institutional Waste

11.1 No Person shall Set Out or cause or permit the Setting Out of Industrial, Commercial or Institutional Waste unless said Persons have in place a pre-existing agreement with the City for Waste collection.

12.0 Enforcement

12.1 Work Order

12.1.1 Where an Owner has failed to comply with any provision of this By-law, an Officer may make a work order requiring the Owner to do work to correct the contravention.

12.1.2 A work order issued under this By-law shall set out:

- (i) reasonable particulars of the contravention adequate to identify the contravention; and,
- (ii) the work to be done and the date by which the work must be done.

12.1.3 Service of a work order issued pursuant to this By-law may be given in writing and shall be served on the Owner against whom it is made in any of the following ways and is effective:

- (i) on the date a copy is personally delivered to the Owner to whom it is addressed;
- (ii) on the third (3rd) day after a copy is sent by regular mail or by registered mail to the Owner's last known address;
- (iii) upon confirmation of the successful transmission of a copy by facsimile transmission to the Owner's last known facsimile transmission number;
- (iv) upon sending a copy by e-mail transmission to the Owner's last known e-mail address; or,
- (v) upon a copy being posted on the door of any building or structure on the Owner's Property or, where no building or structure exists, on a stake erected by an Officer on the Owner's Property.

12.1.4 Every Owner who fails to comply with a work order is guilty of an offence in accordance with Section 12.3 of this By-law.

12.2 Remedial Action

12.2.1 Where an Owner fails to comply with a work order within the time provided for therein, the Director may, without notice to any Owner, cause the work to be done at each Owner's expense. Without limitation, the Director may retain such Persons to assist in completing the work as the Director determines appropriate.

12.2.2 Each Owner is jointly and severally liable to the City for all costs incurred in any way related to work done under Section 12 including, without limitation, interest calculated at the same rate as applied to unpaid Municipal taxes for the period commencing on the day that a cost was incurred by the City and ending on the day that all costs, including the interest, are paid in full.

13.2.3 The costs and interest may be added to the tax roll and collected in the same manner as property taxes.

12.3 Offence

12.3.1 Each Person who contravenes any provision of this By-law is guilty of an offence and, upon conviction, is liable to the penalties as prescribed by the *Provincial Offences Act*, R.S.O. 1990, c. P.33.

12.3.2 A director or officer of a corporation who knowingly concurs in the contravention of this By-law by the corporation is guilty of an offence and, upon conviction, is liable to the penalties as prescribed by the *Provincial Offences Act*, R.S.O. 1990, c. P.33.

12.4 Administrative Penalties

12.4.1 Administrative Penalty Process By-law 63-2013, as amended applies to each administrative penalty issued pursuant to this By-law.

13.4.2 Each Person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with Administrative Penalty Process By-law 63-2013, as amended, be liable to pay to the City an administrative penalty. If a Person receives a penalty notice in accordance with the Administrative Penalty Process By-law for a contravention of this By-law, and the Person has not received a penalty notice for the same contravention within one (1) calendar year or less, the Person shall be liable to pay to the City a tier one (1) administrative penalty amount for that contravention in the amount of \$125. If a Person receives an additional penalty notice for the same contravention of the By-law within one (1) calendar year 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 City a tier two (2) administrative penalty amount for that contravention in the amount of \$225. If the Person receives a subsequent penalty notice for the same contravention of the By-law within one (1) calendar year or less from the date of the penalty notice containing a tier two (2) administrative penalty amount, the Person shall be liable to pay to the City a tier three (3) administrative penalty amount for that contravention in the amount of \$325. If the Person receives any subsequent penalty notices for the same contravention of the By-law within one (1) calendar year 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 City a tier three (3) administrative penalty amount for that offence in the amount of \$325.

13.0 Exercise of Delegated Authority

13.1 Subject to subsection 13.3, the powers and authorities delegated to and conferred upon the Director, Operations Services, the Director, Municipal Law Enforcement & Licensing Services and the Hearing Officer by this By-law shall be exercised solely and exclusively by the Director, Operations Services, the Director, Municipal Law Enforcement & Licensing Services and the Hearing Officer, as the case may be, respectively.

13.2 The powers and authorities delegated to and conferred upon the Director, Operations Services, the Director, Municipal Law Enforcement & Licensing Services and the Hearing Officer by this By-law are considered, in the opinion of Council, to be of a minor nature, having had due regard to the limited number of people within the municipality who may be impacted by a power or authority exercised under this By-law and the limited geographic area which may be affected.

