Winnipeg

CITY OF WINNIPEG POLICY NO. WW-003

POLICY TITLE Walk-Up Service for Collections	**ADOPTED BY** City Council	**EFFECTIVE DATE** October 1, 2017
ORIGIN / AUTHORITY City Council	**CITY POLICY NO** WW-003	**MOST RECENT CONSOLIDATION**

1. Purpose:

To extend accessible collection services of designated waste by way of walk-up collections for residents requiring reasonable accommodation, up to the point of undue hardship.

2. Definitions:

2.1 "**Curbside pick-up point**": the point at which waste would normally be collected at a residential property without walk-up service.

2.2 "**Department**": the City of Winnipeg's Water & Waste department or subsequent or other department charged with collection of solid waste.

2.3 **"Designated waste"**: garbage, recycling, and yard waste.

2.4 **"Designated waste containers"**: in the case of garbage and recycling, waste containers as required for use for such waste under the Solid Waste By-Law, 110/2012. In the case of yard waste, such containers must be structured paper bags (kraft bags).

2.5 "**Director**": Director of the Department or any employee of the City to whom the Director has delegated in writing a duty or authority under this Policy.

2.6 **"Eligible residents":** City of Winnipeg residents at residential properties who meet the requirements outlined in section 3.3 of this Policy.

2.7 "**Garbage**": as defined in the Solid Waste By-law, 110/2012.

2.8 **“Individual charge**”: any monetary fee charged against an individual resident, but does not include any increase to fees shared by all residents, such as the waste diversion fee.

2.9 “**Permanent need**”: where no finite date for the need for reasonable accommodation can be ascertained.

2.10 “**Reasonable accommodation**”: rendering a service accessible to those with special needs, where those special needs are based upon age and disability for the purposes of this policy.

2.11 “**Recycling**”: recyclable waste, as defined in the Solid Waste By-law, 110/2012.

2.12 “**Residential property**”: as defined in the Solid Waste By-law, 110/2012.

2.13 “**Temporary need**”: where a finite date for the need for reasonable accommodation can be ascertained.

2.14 **“Undue hardship”**: as defined in human rights jurisprudence.

2.15 “**Walk-up service**”: collection service whereby:

i. on a scheduled date as determined by the Director; and

ii. in the case of yard waste, over a scheduled period as determined by the Director,

collection services agent(s) walk into a residential property from the access point where waste is normally collected at that premises and collect designated waste at the waste container storage location. In the case of garbage and recycling walk-up services, such service includes the agent(s) returning the emptied carts to the container storage location.

2.16 “**Waste container storage location**”: a location on an eligible resident’s property determined to be appropriate by the Director.

2.17 “**Yard waste**”: consists of:

i. grass clippings;

ii. leaves, plants, flowers, tree and hedge prunings; and

iii. small bundled branches no longer than 1 metre (3 feet) in length and 100mm (4 inches) in diameter;

that is generated from the residential property at which it is collected.

3. Walk-Up Service for Garbage, Recycling, and Yard Waste Collections Policy

3.1 Residents may apply to be provided walk-up designated waste collections services.

3.2 Walk-up collection services shall be provided at no additional individual charge to the eligible resident.

3.3 Residents shall receive walk-up service for designated waste collection if they meet the following conditions, as determined by the Director:

A. They must complete and submit an initial application form approved by the Director in order to register to receive accommodated designated waste collection services. The application must be submitted by way of the method outlined on the form and on the Department's website. On this form, applicants must check only those accommodated services that they require.

B. They must annually confirm a continued need in future years by completing and submitting an annual renewal form approved by the Director forwarded to the applicant by the Department near the anniversary date of their initial application. Generally speaking, no medical shall be required when submitting subsequent renewal forms except where reasonably deemed necessary by the Director as per 3.3(e) below. The Director must send forward the annual renewal form to the latest address provided to the Department by the eligible resident. In order to maintain eligibility, the resident must remit to the Department a completed annual renewal form within a reasonable time frame determined by the Director.

C. They must confirm in their initial application form and in their annual renewal forms that no other individual at their residence is able to place their designated waste at the curbside pick-up point.

D. They must disclose in their initial application form and in their annual renewal forms whether walk-up designated waste collection service is a temporary need or permanent need.

   i. If reasonable accommodation is a temporary need, they must specify in their initial application form and/or in their annual renewal form the length of time that such walk-up service is needed with a stated end date. Walk-up service shall be terminated as of that date. The onus rests with the resident to request any necessary extensions.

   ii. They must inform the Department at least 30 days prior to a discontinued need for service, or a change in service requirements (such as a change of address) by contacting the City of Winnipeg's client/customer/residents' service system outlined on the Department's website, currently by way of a phone call to 311.

E. They must have a relevant medical professional (for example, a family practitioner, occupational therapist, or physiotherapist) indicate their support of the request for walk-up designated waste collection services on the initial application form, with further medical support to be provided where reasonably deemed necessary by the Director. This information shall be managed in accordance with the *City of Winnipeg Protocols and Procedures under the Personal Health Information Act (PHIA)*, as amended from time to time. Any cost to obtain medical support rests with the resident.

F. They must ensure that designated waste containers are ready for collection on the scheduled collection day at the waste container storage location, in a visible and easily accessible location a maximum of 15 meters (50 feet) from the curbside pick-up point, free of obstacles and not within any structures on the property. This location will be the waste container storage location for all materials under this Policy.

G. They must ensure their address is clearly visible to collection services agent(s) on the front of the house and at the lane if applicable.

3.4 As a transitional measure, those residents already making use of garbage and recycling walk-up services as of October 1, 2017 must immediately meet all of these conditions, including the obligation to submit annual renewals, with one exception; they are not required to submit completed initial application forms and provide evidence of support for their application from a relevant medical professional as required by section 3.3(e) until October 1, 2018. The date on which their initial application form is submitted then becomes the relevant date for the purposes of annual renewals as required by section 3.3(b). For further clarity, this clause does not apply to yard waste walk-up collection applications.

3.5 Where an appeal from an order or decision under this Policy is authorized by *The City of Winnipeg Charter*, the appeal may be made to a hearing body of three members which includes the Chief Administrative Officer of the City or his or her delegate, and two Directors of the City as selected by the Chief Administrative Officer or their delegates. The Director and employees of the department which oversees and implements the Policy shall not serve as a member of the hearing body.

i. The Chief Administrative Officer of the City or his or her designate shall serve as the Chair of the hearing body.

ii. Sections 51(10) and 51(11) of the *Procedure By-law* apply to hearings conducted under this section and the hearing body may adopt other rules of practice and procedure.

iii. An appeal may only be accepted by the City Clerk where any administrative fee established by Council has been paid to the City Clerk.

iv. The appeal body hearing the appeal may order the administrative fee to be refunded to the appellant if the appeal has been made in good faith and has some merit.

4. Responsibilities

4.1 Director

Responsibility for periodically reviewing and updating this Policy shall rest with the Director.