

# The Corporation of the City of Guelph

## By-law Number (2025) - 20995

A by-law to amend By-law Number (2019)-20392, as amended, being a by-law to provide for the management of waste within the City of Guelph.

**Whereas** The Corporation of the City of Guelph ("City") has adopted By-Law Number (2019) - 20392, being a By-law to provide for the management of waste within the City of Guelph;

**And whereas** the City has amended By-law Number (2019) - 20392 by By-law Nos. (2019) – 20423, (2021) – 20562 and (2022) – 20702 (as amended, the "By-law");

**And whereas** the O. Reg. 391/21: Blue Box, made under the Resource Recovery and Circular Economy Act, 2016, S.O. 2016, c. 12, Sched. 1, assigns responsibility for blue box material to producers, with transition in the City of Guelph occurring on January 1, 2025 as per the Blue Box Transition Schedule made available on the Resource Productivity and Recovery Registry;

**And whereas** the Council of the City wishes to further amend the By-law;

## Now therefore, the Council of the Corporation of the City of Guelph enacts as follows:

**1.** Section 1 of the By-law is hereby amended as follows:

(1) To delete the definition of "Certified Compostable Plastic Bag" in subsection (c) and replace it with the following:

(c) "**Certified Compostable Plastic Bag**" means a bag that has been officially endorsed as compostable under a third party operated accredited certification program, in accordance with specified criteria, to the satisfaction of the Manager;

(2) To delete the definition of "City Waste Collection Service Agreement" in subsection (f) and replace it with the following:

(f) "**City Waste Collection Service Agreement**" means an agreement regarding waste collection between a Waste Generator or Property Owner and the City, in the form approved by the Manager, from time to time;

(3) To delete the definition of "Clear Plastic Bag" in subsection (h) and replace it with the following:

(h) "**Clear Plastic Bag**" means a transparent and see-through, colourless plastic bag;

(4) To add the following new definition after subsection (i):

(iA) "**Communal Container**" means a Container designated by the City for the purpose of collecting waste from multiple Waste Generators in the Downtown Collection Area;

(5) To delete the definition of "Container" in subsection (j) and replace it with the following:

(j) "**Container**" means a container that can contain waste provided or approved by the City;

(6) To add the following new definition after subsection (m):

(mA) "**Eligible Recyclables**" means blue box materials as defined in and regulated under the Regulation, and collected through a Regulated Blue Box Collection Service;

(7) To delete the definition of "Front-end Bin" in subsection (n) and replace it with the following:

(n) "**Front-end Bin**" means a Container capable of being emptied by a front-end loading collection vehicle and used for the storage and collection of Recyclables or Garbage;

(8) To delete the definition of "Manager" in subsection (u) and replace it with the following:

(u) "**Manager**" means the Divisional Manager of Solid Waste Resources of the City, or any successor position, or their designate

(9) To add the following new definition after subsection (y):

(y) "Non-eligible Recyclables" means waste capable of being recycled that is managed by the City outside of the Regulated Blue Box Collection Service as determined by the Manager from time to time;

(10) To delete the definition of "Recyclables" in subsection (ll) and replace it with the following:

(ll) "**Recyclables**" means Eligible Recyclables and/or Non-eligible Recyclables;

(11) To add the following new definitions after subsection (nn):

(nnA) "**Regulation**" or "**O.Reg. 391/21**" means O. Reg. 391/21: Blue Box, made under the Resource Recovery and Circular Economy Act, 2016, S.O. 2016, c. 12, Sched. 1, as amended;

(nnB) "**Regulated Blue Box Collection Service**" means a waste collection service intended to fulfil producer responsibilities to collect Eligible Recycling required under the Regulation;

(12) To delete the definition of "Waste Collection Participant" in subsection (xx) and replace it with the following:

(xx) "**Waste Collection Participant**" means a Waste Generator or Property Owner whose waste is collected under the City Waste Collection Service, including those whose Eligible Recycling is collected by a separate operator through the Regulated Blue Box Collection Service;

(13) To delete the definition of "Waste Management Plan and Source Separation Commitment" in subsection (zz) and replace it with the following:

(zz) "**Waste Management Plan and Source Separation Commitment**" means a plan and commitment for separating waste, into Organics, Recyclables and Garbage, in form and substance approved by the Manager, from time to time;

(14) To delete the definition of "Waste Management Plan for a Special Event" in subsection (aaa) and replace it with the following:

(aaa) "**Waste Management Plan for a Special Event**" means a plan for managing waste at a special even, in form and substance approved by the Manager, from time to time."

