



**CITY OF KINGSTON**  
**REPORT TO COUNCIL**

**Report No.: 12-221**

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**TO:** Mayor and Members of Council  
**FROM:** Jim Keech, President & CEO, Utilities Kingston  
**RESOURCE STAFF:** John Giles, Manager, Solid Waste  
**DATE OF MEETING:** July 17, 2012  
**SUBJECT:** Solid Waste Management By-Law Amendments

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**EXECUTIVE SUMMARY:**

Council passed a resolution directing staff to prepare waste by-law amendments to limit garbage to one container, bag and/or bundle per self-contained residential unit per week without tags if the green bin program has been offered to the property. In addition, three weeks were established when two containers could be placed out without tags, and a system was approved whereby residents with medical conditions that result in the generation of extra garbage could apply for additional bag tags.

The existing by-laws from the three former municipalities are not consistent as it pertains to the size and weight of garbage containers. It is recommended that this inconsistency be eliminated at this time in order that all residents have the same approved containers for waste disposal regardless of which area they live. A uniform container size and weight is incorporated in the amendments.

Three by-law amendments have been prepared and are attached to incorporate the above with an effective date of September 1, 2012 which is the Saturday preceding Labour Day. As the week following Labour Day is a week when two containers are allowed without tags, the effective start of a one bag limit would be the week of September 10, 2012.

An extensive promotion campaign will start before the one bag limit begins. A Communications Plan will be developed that will include advertising banners on the City website, newspaper advertisements, radio advertisements on local radio stations and Information Radio 106.3 FM, press releases, and internal communications with City staff.

**RECOMMENDATION:**

**THAT** Council approve By-Law 2012-XXX attached as Exhibit "A" being a by-law to amend By-Law No. 181 of the former City of Kingston, "A By-Law to Provide for the Collection, Removal and Disposal of Garbage, Ashes and Other Refuse"; and By-Law 2012-XXX attached as Exhibit "B" being a by-law to amend By-Law 36-95 of the former Township of Pittsburgh, "A By-Law to Regulate and Maintain a System for the Collection, Removal and Disposal of Ashes, Garbage and Other Refuse"; and By-Law 2012-XXX attached as Exhibit "C" being a by-law to amend By-Law 95-55 of the former Township of Kingston, "A By-Law to Regulate the Collection, Removal and Disposal of Garbage and to Prohibit the Throwing, Placing or Depositing of Garbage on Property within the Township of Kingston".

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**AUTHORIZING SIGNATURES:**

ORIGINAL SIGNED BY PRESIDENT & CEO, UTILITIES KINGSTON Jim Keech, President & CEO, Utilities Kingston
ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER Gerard Hunt, Chief Administrative Officer

**CONSULTATION WITH THE FOLLOWING COMMISSIONERS:**

Lanie Hurdle, <i>Community Services</i>	N/R
Denis Leger, <i>Transportation, Properties &amp; Emergency Services</i>	N/R
Cynthia Beach, Commissioner, Sustainability & Growth	N/R

***(N/R indicates consultation not required)***

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**OPTIONS/DISCUSSION:**

The following resolution was carried at Council Meeting No. 2011-23:

**WHEREAS** Council directed staff to investigate the feasibility of potential System Enhancement Component Options that could be implemented in the short-term in the City’s current waste management system to further increase waste diversion and reduce the quantity of waste requiring disposal, including receiving additional public input, and to report back to the EITP Committee with final recommendations;

**THEREFORE BE IT RESOLVED** that staff be directed to prepare a solid waste by-law amendment which provides:

1. **THAT** properties offered access to the green bin program be limited to one container, bag and/or bundle of garbage per self-contained residential unit per week without bag tags; and
2. **THAT** two bags of garbage without tags be allowed on the first collection day following New Years Day, Victoria Day, and Labour Day; and
3. **THAT** residents with medical conditions that result in the generation of extra garbage be provided with up to 52 bag tags annually subject to a letter advising of the need from their medical practitioner being approved annually by the Solid Waste Manager; and
4. **THAT** staff be directed to promote “Giveaway Days” when residents are encouraged to place reusable items at the curb for others to take at no cost.

