

Chapter 844

WASTE COLLECTION, RESIDENTIAL PROPERTIES

ARTICLE I Definitions; Interpretation

§ 844-1. Definitions.

§ 844-2. Interpretation.

ARTICLE II Collection Services

§ 844-3. Eligibility for services.

§ 844-4. Frequency of garbage collection services.

§ 844-5. Frequency of recycling collection services.

§ 844-6. Frequency of yard waste collection services and organics collection services.

§ 844-7. Special collection services.

§ 844-8. Collection of prohibited waste.

§ 844-9. Collection limits.

ARTICLE III Requirements for Regulation Containers

§ 844-10. Garbage containers.

§ 844-11. Recycling containers.

§ 844-12. Yard waste containers and organics containers.

§ 844-13. Multiple household residences.

ARTICLE IV Setting Out Garbage and Recyclable Materials

§ 844-14. General requirements.

§ 844-15. Times for setting out garbage and recyclable materials.

§ 844-16. Preparation of recyclable materials for collection.

§ 844-17. Preparation of yard waste and organic materials for collection.

§ 844-18. Specially equipped buildings.

§ 844-19. Exemptions.

ARTICLE V Prohibited Acts; Charging Expenses Against Property; Penalties

§ 844-20. Prohibited acts.

§ 844-21. Charging expenses against property.

§ 844-22. Offences; discontinuance of service.

ARTICLE VI Restrictions on City Collection; Powers and Duties of Commissioner

§ 844-23. Restrictions on City collection.

§ 844-24. Powers and duties of Commissioner.

**Schedule A to Ch. 844, Special
Collection Services**

**Schedule C to Ch. 844, Prohibited
Waste**

**Schedule B to Ch. 844, Recyclable
Materials, Yard Waste and
Organic Materials**

**[HISTORY: Adopted by the Council of the City of Toronto 2001-04-27 by By-law
No. 235-2001.¹ Amendments noted where applicable.]**

GENERAL REFERENCES

Property maintenance — See Ch. 629.
Abandoned refrigerators and other appliances — See Ch.
659.

Waste collection, commercial properties — See Ch. 841.

**ARTICLE I
Definitions; Interpretation**

§ 844-1. Definitions.

As used in this chapter, the following terms have the meanings indicated:

BULKY ITEM — A household item other than an item for which special collection services are provided, which is larger than 1.2 metres in any one dimension or weighs in excess of 20 kilograms, including furniture of whatever size and weight as may be determined by the Commissioner.

COLLECTION POINT — The part of a property eligible to receive services that has been designated by the Commissioner for the setting out and collection of garbage, recyclable materials, organic materials, yard waste and items eligible for special collection services. **[Amended 2003-05-23 by By-law No. 443-2003]**

COMMISSIONER — The Commissioner of the City's Works and Emergency Services Department and includes his or her designate or successor, if any.

CONTAMINATION — The mixing of an item referred to in the list below with a different item described in the list below:

- A. Recyclable materials.
- B. Garbage.

¹ Editor's Note: This by-law was passed under the authority of sections 208.2 and 208.6 of the *Municipal Act*, R.S.O. 1990, c. M.45. This by-law comes into force on 2001-05-01. This by-law also stated that the following by-laws shall continue to be in effect, provided that, in the event of a conflict between Chapter 844 and a by-law referred to below, Chapter 844 shall prevail: Chapter 309, City of Toronto Municipal Code, as amended; Chapter 149, Etobicoke Municipal Code, as amended; By-law No. 1-86, as amended, former Borough of East York; By-law No. 2890-78, as amended, former City of York; By-law No. 24478, as amended, former City of Scarborough; By-law No. 21732, as amended, former City of North York.

- C. Yard waste.
- D. Prohibited waste.
- E. Organic materials. [**Added 2003-05-23 by By-law No. 443-2003**]

CURBSIDE COLLECTION — The collection of garbage, recyclable materials, organic materials and yard waste in the appropriate containers described in Article III, at a collection point which is at or near a curb. [**Amended 2003-05-23 by By-law No. 443-2003**]

DAYTIME COLLECTION PERIOD — A period of time during which the City provides services, which period commences at 7:00 a.m. on a specified day and concludes at 5:00 p.m. the same day.

DEPARTMENT — The City's Works and Emergency Services Department.

DWELLING ROOM — A room used or designed for human habitation which has culinary or sanitary facilities, but does not include:

- A. A room in a dwelling unit or in a hotel, tourist or guest home;
- B. A bathroom or kitchen; or
- C. A windowless storage room that has a floor area of less than 10 square metres.

DWELLING UNIT — A living accommodation used or designed for habitation by one person or by two or more persons living together which consists of a room or suite of two or more rooms in which both culinary and sanitary facilities are provided for the exclusive use of the person or persons.