13.3 The powers and authorities delegated to and conferred upon the Director, Operations Services, and the Director, Municipal Law Enforcement & Licensing Services by this By-law may be further delegated by the Director, Operations Services, and the Director, Municipal Law Enforcement & Licensing Services, as the case may be, respectively to any officer or employee of the Corporation of the City of Oshawa, provided such further delegation has been made in writing and for the time period expressly set-out in such written delegation.

15.0 Effective Date

15.1 This By-law is in effect on the date of its passing.

16.0 Repeal

16.1 By-law 113-2008, as amended, hereby repealed.

By-law passed this twenty-fourth day of June, 2024.

Mayor

City Clerk

Schedule "A" to By-law 90-2024:

Household Organic Waste

Includes but is not limited to:

- 1) Food wastes including all fruits and vegetables (cooked, raw, whole, peelings, seeds or pits), corn cobs and husks, all fish and fish products (cooked or raw), tea bags, bones, all meat and meat products (cooked or raw), all shellfish and shellfish products (cooked or raw), all poultry and poultry products (cooked or raw), seasonings and spices, frozen foods, baked goods, pasta, coffee grounds and paper coffee filters.
- 2) Plate scrapings including all food leftovers, gravies and sauces.
- 3) Baking wastes including muffins, grease or lard, fat, flour, eggs and eggshells, margarine, spices, cake, cookies, sugar, cereals, oatmeal and oats.
- 4) Dairy products including yogurt, sour cream, butter, all cheese, ice cream and cream.
- 5) Paper fibre wastes including moulded pulp paper egg cartons and beverage trays, paper towels, facial tissues, napkins/serviettes, paper plates and paper cups (no lids), parchment paper, soiled paper food containers and wraps (such as frozen food boxes, pizza boxes, fast food boxes and wraps, special event paper food containers, muffin/cupcake liners (non-foiled), butcher paper, paper tablecloths.
- 6) Diapers and sanitary waste including diapers of all sizes, incontinence products and feminine hygiene products.
- 7) Pet waste and bedding as defined in this By-law.
- 8) Other wastes including hair, sawdust, wood shavings, wooden stir sticks, wooden cutlery, dryer lint, house plants with or without soil, flowers, cold fireplace ash, wooden toothpicks, garden fruit (such as crab apples), pet food, dried decorative fruits and vegetables, natural wreaths, natural garland, cotton balls and any other waste deemed household organic waste by the Region.

Household Organic Waste does not include:

- Aluminum foil
- Blue Box material
- Biomedical Waste
- Christmas trees
- Cigarette butts
- Coffee cups
- Cotton swabs
- Dead animals
- Disposable clothes dryer sheets
- Disposable wipes
- Garbage/Refuse Material
- Glass of any kind
- Grass clippings
- Hazardous and Special Products
- Hot fireplace ash
- Metal of any kind
- Plastic or plastic coated products of any kind
- Plastic-like packaging labelled as compostable
- Sod
- Synthetic corks
- Topsoil
- Treated wood
- Vacuum bags and contents
- Wax cartons or paper
- Wire or metal ties
- Yard waste

Schedule “B” to By-law 90-2024

Unacceptable Waste

Includes but is not limited to:

- Agricultural waste
- Ammunition
- Automotive or motorized equipment parts including tires, engines and frames
- Batteries, unless household batteries designated for curbside collection on days specified by the City
- Biomedical waste
- Broken porcelain bathroom fixtures not packaged in a cardboard box and weighing more than 20 kilograms (44 pounds)
- Carpeting that is not rolled or bundled appropriately (bundles exceeding 76cm (30”) in length, 36 cm (14”) in width and height, and weighing more than 20 kilograms (44 pounds))
- Dead animals
- Designated waste that has been banned from landfill or for which reasonable alternative disposal methods are available, as determined by the City
- Electric Vehicle Batteries for electric bicycles, scooters, automobiles or trucks
- Explosives
- Garbage over the garbage bag limit of (4) four items that are not tagged
- Grass clippings
- Hazardous and Special Products
- Hot ashes or any other waste capable of starting fires
- Household organics in plastic bags
- Industrial, commercial or institutional waste from properties not approved to receive municipal waste collection
- Liquid waste
- Manure or waste from any animal except for Pet Waste as defined in this By-law
- Railroad ties
- Sharps or any item that may pose a safety hazard to City staff or the contractor
- Sliding glass doors
- Sludge
- Swimming pools
- Tires
- Tree stumps and branches with a diameter greater than 10 cm (4 inches)
- Waste frozen to approved receptacles that is not easily removed by shaking
- Waste generated as a result of construction, demolition or renovations, including but not limited to soil, sod, plaster, drywall, masonry and tile, bricks, concrete or cinder blocks, paving stones, asphalt, wood, windows and window glass, shingles, asbestos, and urea formaldehyde
- Waste set out in such a manner as to pose a health and safety hazard to any person
- Waste weighing more than 20 kilograms (44 pounds) except Bulky Items and White Goods that may exceed 20 kilograms and have been set out according to
- Wood waste that is not securely tied or bundled appropriately (bundles exceeding more than 76 cm (30”) in length, 36 cm (14”) in width and height and weighing more than 20 kg (44 bounds))
- Yard waste in plastic bags
- Any other material deemed as prohibited by the City