The three solid waste by-laws of the former City of Kingston, former Pittsburgh Township, and former Kingston Township each require amendment in order to incorporate the resolution.

**Approved Containers:**

The three existing by-laws are not consistent as it pertains to the size and weight of approved containers. It is recommended that this inconsistency be eliminated at this time in order that all residents have the same approved containers for waste disposal.

**Comparison of Existing Size and Weight Limits:**

Former Municipality	Size (m)	cu. m.	cu. ft.	litres	lbs	kgs
City of Kingston	*n/r	0.085	3.0	85	60	27
Pittsburgh Township – bags	**n/a	0.085	3.0	85	40	18
Pittsburgh Township – cans	0.76 x 0.45	0.120	4.4	120	40	18
Kingston Township	1.0 x 1.0	1.000	35.3	1000	40	18

\*n/r - no restrictions

\*\*n/a - not applicable

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**Recommended Size and Weight Limits:**

Garbage cans are available in various shapes and sizes and most often measured in litres or US gallons. The largest residential cans with wheels are generally between 100 litres (26 US gal.) and 133 litres (35 US gal.).

It is recommended that the container approved for the by-laws be sized no greater than 135 litres (36 US gal. / 4.8 cu. ft. / 0.135 cu. m.) and shaped smaller at the bottom than the top in order to make emptying easier (all commercially available trash cans are shaped this way); or a plastic bag or bundle no greater than 135 litres that is tied and capable of carrying the waste contents without tearing or spillage.

It is recommended that the approved container weigh no more than 20 kilograms (44 lbs.)

**Existing By-Laws and Recommended Amendments:**

Sections of the existing garbage by-laws and proposed amendments are as follows:

**City of Kingston By-Law No. 181**

Existing

Section 6 The householder shall provide at least one galvanized iron or plastic covered receptacle or plastic garbage bags for garbage and other refuse and a type approved by the City Engineer for ashes. All garbage shall be deposited for placed therein after being previously rolled in paper. The gross weight of any container including garbage, other refuse, or ashes may not exceed either sixty pounds or three cubic feet.

Revised

Section 6 Approved containers shall not exceed a weight of 20 kilograms (44 lbs.) including the contents and shall be a rigid container equipped with a lid and handles designed for lifting that is no greater than 135 litres and smaller at the bottom than the top; or a plastic bag or bundle no greater than 135 litres that is tied and capable of carrying the waste contents without tearing or spillage.

Existing

Section 6(a) Commercial properties in areas where the City of Kingston provides garbage collection service shall be limited to a maximum of six (6) containers, bags and / or bundles per business each week; and residential properties where service is provided shall be limited to a maximum of two (2) containers, bags and / or bundles per residential unit each week, except that garbage tags may be purchased at specific locations throughout the City for additional garbage.

Revised

Section 6 (a) Commercial properties in areas where the City of Kingston provides garbage collection service shall be limited to a maximum of six (6) approved containers per business each week; and residential properties where service is provided and have been offered access to the green bin program shall be limited to a maximum of one (1) approved container per self-contained residential unit each week, except that garbage tags may be purchased at specific locations throughout the City for additional garbage.

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New Section 6 (b) Two (2) approved containers without tags shall be allowed per self-contained residential unit on the first collection day following New Years Day, Victoria Day, and Labour Day.

New Section 6 (c) Residents with a medical condition that results in the generation of extra garbage shall be provided with up to fifty-two (52) bag tags annually subject to a letter advising of the need from their medical practitioner being approved annually by the Solid Waste Manager.