EXEMPTION POLICY — The policy established by the Commissioner from time to time, as authorized by City Council, which sets out the terms and conditions under which owners may apply for and be granted permission to set out a number of garbage containers which exceeds the limit set out in § 844-9A. [**Added 2003-06-26 by By-law No. 520-2003**]

EXEMPTION TAG — A tag provided by the City to an owner to enable an owner to set out a number of garbage containers which exceeds the limit set out in § 844-9A. [**Added 2003-06-26 by By-law No. 520-2003**]

GARBAGE — Waste other than recyclable materials, organic materials, yard waste, items for which special collection services are provided and prohibited waste. [**Amended 2003-05-23 by By-law No. 443-2003**]

GARBAGE COLLECTION SERVICES — The services provided by the City under this chapter for the removal of garbage from residential property within the City.

GARBAGE CONTAINER — A container for setting out garbage which meets the requirements contained in § 844-10A and B.

HOUSEHOLD RESIDENCE — A building containing dwelling rooms and/or fewer than eight dwelling units.

MECHANICAL COLLECTION — The collection of garbage and recyclable materials in containers described in §§ 844-10B and 844-11B.

MULTIPLE HOUSEHOLD RESIDENCE — A building used mainly for residential purposes which contains eight or more dwelling units.

NIGHT-TIME COLLECTION PERIOD — A period of time during which the City provides services, which period commences at 8:00 p.m. on a specified day and concludes at 7:00 a.m. the next day.

ORGANIC COLLECTION SERVICES — The services provided by the City for the removal of organic materials from residential properties in the City. **[Added 2003-05-23 by By-law No. 443-2003]**

ORGANIC MATERIALS — The items, other than recyclable materials and yard waste, referred to in Schedule B at the end of this chapter. **[Added 2003-05-23 by By-law No. 443-2003]**

ORGANICS CONTAINER — A container for setting out organic materials which meets the requirements set out in § 844-12C. **[Added 2003-05-23 by By-law No. 443-2003]**

OWNER — An owner, occupant, lessee, tenant or any other person in charge or in control of a residential property in the City.

PERSON WITH DISABILITY — A person who, in the opinion of his or her physician, is, by reason of permanent or temporary disability, unable to comply with the requirements of this chapter with respect to setting out regulation containers at the appropriate collection point.

PROHIBITED WASTE — The waste items referred to in Schedule C at the end of this chapter.

RECYCLABLE MATERIALS — The waste items, other than yard waste and recyclable materials, referred to in Schedule B at the end of this chapter. **[Amended 2003-05-23 by By-law No. 443-2003]**

RECYCLING COLLECTION SERVICES — The services provided by the City for the removal of recyclable materials from residential property within the City.

RECYCLING CONTAINER — A container for setting out recyclable materials which meets the requirements contained in § 844-11A and B.

REGULATION CONTAINER — A garbage container, a recycling container, a yard waste container or an organics container. **[Amended 2003-05-23 by By-law No. 443-2003]**

REGULATION 347 — Regulation 347, R.R.O. 1990, under the *Environmental Protection Act*,² as same may be amended or replaced from time to time.

RESIDENTIAL PROPERTY — A household residence or a multiple-household residence.

SERVICES — One or more of the services provided by the City under this chapter, including garbage collection services, recycling collection services, organics collection services, yard waste collection services and special collection services. **[Amended 2003-05-23 by By-law No. 443-2003]**

SET OUT — The placement at a collection point of an item with respect to which the City provides services.

SPECIAL COLLECTION SERVICES — The services provided by the City under this chapter for the collection of items referred to in Schedule A at the end of this chapter.

SPECIALLY EQUIPPED BUILDING — A multiple household residence which has a stationary compactor unit and garbage container(s).

STREET — Any public highway, road, street, lane, alley or square within the jurisdiction of the City.

WASTE — Garbage, recyclable materials, organic materials, yard waste and prohibited waste. **[Amended 2003-05-23 by By-law No. 443-2003]**

YARD WASTE — The waste items, other than recyclable materials and organics materials referred to in Schedule B at the end of this chapter. **[Amended 2003-05-23 by By-law No. 443-2003]**

YARD WASTE COLLECTION SERVICES — The services provided by the City under this chapter for the removal of yard waste from residential property within the City.

YARD WASTE CONTAINER — A container for setting out yard waste which meets the requirements contained in § 844-12A.

§ 844-2. Interpretation.

- A. The necessary grammatical changes required to make the provisions hereof apply to corporations, partnerships, trusts, and individuals, male or female, and to include

² Editor's Note: See R.S.O. 1990, c. E.19.

the singular or plural meaning where the context so requires, shall in all cases be assumed as though fully expressed.