Schedule “C” to By-Law 90-2024

Service Levels - Residual Waste

Type of Establishment	Receptacle Type	Receptacle Location	Maximum Frequency of Collection	Remarks
Single family dwelling, duplex dwelling, semidetached dwelling, apartment flat, street townhouse, apartment building or townhouse complex with less than 9 dwelling units	Maximum of 4 Residual Waste Bags per dwelling unit	Aligned along the street curb or edge of pavement	One every other week	
Church, educational building, clubhouse, public assembly hall, and other establishments not otherwise provided for	Maximum of 8 Residual Waste Bags per institution	Aligned along the street curb or edge of pavement	One per week	
Clubhouse, public assembly hall, hospital, medical clinic and/or pharmacy when part of a commercial complex	Bulk Containers as prescribed by the Director, Operations Services	On private property	One per week	See note 1
Multi-Residential building with 9 or more dwelling units and includes the residential component of a commercial complex	Bulk Containers as prescribed by the Director, Operations Services	On private property	Two per week	See notes 1 and 3
Commercial establishment/complex receiving City service up to and including May 28, 1979	Maximum of 16 bags OR Maximum of three 1 ½ cubic yard standard Bulk Containers or equivalent container capacity	Aligned along the street curb or edge of pavement OR On private property	Two per week	See notes 1 and 2
Commercial establishment/complex fronting on streets shown in Schedule “E” to this By-law	Maximum of 16 Residual Waste Bags	Aligned along the street curb or edge of pavement	Three per week	See note 2
Commercial establishment, commercial complex, or commercial component of a commercial complex requesting City service after May 28, 1979	Maximum of 16 bags OR Maximum one (1) 2, 3 or 4 cubic yard Bulk Container	Aligned along the street curb or edge of pavement OR On private property	One per week	See notes 1, 2 and 3

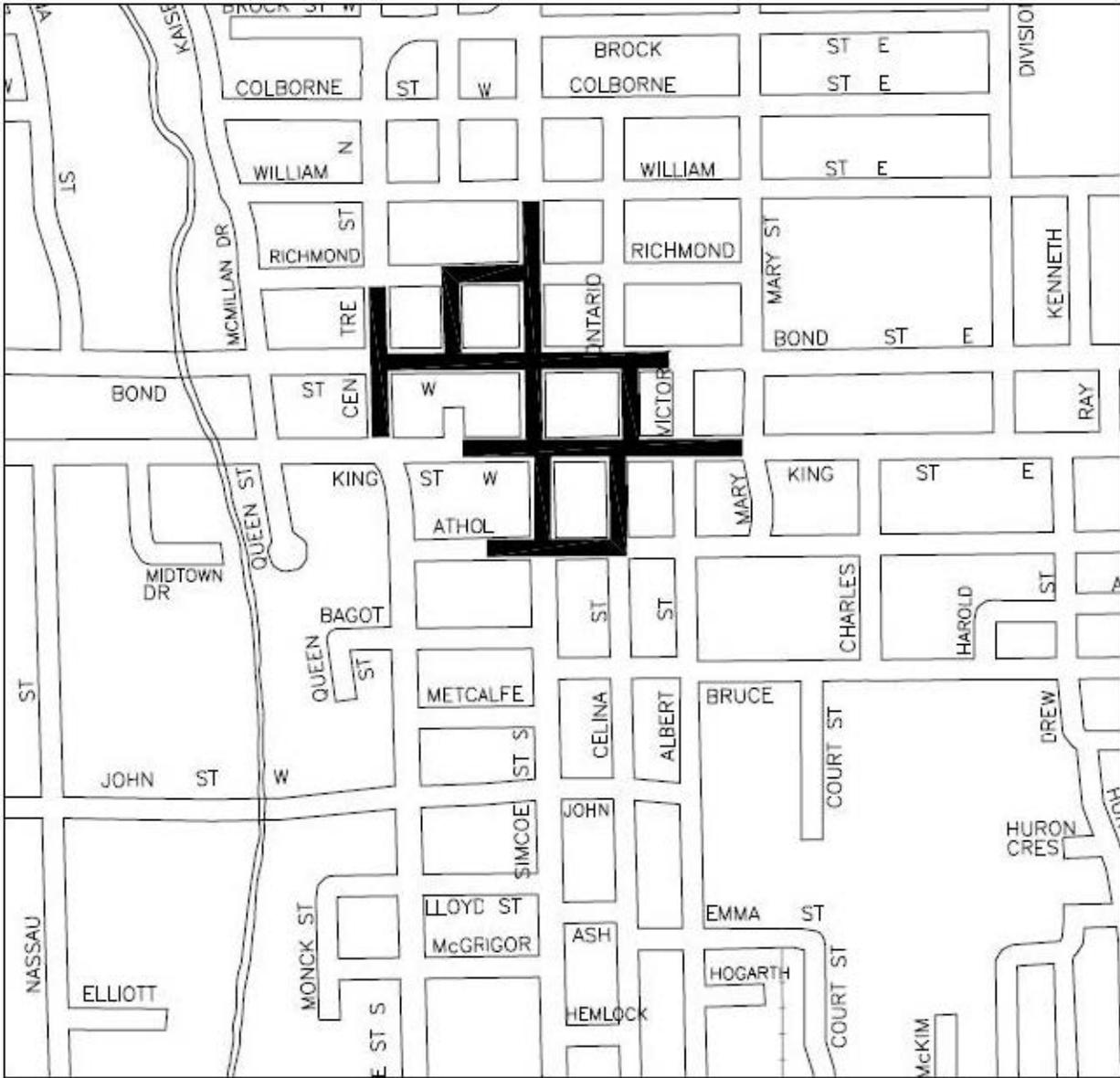
Note 1 Reference should be made to the City’s Guidelines for Municipal Waste Collection Services.