**Pittsburgh Township By-Law No. 36-95**

Existing

Section 1(a) Approved "Container" shall mean:

- i) A receptacle manufactured and commercially available for the storage and collection of waste, that is no greater than 76 centimeters (30 inches) in height, and no greater than 45 centimetres (18 inches) in diameter, and has a water proof lid and two handles; or
- ii) A non-returnable plastic bag that is no greater than 0.09 cubic metres in capacity, and is made from a minimum 1 ½ mil gauge material capable of carrying 18 kilograms (40 pounds) without tearing.

Revised

Section 1 (a) Approved containers shall be a rigid container equipped with a lid and handles designed for lifting that is no greater than 135 litres and smaller at the bottom than the top; or a plastic bag or bundle no greater than 135 litres that is tied and capable of carrying the waste contents without tearing or spillage.

Existing

Section 4(a) (ii) Each approved container when full shall not weigh in excess of 18 kilograms (40 lbs) including the weight of the container.

Revised

Section 4 (a) (ii) Approved containers shall not exceed a weight of 20 kilograms (44 lbs.) including the contents.

Existing

Section 4 (b) (iii) Residential properties where service is provided shall be limited to a maximum of two (2) containers, bags and / or bundles per residential unit each week.

Revised

Section 4 (b) (iii) Residential properties where service is provided and have been offered access to the green bin program shall be limited to a maximum of one (1) approved container per self-contained residential unit each week, except that garbage tags may be purchased at specific locations throughout the City for additional garbage.

Existing Section 4 (b) (iv) should be repealed as locations to purchase bag tags are noted in Revised Section 4 (b) (iii).

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Section 4 (b) (iv) Residents who require garbage collection service exceeding three containers, garbage tags may be purchased at specified locations throughout the City. The cost of the bag tag is based on the approximate cost of collections and disposal of container of garbage.

New Section 4 (b) (x) Two (2) approved containers without tags shall be allowed per self-contained residential unit on the first collection day following New Years Day, Victoria Day, and Labour Day.

New Section 4 (b) (xi) Residents with a medical condition that results in the generation of extra garbage shall be provided with up to fifty-two (52) bag tags annually subject to a letter advising of the need from their medical practitioner being approved annually by the Solid Waste Manager.

**Kingston Township By-Law No. 95-55**

Existing

Section 3 Every occupant shall place garbage in a suitable container or garbage bag sufficient to prevent the entry of water, rain, flies and animals and the escape of noxious odours therefrom.

Revised

Section 3 Every occupant shall place garbage in an approved container which shall not exceed a weight of 20 kilograms (44 lbs.) including the contents and shall be a rigid container equipped with a lid and handles designed for lifting that is no greater than 135 litres and smaller at the bottom than the top; or a plastic bag or bundle no greater than 135 litres that is tied and capable of carrying the waste contents without tearing or spillage.

Existing Section 4 should be repealed as the need for handles is included in Revised Section 3.

Section 4 All garbage containers shall be equipped with handles suitable for lifting.

Existing

Section 5 (a) The maximum number of containers, bags and / or bundles placed out for collection shall not exceed two (2).

Revised

Section 5 (a) Residential properties where service is provided and have been offered access to the green bin program shall be limited to a maximum of one (1) approved container per self-contained residential unit each week, except that garbage tags may be purchased at specific locations throughout the City for additional garbage.

New Section 5 (b) Two (2) approved containers without tags shall be allowed per self-contained residential unit on the first collection day following New Years Day, Victoria Day, and Labour Day.

New Section 5 (c) Residents with a medical condition that results in the generation of extra garbage shall be provided with up to fifty-two (52) bag tags annually subject to a

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letter advising of the need from their medical practitioner being approved annually by the Solid Waste Manager.

Existing Section 6 (a) should be repealed as locations to purchase bag tags are noted in Revised Section 5 (a).

Section 6 (a) Residents who require garbage collection service exceeding three containers, garbage tags may be purchased at specified locations throughout the City. The cost of the bag tag is based on the approximate cost of collections and disposal of one container of garbage.

Existing Section 9 should be repealed as the size and weight are included in Revised Section 3.