- B. The insertion of headings and the division of this chapter into sections and subsections are for convenience of reference only and shall not affect the interpretation thereof.

ARTICLE II
Collection Services

§ 844-3. Eligibility for services.

- A. Subject to the terms and conditions contained in this chapter and any directives issued by City Council from time to time, the City shall collect garbage, recyclable materials, organic materials, yard waste and items eligible for special collection services from residential properties. **[Amended 2003-05-23 by By-law No. 443-2003]**
- B. No owner shall be eligible to receive services unless the owner complies with all relevant requirements contained in this chapter and in the City publication entitled “Requirements for garbage and recycling collection services at Developments and Redevelopments” as same may be amended from time to time.
- C. Every owner of a multiple household residence shall ensure that specific recycling and organics instructions for residents are posted in locations at the multiple household residence as designated by the Commissioner. **[Amended 2003-05-23 by By-law No. 443-2003]**
- D. The Commissioner may determine that owners who do not participate fully in the City’s collection of recyclable materials or organic materials or who sell or otherwise transfer recyclable materials or organic materials to persons other than the City are not eligible to receive any services. **[Amended 2003-05-23 by By-law No. 443-2003]**
- E. No owner shall be eligible to receive or to continue to receive services unless the owner sets out for collection all waste in respect of which the City provides services to the owner. **[Added 2003-05-23 by By-law No. 446-2003]**

§ 844-4. Frequency of garbage collection services.

- A. The City shall collect garbage from household residences and multiple household residences who receive curbside collection: **[Amended 2003-05-23 by By-law No. 443-2003]**
- (1) No more than once per week if the household or multiple household residence does not receive organics collection services; or

- (2) No more than once every two weeks if the household or multiple household residence does receive organics collection services.
- B. Despite Subsection A, City Council may direct the Commissioner to provide garbage collection services twice per week to household residences and multiple household residences who receive curbside collection subject to such terms and conditions as City Council deems appropriate.
- C. The City shall collect garbage no more than twice per week from multiple household residences who receive mechanical collection.

§ 844-5. Frequency of recycling collection services.

- A. The City shall collect recyclable materials once every two weeks from household residences and multiple household residences that receive curbside collection of garbage.
- B. The City shall collect recyclable materials no more than once per week from multiple household residences that receive mechanical collection.

§ 844-6. Frequency of yard waste collection services and organics collection services.

[Amended 2003-05-23 by By-law No. 443-2003]

- A. The City shall collect yard waste from household residences and multiple household residences approved by the Commissioner during the months of April, May, June, July, August, September, October and November on days specified by the Commissioner.
- B. Despite Subsection A, if, in the opinion of the Commissioner, a multiple household residence has a suitable location for on-site composting or if a private contractor is employed for the purposes of lawn and garden maintenance at the multiple household residence, the Commissioner may elect not to provide yard waste collection services to the multiple household residence.
- C. The City shall collect organic materials from household residences and multiple household residences who receive curbside collection, once per week, on days specified by the Commissioner.

§ 844-7. Special collection services.

- A. The City shall provide special collection services to an owner with respect to the items referred to in Schedule A of this chapter, provided that:
 - (1) The owner contacts the Department prior to setting out the item requiring special collection services; and

TORONTO MUNICIPAL CODE

§ 844-8 WASTE COLLECTION, RESIDENTIAL PROPERTIES

- (2) The owner complies with all directions of the Department with respect to the preparation of the affected item for setting out and collection.
- B. An owner shall ensure that the doors are removed from any appliance eligible to be collected under this section before setting out the appliance for collection.³
- C. Special collection services shall be provided by the City on a “first requested, first served” basis.
- D. The Commissioner may refuse or limit the amount of special collection services provided to an owner.

§ 844-8. Collection of prohibited waste.

- A. The City shall not collect prohibited waste.
- B. No owner shall set out prohibited waste for collection by the City, either on its own or mixed with any waste with respect to which the City provides services.

§ 844-9. Collection limits.

- A. No owner who receives curbside collection shall set out for collection any combination of garbage containers and/or bulky items which exceeds six in number.
- B. There shall be no limit on the amount of recyclable materials, organic materials or yard waste which may be set out by an owner of a household residence, provided that the owner of the household residence complies with all relevant provisions of this chapter. **[Amended 2003-05-23 by By-law No. 443-2003]**
- C. Despite Subsection A, an owner may set out a number of garbage containers which exceeds the limit set out in § 844-9A if: **[Added 2003-06-26 by By-law No. 520-2003]**
 - (1) The owner applies for and is granted an exemption under the exemption policy; and
 - (2) The exemption is not revoked and the owner complies with all applicable provisions of the exemption policy and this chapter.

³ Editor’s Note: See also Ch. 659, Refrigerators and Other Appliances, Abandoned.