Note 2 Should a commercial establishment or complex require a higher level of service than provided by the City as noted in this Schedule the commercial establishment or complex shall be fully responsible for the collection of all its Waste. However, in cases where 1 ½ cubic yard bulk containers were used on May 28, 1979, the City may provide additional service to the Owner of such commercial establishments and complexes for a fee to be determined by City Council.

Note 3 In determining the level of service for a commercial complex with 9 or more dwelling units, the residential and commercial components can only be considered separately where waste from both components is stored and Set Out separately. If the waste from both components cannot be stored and controlled separately, then the level of service pertaining to a commercial establishment shall apply to the entire complex.

Schedule "D" to By-Law 90-2024

The following streets will receive curbside Residual Waste collection 3 times per week.



Schedule “E” To By-Law 90-2024

The following Multi-residential Properties, which contain 9 or more dwelling units, shall receive the levels of service which are presently being provided by the City and, therefore, shall be exempt from the provisions as set out in Schedule “C” to this By-law on the condition that the owner upgrades, where practical, and maintains the existing waste collection facilities in accordance with this By-law to the satisfaction of the Director, Operations Services.

50 Adelaide Ave.
291 Adelaide Ave. W.
309 Adelaide Ave. W.
319 Adelaide Ave. W.
329 Adelaide Ave. W.
85 Bloor St. W
676 Dnipro Blvd.
321 Elgin St. W
351 Elgin Ct.
323 Gibb St.
330 Gibb St.
333 Gibb St.
922 Glen St.
24 Lasalle Ct.
308 Malaga Rd.
416 Malaga Rd.
424 Malaga Rd.
432 Malaga Rd.
440 Malaga Rd.
448 Malaga Rd.
291 Marland Ave.
290 Mary St.
300 Mary St.
280 Montrave Ave.
290 Montrave Ave.
300 Montrave Ave.
303 Montrave Ave
308 Montrave Ave.
119 Nonquon Rd.
140 Nonquon Rd.
191 Nonquon Rd.
835 Oxford St.
885 Oxford St.
110 Park Rd. N.
124 Park Rd. N.
200 Park Rd. N.
208 Park Rd. N.
1265 Pentland St.
1266 Pentland St.
9 Quebec St.
50 Richmond St. E.
41 Russett Ave.
276 Saguenay Ave.
286 Saguenay Ave.
296 Saguenay Ave.
305 Saguenay Ave.
315 Saguenay Ave.
316 Saguenay Ave.
325 Saguenay Ave.
326 Saguenay Ave.
335 Saguenay Ave.
281 Simcoe St. S
291 Simcoe St. S

658 Simcoe St. N.
1221 Simcoe St. N.
650 Simcoe St. N
55 William St. E