Section 9 The gross weight and size of any container, garbage bag or bundle placed out for collection shall not exceed 18 kgs. (40 lbs.) nor 1 metre in height, length or width.

**Effective Date:**

It is recommended that the amendments take effect on September 1, 2012 which is the Saturday preceding Labour Day. As the week following Labour Day is a week when two containers are allowed without tags, the effective start of a one bag limit would be the week of September 10, 2012.

**Promotion and Education:**

Solid Waste has budgeted for a month long promotion campaign that will take start before the one bag limit begins. A Communications Plan will be developed that will include advertising banners on the City website, newspaper advertisements, radio advertisements on local radio stations and Information Radio 106.3 FM, press releases, and internal communications with City staff.

**EXISTING POLICY/BY LAW:**

By-Law 181, being "A By-Law to Provide for the Collection, Removal and Disposal of Garbage, Ashes and other Refuse".

By-Law 36-95, being "A By-Law to Regulate and Maintain a System for the Collection, Removal and Disposal of Ashes, Garbage and Other Refuse".

By-Law 95-55, being "A By-Law to Regulate the Collection, Removal and Disposal of Garbage and to Prohibit the Throwing, Placing or Depositing of Garbage on Property within the Township of Kingston".

**NOTICE PROVISIONS:**

Not Applicable

**ACCESSIBILITY CONSIDERATIONS:**

This report is available in accessible formats upon request.

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**FINANCIAL CONSIDERATIONS:**

No financial implications are to be considered in this report.

**CONTACTS:**

John Bolognone, City Clerk – 613-546-4291, Ext. 1247

Lyn Suggitt, Collection Supervisor, Solid Waste – 613-546-4291, Ext. 3244

**OTHER CITY OF KINGSTON STAFF CONSULTED:**

Mark McLaughlin, Senior Legal Counsel, Legal Services

**EXHIBITS ATTACHED:**

Exhibit “A” By-Law 2012-XXX being a by-law to amend By-Law No. 181 of the former City of Kingston, “A By-Law to Provide for the Collection, Removal and Disposal of Garbage, Ashes and Other Refuse”.

Exhibit “B” By-Law 2012-XXX being a by-law to amend By-Law 36-95 of the former Township of Pittsburgh, “A By-Law to Regulate and Maintain a System for the Collection, Removal and Disposal of Ashes, Garbage and Other Refuse”.

Exhibit “C” By-Law 2012-XXX being a by-law to amend By-Law 95-55 of the former Township of Kingston, “A By-Law to Regulate the Collection, Removal and Disposal of Garbage and to Prohibit the Throwing, Placing or Depositing of Garbage on Property within the Township of Kingston”.



EXHIBIT "A"

**BY-LAW NO. 2012-XXX**

**A BY-LAW TO AMEND BY-LAW NO. 181 OF THE FORMER CITY OF KINGSTON, "A BY-LAW TO PROVIDE FOR THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE, ASHES AND OTHER REFUSE"**

**PASSED:**

The Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-law 181 of the former City of Kingston entitled, "A By-law to Provide for the Collection, Removal and Disposal of Garbage, Ashes and other Refuse" as amended, is hereby further amended as follows:

- 1.1. Section 6 shall be repealed, which currently reads:

6. The householder shall provide at least one galvanized iron or plastic covered receptacle or plastic garbage bags for garbage and other refuse and a type approved by the City Engineer for ashes. All garbage shall be deposited or placed therein after being previously rolled in paper. The gross weight of any container including garbage, other refuse, or ashes may not exceed either sixty pounds or three cubic feet.

And the following substituted:

6. Approved containers shall not exceed a weight of 20 kilograms (44 lbs.) including the contents and shall be a rigid container equipped with a lid and handles designed for lifting that is no greater than 135 litres and smaller at the bottom than the top; or a plastic bag or bundle no greater than 135 litres that is tied and capable of carrying the waste contents without tearing or spillage.