ARTICLE III
Requirements for Regulation Containers

§ 844-10. Garbage containers.

- A. Owners of household residences and multiple household residences who receive curbside collection shall use a container described below for setting out garbage:
- (1) A rigid container, in good working order with:
 - (a) A capacity greater than 30 litres and less than 125 litres;
 - (b) An external height no greater than 95 centimetres;
 - (c) An internal width or diameter no greater than 60 centimetres;
 - (d) A lid which may be easily and completely removed to facilitate collection;
 - (e) Any device used to tie down the lid must be completely removed prior to collection; and
 - (f) Handles set above the midpoint of the container; or
 - (2) A plastic bag measuring approximately 66 centimetres by 90 centimetres and capable of supporting 20 kilograms when lifted.
- B. Owners of multiple household residences who receive mechanical collection shall use a container described below for setting out garbage:
- (1) A properly covered watertight metal container, in sound and good working order, with a capacity greater than 1.76 cubic metres and less than 4.6 cubic metres which has a maximum weight of 1,500 kilograms when full and is compatible with the equipment used by the City for the provision of garbage collection services; or
 - (2) Any other container, in good working order designated by the Commissioner as acceptable for setting out garbage.

§ 844-11. Recycling containers.

- A. Unless otherwise required under this chapter, owners of household residences and multiple household residences who receive curbside collection shall use a container described below for setting out recyclable materials:
- (1) A blue box or grey box which is provided by the City or which meets the requirements of the City; or
 - (2) Such other container provided by the City or designated by the Commissioner as acceptable for setting out recyclable materials.

TORONTO MUNICIPAL CODE

§ 844-12 WASTE COLLECTION, RESIDENTIAL PROPERTIES

- B. Owners of multiple household residences who receive mechanical collection shall use a container described below for setting out recyclable materials:
- (1) A three-hundred-forty-litre plastic bin equipped with wheels which is compatible with the equipment used by the City for the provision of recycling collection services;
 - (2) A fully covered, watertight metal container with a capacity greater than 2.3 cubic metres and less than 4.6 cubic metres which is compatible with the equipment used by the City for the provision of recycling collection services; or
 - (3) Such other container, in good working order, provided by the City or designated by the Commissioner as acceptable for setting out recyclable materials.

§ 844-12. Yard waste containers and organics containers.

[Amended 2001-12-06 by By-law No. 1109-2001; 2003-05-23 by By-law No. 443-2003]

- A. Unless otherwise required under this chapter, owners of household residences and multiple household residences approved by the Commissioner shall use a container described below for setting out yard waste:
- (1) A rigid open container in good working order:
 - (a) With a capacity of not less than 20 litres nor more than 125 litres;
 - (b) With an external height no greater than 95 centimetres;
 - (c) With an internal width or diameter no greater than 60 centimetres;
 - (d) That is capable of supporting 20 kilograms when lifted; and
 - (e) With handles set above the midpoint of the container; or
 - (2) A kraft paper bag constructed of wet strength kraft paper specifically designed for leaf and yard waste material and:
 - (a) With a height no greater than 90 centimetres and no less than 85 centimetres;
 - (b) With a width of no greater than 41 centimetres and no less than 37 centimetres;
 - (c) With a depth of no greater than 31 centimetres and no less than 27 centimetres;
 - (d) That has the capability to be securely closed when filled; and

- (e) That is capable of supporting 20 kilograms when lifted; or
- (3) A clear plastic bag capable of supporting 20 kilograms when lifted.
- B. Despite Subsection A(3), after March 1, 2001, no person shall set out yard waste in a clear plastic bag.
- C. Unless otherwise required in this chapter, owners of household residences and multiple household residences who receive curbside collection shall use a container described below for setting out organic materials:
 - (1) An organics container which is provided by the City; or
 - (2) Such other container designated by the Commissioner as acceptable for setting out organic materials.

§ 844-13. Multiple household residences.

[Amended 2003-05-23 by By-law No. 443-2003]

Owners of multiple household residences shall provide, for the use by residents, sufficient separate regulation containers for garbage, recyclable materials and yard waste or organic materials, if the multiple household residence receives yard waste collection services or organic collection services.

ARTICLE IV

Setting Out Garbage and Recyclable Materials

§ 844-14. General requirements.