(15) To delete the definition of "Yard Waste" in subsection (ccc) and replace it with the following:

(ccc) "**Yard Waste**" includes leaves, brush, branches, tree limbs (under 5 centimetres in diameter), hedge trimmings, woody plants including vines, rose bushes and the like; and excludes grass clippings, rocks, soil, sand, and the like.

2. Section 10 of the By-law is hereby deleted in its entirety and replaced with the following:

10. Every Waste Generator on, and Property Owner of, a Small Mixed-Use Property or Institutional Property shall ensure that either a Private Waste Collection Service is retained for the collection of waste generated on the property, or a Waste Management Plan and Source Separation Commitment and Waste Collection Service Agreement are in place in respect of the property. Notwithstanding the foregoing, the collection of Eligible Recyclables from a Small Mixed-Use Property or Institutional Property may be provided through the Regulated Blue Box Collection Service.
3. Section 12 of the By-law is hereby deleted in its entirety and replaced with the following:
12. Every Property Owner of a Multi-residential Property shall ensure that a City Waste Collection Service Agreement is retained in respect of collecting waste generated on that property, unless such Property Owner has entered into a Private Waste Collection Service in respect of the property. Notwithstanding the foregoing, collection of Eligible Recyclables from a Multi-residential Property may be provided through the Regulated Blue Box Collection Service under either of the above arrangements.
4. Section 14 of the By-law is hereby deleted in its entirety and replaced with the following:
14. Every Property Owner of a Multi-residential Property submitting a Waste Management Plan and Source Separation Commitment shall:
- (a) If a developer or redeveloper of a property, apply the Waste Collection Guidelines for Multi-residential Developments, as set out in Schedule "F" to this By-law;
  - (b) If the property is a new Multi-residential Property, apply the instructions of the Waste Management Plan and Source Separation Commitment for Multi-residential Properties;
  - (c) If the property is an existing Multi-residential Property, apply the Waste Management Plan and Source Separation Commitment for Existing Properties;
  - (d) Submit all applicable information and material as required by the Manager; and
  - (e) The Waste Management Plan shall be approved by the Manager prior to building or permission to build being granted.
5. Section 16 of the By-law is amended to delete subsection (b) in its entirety and replace it with the following:
- (b) A Communal Container.
6. Section 20 of the By-law is hereby deleted in its entirety and replaced with the following:
- 20 Every organizer of a special event to be held in or on City property shall:
- (a) At the time of applying for permission to use the City property, provide to the Manager, upon