- 1.2. Section 6 (a) shall be repealed, which currently reads:

- 6 (a) Commercial properties in areas where the City of Kingston provides garbage collection service shall be limited to a maximum of six (6) containers, bags and / or bundles per business each week; and residential properties where service is provided shall be limited to a maximum of two (2) containers, bags and / or bundles per residential unit each week, except that garbage tags may be purchased at specific locations throughout the City for additional garbage.

and the following substituted:

- 6 (a) Commercial properties in areas where the City of Kingston provides garbage collection service shall be limited to a maximum of six (6) approved containers per business each week; and residential properties where service is provided and have been offered access to the green bin program shall be limited to a maximum

of one (1) approved container per self-contained residential unit each week, except that garbage tags may be purchased at specific locations throughout the City for additional garbage.

1.3. New Section 6 (b) shall be added as follows:

6 (b) Two (2) approved containers without tags shall be allowed per self-contained residential unit on the first collection day following New Years Day, Victoria Day, and Labour Day.

1.4. New Section 6 (c) shall be added as follows:

6 (c) Residents with a medical condition that results in the generation of extra garbage shall be provided with up to fifty-two (52) bag tags annually subject to a letter advising of the need from their medical practitioner being approved annually by the Solid Waste Manager.

2. This By-Law shall come into force and take effect on September 1, 2012.

**GIVEN FIRST AND SECOND READINGS  
GIVEN THIRD READING AND FINALLY PASSED**

**CITY CLERK**

**MAYOR**

EXHIBIT "B"

**BY-LAW NO. 2012-XXX  
A BY-LAW TO AMEND BY-LAW NO. 36-95 OF THE FORMER TOWNSHIP OF  
PITTSBURGH, "A BY-LAW TO REGULATE AND MAINTAIN A SYSTEM FOR THE  
COLLECTION, REMOVAL AND DISPOSAL OF ASHES, GARBAGE AND OTHER REFUSE"**

**PASSED:**

The Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-law 36-95 of the former Township of Pittsburgh entitled, "A By-Law to Regulate and Maintain a System for the Collection, Removal and Disposal of Ashes, Garbage and other Refuse" as amended, is hereby further amended as follows:

- 1.1. Section 1 (a) shall be repealed, which currently reads:

- 1 (a) Approved "Container" shall mean:

- i) a receptacle manufactured and commercially available for the storage and collection of waste, that is not greater than 76 centimetres (30 inches) in height, and no greater than 45 centimetres (18 inches) in diameter, and has a water proof lid and two handles; or
      - ii) a non-returnable plastic bag that is not greater than 0.09 cubic meters in capacity, and is made from a minimum 1 ½ mil gauge material capable of carrying 18 kilograms (40 pounds) without tearing.

And the following substituted:

- 1 (a) Approved containers shall be a rigid container equipped with a lid and handles designed for lifting that is no greater than 135 litres and smaller at the bottom than the top; or a plastic bag or bundle no greater than 135 litres that is tied and capable of carrying the waste contents without tearing or spillage.

- 1.2. Section 4 (a) (ii) shall be repealed, which currently reads:

- 4 (a) (ii) Each approved container when full shall not weigh in excess of 18 kilograms (40 lbs) including the weight of the container.

and the following substituted:

- 4 (a) (ii) Approved containers shall not exceed a weight of 20 kilograms (44 lbs.) including the contents.

- 1.3. Section 4 (b) (iii) shall be repealed, which currently reads:

4 (b) (iii) Residential properties where service is provided shall be limited to a maximum of two (2) containers, bags and / or bundles per residential unit each week.

And the following substituted:

4 (b) (iii) Residential properties where service is provided and have been offered access to the green bin program shall be limited to a maximum of one (1) approved container per self-contained residential unit each week, except that garbage tags may be purchased at specific locations throughout the City for additional garbage.

1.4 Section 4 (b) (iv) shall be repealed, which currently reads:

4 (b) (iv) Residents who require garbage collection service exceeding three containers, garbage tags may be purchased at specified locations throughout the City. The cost of the bag tag is based on the approximate cost of collections and disposal of container of garbage.