- A. No owner shall set out garbage, recyclable materials, organic materials, items for which special collection services are provided or yard waste for collection unless the garbage, recyclable materials, organic materials, items for which special collection services are provided or yard waste is: **[Amended 2003-05-23 by By-law No. 443-2003]**
 - (1) Generated on the public or private portion of the property abutting the approved collection point;
 - (2) Placed as close as possible to the edge of the roadway without obstructing the roadway or sidewalk;
 - (3) Free from contamination; and
 - (4) In appropriate regulation containers which are clean, well maintained, in good working order and filled to a height no greater than their sides.
- B. Subject to Subsection C, no owner shall set out, nor shall the City be obliged to collect, any item, other than a bulky item or an item for which special collection

TORONTO MUNICIPAL CODE

§ 844-15 WASTE COLLECTION, RESIDENTIAL PROPERTIES

services are provided, which weighs in excess of 20 kg, whether such item be a bundle, in a regulation container or loose. **[Amended 2003-05-23 by By-law No. 443-2003]**

- C. Subsection B does not apply to a regulation container described in §§ 844-10B and 844-11B.
- D. Owners shall ensure that the space on a sidewalk or street occupied by garbage, recyclable materials, organic materials, items for which special collection services are provided or yard waste set out for collection does not exceed the frontage of the property. **[Amended 2003-05-23 by By-law No. 443-2003]**

§ 844-15. Times for setting out garbage and recyclable materials.

- A. An owner who receives services during a daytime collection period shall ensure that: **[Amended 2003-05-23 by By-law No. 443-2003]**
 - (1) Garbage, recyclable materials, organic materials and yard waste are set out at the collection point no earlier than 8:00 p.m. on the day before collection and no later than 7:00 a.m. on the day of collection; and
 - (2) Empty regulation containers and uncollected garbage, recyclable materials, organic materials and yard waste are removed from the collection point no later than 10:00 p.m. on the day of collection.
- B. An owner who receives services during a night-time collection period shall ensure that: **[Amended 2003-05-23 by By-law No. 443-2003]**
 - (1) Garbage, recyclable materials, organic materials and yard waste are set out at the collection point no earlier than 8:00 p.m., and no later than 11:00 p.m. on the first day of the night-time collection period; and
 - (2) Empty regulation containers and uncollected garbage, recyclable materials, organic materials and yard waste are removed from the collection point no later than 10:00 a.m. on the second day of the night-time collection period.
- C. During the period November 1 to April 31, any reference in Subsections A(1) and B(1) to “8:00 p.m.” shall be deemed to be a reference to “6:00 p.m.”
- D. At any time other than a time described in Subsections A and B, owners shall ensure that garbage, recyclable materials, organic materials and yard waste are stored on their premises and contained in a manner that protects same from rodents, vermin, pests and other disturbances. **[Amended 2003-05-23 by By-law No. 443-2003]**
- E. Every owner shall make his or her best efforts to set out garbage, recyclable materials, organic materials and yard waste on each day that the City provides garbage collection services, recycling collection services, organics collection services and yard waste collection services, as the case may be, and in no case shall

an owner fail to set out an item eligible for collection under this chapter for more than one collection period. [Amended 2003-05-23 by By-law No. 443-2003]

§ 844-16. Preparation of recyclable materials for collection.

A. Owners of household residences and multiple household residences who receive curbside collection of recyclable materials shall sort and set out recyclable materials as follows:

- (1) The following items shall be placed inside a recycling container loose and free of plastic bags or any other wrapping:
 - (a) Glass bottles and jars;
 - (b) Metal food and beverage cans;
 - (c) Plastic bottles and jugs made of high density polyethylene (HDPE #2) or polyethyleneteraphthalate (PET #1);
 - (d) Aluminium foil trays;
 - (e) Polycoat milk and juice cartons;
 - (f) Aseptic drink boxes;
 - (g) Empty paint cans; and
 - (h) Empty aerosol cans.
- (2) The following materials shall be placed loose in a recycling container, separate from the items referred to in Subsection A(1):
 - (a) Household paper;
 - (b) Paper egg cartons, rolls and bags;
 - (c) Gift wrap and cards; and
 - (d) Boxboard.
- (3) The following items shall not be placed in a recycling container, but shall be set out for collection in bags or bundles tied with string, not exceeding 20 kilograms in weight, and free of any wrapping:
 - (a) Newspapers;
 - (b) Telephone directories;
 - (c) Magazines and catalogues; and

TORONTO MUNICIPAL CODE

§ 844-16 WASTE COLLECTION, RESIDENTIAL PROPERTIES

- (d) Flattened clean, unwaxed corrugated cardboard, in bundles no larger than 75 cm x 75 cm x 30 cm.
- B. Owners of multiple household residences who receive mechanical collection of recyclable materials shall place the following items loose in said containers, free of plastic bags or any other wrapping and separate from any other items:
- (1) Household paper;
 - (2) Paper egg cartons, rolls and bags;
 - (3) Gift wrap and cards;
 - (4) Boxboard;
 - (5) Newspapers;
 - (6) Telephone directories;
 - (7) Magazines and catalogues; and
 - (8) Flattened clean, unwaxed corrugated cardboard, in bundles no larger than 75 cm x 75 cm x 30 cm.
- C. Owners of multiple household residences who receive mechanical collection of recyclable materials shall place the following items loose in the appropriate containers, free of plastic bags or any other wrapping and separate from any other items, including the items referred to in Subsection B:
- (1) Glass bottles and jars;
 - (2) Metal food and beverage cans;
 - (3) Plastic bottles and jugs made of high density polyethylene (HDPE #2) or polyethyleneterephthalate (PET #1);
 - (4) Aluminium foil trays;
 - (5) Polycoat milk and juice cartons;
 - (6) Aseptic drink boxes;
 - (7) Empty paint cans; and
 - (8) Empty aerosol cans.