- request, a Waste Management Plan for a Special Event;
- (b) Ensure that such Waste Management Plan for a Special Event identifies the information required by the Manager; and
  - (c) Comply with such Waste Management Plan for a Special Event.
- 7.** Section 23 of the By-law is amended to delete from subsection (b) the words "as set out in Schedule "G" or "H" to this By-law", to delete from subsection (c) the words "as set out in Schedule "K" to this By-law", and to delete from subsection (d) the words "may be".
- 8.** Section 23B of the By-law is amended to delete from subsection (a) the words "as set out in Schedule "M" of this By-law", and to delete from subsection (b) the words "as set out in Schedule "N" to this By-law".
- 9.** Section 24 of the By-law is hereby deleted in its entirety and replaced with the words "Intentionally Deleted."
- 10.** Section 26 of the By-law is hereby deleted in its entirety and replaced with the following:
26. For every property which is leased, the Property Owner shall provide, for the use of the Occupants, sufficient Containers for the collection of Organics, Recyclables, and Garbage as required for the City Waste Collection Service, Regulated Blue Box Collection Service, and/or Private Waste Collection Service, as applicable.
- 11.** Section 27 of the By-law is amended to add the words "City-owned" before the words "Cart or Front-end Bin".
- 12.** Section 28 of the By-law is amended as follows:
- (1) To delete subsection (a) in its entirety and replace it with the following:
    - (a) Organics, Recyclables and Garbage are separated out from any Non-collectable Waste, sorted and prepared for set-out per the instructions established by the Manager and made available to the public from time to time;
  - (2) To delete subsection (c) in its entirety and replace it with the following:
    - (c) Any solid, semi-solid or liquid contaminant which would render Non-eligible Recyclables non-recyclable, is removed from the Non-eligible Recyclables;
- 13.** Section 29 of the By-law is amended as follows:
- (1) To delete subsection (d) in its entirety and replace it with the following:
    - (d) Non-eligible Recyclables, other than cardboard or shredded paper, is placed into a Container containing nothing but Recyclables;
  - (2) To delete subsection (e) in its entirety and replace it with the following:
    - (e) Cardboard that is Non-eligible Recyclables is placed as follows:
      - (i) For property in the Downtown Collection Area:
        1. Flattened and loose into a Container containing nothing but Recyclables, or
        2. Flattened, tied into a bundle of no more than 1 metre long by 0.6 metres in any other dimension, and placed on the ground adjacent to a Container containing nothing but

- Recyclables, or
- (ii) For property anywhere other than in the Downtown Collection Area, flattened and loose into a Container containing nothing but Recyclables;

(3) To delete subsection (f) in its entirety and replace it with the words "Intentionally Deleted".

- 14.** Section 30 of the By-law is hereby amended to delete subsection (b) in its entirety and replace it with the following:

- (b) an Eligible Recyclables Container, contains nothing other than Eligible Recyclables;
- (bA) a Non-Eligible Recyclables Container, contains nothing other than Non-Eligible Recyclables
- (bB) a mixed Eligible and Non-Eligible Recyclables Container authorized by the Manager, contains nothing other than Recyclables;

- 15.** Section 31 of the By-law is hereby amended to, after the words "every Container set out for collection", add the words "by the City Waste Collector".

- 16.** Section 40 of the By-law is hereby amended to delete the words "by the City Waste Collector" and replace them with "for collection".

- 17.** Section 41 of the By-law is hereby amended to, after the words "Goods Exchange Day", add the words "or other program as designated by the Manager"

- 18.** Section 46 of the By-law is hereby deleted in its entirety and replaced with the following:

46. Every Person who wishes to engage in a Private Waste Collection Service within the geographic limits of the City shall obtain and maintain all requisite permits, certificates, authorizations, licences, approvals or other instruments from authorities having jurisdiction, as applicable, and provide confirmation to the Manager upon request. The Manager may report to any authority having jurisdiction, for enforcement purposes, any Person carrying on a Private Waste Collection Service without any required permit, certificate, authorization, licence, approval or other instrument.

- 19.** Section 49 of the By-law is amended as follows:

(1) to delete subsection (d) in its entirety and replace it with the following:

- (d) Deposit only such types of materials as are acceptable for deposit at the Waste Resource Innovation Centre as designated by the Manager.

(2) to delete subsection (h) in its entirety and replace it with the following:

- (h) If required for the Person's activities, possess all requisite permits, certificates, authorizations, licences, approvals or other instruments from authorities having jurisdiction, and provide confirmation to the Manager upon request.

- 20.** Section 50 of the By-law is amended as follows:

(1) To delete subsection (c) in its entirety and replace it with the following:

- (c) report to any authority having jurisdiction, for enforcement purposes, any Persons denied entry to the Waste Resource Innovation Centre for failure to possess any required permit, certificate, authorization, licence, approval or other instrument;

(2) To amend subsection (d) by adding new paragraph (iii) as follows:

- (iii) For Eligible Recyclables, waste was generated by eligible sources

as defined in the Regulation.

- 21.** Section 51 of the By-law is deleted in its entirety and replaced with the following:

51. All waste lawfully deposited at the Waste Resource Innovation Centre becomes property of the operator and may be composted, recycled, processed, disposed of, or otherwise dealt with by the operator as it deems fit and in accordance with applicable law.