1.5 New Section 4 (b) (x) shall be added as follows:

4 (b) (x) Two (2) approved containers without tags shall be allowed per self-contained residential unit on the first collection day following New Years Day, Victoria Day, and Labour Day.

1.6. New Section 4 (b) (xi) shall be added as follows:

4 (b) (xi) Residents with a medical condition that results in the generation of extra garbage shall be provided with up to fifty-two (52) bag tags annually subject to a letter advising of the need from their medical practitioner being approved annually by the Solid Waste Manager.

2. This By-Law shall come into force and take effect on September 1, 2012.

**GIVEN FIRST AND SECOND READINGS  
GIVEN THIRD READING AND FINALLY PASSED**

**CITY CLERK**

**MAYOR**

EXHIBIT "C"

**BY-LAW NO. 2012-XXX**

**A BY-LAW TO AMEND BY-LAW NO. 95-55 OF THE FORMER TOWNSHIP OF KINGSTON,  
"A BY-LAW TO REGULATE THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE  
AND TO PROHIBIT THE THROWING, PLACING OR DEPOSITING OF GARBAGE ON  
PROPERTY WITHIN THE TOWNSHIP OF KINGSTON"**

**PASSED:**

The Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-law 95-55 of the former Township of Kingston entitled, "A By-Law to Regulate the Collection, Removal and Disposal of Garbage and to Prohibit the Throwing, Placing or Depositing of Garbage on Property within the Township of Kingston" as amended, is hereby further amended as follows:

- 1.1. Section 3 shall be repealed, which currently reads:

3. Every occupant shall place garbage in a suitable container or garbage bag sufficient to prevent the entry of water, rain, flies and animals and the escape of noxious odours therefrom.

And the following substituted:

3. Every occupant shall place garbage in an approved container which shall not exceed a weight of 20 kilograms (44 lbs.) including the contents and shall be a rigid container equipped with a lid and handles designed for lifting that is no greater than 135 litres and smaller at the bottom than the top; or a plastic bag or bundle no greater than 135 litres that is tied and capable of carrying the waste contents without tearing or spillage.

- 1.2 Section 4 shall be repealed, which currently reads:

4. All garbage containers shall be equipped with handles suitable for lifting.

- 1.3 Section 5 (a) shall be repealed, which currently reads:

- 5 (a) The maximum number of containers, bags and / or bundles placed out for collection shall not exceed two (2).

And the following substituted:

- 5 (a) Residential properties where service is provided and have been offered access to the green bin program shall be limited to a maximum of one (1) approved container per self-contained residential unit each week, except that garbage tags may be purchased at specific locations throughout the City for additional garbage.

1.4 New Section 5 (b) shall be added as follows:

- 5 (b) Two (2) approved containers without tags shall be allowed per self-contained residential unit on the first collection day following New Years Day, Victoria Day, and Labour Day.

1.5 New Section 5 (c) shall be added as follows:

- 5 (c) Residents with a medical condition that results in the generation of extra garbage shall be provided with up to fifty-two (52) bag tags annually subject to a letter advising of the need from their medical practitioner being approved annually by the Solid Waste Manager.

1.6 Section 6 (a) shall be repealed, which currently reads:

- 6 (a) Residents who require garbage collection service exceeding three containers, garbage tags may be purchased at specified locations throughout the City. The cost of the bag tag is based on the approximate cost of collections and disposal of one container of garbage.

1.7 Section 9 shall be repealed, which currently reads:

- 9 The gross weight and size of any container, garbage bag or bundle place out for collection shall not exceed 18 kgs. (40 lbs.) nor 1 metre in height, length or width.

2. This By-Law shall come into force and take effect on September 1, 2012.

**GIVEN FIRST AND SECOND READINGS  
GIVEN THIRD READING AND FINALLY PASSED**

**CITY CLERK**

**MAYOR**