§ 844-17. Preparation of yard waste and organic materials for collection.

[Amended 2003-05-23 by By-law No. 443-2003]

Owners of household residences and multiple household residences who receive yard waste collection services and organics collection services shall sort and set out yard waste and organic materials as follows:

- A. Plant cuttings, roots, weeds and leaves shall be set out in a yard waste container;
- B. Hedge and shrub trimmings, brush cuttings, twigs and branches under 7.5 centimetres in diameter shall be tied in bundles no greater than 1.2 metres in length and 0.6 metre in diameter;
- C. Christmas trees shall be set out free of all tinsel, nails, ornaments and plastic bags; and
- D. Organic material shall be set out in an organics container, free of plastic containers, twist ties and other contaminants.

§ 844-18. Specially equipped buildings.

- A. Owners of specially equipped buildings shall ensure that garbage is packed by means of a stationary compactor unit.
- B. The Commissioner may require the owner of a specially equipped building to provide appropriate access, storage facilities, compactor equipment, collection locations and facilities for the implementation and/or continued receipt of services.
- C. Garbage containers shall be collected from specially equipped buildings as often as may be considered necessary by the Commissioner, and in the event that the Commissioner determines that collection is required more than twice per week, the owner shall arrange and pay for the extra collections.

§ 844-19. Exemptions.

[Amended 2003-05-23 by By-law No. 443-2003]

Notwithstanding anything in this chapter, the Commissioner may exempt a person with disability who occupies a dwelling unit with an independent exterior entrance and who does not reside with an able-bodied person from the requirement to set out garbage, recyclable materials, organic materials and yard waste at the designated collection point, provided that the person with disability completes all forms required by the Commissioner.

ARTICLE V
Prohibited Acts; Charging Expenses Against Property; Penalties

§ 844-20. Prohibited acts.

No person shall:

- A. Place, permit to be placed or permit to remain on or in any street abutting the property which they own or occupy any waste, except as expressly authorized by this chapter;
- B. Throw, cast or otherwise deposit or permit any contractor, agent or employee to throw, cast or otherwise deposit any waste whatsoever on or in any street or other public property, except as expressly authorized by this chapter;
- C. Pick over, interfere with, disturb, remove or scatter any waste set out for collection unless authorized to do so by the Commissioner;
- D. Permit any animal owned by him or her or under his or her care or control to pick over, interfere with, disturb, remove or scatter any waste set out for collection;
- E. Place waste on public property for collection by a private agency, unless otherwise approved by the Commissioner;
- F. Deposit waste generated on private property in public street receptacles;
- G. Set out any waste for collection unless it is in an appropriate regulation container as specified in this chapter; **[Amended 2003-06-26 by By-law No. 520-2003]**
- H. Set out any waste in a regulation container that is not in good working order;
- I. Sell or otherwise transfer in any manner an exemption tag to any other person; or **[Added 2003-06-26 by By-law No. 520-2003]**
- J. If the person has been granted an exemption under an exemption policy, set out a number of garbage containers which exceeds the limit set out in § 844-9A unless the person has placed, in accordance with the exemption policy, an exemption tag on each garbage container which exceeds the limit set out in § 844-9A. **[Added 2003-06-26 by By-law No. 520-2003]**

§ 844-21. Charging expenses against property.

In this chapter, where any person is directed or required to do any matter or thing within a specified period of time from the delivery of a written notice of non-compliance, in default of its being done by the person directed or required to do it, such matter or thing shall be done at his or her expense, and such expense may be recovered in like manner as municipal taxes.

§ 844-22. Offences; discontinuance of service.

- A. Any person who commits an act prohibited under § 844-20 or contravenes any other provision of this chapter is guilty of an offence and upon conviction therefor:
- (1) Is liable to a fine of not more than \$10,000 for a first offence and \$25,000 for any subsequent offence, except that where a corporation is convicted of an offence the maximum penalties shall be \$50,000 for the first offence and \$100,000 for any subsequent offence; and
 - (2) Is subject to the discontinuance of any or all services provided for in this chapter until the person demonstrates to the Commissioner that he or she is in compliance with this chapter.
- B. In the event the Commissioner discontinues services in accordance with Subsection A(2), the affected owner shall obtain private collection services during the period in which the services are discontinued, at the same or greater frequency at which the services were provided prior to their discontinuance.