- 22.** Section 53 of the By-law is hereby deleted in its entirety and replaced with the following:

53. In addition to and without limiting the provisions of any other City by-law, every Person shall obtain the consent of the Property Owner of an applicable property before throwing, placing or depositing Refuse on any public or private property, including but not limited to City-owned property. The City designates City- issued public space containers within the Downtown Collection Area as Communal Containers.

- 23.** Section 54 of the By-Law is hereby amended to delete subsection (d) in its entirety and replace it with the following:

(d) Place Refuse generated on private property into public street, transit, or park Containers.

- 24.** Section 55 of the By-law is amended to add new subsection (l) as follows:

(l) To prescribe any form, plan, or agreement referenced in this By-law and to amend or revise such forms, plans, or agreements from time to time, provided the form, plan or agreement, or the amendment(s) or revision(s), as the case may be, are satisfactory to the City Solicitor.

- 25.** Section 56 of the By-law is hereby deleted in its entirety and replaced with the following:

56. The Manager may delegate their responsibilities under this By-law to any Officer, employee or agent of the City.

- 26.** The By-law is amended to add a new Section 65B as follows:

65B. If the operator of the Regulated Blue Box Collection Service neglects collection of Eligible Recyclables such that they become Refuse Constituting a Public Nuisance on a public or private property, an Officer may, without prior notice to such operator, cause the property to be cleared of such Refuse Constituting a Public Nuisance at the expense of the operator, and the City may recover the costs of so doing from such operator.

- 27.** Schedule "E" of By-law Number (2019) – 20392, as amended, is hereby deleted in its entirety and replaced with the words "Schedule "E" – Repealed by By-law (2025) - 20995" and all references to Schedule "E" throughout the By-law are hereby deleted.

- 28.** Schedule "F" of By-law Number By (2019) - 20392, as amended, is hereby deleted in its entirety and replaced with new Schedule "F" attached to this By-law as Schedule 1.

- 29.** Schedule "G" of By-law Number (2019) – 20392, as amended, is hereby deleted in its entirety and replaced with the words "Schedule "G" -Repealed by By-law (2025) - 20995" and all references to Schedule "G" throughout the By-law are hereby deleted.

- 30.** Schedule "H" of By-law Number (2019) – 20393, as amended, is hereby deleted in its entirety and replaced with the words "Schedule "H" -Repealed by By-law (2025) - 20995" and all references to Schedule "H" throughout the By-law are hereby deleted.
- 31.** Schedule "I" of By-law Number (2019) – 20393, as amended, is hereby deleted in its entirety and replaced with the words "Schedule "I" -Repealed by By-law (2025) - 20995" and all references to Schedule "I" throughout the By-law are hereby deleted.
- 32.** Schedule "K" of By-law Number (2019) – 20393, as amended, is hereby deleted in its entirety and all replaced with the words "Schedule "K" - Repealed by By-law (2025) - 20995" and all references to Schedule "K" throughout the By-law are hereby deleted.
- 33.** Schedule "L" of By-law Number (2015)-19985, as amended, is hereby deleted in its entirety and replaced with the attached Schedule 2.
- 34.** Schedule "M" of By-law Number (2019) – 20393, as amended, is hereby deleted in its entirety and replaced with the words "Schedule "M" -Repealed by By-law (2025) - 20995" and all references to Schedule "M" throughout the By-law are hereby deleted.
- 35.** Schedule "N" of By-law Number (2019) – 20393, as amended, is hereby repealed in its entirety and replaced with the words "Schedule "N" -Repealed by By-law (2025) - 20995" and all references to Schedule "N" throughout the By-law are hereby deleted.

This by-law shall come into force and take effect on the date it is passed.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2025.

Schedules:

Schedule 1: New Schedule "F" of By-law Number (2019) - 20392, as amended

Schedule 2: New Schedule "L" of By-law Number (2019) - 20392, as amended

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Cam Guthrie, Mayor

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[City Clerk or Deputy City Clerk]