ARTICLE VI

Restrictions on City Collection; Powers and Duties of Commissioner

§ 844-23. Restrictions on City collection.

- A. The City shall not make collections from, nor return regulation containers to, any location which the Commissioner deems unreasonable, inefficient or dangerous to City employees.
- B. No City employee shall enter any building, property or part of any building or property for the purpose of removing or returning any regulation container unless otherwise approved by the Commissioner.
- C. Before any City employee enters a building, property or part of a building or property which the Commissioner has approved under Subsection B, the owner shall enter into an agreement with the City to:
- (1) Indemnify and keep indemnified the City against all actions, suits, claims and demands which may be brought against or made upon the City and its officers, employees and agents and against all loss, costs, charges, damages or expenses whatsoever which may be incurred, sustained or paid by the City in consequence of any employee of the City entering the building or part of it;
 - (2) Grant to the City full power and authority to settle any such actions, suits, claims and demands on such terms as the City may consider advisable; and
 - (3) Covenant and agree with the City to pay to the City on demand all monies paid by the City pursuant to any such settlement and also such sum as shall

represent the reasonable costs of the City or its Solicitor in defending or settling any such actions, suits, claims or demands.

§ 844-24. Powers and duties of Commissioner.

The Commissioner shall:

- A. Determine the frequency and scheduling of the services to be provided under this chapter, including the schedule for phasing in organic collection services to all areas of the City; **[Amended 2003-05-23 by By-law No. 443-2003]**
- B. Designate collection points for waste which is eligible for collection;
- C. Discontinue or refuse services to an owner whose property is, in the opinion of the Commissioner, unsafe for entry or egress by persons providing services with respect to the physical layout, loading facilities and the method of handling garbage and other waste on the property;
- D. Where appropriate, require that the owner of a multiple household residence distribute information relating to the services to all individual dwelling units within the property;
- E. Provide information to the public with respect to the handling and disposal of prohibited waste;
- F. Provide information and services with respect to the diversion of recyclable materials and organic materials from garbage; **[Amended 2003-05-23 by By-law No. 443-2003]**
- G. Designate items to be included in garbage, recyclable materials, organic materials, items for which special collection services are provided or yard waste materials, as the case may be, and determine how same shall be collected; **[Amended 2003-05-23 by By-law No. 443-2003]**
- H. In the event of inclement weather or other condition which renders the provision of the services unsafe, suspend collection services in all or part of the City for a specified period of time; **[Amended 2003-06-23 by By-law No. 520-2003]**
- I. Receive applications under an exemption policy, grant, deny or revoke exemptions in accordance with the exemption policy and otherwise enforce the exemption policy; and **[Added 2003-06-23 by By-law No. 520-2003⁴]**
- J. Establish such other things as are necessary for the proper administration of this chapter.

⁴ Editor's Note: This by-law also renumbered former Subsection I as Subsection J.

TORONTO MUNICIPAL CODE
WASTE COLLECTION, RESIDENTIAL PROPERTIES

**SCHEDULE A TO CH. 844
SPECIAL COLLECTION SERVICES**

- A. The City shall provide special collection services to owners with respect to the following items:
- (1) Refrigerators;
 - (2) Stoves;
 - (3) Freezers;
 - (4) Air conditioners;
 - (5) Dehumidifiers;
 - (6) Washing machines;
 - (7) Clothes dryers;
 - (8) Dishwashers;
 - (9) Barbecues;
 - (10) Large metal objects (e.g. aluminium door);
 - (11) (Reserved); and⁵
 - (12) Any other item designated by the Commissioner as eligible for special collection services.
- B. Every owner shall remove all doors from the appliances referred to above before they are set out for collection.

⁵ Editor's Note: Former Subsection A(11) of this schedule, regarding tires, was repealed 2004-09-30 by By-law No. 745-2004. See now Subsection Q.1 of Schedule C of this chapter.

TORONTO MUNICIPAL CODE
WASTE COLLECTION, RESIDENTIAL PROPERTIES

SCHEDULE B TO CH. 844
RECYCLABLE MATERIALS, YARD WASTE AND ORGANIC MATERIALS
[Amended 2003-05-23 by By-law No. 443-2003]

- A. The following items shall be deemed to be recyclable materials for the purposes of this chapter:
- (1) Glass bottles and jars;
 - (2) Metal food and beverage cans;
 - (3) Plastic bottles and jugs made of high density polyethylene (HDPE #2) or polyethyleneterephthalate (PET #1);
 - (4) Household paper (including junk mail, writing and computer paper and envelopes);
 - (5) Paper egg cartons, rolls and bags;
 - (6) Boxboard;
 - (7) Newspapers;
 - (8) Telephone directories;
 - (9) Magazines and catalogues;
 - (10) Clean, unwaxed corrugated cardboard;
 - (11) Aluminium foil trays;
 - (12) Polycoat milk and juice cartons;
 - (13) Aseptic drink boxes;
 - (14) Empty paint cans;
 - (15) Empty aerosol cans; and
 - (16) Any other item designated as a recyclable material by the Commissioner.
- B. The following items shall be deemed to be yard waste for the purposes of this chapter:
- (1) Plant cuttings, roots, weeds and leaves;
 - (2) Hedge and shrub trimmings, brush cuttings, twigs and branches under 7.5 centimetres in diameter;
 - (3) Christmas trees; and
 - (4) Any other item designated as yard waste by the Commissioner.

TORONTO MUNICIPAL CODE
WASTE COLLECTION, RESIDENTIAL PROPERTIES

- C. The following items shall be deemed to be organic materials for the purposes of this chapter:
- (1) All food materials, including fresh, frozen, dried, cooked and prepared foods and leftovers;
 - (2) Fruit and vegetable scraps;
 - (3) Pasta, bread and cereal;
 - (4) Meat and fish products;
 - (5) Egg shells;
 - (6) Coffee grinds and filters;
 - (7) Tea bags;
 - (8) Houseplants (no pots or baskets);
 - (9) Soiled paper towels, tissues and wet paper;
 - (10) Diapers and sanitary products;
 - (11) Animal waste, litter or bedding; and
 - (12) Any other item designated as organic materials by the Commissioner.

TORONTO MUNICIPAL CODE
WASTE COLLECTION, RESIDENTIAL PROPERTIES

**SCHEDULE C TO CH. 844
PROHIBITED WASTE**

The following items shall be deemed to be prohibited waste for the purposes of this chapter:

- A. Acute hazardous waste chemical;
- B. Hazardous waste chemical;
- C. Corrosive waste;
- D. Hazardous industrial waste;
- E. Ignitable waste;
- F. PCB waste;
- G. Radioactive waste;
- H. Reactive waste;
- I. Severely toxic waste;
- J. Leachate toxic waste;
- K. Pathological waste, including 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 and anything designated as pathological waste by Regulation 347;
- L. Any household product, material or item labelled as “corrosive,” “toxic,” “reactive,” “explosive,” “oxidizing,” “poisonous infectious” or “flammable,” including but not limited to the following:
 - (1) Pool or photographic chemicals;
 - (2) Laundry bleach;
 - (3) Drain, oven, toilet and carpet cleaning solutions;
 - (4) Paint thinner and paint remover;
 - (5) Rat and mouse poison;
 - (6) Flea collars and powders;
 - (7) Insect killers;

TORONTO MUNICIPAL CODE
WASTE COLLECTION, RESIDENTIAL PROPERTIES

- (8) Moth balls;
 - (9) Weed killers;
 - (10) Fungicides;
 - (11) Wood preservatives;
 - (12) Oil-based and latex paints;
 - (13) Engine oil;
 - (14) Brake and transmission fluid;
 - (15) Antifreeze;
 - (16) Automotive batteries;
 - (17) Ni-cad rechargeable batteries;
 - (18) Propane tanks;
 - (19) Other gas tanks, including lighters;
 - (20) Aerosol containers; and
 - (21) Fire extinguishers.
- M. 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;
- N. Scrap wood or carpeting, unless it is cut, broken or securely tied into bundles or pieces less than 120 centimetres by 80 centimetres by 80 centimetres and free of all nails and staples, or as may otherwise be designated by the Commissioner;
- O. Hay, straw, manure or animal excrement;
- P. Any waste in liquid form including but not limited to swill or other organic matter not properly drained and securely wrapped;
- Q. Sod, grass, grass clippings;
- Q.1. Tires; **[Added 2004-09-30 by By-law No. 745-2004]**
- R. Waste produced by a person or organization involved in the processing or fabrication of products;
- S. Waste produced by a person or organization as a result of commercial or retail activity;

TORONTO MUNICIPAL CODE
WASTE COLLECTION, RESIDENTIAL PROPERTIES

- T. Any material which has become frozen to or otherwise attached to its regulation container which cannot be removed by shaking;
- U. Broken glass, crockery and other sharp objects not packaged in a manner to prevent injury to any person; **[Amended 2001-12-06 by By-law No. 1109-2001]**
- V. Designated materials and other items which have been banned from landfill or for which reasonable alternative disposal methods are available, as determined by the Commissioner; and
- W. Any other item or thing designated as prohibited waste by the Commissioner.